00035284

NOT TO BE ISSUED OUT
WITHOUT PERMISSION.

Digitized with financial assistance from
Observer Research Foundation
on 17 May, 2019

THE HISTORY OF ENGLAND: DURING THE INTER-REGNUM.

A.D. 1688. NOTWITHSTANDING the received *Maxims of the Law*, the Subtleties and Refinements of its Profeſſors, and the Turns and Doubles of ſelf-intereſted Stateſmen, the Throne was now apparently vacant. The King was not dead; therefore had no Succeſſor: He had withdrawn his Perſon, without leaving any Deputy or Repreſentative; therefore all the Operations of the kingly Office ceas'd: And tho' his Majeſty had put in a ſort of Caveat againſt the ſupplying that Vacancy, the very Phraſe of being *within Call*, which he had made uſe of on that Occaſion, ſeem'd to acknowledge, that it was in the Breaſt of the People whether they would give him ſuch a Call or not. It is farther obſerv'd by Mr. *Echard*, that, tho' he aſſign'd Reaſons for his ſecond Departure, he aſſign'd none for his firſt: His throwing away the Great Seal imply'd a ſettled Deſign to unhinge the Government: And, whether his own Violences neceſſitated the Revolt of his Subjects; or their Revolt, together with his Apprehenſions of the Prince of *Orange*, neceſſitated his Departure; the Government was actually unhing'd: There was no ſupreme Authority any where; that aſſum'd by the Lords had no legal Foundation; the Prince of *Orange* had been invited to redreſs, but had no Pretence to govern: The public Peace was not to be left adrift upon the Tide of Power, till Time and Chance ſhould ſettle or deſtroy it; and there was no Proſpect, ſcarce a Poſſibility, of a Settlement, unleſs by the Choice of the People on one hand, or the Preſcription of the Prince on the other. The Commonwealth was indeed in the Caſe of a rich and tempting Lady, who, having brought a Bill of Divorce againſt an imperious Huſband, was again woo'd by the ſame Huſband, and alſo by the notable, ſtirring Advocate, by whoſe Aſſiſtance ſhe had obtain'd her Suit, and who believ'd he deſerv'd both her Perſon and all ſhe was worth, for his Pains. There was perhaps a Neceſſity to cloſe with one or the other; and, if the Compariſon holds, it may be preſum'd, that the new Comer had the beſt Chance to be the happy Man: For the very Itch of Novelty is no ſmall Provocative: The Fair-one is apt to think ſhe conſults her Intereſt, when ſhe gratifies her Inclination; and beſides that, unleſs ſhe is romantically generous, ſhe cannot be thoroughly grateful. A.D. 1688.

The King's Paper was ſoon made public, and almoſt as ſoon anſwer'd by Dr. *Burnet*, who, tho' he glides over this Circumſtance in his Hiſtory, was the Champion in ordinary of the Revolution, and ready to enter the Liſts againſt all Comers. This (*a*) Anſwer, ſuch as it is, is ſtill extant in the *State Tracts*, and has in the Front of it theſe ſignificant Words, *Publiſhed by Authority*. But the Writer himſelf, in the Introduction to it, intimates, that it is an Anſwer and no Anſwer; for, after premiſing, "That it might be confuted not only with Clearneſs, but with Severity too, if there was not a Reſtraint put upon the full Liberty of anſwering any thing that goeth under a Name, to which Reſpect would ſtill be paid, even by thoſe to whom it was deny'd;" he adds, "Therefore nothing will be ſaid to it by way *The King's Paper anſwer'd by Dr. Burnet.*

(*a*) It is called, *Reflections on a Paper, intituled, His Majeſty's Reaſons, &c.*

A. D. 1688. way of *entire Anſwer*;" and then reduces the King's whole Charge to theſe two Points; "1. The Prince's *ſending* his Guards at eleven o' Clock at Night, to take poſſeſſion of the Poſts at *Whitehall*, without advertizing him of it in the leaſt. 2. The ſending a kind of an Order by three Lords, to be gone out of his own Palace before Twelve that Morning." Now, for the ſake of Truth, which is above all Reſpects and Conſiderations, it is neceſſary to obſerve, That this Shew of Tenderneſs to the King is, in truth, a Tenderneſs to the Cauſe the Doctor has to handle; and that the King's Paper is thus epitomiz'd for the ſame Reaſon: That the Force of his Majeſty's Reaſons turn'd on the Meſſage he had ſent by, and the *Inſtructions* he had given to, Lord *Feverſham*; and the impriſoning that Lord, inſtead of ſending him back with a ſuitable Anſwer: That the Doctor paſſes over theſe Inſtructions, and that Impriſoning, and mentions the Invitation only: That he artfully makes the Lords which form'd the Prince's Council at *Windſor* anſwerable for all that follow'd, by ſaying, that his Highneſs left them to debate the whole Matter, *&c:* That he will not allow the King to urge, he had not the *leaſt Advertiſement* of the Prince's Purpoſe, ſince *Zuyleſtein* had inform'd him, It was his Highneſs's Deſire that he ſhould ſtay at *Rocheſter*: That as to the Hour when the *Dutch* Guards arriv'd, he aſſerts, it was computed they would have been there by Eight o' Clock; as alſo, That it ſo happen'd that they did not ALL arrive in Town till paſt Ten: That the Difficulty made of withdrawing the King's Guards render'd it ſo late before the Lords could deliver their Meſſage: And that, upon the Whole, he refers it to Conſideration, "Whether, ſince a thing of this kind was judg'd *neceſſary* to be done, it had not a better Grace, even in reſpect to the King himſelf, to do it upon ſhort Warning, rather than expoſe him more, by treating, and propoſing formally that which his Majeſty was *in no Condition to deny*; and concludes, That whoever would compare the Power of the Prince, with the Uſe he made of it, muſt be ſufficiently convinced of his Moderation."

Thus we are taught to believe, that his Highneſs had the Right of his Side, in all things; and that the King had Reaſon to be thankful, that he was not render'd yet more odious to the World, for having preſum'd to ſhew, that he had any Senſe or Feeling remaining: The Nation had long been habituated to think ill of him; and it now became the Faſhion to ſpeak ill of him; for the more univerſally he was condemn'd, the more effectually his Adverſaries were juſtify'd: Thus whatever had a Tendency to aſperſe him was greedily imbib'd; and every Extenuative, of every kind, was wilfully over-look'd: The Unfortunate have few Friends, and thoſe few have very rarely Courage enough to ſhew themſelves ſuch: While, on the contrary, thoſe who are wafted to their Wiſhes with an uninterrupted Gale of Proſperity find every Hand ſtretch'd out, on every Side, under the Pretence of offering Aſſiſtance, but in reality to ſhare in the Profits of the Voyage: A Conſideration which ought never to be forgot, when we read the Story of Princes depos'd, and that of their more happy Supplanters!

A. D. 1688.

It was *Sunday* the 23d when the King withdrew, and the next Day the Lords at *Weſtminſter* had notice of it; but came to no Reſolution that Day, except to put a Negative on a Motion made by ſome of his old Servants, for the reading his Paper of Reaſons, before inſerted; and this Negative, according to the Duke of *Bucks*, was the firſt Proof of their Intention to exclude their King, tho' many Diviſions aroſe among them afterwards, about the beſt Way of doing it: They, however, agreed the next Day (the 25th) in two things, which yet farther ſhew'd, that all Regard to his Majeſty was at an End; and that even their Regard to themſelves, as a Body, was exceeded by their Devotion to the Prince. The firſt, ſays the Nobleman laſt-quoted, was, that a Convention ſhould be ſummon'd, by circular Letters, in the Prince of *Orange*'s Name, to all thoſe Places which had a Right of chuſing Members of Parliament: And the ſecond, That his Highneſs ſhould be deſir'd to manage all public Affairs, as well as public Monies, in the mean time (*b*): Which abundantly evinces that they had not done ſo before.

The Lords refuſe to read it.

They addreſs the Prince to call a Convention, and take upon him the Adminiſtration.

"Some, who had Eſtates in *Ireland*, (proceeds

(*b*) Their Lordſhips Addreſſes (which, it ought to be remember'd, were ſign'd by the whole Houſe) on theſe two Heads, were as follow:

"We the Lords Spiritual and Temporal, aſſembled in this Conjuncture, do deſire your Highneſs to take upon you the Adminiſtration of public Affairs both civil and military, and the Diſpoſal of the public Revenue, for the Preſervation of our Religion, Rights, Laws, Liberties and Properties, and of the Peace of the Nation; and that your Highneſs will take into your *particular Care* the preſent Condition of *Ireland*, and endeavour by the moſt ſpeedy and effectual Means to prevent the Dangers threatening that Kingdom: All which we make our Requeſt to your Highneſs to undertake and exerciſe, till the Meeting of the intended Convention, the 22d Day of *January* next; in which, we doubt not, ſuch proper Methods will be taken, as will conduce to the Eſtabliſhment of theſe things, upon ſuch ſure and legal Foundations, that they may not be in danger of being again ſubverted."

"We the Lords Spiritual and Temporal, aſſembled at *Weſtminſter* in this extraordinary Conjuncture, do *humbly* deſire your Highneſs to cauſe Letters to be written, ſubſcrib'd by yourſelf, to the Lords Spiritual and Temporal, being Proteſtants; and to the ſeveral Counties, Univerſities, Cities, Boroughs, and Cinque Ports, of *England*, *Wales*, and the Town of *Berwick upon Tweed*: The Letters for the Counties to be directed to the Coroners of the reſpective Counties, or any one of them; and in default of the Coroners, to the Clerk of the Peace of the reſpective Counties: And the Letters for the Univerſities, to be directed to every Vice-Chancellor: And the Letters to the ſeveral Cities, Boroughs and Cinque-Ports, to be directed to the chief Magiſtrate of each reſpective City, Borough and Cinque-Port; containing Directions for the chuſing, in all ſuch Counties, Cities, Univerſities, Boroughs and Cinque-Ports, within ten Days after the Receipt of the reſpective Letters, ſuch a Number of Perſons to repreſent them, as are of Right to be ſent to Parliament: Of which Elections, and the Times and Places thereof, the reſpective Officers ſhall give notice, within the ſpace of five Days in the leaſt. Notice of the intended Elections for the Counties to be publiſh'd in the Churches, immediately after the Time of Divine-Service, and in all the Market-towns within the ſaid reſpective Counties: And Notice of the intended Elections for the Cities, Univerſities, Boroughs and Cinque-ports, to be publiſh'd within the ſaid reſpective Places. The ſaid Letters, and the Execution thereof, to be return'd, by ſuch Officer and Officers who ſhall execute the ſame, to the Clerk of the Crown in the Court of Chancery; ſo as the Perſons ſo to be choſen may meet and ſit at *Weſtminſter*, on the 22d Day of *January* next."

A. D. 1688. ceeds his Grace of *Bucks)* desired the Care and Preservation of that important Kingdom might be particularly inserted in that Address; which was, something oddly, opposed by the new Court-Party (for their sure Expectation of a new King warrants me now to call them so); but yet the Reason and mere Necessity of the thing proposed forced them to comply with it at last.

It may be wonder'd at, and scarce believ'd hereafter, that a full House of Noblemen, (about Ninety) wherein were so many of the old Court and Council, should agree so readily to lay aside their King, and not so much as read the Letter that he left behind him, which might almost be reckon'd the last Words of a dying Sovereign: But that was the Cause of its being thought dangerous, and too moving to be read. It must also be consider'd, that, of late, both the King's Actions and the Prince of *Orange*'s (even as if they had agreed it between them) tended to the possessing every body with a strong Opinion of the Protestant Religion being endanger'd by the one, and protected by the other: This made almost all the King's Ministers, as well as his Courtiers, expect more *Favour*, even under this new Prince, than they were like to find under a few Bigots of a Religion that endures no other. Therefore, since Zeal in some, and *Interest in all*, co-operated against the King, we need look for no farther Reasons of so sudden a Change. Besides all this, we may reasonably conclude, that some few Persons, meaning the Prince no *good*, might think it imprudent to stem a Tide to no other Purpose but their own Ruin; and therefore rather reserv'd that Interest (which, by their Compliance they obtained both with the Prince and People) to secure the public Good as much as possible, in a Season when almost every body seem'd to abandon it: For some of the old Whigs, who had so long despair'd of Court-favour, were now so transported with it, not only out of their old Principles, but even out of their very Senses also, that such a good Opportunity was lost, of resettling our old Constitution, as perhaps *England* is never like to have again: Which I do not observe with any regard to either of the Kings in competition; but I only mean, that (whichsoever Prince that Convention should set up) our Liberties might have been secured, and the Government fixed on the best and steadiest of Foundations, *an united Interest of King and People!* A. D. 1688.

This Address of the Lords investing the Prince with almost regal Power, tho' sufficiently welcome, yet was a little perplexing: For, as he could not but think it dangerous to dally with such an Offer; so, on the other hand, it was not very safe to accept it, without the Approbation of the Commons also.

The Difficulty lay in this; That he could not have that Approbation, neither formally nor plainly, without first assembling a Parliament; which yet itself alone was so great an Act of Sovereignty, that to call it, by the Lords Advice only, was in a manner accepting the regal Power from them.

He was better advis'd in this, than in most other things; for a good Expedient was resolv'd on: He reply'd, That he would consider of their Address; and in the mean time assembled at *St. James*'s all those in Town who had been Members of King *Charles*'s (*c*) *two last* Parliaments, together with the Lord-Mayor, Court of Aldermen, and fifty Representatives of the Common-council, whom he (*d*) directed to consider the extraordinary Necessity of coming presently to some good Resolution.

Accordingly they all went to *Westminster* next Day; where, in the usual House of Commons, (chusing Mr. *Powle* for their Speaker) they (*e*) imitated the Lords, in making exactly the same Address; and indeed both Houses might well concur in all, since influenced, I might have said *enforced*; by the same Causes; which last Expression I make use of, both on account of the Prince's Army here, commanded by a famous General, the Marshal *de Schomberg*; and also of a Murmur which went about, that the *City-Apprentices* were coming down to *Westminster*, in a violent Rage against all who voted against the Prince of *Orange*'s Interest; and 'tis

(*c*) His Grace here falls into a small Mistake; for, tho' it is certain that the Prince overlook'd the Members of King *James*'s Parliament entirely, and thereby betray'd a Partiality, which was not very becoming, nor perhaps very politic, at this Crisis, he did not limit his Invitation to the Members of the two last Parliaments of *King Charles only*, as appears by his own Words, which were as follow:

" Whereas the Necessity of Affairs does require speedy Advice; We do desire all such Persons as have serv'd as Knights, Citizens, or Burgesses, in *any* of the Parliaments that were held during the Reign of the late King *Charles* II. to meet us at *St. James*'s, upon *Wednesday* the 26th of this Instant *December*, by ten of the Clock in the Morning. And we do likewise desire, That the Lord-Mayor and Court of Aldermen of the City of *London* would be present at the same time; and that the Common-council would appoint fifty of their Number to be there likewise. And hereof we desire them not to fail."

(*d*) In a formal Speech, viz. " You, Gentlemen, that have been Members of the late Parliaments, I have desired you to meet me here, to advise the best Manner how to pursue the *Ends of my Declaration in calling a free Parliament, for the Preservation of the Protestant Religion, and the Restoring the Rights and Liberties of the Kingdom, and settling the same, that they may not be in danger of being again subverted.* And you the Aldermen and Members of the Common-council of the City of *London*, I desire the same of you. And in regard your Numbers are like to be great, you may, if you think fit, divide yourselves, and sit in several Places."

(*e*) The first Question they debated was, What Authority they had to assemble? Upon which it was soon agreed, That the Request of his Highness the Prince was a sufficient Warrant: The next was, The Disposal of the Administration: And Sir *Robert Sawyer* saying, when the Prince was nam'd, He could not *conceive* how it was *possible* for his Highness to take it upon him without a distinguishing Name or Title; Serjeant *Maynard* reply'd, That the Assembly would lose a great deal of Time, if they waited till Sir *Robert* could *conceive* how that was *possible*: Which was deem'd a sufficient Answer. A temporary Offer of the Government to his Highness being then hinted, one propos'd, that it should be, not for a Month only, but for a whole Year; to whom it was answer'd, that the Convention ought only to consider of that. Others mov'd, That the Association, that had been sign'd by the Lords, might likewise be subscrib'd by this Assembly; but it was carry'd, That the said Association should be left upon the Table, and every one be at liberty to sign it or not. And it was not till after these Debates, that they agreed upon their Address; which was not exactly the same with the Lords; for it began with a Paragraph of Thanks to the Prince for coming to the Rescue of these Kingdoms, which the Lords had given before.

A. D. 1688. 'tis certain, that ſome hot-headed Perſons were hardly reſtrained by the Prince of *Orange* himſelf, who liked their Zeal, but found no need of uſing ſuch a ſort of Means as might juſtly invalidate all that ſhould be then done in his Favour.

As ſoon as they had thus publicly addreſſed to the Prince, and every Man had privately adjuſted his own Conditions with him, both Houſes diſſolv'd themſelves, in order to go into their ſeveral Counties, to influence the approaching Elections of that Convention, which was to ſettle all things."

Thus far the Duke: But his Grace has forgot to obſerve by the way, that even after the Commons had concurr'd with the Peers in offering the Adminiſtration to the Prince of *Orange*, he took a Day to conſider of it; and that when he did ſignify his Acceptance of it, he return'd no Thanks to the Offerers, as if he choſe to have it underſtood, That they had impos'd a Burthen upon him, not confer'd a Favour. His Expreſſions on
He complies. that Occaſion are, "I have conſider'd of your Advice; and, as far as I am able, I will endeavour to ſecure the Peace of the Nation, until the Meeting of the Convention in *January* next; for the Election thereof, I will forthwith iſſue Letters, according to your Deſire. I will alſo take care to apply the public Revenue to the moſt proper Uſes that the preſent Affairs require; and likewiſe endeavour to put *Ireland* into ſuch a Condition, as that the Proteſtant and *Engliſh* Intereſt may be maintain'd in that Kingdom. And I farther aſſure you, That, as I came hither for the Preſervation of the Proteſtant Religion, and the Laws and Liberties of theſe Kingdoms; ſo I ſhall always be ready to expoſe myſelf to any Hazard for the Defence of the ſame."

Thus a Transfer was made by all the Lords, Spiritual as well as Temporal, and ſuch of the People as were call'd upon to repreſent the Commons, of the whole executive Power to his Highneſs, without one Proteſt or diſagreeing Voice: It is moreover
P. 303. obſerv'd by Sir *John Rereſby*, that all this was tranſacted in the midſt of almoſt a dead Calm; no Miſchief was attempted, no Diſorders were rais'd, or fomented; but all was
The whole Nation acquieſces. Peace, Acquieſcence, and Submiſſion: And the ſeveral Papers which paſs'd on the Occaſion were immediately inſerted in the *Gazette*, that all *Europe* might be made acquainted with an Event ſo extraordinary in itſelf, and ſo favourable to the farther Deſigns of the Confederates againſt *France*: The Prince, it is true, was in poſſeſſion of the ſupreme Power before; and had on ſome Occaſions exerted it as dictatorially, as if it had deſcended to him ever ſo legitimately: Thus he had no ſooner receiv'd Information of the King's Departure from *Rocheſter*, than he order'd M. *Barillon*, the *French* Embaſſador, who had been more active than ſucceſful in his Endeavours to raiſe a Spirit againſt him among the Peers, to depart the Kingdom in twenty-four Hours; and when his Excellency apply'd for farther Time, not only gave him an abſolute (*f*) Refuſal, but order'd a Party of his own Guards, under the Command of Mr. *de l'Etang*, a *French* Refugee, to conduct him to the Sea Side. This was a high Strain of Power, and is known to have been his peculiar (*g*) Act and Deed: And there is an Allotment of Quarters for the *Engliſh*, *Scotiſh*, and *Iriſh* Forces in the *Gazette* of *Decem.* 20, in the Stile of Authority, tho' without Name or Date, which it ſeems alſo reaſonable to place to his Account; both becauſe the Lords, as before obſerv'd, did not ſit after the Prince's Arrival at *St. James's*, and becauſe we find the ſame Allotment repeated in the next *Gazette* of the 29th, under a Paper ſign'd by his Highneſs, which, after premiſing that, upon the late *irregular diſbanding* the Forces, many Soldiers carry'd away their Arms, which they had ſince either loſt or embezzled, directs and requires all Perſons into whoſe Hands any of the ſaid Arms had fallen, to re-deliver the ſame on *Demand*, either to the ſaid Soldiers, or to their Officers, or to the Officers of Ordnance appointed to receive them. How far his Highneſs's *divine* Commiſſion mention'd in Sir *George Treby*'s Oration to him, might warrant theſe extraordinary Aſſumptions, we ſhall leave it to State Caſuiſts to decide; but after the ordinary Courſe of Things, it ſeems not a little ſtrange, that the Earl of *Feverſham* ſhould be made anſwerable for turning thoſe Soldiers looſe upon the People with their Arms in their Hands; and that the People, who had, perhaps, given Money or Subſiſtence, as a valuable Conſideration for thoſe Arms, ſhould be thus requir'd to reſtore the ſaid Arms to the ſame Hands, without the leaſt Hint of their being reimburs'd, or of their being protected againſt thoſe who had till now been render'd ſuch a Bugbear to the Nation. But if theſe Inſtances ſhew that his Highneſs was already in fact Lord-Paramount, this Recognition of the Lords and Commons gave him Authority as well as Power; and thenceforward he had all the Springs of the Government, as well as the Credit of the Truſt, and the Terror of his Forces, to employ towards his own Eſtabliſhment.

A. D. 1688.

Quarters aſſign'd by the Prince to the King's Forces.

The Arms of ſuch Soldiers as had parted with them require'd to be reſtor'd.

Thus, on the laſt Day of *December*, we find his Highneſs entering publicly upon the Adminiſtration, as the People's Delegate, and avowing that he acted by Warrant from them; as appears by the Preamble of his Declaration of that Day, authoriſing Sheriffs, Juſtices of the Peace, and other Officers and Miniſters, to act in their reſpective Places as in time paſt: And yet in the penultimate Clauſe of this remarkable Piece, it is in Effect acknowledg'd, that he had before exerciſ'd the Rights of the Prerogative, by the following

The Prince aſſumes the Government to form.

He directs all Officers to reſume their Functions.

(*f*) It is ſaid, That the *French* King having caus'd the Earl of *Eſſex*, and ſome other *Engliſh* Gentlemen, to be ſeiz'd and ſecur'd at *Paris*, it was debated, Whether Mr. *Barillon* ſhould not be detain'd here, by way of Reprizal; but, on better Conſideration, it was over-rul'd.

(*g*) And yet Biſhop *Kennet* aſſerts, That he reſolv'd not to act without the Concurrence of the Lords and Commons.

A.D. 1688. following Exception; "Except only such Offices or Places, where, since our Arrival in this Kingdom, We have already, or shall otherwise provide." And in a second Declaration, dated *January* 2, for the better collecting the Revenue, or in other Words, for redressing the Disorders which he himself and his Adherents had created, we also find the following Suggestions: "Whereas, since the fifth Day of *November* last, divers Persons have intermeddled with, and receiv'd, the public Money arising by the Revenues of Customs, Excise, Hearths, and other ways; *some* by Commissions and Authorities from us, and *others* by Commissions from *divers Peers* and *others*, who took up Arms and declar'd for us, for the Support of those who had taken up Arms under them, and for other public Uses. By Means whereof many Persons who acted by Authority of the Commissioners of Customs, Excise, Hearth-Money and otherwise, have been in many Parts of the Kingdom *displac'd*, and the Officers appointed by the said Commissioners have deserted their Duties and Employments, *&c. &c.* by Means whereof the Payment of all public Money is generally stopt, *&c.*--- We do hereby revoke and make void all such Commissions, prohibit and forbid all and every Person and Persons, under Pretence of the said Commission, or any of them, to intermeddle in any of the public Revenues, or receive any Money arising thereby, *&c.*

1688-9. *Sets forth a Declaration for rectifying the Disorders of the Revenue.* [Gazette, *Num.* 2416.]

Sir *John Reresby* tells us, That the Prince, upon his Arrival, seem'd more inclin'd to the *Presbyterians* than to the Members of the Church, which startled the Clergy (*b*): Others again give us to understand, that on the 30th of *December*, being *Sunday*, his Highness heard the whole Service read by Dr. *Burnet* at the Chapel in *St. James*'s; that the Bishop of *St. Asaph* preached before him, and that he receiv'd the Sacrament from the Hands of the Bishop of *London*. "Which *open professing* himself of the Church of *England*, say they, gain'd him not a few Friends." And thus it is that the Party-Herd on both Sides, mistaking the Shew for Substance of things, console and afflict themselves without any real Grounds for either: The Prince was as much a Politician as his intractable Temper would allow him to be, and suited his Behaviour as far as he could to his Interest. He was of Opinion, that the Champions for a divine, hereditary Right, would never be Champions for him; and therefore he thought it worth his while to be well with the Dissenters, who had no such Difficulty to surmount, before they could dispose of the supreme Power. And this *open professing* himself of the Church of *England* was no more than an occasional Conformity, which he found expedient, if not necessary, to silence those who might otherwise have objected, that he lay under the same legal Disqualification to administer the Government with those whom he had made War upon; and that a Calvinist would make us unsuitable a Head to the Church of *England* as a Papist.

[*Life of King* William.]

A.D. 1688-9. *Receives the Sacrament after the Form of the Church of England.*

To pass on from the Forms to the Essentials of his Government, it must be suppos'd, that one of his first Cares was to settle such Preliminaries with the Princess of *Denmark* as should dispose her not only to wave her Pretensions, which in Point of lineal Right were so much more legitimate than his, but also to throw her whole Weight and Interest into his Scales: And, according to the Duke of *Bucks*, that Affair was easily dispatch'd; "For, says his Grace, since the Lord *Churchill*, who (*i*) govern'd that Family, was

His Treaty with the Princess of Denmark.

(*b*) And also, That he took so much upon him, as to make the Duke of *Beaufort* wait full four Hours, before he would give him Admittance.

(*i*) In the Right of his Lady, must be understood; for it was she was the Favourite; and how she came to be so, and on what Terms she stood with the Princess, we find thus specify'd by herself:

"The Beginning of the Princess's Kindness for me had a much earlier Date than my Entrance into her Service. My Promotion to this Honour was wholly owing to Impressions she had before received to my Advantage; we had used to play together when she was a Child; and she even then express'd a particular Fondness for me. This Inclination encreased with our Years. I was often at Court, and the Princess always distinguish'd me, by the Pleasure she took to honour me, preferably to others, with her Conversation and Confidence. In all her Parties for Amusement, I was sure, by her Choice, to be one; and so desirous she became of having me always near her, that, upon her Marriage with the Prince of *Denmark*, in 1683, it was, at her own earnest Request to her Father, I was made one of the Ladies of her Bed-chamber.

What conduced to render me the more agreeable to her in this Station was, doubtless, the Dislike she had conceiv'd to most of the other Persons about her, and particularly to her first Lady of the Bed-Chamber, the Countess of *Clarendon*; a Lady whose Discourse and Manner (tho' the Princess thought they agreed very well together) could not possibly recommend her to so young a Mistress; for she look'd like a Mad-woman, and talk'd like a Scholar. Indeed her Highness's Court was throughout so oddly compos'd, that I think it would be making myself no great Compliment, if I should say, her chusing to spend more of her Time with me, than with any of her other Servants, did no Discredit to her Taste. Be that as it will, it is certain she at length distinguish'd me by so high a Place in her Favour, as perhaps no Person ever arriv'd at a higher with Queen or Princess. And, if from hence I may draw any Glory, it is, that I both obtain'd and held this Place without the Assistance of Flattery: a Charm, which in truth her Inclination for me, together with my unwearied Application to serve and amuse her, render'd needless; but which, had it been otherwise, my Temper and Turn of Mind would never have suffer'd me to employ.

Young as I was, when I first became this high Favourite, I laid it down for a Maxim, That Flattery was Falsehood to my Trust, and Ingratitude to my greatest Friend: and that I did not deserve so much Favour, if I could not venture the Loss of it by speaking the Truth, and by preferring the real Interest of my Mistress before the pleasing her Fancy, or the sacrificing to her Passion. From this Rule I never swerv'd. And though my Temper and my Notions in most things were widely different from those of the Princess, yet, during a long Course of Years, she was so far from being displeas'd with me for openly speaking my Sentiments, that she sometimes profess'd a Desire, and even added her Command, that it should be always continued, promising never to be offended at it, but to love me the better for my Frankness.

Favour with a Princess upon these Terms engaged me to her in the Manner that it ought; I mean, by a Sentiment which I chuse to call *Honour*, rather than *Gratitude* or *Duty*, because while it implies all the Justice and Affection of these, it seems to express a more disinterested Principle of Action. For I can truly affirm, that I never consider'd myself, on any Occasion where her Interest or Glory was concern'd; nor had I any Idea of a Misery which I would not have sooner incurred, than the inward Shame of being conscious of a Failure in this respect. The Facts themselves, which I am going to relate, will in a great degree evince the Truth of what I say; and that the Princess was perfectly persuaded of it, is, I think, sufficiently manifest, both from her Letters to me, and from that unreserved Intimacy of Friendship, in which we for many Years lived together.

Kings and Princes, for the most part, imagine they have a Dignity peculiar to their Birth and Station, which ought to raise them above all Connexion or Friendship with an Inferior.

A.D. 1688-9. was like to be highly favour'd in this new Reign, they little thought of her Pretenſions; and therefore, with a good Bribe to her Favourite, the Prince had no more to do, but to promiſe the Princeſs a great Penſion by a Settlement in Parliament; which being in Preſent, and enough to keep her Court in Splendor, was then thought equivalent to three Kingdoms in Reverſion." But, on the other Hand, her Grace of *Marlborough*, treating of the ſame Circumſtance, in which ſhe had ſo deep a Concern, in her digreſſive Manner, expreſſes herſelf as follows: "This was another Event which furniſh'd *ſimple* People with a Pretence to cenſure me. It was inſinuated, that, to make my Court to the King and Queen, I had influenc'd the Princeſs to forego her undoubted Rights. The Truth is, I did perſuade her to conſent to the Project of that Settlement, and to be eaſy under it after it was made. But no Regard to the King or Queen, nor any View of Ambition, had the leaſt Share in moving me to this Conduct, any more than to what inconſiderable Part I acted in the Buſineſs of the Revolution.

As to the latter, it was evident to all the World, that as things were carry'd on by *King James*, every body ſooner or later muſt be ruined, who would not become a *Roman Catholic*. This Conſideration made me very well pleaſed at the Prince of *Orange*'s Undertakings to reſcue us from ſuch Slavery. But I do ſolemnly proteſt, that, if there be Truth in any Mortal, I was ſo very *ſimple* a Creature, *That I never once dreamt of his being King*. Having never read, nor employ'd my time in any thing but playing at Cards; and, having no Ambition myſelf, I imagin'd that the Prince of *Orange*'s *ſole Deſign was to provide for the Safety of his own Country, by obliging King* James *to keep the Laws of ours; and that he would go back as ſoon as he had made us* all happy: That there was no ſort of Difficulty in the Execution of this Deſign, and that to do ſo much Good would be a greater Pleaſure to him than to be King of any Country upon Earth. I was ſoon taught to know the World better. However, as I was perfectly convinc'd that a *Roman Catholic* is not to be truſted with the Liberties of *England*, I never once repin'd at the Change of the Government, no, not in all the time of that long Perſecution I went through. I might, perhaps, wiſh it had been compaſs'd by ſome other Man who had more Honour and Juſtice than he, who could depoſe his Father-in-law and Uncle, to maintain Liberty and Laws, and then act the *Tyrant* himſelf in many Inſtances; but I never once wiſh'd that the Change had not been made. A.D. 168

And, as to giving King *William* the Crown for Life, it was the ſame Principle of Regard for the Public Welfare that carried me to adviſe the Princeſs to acquieſce in it. It is true, that when the thing was *firſt* ſtarted, I did not ſee any Neceſſity for ſuch a Meaſure; and I thought it ſo unreaſonable, that I took a great deal of Pains (which I believe the King and Queen never forgot) to *promote* my Miſtreſs's *Pretenſions*. But I quickly found that all Endeavours of that kind would be ineffectual; that all the principal Men, except the *Jacobites*, were for the King, and, that the Settlement would be carried in Parliament, whether the Princeſs conſented to it, or not. So that in Reality there was nothing adviſable but to yield with a good Grace.

I confeſs, had I been in her Place, I ſhould have thought it more for my Honour to be eaſy in this Matter, than to ſhew an Impatience to get poſſeſſion of a Crown that had been wreſted from my Father. And, as it ought to have been a great Trouble to the Children of King *James* to be forced to act the Part they did againſt him, even for the Security of Liberty and Religion, (which was truly the Caſe) ſo it ſeem'd to me, that ſhe, who diſcover'd the leſs Ambition, would have the more amiable Character. However, as I was fearful about every thing the Princeſs did, while ſhe was thought to be adviſ'd by me, I could not ſatisfy my own Mind, till I had conſulted with ſeveral Perſons of undiſputed Wiſdom and Integrity, and particularly with the Lady *Ruſſel* of *Southampton-houſe*, and Dr. *Tillotſon*, afterwards Archbiſhop of *Canterbury*. I found them all unanimous in the Opinion of the *Expediency of the Settlement propoſed, as things were then ſituated*. In concluſion, therefore, I carried Dr. *Tillotſon* to the Princeſs; and, upon what he ſaid to her, ſhe took care that no Diſturbance ſhould be made by her pretended Friends, the *Jacobites*, who had preſſed her earneſtly to form an Oppoſition."

It was but fit to make uſe of the very Words of theſe great Perſons, becauſe they ſhould loſe none of their Authority: And now where the Authority lies is the Queſtion; for their Evidence is oppoſite and irreconcileable: According to the Duke, the Prince of *Orange* had an eaſy Talk to manage the Princeſs of *Denmark*, by means of a good

---

ferior. Their Paſſion is to be admir'd and fear'd, to have Subjects awfully obedient, and Servants blindly obſequious to their Pleaſure. Friendſhip is an offenſive Word; it imports a kind of Equality between the Parties; it ſuggeſts nothing to the Mind of Crowns and Thrones, high Titles, or immenſe Revenues, Fountains of Honour, or Fountains of Riches, Prerogatives which the Poſſeſſors would have always uppermoſt in the Thoughts of thoſe who are permitted to approach them.

The Princeſs had a different Taſte. A Friend was what ſhe moſt coveted: And, for the ſake of Friendſhip, (a Relation which ſhe did not diſdain to have with me) ſhe was fond even of that *Equality* which ſhe thought belong'd to it. She grew uneaſy to be treated by me with the Form and Ceremony due to her Rank; nor could ſhe bear from me the Sound of Words which imply'd in them Diſtance and Superiority. It was this Turn of Mind which made her one day propoſe to me, that, whenever I ſhould happen to be abſent from her, we might in all our Letters write ourſelves by feigned Names, ſuch as would import nothing of Diſtinction of Rank between us. *Morley* and *Freeman* were the Names her Fancy hit upon; and the left me to chuſe by which of them I would be called. My frank, open Temper naturally led me to pitch upon *Freeman*; and ſo the Princeſs took the other; and from this time Mrs. *Morley* and Mrs. *Freeman* began to converſe as Equals, made ſo by Affection and Friendſhip. [*Account of the Conduct of the Dutcheſs of* Marlborough, *p.* 9, 10, 11, 12, 13, 14.

A.D. 1688-9. a good Bribe to her *Favourite:* According to the Duchess, the Prince never forgave the Difficulties which that Favourite threw in his Way; and, instead of being brib'd into his Measures, she oppos'd them at first out of Zeal to her Mistress; and acquiesc'd at last, because she was tenderly concern'd for the Welfare of the Public, and because she found all farther Opposition would signify nothing: *She* had the most Knowledge of the Fact, but, if she was under any irregular Influence, had the most Reason not to tell the Whole of it: And *He* might be bias'd, by some secret Prejudice, to adopt Matter of Scandal for Matter of Fact. Upon the Whole, therefore, all that is certain, is, that the Princess, at the Instance of her Favourite, on some Consideration or other, did submit; and that, in consequence of her Submission, his Highness found his Way render'd so much the more easy to the Throne. Bishop *Burnet* indeed postpones the Mention of the Princess's Concern in the Settlement till that great Affair came before the Convention: But 'tis scarce to be suppos'd, that a Matter of such Importance was suffer'd to hang in suspence so long: The Princess left the North, and came forward to meet her Consort at *Oxford*, as soon as she had receiv'd the News of her Father's first Departure from *Whiteball*; Both of them repair'd to *London*, the very next Day after his Majesty left that Palace, for the last time, by the Direction of the Prince of *Orange*; and, upon their Arrival, were immediately visited (*g*) in form by his Highness: Hitherto they had All co-operated in the same Design; whatever Gloss the specious Pretence of Zeal and public Spirit had set on that Design, it is out of all question, that private Interest was at the bottom; and their Highnesses of *Denmark* having taken so large a Share in the Adventure, having appear'd thus early to put in for their Share of the Profits, and being still of so much Importance to the general Issue, there was a Necessity to make the Hearing and Determining of their Clames one of the first Considerations of the Cabinet.

He resolves to new model the Army.

It was not, however, the only one. The King's Army, who had shewn such a wonderful Concern for the Protestant Religion, that they had sacrific'd to't it both their Duty and their Honour, could not digest the Treatment they had receiv'd from his Highness; and made no Secret of their Resentment: This produced a Resolution to model them yet farther, by breaking several of the most refractory Corps; and, in general, all such Officers as refus'd to serve his Highness: But this could not be done without Money; and, what with the late extraordinary Charges incurr'd, and the several Diversions which had been made of the Revenue, there remain'd but 40,000*l.* in the Exchequer. As the shortest Way, therefore, to procure the necessary Sums, it was propos'd to make application to the City: Alderman *Duncomb*, an eminent Banker, who was one of the Committee which had waited on the Prince at *Henley*, had even then made him an Offer of his Cash and Credit; and now his Highness was in possession of the Government, many other Persons shew'd the same Disposition to be the same way serviceable to him: And these Undertakers, had in effect drove the Bargain, and answer'd for the Success, before the Proposal was made: It was not however held decent in those Days, for the Government, however constituted, to have recourse to Individuals only, on such Occasions as these: Individuals were, indeed, the Instruments, which brought the Matter to bear; but still Application in form was made to the Body of the City; and it was in the Power the City had to assist the Court in Extremity, that their highest Importance consisted. Thus on the 8th of *January*, the Aldermen and Common-council being extraordinarily assembled, a Letter was deliver'd to them from his Highness, "setting forth the great Occasion there was for an immediate Supply, beyond what the present Condition of the Revenue could furnish, for the Charge of the Navy, paying off Part of the Army, and sending a speedy Relief for the Defence of the Protestant Interest in *Ireland*; and proposing, that, for the answering those great Ends, such a Sum of Money should be advanced by the City, by way of Loan, as they could conveniently spare, which should be secur'd in the best Manner that could be advis'd, and repaid at full Interest in six Months." The *Gazette* adds, "Whereupon a Vote immediately pass'd, with all Chearfulness and Unanimity, That they would supply his Highness accordingly." The Sum demanded was 200,000*l.* and in four Days it was all subscrib'd; one Man, Sir *Samuel Dashwood*, subscribing 60,000*l.* Bishop *Burnet* says, "This was the great Distinction of those who were well-affected to the Prince: For, whereas those who were ill-affected to him refus'd to join in the Loan, pretending there was no Certainty of their being repaid; the others did not doubt but the Convention would pay all that was advanc'd on so great an Exigence; and so they subscrib'd liberally, as the Occasion requir'd."

A.D. 1688-9.

He applies to the City for a Loan.

[*Num.* 2417.]

Which they unanimously agree to.

The Prince was now arm'd at all Points: For Lord *Dartmouth* himself, giving way to the national Torrent, which bore down all before it, had made no difficulty to receive and

(*g*) "The same Evening his Highness paid a Visit to the Queen-Dowager; and, among other Questions, ask'd her Majesty, *How she pass'd her Time, and whether she play'd at* Basset? The Queen took this Opportunity to speak at a distance in favour of the Earl of *Feversham*, and answer'd his Highness, That she had not play'd at it since the Absence of her Chamberlain, who us'd to keep the Bank. The Prince of *Orange* took the Hint, and assur'd her Majesty, That he would not, by any means, interrupt her Majesty's Diversions; and the next Day order'd the Earl to be set at Liberty. However, his Highness's Complaisance did not alter the Queen's Resolution of retiring to *Portugal*; for, at that very time, she dispatch'd an Express to *Lisbon* to that purpose." [*Life of King* William, *vol.* i. *p.* 5.

A.D. 1688-9. and obey his Highneſs's Orders; in virtue of which, he had purg'd the Fleet of all its Papiſt-Officers, and, having left Sir *John Berry* with twelve Men of War at *Spithead*, return'd, *December* 29, with the reſt to the *Downs*. With two Fleets and two Armies under his Command, a large Sum of Money at his Diſpoſal, and the whole executive Power in his Hands, his Highneſs was now indeed in a Condition to ſet all Oppoſition at defiance: But how great ſoever the Truſt was, which had been ſo freely repos'd in him, without the Forms of a Treaty, or the Ceremonial of an Oath, no Apprehenſions ſeem'd to be entertain'd of his abuſing it: He was conſider'd as a Deliverer, from whom nothing but Good was to be expected: His Commiſſion was, beſides, to expire ſo ſoon, at leaſt it was ſo underſtood, and his future Eſtabliſhment ſeem'd to depend ſo much on his preſent good Behaviour, that no body thought he would venture to commit the ſmalleſt Treſpaſs.

It appears, however, by the Courſe of his Highneſs's Adminiſtration, that he did not think himſelf oblig'd to be altogether ſo ſcrupulous; but, on the contrary, that he thought himſelf ſo ſure of his Point, that he was free to act, as if he had already taken poſſeſſion for good and all; and as if it was of more Importance to him to ſatisfy his Allies, than thoſe who were to be his Subjects. Thus, tho' the Maintenance of a ſtanding Army in Time of Peace, and the Exercile of martial Law to retain them in due Obedience, were number'd among the Grievances he came to redreſs, we find a new Declaration, dated *January* 16, ſuggeſting, in his Highneſs's Name, "That great Diſcontents and Diſorders had been occaſion'd in the Fleet by certain groundleſs Reports, which had been induſtriouſly ſpread among the Seamen, touching the Uncertainty of their Wages; and that ſeveral of them had been thereby miſ-led to abſent themſelves without Leave; and certifying, that all Wages, and Arrears ſhould be fully made good to all of them, the Abſentees not excepted; *provided* they return'd to their ſeveral Ships, within fifteen Days; in which Caſe they were to receive his Highneſs's Pardon, and to be exempted from the Puniſhment they were liable to, as 'tis ſaid, by the *Laws of the Sea:* But, in caſe they refus'd this generous Offer, they were to be proceeded againſt as *Deſerters*, with all poſſible Rigor." So that, notwithſtanding the plauſible Air of this Paper, the Wages which theſe poor Men had earn'd in the Service of one Maſter were not only uncertain but deſperate, unleſs they bound themſelves to ſerve another: And we alſo find yet another Ordinance, without any diſtinguiſhing Name or Title, dated *January* the 21ſt, addreſs'd to the Army, in the following remarkable Words, *viz.*

He ſets forth two Ordinances, promiſing the Seamen and Soldiery their full Pay and Arrears, provided they continued in the Service, &c.

[Gazette, *Num.* 2421.]

"Whereas, upon *Our calling together the Forces*, We have appointed ſuch Officers to command them, in whom We may repoſe entire Truſt and Confidence, as well for their Readineſs and Inclination for *Our Service*, as for their Care and Diligence in keeping the ſaid Forces in good Order and Diſcipline: And having, out of the tender Regard and favourable Conſideration which We ſhall always expreſs for the good Service and dutiful Behaviour of the Forces, taken care for their Maintenance and Encouragement, and given Orders for the ſatisfying and making good to every Officer and Soldier their full Pay, and Arrears due to them, until the firſt Day of this Inſtant *January*; and for the making conſtant and punctual Payment of the Subſiſtence-money, and Clearings of the Army, in the uſual Method, without any the leaſt Diminution of the former Pay; We have thought fit hereby to declare the ſame, that no Officer or Soldier may be miſ-led, or diverted from *Our Service*, by any groundleſs Reports, or malicious Inſinuations, ſtrictly charging and requiring all Officers to repair forthwith to their reſpective Commands, and all Soldiers to their reſpective Quarters and Places of Rendezvous, upon pain of *Our higheſt Diſpleaſure*, and being puniſh'd for their Default as *the Nature of their Offences ſhall deſerve*. And if it ſhall ſo happen, that, notwithſtanding theſe Our Gracious Intentions and Offer of Pardon for their paſt Abſence or Deſertion, any Soldiers ſhall obſtinately continue to abſent themſelves from their Duties, We do hereby direct and require all Officers Civil and Military to ſeize and apprehend, and to be aiding and aſſiſting in the ſeizing and apprehending of, all Soldiers that have deſerted, or ſhall deſert, the Service, in order to the bringing them to *condign Puniſhment*, to be inflicted upon them with the *utmoſt Severity*."

A.D. 1689.

For the better underſtanding of the laſt of theſe Papers, it ought to be obſerv'd, that there had been a general *Review* of the *Engliſh* Forces, which is what is meant by the *calling together* of the ſaid Forces; and it was expected, that a great Part of them would have been diſbanded, agreeable to the Pretences aſſign'd for the Loan: Indeed, Lord *Ranelagh*, the Paymaſter, had Orders to pay off their Arrears, and Lord *Churchill* to break the Corps before alluded to, *viz.* five of Horſe and three of Foot; which ſo far ſeem'd to anſwer the Expectation of the Public: But this Reform went in fact no (*b*) farther than the Officers of thoſe Corps (for the private Men were incorporated into other Regiments); nor did it even reach thoſe who had ſerv'd before, provided they ſhew'd a Willingneſs to ſerve under his Highneſs. So that this Reduction was rather notional than real, and the main Benefit of it redounded to the Prince only; who had hereby an Opportunity of ridding his Hands of all that were obnoxious to him, and of obliging (*i*) an

(*b*) Except in the Fourth Troop of Horſe-guards, commanded by Lord *Dover*, which was entirely broke, to make room for the *Dutch* Life-guards, which was afterwards put on the ſame Eſtabliſhment.

A.D. 1688-9. (*i*) an equal Number of his Friends. Hence, the Enemies of his Highneſs took the liberty to ſuggeſt afreſh, that his Adventure to *England* was not for the ſake of *England*, but to ſtrengthen his own Hands, and to further his own Deſigns on the Continent; that an Army was ſtill to be an Engine of Government; and that, in his late dictatorial Edict in relation to it, he had equally overlook'd the Ends of his original Declaration and the Limits of his Commiſſion, which, according to the very Words of the Lords Addreſs, *till the Meeting of the intended Convention*, was to expire the next Day.

That the Grievance of an Army might, however, be leſs ſenſibly felt by the Body of the People, his Highneſs, in the Courſe of theſe Tranſactions, ſet forth two other Ordinances; by the firſt of which, all Officers and Soldiers were peremptorily requir'd to march out of every Town where an Election was to be made, the *Day before* the ſame ſhould be made, to the *next adjoining* Town or Towns, (theſe are the Words of the Order) where they were to continue till the ſaid Election was fully completed: And, by the ſecond, (*k*) *as a Matter of Grace*, private Houſes were exempted from the Burthen of receiving and entertaining Soldiers, and the providing Quarters for them was left to the Direction of the Civil Magiſtrate.

State of Ireland.

The Lords and Commons who had, under the Reſtrictions above ſpecify'd, entruſted his Highneſs with the Adminiſtration, had, moreover, recommended to his *particular* Care the preſent Condition of *Ireland*: He himſelf had promis'd to do ſo, and in his Letter to the City had made that Service one of the Conſiderations of the Loan; and the Affairs of that Country were then at ſuch a Criſis, as at once ſeem'd to invite and command his Attention. On the one hand, Lord *Tyrconnel* and his Creatures were ſtill in poſſeſſion of the Sword, and all the Powers of the Government; and on the other, his Excellency had the whole Proteſtant Intereſt to ſtruggle with, and not full 4000 diſciplin'd Men to keep them in Subjection. A.D. 1688-9. Of theſe he had not above 600 about him; and all were ſo intimidated with the bad News from *England*, that they openly expreſs'd a Deſire of quitting the Service, provided they might be allow'd to return to the Stations they were in when King *James* came to the Crown. "This was ſo univerſally talk'd of by themſelves, ſays Archbiſhop (*l*) *King*, P. 984 that if any one could have aſſur'd them of theſe Terms then, no doubt but they would have readily comply'd, and have left the Lord *Tyrconnel* to ſhift for himſelf." The ſame Author farther ſuggeſts, "That it was propos'd by ſome of the Proteſtants to ſeize the Caſtle of *Dublin*, where the Stores of Arms and Ammunition lay; as alſo, the Perſon of the Lord Lieutenant: That it was reaſonable to think the wiſer Papiſts would have been pleas'd if theſe Deſigns had taken Effect: That the Poſſibility of ſucceeding in them was demonſtrated; and that they were rejected, partly at the Inſtance of Lord *Mountjoy*, and partly becauſe of the unanimous Reſolution, which had been taken by all the Proteſtants of the Kingdom, *not to be the Aggreſſors*."

The Truth, however, is, that the two Parties were equally afraid of one-another: The Proteſtants were in continual Dread of another Maſſacre; and the Papiſts every Day expected to ſee the Ports of *Ireland* filled with the *Engliſh* or *Dutch* Men of War and Tranſports, to compel Lord *Tyrconnel* to follow his Maſter, in caſe he did not think fit to atone for his paſt Offences by a voluntary Reſignation: And that a Part of Lord *Dartmouth*'s Squadron was not deſtin'd to that Service, inſtead of being laid up in the *Thames* and *Medway* for the Reſidue of the Winter, was the Complaint of the whole Kingdom then, and will ever be the Wonder of Poſterity. Biſhop *Burnet* endeavours to account for this Omiſſion by ſaying, among other things, That the Prince did not know whom to truſt: That a general Diſcontent, next to Mutiny, began to ſpread itſelf thro' the whole *Engliſh* Army: That, probably, if

Strange Neglect of it.

(*i*) "The Regiment of *Dunbarton* was given to Marſhal *Schomberg*, which was a Diſappointment to Duke *Hamilton*, who expected it ſhould have been beſtow'd on the Earl of *Selkirk* his Second Son, to make him amends for his Regiment that had been given before to Colonel *Godfrey*: That of Major-general *Oglethorp*, whom the Prince vainly endeavour'd to engage in his Service, was given to the Lord *Churchill*'s Brother: And that of *Skelton* to Colonel *Fitzpatrick*. Colonel *Tuſton*, who commanded Admiral *Herbert*'s Regiment, ſurrender'd his Commiſſion; as did likewiſe Major-general *Sackville*, and Colonel *Legge*. Several other Officers follow'd their Example, upon account of the new Oath that was exacted of them." [*Life of King* Will. *vol.* I. *part* 2. *p.* 5.

(*k*) His Highneſs's Will and Pleaſure were expreſs'd in the following Words:

"Whereas we are inform'd, That divers Regiments, Troops, and Companies are, contrary to our Intentions, quarter'd in private Houſes; We have thought fit hereby to declare *Our Pleaſure* to be, That none of the Forces, of what Nation or Quality ſoever, ſhall preſume to quarter in any private Houſe, without the free and voluntary Conſent of the Owner; and that all Houſes be deemed private Houſes, except Victualling-houſes, and Houſes of public Entertainment, or ſuch as ſell Wine, or any other Liquor, by Retail: In which Houſes, *We do think fit*, that all Officers and Soldiers be lodged by the Direction and Appointment of the Chief Magiſtrates, Juſtices of the Peace, or Conſtables of the Place, where any Forces ſhall come, and not otherwiſe: And we do hereby ſtrictly forbid all Officers and Soldiers, upon any Pretence whatſoever, to take up any Quarters for themſelves or others, without ſuch Direction or Appointment, upon pain of being caſhier'd, or ſuffering ſuch other Puniſhment as the Offence ſhall deſerve.

Given at St. James's *this Eighth Day of* January, 168$\frac{8}{9}$.

W. H. *Prince of* Orange.

(*l*) "I will not enlarge, ſays B. *Burnet*, more upon the Affairs of that Kingdom *(Ireland,)* both becauſe I had no Occaſion to be well inform'd about them, and becauſe Dr. *King*, now Archbiſhop of *Dublin*, wrote a copious Hiſtory of the Government of *Ireland* during this Reign, which is ſo well receiv'd, and ſo univerſally acknowledg'd to be as truly as it is freely written, that I refer my Readers to the Account of thoſe Matters which is fully and faithfully given by that learned and zealous Prelate." This is the Repreſentation on one Side: And, on the other, we find the Archbiſhop's Performance call'd an infamous Libel, publiſh'd againſt the King, not only to juſtify his Subjects rebelling againſt him, but to render him odious to all Mankind. And we are farther told, that the foul Aſperſions, baſe Calumnies, and groſs Partiality and Diſingenuity throughout the Whole of it, even in relating of Matters of Fact, had been ſufficiently detected; and that a Copy of that Detection had been tranſmitted to him by way of Challenge to anſwer it, if he could, or durſt.

See a Quarto Tract, called, *Dialogue between* A. *and* B. *two plain Country Gentlemen, concerning the Times*, p. 26.

A.D. 1688-9. if he had ſent any of them over, they would have join'd with *Tyrconnel:* That he was oblig'd to keep the *Dutch* about him, to maintain the Quiet of *England:* That there was very little Ammunition in the King's Magazines to ſpare: That there was no Ship of War in thoſe Seas to ſecure the Tranſport: That the Prince was made to believe, he *(Tyrconnel)* would reſign the Sword, if he might have good Terms for himſelf and the *Iriſh*; and Aſſurance that Lord *Clarendon* ſhould not be his Succeſſor: That his Highneſs, for this Reaſon, avoided ſpeaking to the ſaid Lord on the *Iriſh* Affairs; by which he made him his irreconcileable Enemy: And that, upon all theſe Accounts, he enter'd into a Treaty with *Tyrconnel* by the Interpoſition of the two *Temples*, Sir *William* and Sir *John*. But much of this Apology is ſo apparently fallacious, that it explodes itſelf: A very ſmall Body of Forces would then have been ſufficient for this Service; and the ſending an *equal* Number of *Engliſh* and *Dutch* would have ſolved the Objection which he raiſes to the ſending *all* of either: The ſame Quantity of Ammunition which was neceſſary for that Body at home, would have ſerv'd them there; and out of eighty *Engliſh* and *Dutch* Men of War, there could have been no want of Convoy to ſecure the Tranſport. Beſides, *France* was in no Condition as yet to give our *Deliverer* any Interruption; on the contrary, all its Ports lay open to Inſults from hence: For, preſuming on the ſtrict Alliance which had ſo long ſubſiſted between the two Crowns, *Breſt*, *St. Malo's*, *Cherbourg*, *Havre*, *&c.* were in a manner unfortify'd; and if Advantage had been taken of that Neglect, all their Shipping might have been ruin'd almoſt beyond Recovery. It is moreover remarkable, that the Letter which gave riſe to the Prince's Treaty with *Tyrconnel*, was not written till the very Day, A.D. 1688-9. that Lord *Dartmouth* ſail'd from *Portſmouth* for the *Downs*; So that the Reſolution to leave *Ireland* a Prey to its own Diſtractions, ſeems to have been taken before that Treaty was thought of: And if ſo groſs and ſo fatal a Neglect, after the ſolemn Remonſtrances which his Highneſs had receiv'd from the Lords and Commons, brought his Conduct into Queſtion, what can be alledg'd in Excuſe for his relying entirely in the Courſe of that Treaty, on the Sincerity of a Man, who he knew had a double Game to play, and a whole Kingdom to ſtake?

It was indeed the firm Perſuaſion of the Majority of the *Iriſh* Privy Council, that it was the Intereſt of that Kingdom to follow the Example of this; not ſo much becauſe of its being an Appendage to it, as becauſe it was unable to hold out againſt it. They likewiſe made it their great Endeavour, from time to time, to prevail with the King's Deputy to deliver it up, and thereby preſerve it from being made the Seat of War and Deſolation: And we are told his uſual Anſwer was, *That he could not do it with Honour till it was demanded:* As alſo, that he ſometimes aſk'd in Raillery, *Whether they would have him caſt the Sword over the Caſtle-Walls, ſeeing there was none to receive it?* The natural Inference from which is, That he was more ſolicitous to ſubmit to the Prince, than the Prince was to clame his Submiſſion: But then the Letter, before alluded to, from Judge *Keating* to Sir *John Temple*, which Dr. *King* ſo expreſly aſſures us was written by his Excellency's Command, and peruſ'd by him, before it was ſent, warrants no ſuch Concluſion: On the contrary, it is grounded on a Suppoſition that the King was ſtill King: And the manifeſt Drift of the whole is to (*m*) engage all the Men of Intereſt about the Prince,

[King's *State*, p. 100.]

[*Secret Conſults*, 4to. p. 144.]

Judge Keating's *Letter to* Sir J. Temple.

(*m*) Let the Reader judge for himſelf. The Letter was as follows:

"*SIR*,

"I had ere this acknowledg'd the Favour of your laſt, and return'd you my Thanks for your kind Advice, relating to the ſmall Concerns I had in *England*, which I have now diſpoſed of here; but, to deal freely with you, the Diſtractions ariſing from the great and ſudden Alterations in *England*, and the panic (but I believe groundleſs) Fears which have poſſeſſed the Minds, not only of the weaker Sex and Sort, but even of Men who would paſs for ſober and judicious, hath render'd Matters with us ſo uncertain, that I profeſs ſeriouſly, I know not what to write; nor dare I yet give you any Account, relating either to particular Perſons or Places of the Kingdom, ſcarcely of what I hear from the remote Parts of this City; ſince what we have at Night for certain Truth, from thoſe who pretend to be Eye or Ear-witneſſes of what they relate, we find before the next Day's Exchange is over, to be altogether falſe and groundleſs. The fear of a Maſſacre hath been mutual; the Proteſtants remembring paſt Times, and being alarm'd by a Letter, neither directed to, nor ſubſcribed by any Perſon, but dropt at *Comber* (of which, Copies were diſperſed throughout all Parts of the Kingdom) were frighted to that Degree, that very many of them betook themſelves to the *Ards* and other Places of Security in the *North*: Some into *Scotland*; and very many Families embark'd from this Port for *Cheſter*, *Liverpool*, *Beaumaris*, and the next adjacent Parts of *England* and *Wales*, who, you may eaſily conclude, carry'd with them all the ready Money and Plate which they were Maſters of. Nor was it a difficult Matter for them to do ſo, the Confernation being ſo great and ſo ſudden, that even the Officers of the Ports, either out of Conſideration to the departing Crowd of Women and Children, or being amaz'd at the Suddenneſs of the Fright, neglected to do their Duty, whereby this City, and the adjacent Parts are almoſt drained dry, as to Caſh and Plate; which is manifeſt from Guineas being ſold at 12 *d. per* piece, over and above the uſual Rate. On the other hand, the Roman Catholics were very many of them under equal Fears; and indeed all of them, except the Army, who by their Callings are exempt from, or at leaſt from owning it, pretend equal Dread from the Proteſtants, who (as they alledg'd) far exceeded them in the *Northern* Parts, and were extraordinary well arm'd and hors'd; but their greateſt Apprehenſions ariſe from a conſtant and uncontradicted Aſſurance, which private Letters by every Packet brought hither, that the Duke of *Ormond*, with a conſiderable Army, and many experienced Officers, was to land forthwith in *Munſter*. And in this Condition now ſtands this poor Kingdom; the contending Parties being equally afraid, or at leaſt pretending to be ſo of each other; which cannot but beget great Anxiety and Sorrow in the Mind of every good Man, who hath the leaſt Concern for his King or his Country. In the Interim the Lord Deputy, intruſted by his Majeſty with the Government of this Kingdom, and keeping it entire in its Obedience to all his Commands, doth daily grant Commiſſions to raiſe and procure Arms and Ammunition for great Numbers of Men: In doing whereof (conſidering the great Truſt repos'd in him) no Man of Honour, or moral Honeſty can truly blame him. But, at the ſame time, he takes all Opportunities, both private and public, to declare, *That whenever his Majeſty will ſignify his Royal Will and Pleaſure for diſbanding the Army that now is, or hereafter ſhall be raiſed upon the Commiſſions now iſſuing, or ſhall give Directions for any other Alteration in the Government*, he will, without one Day's Heſitation, himſelf, and thoſe of his Relations and other Dependants in the Army, whom you know to be very numerous, give an exact Obedience. And if any ſhould be ſo fool-hardy as to ſcruple or make the leaſt delay

A.D. 1688-9. Prince, who had Property in *Ireland*, to make use of that Interest for the Preservation of their Property, by preventing, if possible, the sending over Troops; and by insinuating, that in such Case the whole Country would be turn'd into an *Aceldama*, or Field of Blood; for, after expatiating on the mutual Fears of the two Parties, the Writer proceeds to say, That the greatest Apprehensions of the Papists arose from a constant and uncontradicted Assurance, which private Letters by every Packet brought over, that the Duke of *Ormond*, with a considerable Army and many experienc'd Officers, was to land forthwith in *Munster*; and that the Lord-Deputy, on the other hand, agreeable to the great Trust repos'd in him, was daily granting Commissions to raise and procure Arms and Ammunition for great Numbers of Men: And if, in other Places, he declares himself to be verily persuaded, That, with a little good Management, the Generality of the *Roman Catholics*, and indeed of the whole Kingdom, would be very glad to be put in the same Condition, in all respects, as they had been in six Years before; and desir'd no more than an Assurance that it should be no worse; that the Lord Deputy would disband the Army; and that the *Roman* Catholic Nobility and Gentry, who were universally concern'd it, would submit to it; he all along supposes, that his Majesty's Pleasure was first to be known; that his Majesty's Concurrence was first to be obtain'd: And his very last Words are, "Since it cannot be expected that the Lord Deputy will do any thing in a Matter of so great Moment without his Majesty's Directions." A.D. 1688-9.

The same Author, who has preserv'd this Letter, is moreover positive, that notwithstanding his Excellency's verbal Professions of his Readiness to deliver up the Sword, he meant nothing less; and that the Majority of the Protestants believ'd, that he only design'd to gain Time, and to amuse them till he was strong enough to master them. He also avers, King.

---

delay of doing so, they shall in a few Days be taught and compell'd to do their Duty.

All this, I know you have had repeated to you from divers Hands; however, I thought myself obliged in the Station which I hold, to give you this summary Account of our present Condition, which *God* knows is very bad, and in all human Probability, if we take not up more Charity than as yet we have for each other, will receive sharp Corrosives, and bitter Potions, to bring us even to the Hopes of living, though in great Penury and Want. Nor can we expect, in case that any Resistance shall be made by the *Roman Catholics* here, that we shall see any End thereof, until the Buildings, Plantations, and other Improvements of thirty Years Expence and Industry be utterly wasted, and the Kingdom brought to the last Degree of Poverty and Confusion, and from the most improved and improving Spot of Ground in *Europe*, as you saw it six Years since, become a mere *Aceldama*, and upon the Matter, totally desart. For Armies when once raised, must be maintained by the Public, or will maintain themselves: Nor can Military Discipline be expected, where the Soldier hath not his Wages; and whether that can be had out of the public Treasury here, I refer to you, who have weighed the Revenue of the Kingdom, when at the best, *even to a Drachm*. But after all this, I am confident and assur'd, That the Government of *England* will and must at length take place here, against all Opposition whatsoever. It hath cost *England* too much Blood and Treasure to be parted with; but, if it should come to a Contest of that kind, the Victors, I fear, will have little to brag of, and will find in the Conclusion, nothing but Ruins and Rubbish, not to be repaired in another Age. Nor will the People thereafter reckon of any Security or Stability in this Kingdom, so as to apply themselves to the Repair of them, but expecting such periodical Earthquakes here, will provide themselves of Retreats into *England* and *Scotland*, as many have of late, and daily do.

Your Patience is, I fear, by this at an end; when you begin to enquire with yourself, To what purpose it is that I have given you all this Trouble. I must confess your Enquiry is not without Reason; but however to you, whose Friendship I have always found, and valued myself much on it, I do without difficulty declare what hath induced me hereunto.

The wonderful Alterations which a Month's time hath produced in *England*, in regard to the Protestant Religion, and the Universality of it; the little Blood that hath been spilt in so great a Change; the few Acts of Hostility, and little Disquiet which has as yet appear'd, has almost perswaded me, That this unfortunate Kingdom may, by the Interposition of moderate Men, be restor'd to the same Estate of Religion and Property, that it rejoiced in seven Years since, with an Addition of further Security for the Preservation of both, if more be requisite, considering the many Acts of Parliament still in force in this Kingdom.

It cannot be imagin'd, Sir, but there are very many who, having either lost their Estates upon the Forfeitures of 1641, or by their Profuseness and Prodigality spent what they were restor'd to, would willingly see the Kingdom once more in Confusion and Blood; designing by Licentiousness and Rapine to supply their Extravagancies. There want not, on the other hand, some who conceive, That the Court of Claims has, contrary to the Settlement, taken from them their Possessions, without Reprizals; and very many, who, being put by their Employments and Commands, wish for a Time to expostulate with those who are possess'd of them. But all these, in my humble Opinion, ought to give way to the public Quiet and Settlement of a whole Nation, ready to fall into Ruin.

I am verily persuaded, That, with a little good Management, the Generality of the *Roman Catholics*, and indeed of the whole Kingdom, would be very glad to be put into the same Condition in all respects, as they were six Years since; and desire no more than an Assurance it should not be made worse. And, if there be Faith to be found in Man, the Lord-Deputy, and *Roman Catholic* Nobility and Gentry of the Kingdom, who are universally concern'd in the present Army, and in that which is to be rais'd, will, *upon the first Signification of his Majesty's Pleasure to that Purpose*, unanimously disband, retire to their several Dwellings, and apply themselves to advance the Quiet and Wealth of the Kingdom. Nor can I ever doubt his Majesty's Condescension and Care for the Preservation of this his Kingdom, and preventing the Effusion of Christian Blood. For, most assuredly, if War should happen here, which *God* of his infinite Mercy prevent, his Majesty would be the only great Sufferer, in the Loss of so many Subjects Lives; wherein consists the Wealth and Strength of the greatest Monarchs.

There are very many now at *London*, who know the State and Condition of this Kingdom much better than I pretend to; what I now write I design not as a Secret, but, if you think it worth Consideration, I leave it to you to communicate it to such as you shall think fit: And, if there be any thing in it worthy their Thoughts, I must declare, that there is nothing within the Reach of my Industry, that I will not endeavour, in the Method of my Profession, for the Maintenance of Religion and Property, as establish'd by the Laws of this Kingdom; and should die with the greatest Satisfaction, and reckon it a nobler Posterity than any Man can pride himself in, if I could be in the least instrumental in the settling Peace and Quiet, without more Hazard or Loss to this my native Country; which I make no doubt the Almighty will in his good time effect, by his own Means and Instruments, more deserving of so great a Blessing from him than I am. If this find any Room with yourself, other thinking Men, or such who have great Stakes here, let me know your Thoughts, with what convenient Speed you can; it being a Matter in which a Moment is not to be lost; and the first Step to be made there; *since it cannot be expected, that the Lord Deputy will do any thing in a Matter of so great Moment, without his Majesty's Directions.*"

I must likewise tell you, that in this Conjuncture of Affairs, the Thieves and Robberies are not only become more numerous, but likewise much more insolent; and instead of small Thefts, do now drive away by Force whole Herds, and sometimes, when overtaken, deny to restore the Prey. This in many Places, and especially in the *North-west*, is done by the *Carriers* and *Tillers* in the Country, *father'd* generally on the *Army*; of which I have now an Instance before me from *Ballenglass*.

A D. 1688-9. avers, that 500 Commissions were given out in one Day, to the most desperate and profligate Persons among the *Irish*, and who were to raise and maintain their Troops without Levy-money, Pay, or any visible Means of their own: Which, says he, was a thing impossible, without (*n*) allowing them to steal and plunder: And he does not forget to mention, that one of these new-rais'd Regiments, belonging to the Earl of *Antrim*, without the King's Livery, or the usual Arms of regular Troops, or any considerable Officer at their Head, or Notice given to the Magistrates of their coming, was sent to take possession of *Londonderry*; and two Companies to do the same at *Inniskillin*; both of which Parties were severally (*o*) refus'd Admittance by the Townsmen of the two Places, under the Pretence, that these Gentlemen-Soldiers were real Rapparees, and that, by their several Charters, they were oblig'd to defend their Towns against all such. It ought ever to be suppos'd, that those who fortify a Pass mean not only to keep possession, but to defend it to the last against all Assailants: And, for that Reason, those who undertake to negociate them into a Surrender ought also to be provided for a Storm: As well, therefore, from the Precautions that the Lord-Deputy was thus daily taking, as from *Keating*'s own Letter, which made the King's Consent the *Conditio sine qua non* of the whole Proceeding, it became manifestly the Duty of those who manag'd for the *English* Interest, on this Occasion, to be provided for the worst: And that, contrarywise, they so unaccountably expos'd themselves to be outwitted by a Man whom they had always affected to despise, must either argue an Infatuation almost beyond Example; or, what was yet more inexcusable, a wicked Design to draw the *Irish* into a War, in order to make a new Harvest of Forfeitures; in which every Man of Interest and Importance hop'd to have a Share.

To proceed: *Keating*'s Letter was scarce on its Way to *England*, before a new Stratagem was put in practice to give it farther Credit, by the Advice of *Rice* and *Neagle*, who, we are told, were the only Persons in the Lord-Deputy's Secret. The Lord *Mountjoy*, who had a great Ascendancy in the North of the Kingdom, where the Protestant Party was by far the strongest, and had already provided themselves with Arms, Horses, &c. was sent for by his Excellency; and, being come, was told by him, That he intended to send him, jointly with *Rice*, to the King in *France*, to lay before him the State of the Kingdom, and to tell him, That, if his Majesty pleas'd, he (the Deputy) would ruin it for him, and make it a Heap of Rubbish; but that it was impossible for him to preserve it, and make it of use to him: And that, therefore, he desir'd his Leave to treat for it. These are the Lord *Mountjoy*'s Words, in his circular Letter to his A.D. 1688 Friends, when he undertook this Message; and Dr. *King* adds, "The Lord *Tyrconnel* swore most solemnly, that he was in earnest in this Message, and that he knew the Court of *France* would oppose it with all their Power; for, said he, that Court minds nothing but their own Interest, and they would not care if *Ireland* were sunk to the Pit of Hell, (they are his own Words) so they could give the Prince of *Orange* but three Months Diversion; but, he added, if the King be persuaded to ruin his fastest Friends, to do himself no Service, only to gratify *France*, he is neither so merciful nor so wise as I believe him to be. If he recover *England*, *Ireland* will fall to him in course; but he can never expect to conquer *England* by *Ireland*; if he attempts it, he ruins *Ireland* to do himself no Kindness, but rather to exasperate *England* the more against him, and make his Restoration impossible; and he intimated, that, if the King would not do it, he would look on his Refusal to be forced on him by those in whose Power he was, and that he would think himself oblig'd to do it without his Consent.

Mountjoy and Rice *sent by the Lord-Deputy to the King, in* France.

Every body told the Lord *Mountjoy*, that this was all Sham and Trick, and that the Design was only to amuse the Protestants, and get him, who was the likeliest Man to head them, out of the way: But his Answer was, that his going into *France* could have no Influence on the Councils of *England*, who were *neither privy nor Parties to it*; and, if they had a mind to reduce the Kingdom, it was easy to do it without his Assistance; that he must either go on this Message, now the Deputy had put him upon it, or enter into an actual War against him, and against such as adher'd to King *James*'s Interest; that he did not think it safe to do the latter, having no Order or Encouragement from *England*; but, on the contrary, all the Advice he receiv'd from thence was, to be quiet, and not to meddle; that he was oblig'd to King *James*; and neither Honour, Conscience, nor Gratitude would permit him in his present Circumstances to make a War on his own Authority against him, whilst there was any Possibility of doing the Business without one. Upon these Considerations, against the general Opinion of all the Protestants in *Ireland*, he undertook the Business, and went away from *Dublin about* the 10th of *January* 1688-9, having first had these general Concessions made him in behalf of the Protestants: 1. That no more Commissions should be given out, or new Men rais'd. 2. That no more of the Army should be sent into the North. 3. That none should be question'd for what was past. And, 4. That no private House should be garrison'd or disturb'd with Soldiers."

But the Doctor has either misrepresented Lord

(*n*) In another Place, he expressly lays the Robberies and Plunderings that were continually committed, to such as the Lord-Deputy had entrusted with Arms and Employments; which Judge *Keating*, in the Letter above, as expressly denies.

(*o*) This Affair at *Derry* was soon compromis'd; that Town submitting to take such a Garrison as they knew they could master.

A.D. 1688-9. Lord *Mountjoy*, in that Paſſage where he makes him declare to his Friends, That the Council of *England* were neither *privy nor Parties* to his Errand; or elſe, that Lord was not conſiſtent with himſelf; for, in his own circular Letter, we find him expreſly ſaying, "I am morally aſſur'd this muſt do our Work without Blood, or the Miſery of the Kingdom. I am ſure it is the Way propos'd in *England*, who depend ſo much on it, that no Forces are appointed to come hither: And, I am ſure, what I do is not only what will be approv'd of in *England*, but what had its Beginning from thence."

However this may be, nothing is more certain, than that no Forces were appointed for the Service of *Ireland*; and that no Diſpoſition was made for ſuch an Embarkation, in caſe the Neceſſity of Affairs ſhould require it: On the contrary, when the Lords, to whom the Conſideration of the State of that Kingdom had been referr'd, made their Report in the Prince's Council, in which it was propos'd, that an Order ſhould be iſſued for reſtoring the Arms which had been taken from the Proteſtants; and that the Earl of *Grenard*, and the Lord *Mountjoy*, the Former in the Capacity of Lieutenant-General, and the Latter as Major-General, ſhould be authoriſ'd to command them, even this Propoſal was rejected, and it was thought fit to ſummon the Lord-Deputy, by a *Letter*, to ſubmit to the preſent Adminiſtration, and to receive ſuch Troops as his Highneſs ſhould ſend, for the Security of that Kingdom; as alſo to aſſure him withal, that, in ſuch caſe, the *Roman-Cathelics* there ſhould be indulg'd with a Continuance of the ſame Liberty which they had enjoy'd under the Reign of King *Charles* II: This was exactly agreeable to the Contents of *Keating*'s Letter; but not at all to the Prince's Promiſe to the Lords and Commons in behalf of *Ireland*, or the Expectations of the *Iriſh* Nobility and Gentry in *London*, who had preſs'd his Highneſs to take the aſſociated Proteſtants in the North of that Kingdom under the Protection of his Arms, and to ſend them ſpeedy Succours.

The Prince ſends a Letter of Summons to his Excellency.

The adopting and purſuing this wretched Expedient was beſides ſo much the more ſtrange; becauſe it was as neceſſary to the avoiding a Civil War, which the Men of Property ſo much dreaded, that the King ſhould not ſend over any Troops from *France*, as for the Prince to reſt on his Arms in *England*; and till ſuch an Aſſurance had been actually obtain'd and guaranteed on his Majeſty's behalf, He, who had taken upon him to be the Defender of the Proteſtant Faith, and who could not be ignorant of the Intereſt of that inſidious Court to force his Majeſty into their Meaſures, under the Pretence of aſſiſting him to purſue his own, ought to have been as forward with his Preparations to ſuccour and protect, as they to divide and deſtroy: For if the Caſe of the *Engliſh* Proteſtants, before his Arrival, was grievous, that of the *Iriſh* was deſperate: They were the Minority in point of Number: They were under the Dominion of their Adverſaries: As they had, therefore, even a better Plea for Reſiſtance, ſo they ſtood alſo more in need of Deliverance: And as his Highneſs had made the Cauſe of Religion the Cauſe of his Expedition, he was ſo much the more oblig'd to haſten to their Reſcue. A.D. 1688-9.

It muſt not however be ſuppos'd, that this Letter of Summons contain'd the Whole of the Project; or that the Patrons of it were ſo very weak as to flatter themſelves, that the Lord-Deputy would be induc'd to give up the Sword merely for the ſake of his Party, without any immediate Conſideration for himſelf. On the contrary, it is reaſonable to think, from the Care which was ſhewn in the Choice of the Perſon to be ſent on this Errand, that his ſecret Inſtructions regarded the Man, more than the Cauſe. *Sarsfield*, one of the beſt and braveſt of the *Iriſh* Officers, was firſt apply'd to, but gallantly refus'd it, ſaying, He would freely ſerve his Highneſs againſt the King of *France*, but never would be acceſſary to deprive his lawful Sovereign of one of his Kingdoms. Colonel *Hamilton*, another Officer of the ſame Nation, and of equal Character, was next recommended by young *Temple*, according to Biſhop *Burnet*, as well on the Credit of that Character, as becauſe he was known to be much in the Favour of the Lord-Deputy, and in the Eſteem of his Countrymen: "*Hamilton*, we are told by that Author, was in the Prince's Hands as a ſort of Priſoner of War, and had been, together with a Body of *Iriſh* Soldiers, whom the Prince kept for ſome time as Priſoners in the Iſle of *Wight*, and whom he GAVE afterwards to the Emperor.--- So he undertook to prevail with the Earl of *Tyrconnel* to deliver up the Government; and promiſ'd, that he either would bring him to it, or that he would come back and give an Account of his Negociation." His Lordſhip proceeds to ſay, "That this Step had a very ill Effect; that *Hamilton* broke his Faith with the Prince, and made uſe of his Credit with *Tyrconnel* to rivet him in the Intereſt of the King his Maſter, by inſinuating, That, if he ſtood firm, Affairs would take a new Turn in his Majeſty's Favour; and, upon the Whole, directs his Readers to conclude, That the Lord-Deputy was really diſpos'd to ſubmit, on good (*p*) Conditions, till *Hamilton* gave him this new Bias; and that the Blame of the whole Miſcarriage ought to be plac'd to the Account of the *Temples*, who recommended him."

by Colonel Hamilton,

who betrays his Truſt.

The Temples *blam'd for that Miſcarriage.*

Sir *William* is involved in this Charge as well as his (*q*) Son and his Brother. And yet Dr. *Swift*, who was his Chaplain, aſſures us in the Life of that Gentleman, which he has prefix'd to his Works, That tho'

(*p*) And for theſe, (adds the Biſhop) he knew he would *have all that he aſk'd.*

(*q*) This hopeful young Gentleman, Sir *William*'s only Son, was ſo overcome with Concern for the ill Succeſs of this his firſt Adventure in public Buſineſs, that, in a Fit of Deſpair, he leap'd into the *Thames*, near the Bridge, and was drown'd.

A.D. 1688-9. tho' he visited the Prince at *Windsor*, and introduc'd his Son to him, he had neither Concern in, nor Knowledge of, his Highness's Expedition; and that he peremptorily refus'd to enter into his Service, tho' tempted and even importun'd to accept of the Secretary's Office. But, if this should not be sufficient to disculpate him, and as he was the leading Man of his Family, and his own Interest was greatly concern'd in the Tranquillity of *Ireland*, it should still be thought he had the Lead in this unhappy Negotiation, there is yet another Passage of the Bishop's own, which leaves Room to suppose, that a Family Interest was not the governing Principle in this mysterious Affair. "Others thought, says his Lordship, that the leaving *Ireland* in this dangerous State, might be a Means to bring the Convention to a more speedy Settlement of *England*, and that, therefore, the Prince ought not to make too much Haste to retrieve *Ireland*. This Advice was generally believ'd to be given by the Marquis of *Hallifax*; and it was like him. The Prince did not seem to apprehend enough the Consequence of the Revolt of *Ireland*, and was much blam'd for his Slowness in not preventing it in time." Thus we have a new Charge which reaches far beyond the *Temples*, and to which he puts in no other Answer than the several Fallacies before expos'd. But if it has any Foundation in Truth, whatever Reason the Nation had to rejoice in their Deliverance, they had little to glory in their Deliverer, who could so coolly sacrifice one Kingdom to gratify his Ambition with another.

Another Cause assign'd for the Neglect of Ireland.

The exact time when *Hamilton* came to *Dublin*, and *Mountjoy* and *Rice* left it, is not precisely specify'd. As our *Historian of his own Times* states the Matter, the Embassy of the latter was an Effect of the Collusion carry'd on between the Lord-Deputy and the former; but he is too inaccurate every where in point of Chronology to be depended upon any where: And upon comparing the Date of *Keating*'s Letter, which was *December* 29, with that of *Mountjoy*'s, which was *January* 10, it appears next to impossible that such a Journey, and such a Detail as must have been preparatory to it, could have been completed in so short a time. But whether this was the Case or not, it seems reasonable to think, that his Excellency had taken his Resolution before they set out; and that *Hamilton*'s Applications only serv'd to confirm him in it: For while they were on their way to *Paris*, a *French* Engineer landed at *Cork*, and went immediately post to *Dublin*; and when they arrived there, Lord *Mountjoy* was thrown into the *Bastile*, before he had Leave to tell his Story; which shews that he was employ'd on that Errand for that End; and that the two Kings had already form'd their Concert; which they could scarcely have done without TYRCONNEL's Participation. Besides all which, it is farther remarkable, that the two Privy Counsellors were scarce gone, before his Excellency deny'd that he had ever made such Concessions to the Protestants, as Lord *Mountjoy* had annex'd to his said Circular Letter; appear'd highly provok'd that he had dispers'd any such Letter; and absolutely refus'd to perform any one of them: Which, as it was, in effect, throwing off the Mask at once; so it convinc'd the Protestants of that Kingdom, that all Hopes of an Accommodation were at an End. A.D. 1689.

Affairs of Scotland. [Balcarras's *Memoirs*, p. 50, 51, 52.]

It is now time to make a Transition to the Affairs of *Scotland*. The Earl of *Balcarras*, who had been dispatch'd by the Regency of that Kingdom to lay before the King the State of it, and to request new Instructions, did not arrive at *London* till the Day after his Majesty first withdrew from *Whitehall*; and, finding the Purpose of his Journey thus lamentably defeated, thought it his Duty to advise with such other *Scotish* Privy-Counsellors as were in Town, both on the Contents of his Mission, and what was proper to be done in the present unparallel'd Crisis. These were in all five: And the most eminent of them were the Viscount *Dundee* and the Duke of *Hamilton*. To the last, the Earl had a Letter from the Council, requesting, that his Grace would join with him in representing Matters to his Majesty, and in receiving his Commands thereon. On the Receipt of this Letter, the Duke demanded a Sight of that to the King, and declar'd, that otherwise he would have nothing to do with them. They gave him a Copy of it; he insisted haughtily on having the Original; the Earl as peremptorily refus'd it; which put his Grace into such a Fury, that he could no longer conceal his Purpose in requiring it; which was to lay it before the Lords at *Whitehall*. This in his Transport he avow'd; as also, that he would have no farther Concern with a Chancellor, and such of his Collegues as then sat at the Council-board, contrary to Law; and that he would consult with the *English* Lords what was proper to be done next. With which Words he left them in a Rage, tho' the Meeting was held in his own House. Nor was the Rashness which he shew'd on this Occasion more inexcusable than the Meanness which he shew'd immediately after; for upon his Majesty's unexpected Return, he sent for Ld. *Dundee*, made Excuses for his Passion, desir'd him to make his Peace with the rest of the Lords; and, at another Meeting, offer'd them his Friendship and Service. What follow'd, was his assisting at the only Council held by the King during his short Stay at *Whitehall*, as we have seen, and his shewing all imaginable Concern for his Service: And yet, while his Son waited upon his Majesty in his Barge to *Rochester*, he staid in *London* to be ready among the foremost to pay his Court to the Prince, at his Arrival at *St. James's*.

Lord Balcarras's *Interview with the Duke of* Hamilton *at* London.

For the Turn which things had already taken at *Edinburgh* in his Highness's Favour, and which has been already explain'd, he was principally obliged to the Marquis of *Athole*: But then the Marquis was either so jealous of the Duke of *Hamilton*, or so impatient to put in for his Reward, that he left his Post at the Head of the Regency, and came up to *London*; which was, in a manner,

A.D. 1688-9. ner, undoing all again; for those who had before submitted to him and his Faction, re-assum'd the Direction, and gather'd together such a Body of Guards as seem'd to argue a Resolution to keep it; and he found by his Reception, that his Importance sunk with his Power, and that his Merit lasted no longer than his Services.

The Marquis of Athole comes to London, and is coldly receiv'd: The Duke of Hamilton gets the start in his Highness's Favour.

The Duke, on the contrary, was receiv'd by his Highness with all the Distinction imaginable; not out of Affection, but, as we are told, because he was the fittest Tool to manage the different Interests of his Countrymen: For with the discontented Noblemen and Gentlemen, none appear'd more dissatisfy'd with all that had been done in the former Reign, tho' none had been deeper concern'd in what was done, than he. To the *Presbyterians* he suggested, that he had always been in their Interest; and that whenever he seem'd to give into any Severities against them, it was in order to preserve them from worse. Of the Episcopal Party, at least of such as were inclin'd to trust him, he begg'd they would suspend their Judgment of him, till a Convention should be call'd, and then it would be seen who were most for the Interest of the King and the Nation. With these Pretexts, so easy to be made by Men of no Principle, and so likely to ensnare the Credulous and Unwary, he seduced a vast Number of all Persuasions to place their whole Confidence in him, and made himself thought absolutely necessary to all Governments, which was all he aim'd at.—— This is the Portrait of his Grace, as given by Lord *Belcarras*, and what indeed will serve for every self-interested, aspiring Temporizer whatsoever. His Lordship adds, That the better to deceive the several Parties whom he propos'd to lead, he never appear'd at any of their separate Meetings; for if he had confin'd himself to any one, he had oblig'd the rest; and if he had openly caball'd with all, he had brought himself into Suspicion with all; whereas, by this artful Management, each believ'd he was their own, and that all his Interest, Credit, and Consequence would be made use of for their sole Advantage.

An Intrigue within the Circle of a Court thrives like a Plant in a Hot-bed: Thus the Artifices of the Duke, in concurrence with the Influence of the Prince-Administrator, brought the *Scotish* Affairs to such a Ripeness, in so short a time, that in the Beginning of *January*, all the Nobility of that Kingdom (not excepting even the Earl of *Belcarras* and the Viscount *Dundee*) and all the considerable Gentlemen who were then in *London*, to the Number of about eighty of the Latter and thirty of the Former, were induc'd to wait upon his Highness, and to negociate with him, in a foreign Court, for the whole Nation, without any Authority from the Regency still subsisting, or the City of *Edinburgh*, or the rest of the Peers, who were in all about a hundred and forty. The Prince had indeed undertaken to deliver *Scotland* as well as *England*; and, in the Declaration which he caus'd to be circulated there, to prepare his Way, had as explicitly disavow'd all selfish Designs and Ends, as in that which had captivated the People of *England*: But the *Scots* had seen him dispense with his own Promises; had seen him not only refuse all Treaty with the King, but actually make use of his Fears to drive him out of his Kingdom: When, therefore, they took this extraordinary Step, they had their Eyes open; and, in agreeing to this Meeting, they knew they were to article away their Crown. A.D. 1688-9.

The proper Disposition being thus made, the Prince sent a formal Invitation to the several Persons concern'd, to meet him at *St. James's*: They comply'd with it: The Meeting was held *January* the 7th; and his Highness upon that Occasion express'd himself as follows:

His Highness invites the Scotish Peers and Gentlemen to St. James's, and desires their Advice.

"My Lords and Gentlemen, The *only* Reason that induc'd me to undergo so great an Undertaking was, that I saw the Laws and Liberties of these Kingdoms overturn'd, and the Protestant Religion in imminent Danger: And seeing you are here, so many Noblemen and Gentlemen, I have called you together, that I may have your Advice, what is to be done for securing the Protestant Religion, and restoring your Laws and Liberties, according to my Declaration."

He then withdrew; and they adjourn'd to the Council-Chamber at *Whitehall*, where, having unanimously chosen the Duke of *Hamilton* for their President, his Grace made an introductory Speech to the Business of the Day; in which he had the Address to direct his Audience to the very Point the Prince had in view, without seeming to do so; and to make his Court, without doing any open Violence to his Impartiality: In particular, he enlarg'd on the present deplorable State of *Scotland*; said they were cast loose, without any Order, or Shadow of Government: That this had made way for Licentiousness and Confusion: That the Mob were at present Masters; and that therefore there was an absolute Necessity to lodge the supreme Authority somewhere, till a Convention of the States could be held, who might provide for a more solid and lasting Settlement. To this all agreed; as also that they ought to assist his Highness with their Advice: But in adjusting Particulars many Debates arose, and many Hours were wasted. At last, however, certain Heads were adopted, and digested in Writing, in order to be farther consider'd the next Day. Accordingly, the next Day in the Afternoon, the Debate was resum'd, some Amendments were made, and, upon the Whole, the Writing was order'd to be engross'd, as the last Act of the Day; when, to the general Surprize, the Earl of (r) *Arran* rose up, and, out of a Paper,

They chuse the Duke of Hamilton for their Chairman.

Lord Arran's Motion in behalf of the King.

(r) In the Earl of *Belcarras*'s Memoirs, the Names of the Noblemen of *Scotland* are seldom specify'd at length: And the Name of this Nobleman in particular is, by Mistake, specify'd thus, *A—ll*; which, contrary to a notorious Fact,

A.D. 1688-9. Paper, according to the Earl of *Belcarras*, read as follows:

" My Lords, I have all the Honour and Deference for the Prince of *Orange* imaginable. I think him a brave Prince, and that we owe him great Obligations, in contributing so much for our Delivery from Popery. But, while I pay him those Praises, I cannot violate my Duty to my Master. I must distinguish between his *Popery* and his *Person*. I dislike the one, but have sworn, and do owe, Allegiance to the other; which makes it impossible for me to sign away that which I cannot forbear believing is the King my Master's Right. For his present Absence from us, by being in *France*, can no more affect our Duty, than his longer Absence from us in *Scotland* has done all this while.

My Lords, the Prince in his Paper desires our Advice: Mine is, That we should move his Highness to desire his Majesty to return and call a free Parliament, for the securing our Religion and Property, according to the known Laws of that Kingdom; which, in my humble Opinion, will at last be found the best Way to heal all our Breaches."

It is no uncommon thing in *Scotland* for a Father and a Son to take different Parties; for, in such case, which ever succeeds, the Family is sure to be safe: We are not to wonder therefore at this Incident, or that his Grace in the Chair frown'd on his Son, for having made so rash a Motion: But the whole Company appear'd as little satisfy'd with it, and broke up almost immediately, without entering into any Debate. The Contempt which was thus put upon it encourag'd Sir *Patrick Hume*, the next Day, when they met for the last time, to make his Court at Lord *Arran*'s Expence, by reminding them of his Yesterday's Proposal; by demanding whether any body present would second it? and, when no body reply'd, by proceeding to say, " That it was evidently opposite and inimicous to his Highness the Prince of *Orange*'s Undertaking, his Declaration, and the good Intentions of preserving the Protestant Religion, and of restoring their Laws and Liberties, express'd in it;" as also by moving, " That the Meeting should declare this to be their Opinion of it." Lord *Cardross* seconded this officious Motion, and thereby furnish'd his Grace in the Chair with a new Opportunity to illustrate that Equality and Moderation, which he affected at this time, in order to render himself the common Center of all Parties, and thereby more respected by that which was uppermost. " Our Business, said he, is to prepare an Advice to be offer'd to the Prince; and that Advice being now ready to be put to the Vote, there is no need to give our Sense of the Earl's Proposal: Besides, as no body else has own'd or seconded that Proposal, it is no longer before us: And the Vote of the Meeting, upon the Advice brought in by their Order, will sufficiently declare their Opinion for it." He therefore A.D. 1688-9. call'd for that Vote: Lord *Sutherland* seconded his Grace: Upon which, finding their Zeal was not according to Knowledge, Sir *Patrick* and Lord *Cardross* dropp'd their Motion: And, upon the Question, the Paper of Advice, which follows, was unanimously agreed to, *viz.*

" We the Lords and Gentlemen of the Kingdom of *Scotland*, assembled at your Highness's Desire, in this extraordinary Conjunction, do give your Highness our humble and hearty Thanks for your pious and generous Undertaking, for preserving of the Protestant Religion, and restoring the Laws and Liberties of these Kingdoms.

In order to the attaining these Ends, our humble Advice and Desire is, That your Highness take upon you the Administration of all Affairs, both Civil and Military; the Disposal of the public Revenues and Fortresses of the Kingdom of *Scotland*, and the doing every thing that is necessary for the Preservation of the Peace of the Kingdom, until a general Meeting of the States of the Nation, which we humbly desire your Highness to call, to be holden at *Edinburgh* the Fourteenth Day of *March* next, by your Letters or Proclamation, to be publish'd at the Market-Crosses of *Edinburgh*, and other Headboroughs of the several Shires and Stewarties, as sufficient Intimation to all concerned, and according to the Custom of the Kingdom: And that the Publication of these your Letters or Proclamation be by the Sheriffs, or Stewart-Clerks, for the Freeholders, who have the Value of Lands, holden according to Law, for making Elections; and by the Town-Clerks of the several Boroughs, for the Meeting of the whole Burgesses of the respective Royal Boroughs, to make their Elections at least fifteen Days before the Meeting of the Estates at *Edinburgh*; and the respective Clerks to make Intimation thereof, at least ten Days before the Meetings for Elections: And that the whole Electors and Members of the said Meeting at *Edinburgh*, qualified as above express'd, be Protestants, WITHOUT ANY OTHER EXCEPTION OR LIMITATION WHATSOEVER; to deliberate and resolve what is to be done for securing the Protestant Religion, and restoring the Laws and Liberties of the Kingdom, according to your Highness's Declaration."

It was also subscrib'd by every Individual present; and this render'd it in a manner unnecessary to sign the *Association*, which some contended for, tho' without Success. From this remarkable Unanimity, however, in the more essential Points, and particularly, from the Clause of Exclusion to Papists, and of Admission to all Protestants without distinction, to elect, or be elected, it was pretty apparent, that the King's Cause was, at present, as little consider'd by the *Scots* as the *English*: Lord *Belcarras*, in his Apology to the King, endeavours indeed to set a Glos

---

instead of *Arran* indicates *Argyll*: It is farther to be observ'd concerning him, that he was one of those whom the Prince had already disoblig'd; for, upon his Return from attending the King to *Rochester*, his Highness took his Regiment of Horse from him, and gave it to its old Master the Earl of *Oxford*.

A.D. 1688-9. Gloſs on the Proceeding; but without Succeſs. According to him, the Diſorders which then convuls'd the Kingdom, and the Neceſſity to put an immediate Stop to them, made many comply; as alſo the Conſideration, that the Term of the Prince's Government was prefix'd to ſo *ſhort a Day* as the 16th of *March*: Then, as to Lord *Arran*'s Propoſal, he ſays, That a great many would willingly have join'd in it, had they been ſeaſonably appriz'd of it, whereas he brought it in without the Participation of any body: Forgetting, or chuſing to forget, that it was as much neglected the ſecond Day as the firſt. He adds, That Lord *Arran* himſelf was under Suſpicion of being ſecretly attach'd to the Prince as well as his Father; that tho' his Propoſal ſeem'd juſt and bold, it was ill-tim'd, conſidering, if any had join'd with him, his Highneſs would immediately have ſent down Troops to *Scotland*; which would have inevitably hinder'd all the King's Friends from appearing at the Convention, where alone they could do him Service; and, that all a wiſe Man had to do was, to get out of the Claws of the Enemy, which, without theſe Compliances, had been impoſſible; the Roads being every where guarded, and all Paſſage deny'd, till by theſe Conceſſions they had given earneſt of their good Behaviour. Laſtly, his Lordſhip gravely mentions the Scruples of many of the loyal Party about ſitting in this Convention; as holding it to be againſt their Oath to ſit in *any* Aſſembly not called by Regal Authority; after having ſat himſelf in the Aſſembly at *Whitehall*, and having there concurred in adviſing the Prince to call that very Convention, which, as before hinted, was to gratify him with the Crown.

And preſent it to the Prince at Whitehall.

The very Manner of preſenting their Paper of Advice to his Highneſs, moreover, carry'd along with it an Air of Homage; for, to ſhew him the more Reſpect, they all waited upon him in Perſon with it; and they did the ſame, when he call'd upon them to receive his Anſwer: But, in return for this Compliment, we are told, He *thank'd them for the Truſt they repos'd in him*; which was a Condeſcenſion that he could not prevail with himſelf to ſhew to the Lords and Commons of *England*. The Paper was deliver'd on the 10th: On the 14th his Highneſs reply'd as follows: A.D. 1688-9. [*Sir John Dalrymple's Memoirs of Great Britain and Ireland, Append. Part* 2.]

His Highneſs's Anſwer.

"My Lords and Gentlemen, In purſuance of your Advice, I will, until the Meeting of the States in *March* next, give ſuch Orders concerning the Affairs of *Scotland*, as are neceſſary for the calling of the ſaid Meeting, for the preſerving of the Peace, the applying of the public Revenue to the moſt preſſing Uſes, and putting the Fortreſſes in the Hands of Perſons, in whom the Nation can have a juſt Confidence: And I do further aſſure you, that you will always find me ready to concur with you in every thing that may be found neceſſary for ſecuring the Proteſtant Religion, and reſtoring the Laws and Liberties of the Nation."

And upon this Occaſion there happen'd yet another Incident, which ſerv'd to ſhew the Forwardneſs of the *Scotiſh* Nation to enliſt under the Prince's Banners; for the Earls of *Crawford* and *Lathian*, and Others, having arriv'd in *London* ſince the ſaid Paper had been preſented, the former of thoſe Earls, in the Name of all theſe New-comers, deſir'd of his Highneſs, that they alſo might have an Opportunity to ſubſcribe it: Which was done upon the ſpot: And 'tis added, that all *ſhew'd great Satisfaction with his Anſwer*.

"And now, ſays our *Hiſtorian of his own Times*, the Adminiſtration of the whole Iſle of *Britain* was put into the Prince's Hands." All that remain'd to be done, therefore, was to continue it there: And this was the great Buſineſs of the enſuing Convention: The Elections were all this while in agitation; and, according to the Author laſt-quoted, were manag'd fairly all *England* over. "The (*f*) Prince, continues he, did in no ſort interpoſe, in any Recommendation, directly or indirectly:" But then he admits, "that all Men were forming their Schemes, and *fortifying* their *Party* all they could:" And, if ſo, it muſt be concluded, That the Prince's Party

The State of Parties in England.

(*f*) His Highneſs's Letter of Summons, or Writ of Election, was as follows:

"Whereas the Lords Spiritual and Temporal, the Knights, Citizens and Burgeſſes, heretofore Members of the Commons Houſe of Parliament, during the Reign of King *Charles* II. reſiding in and about the City of *London*, together with the Aldermen, and divers of the Common-council of the ſaid City, in this extraordinary Conjuncture, at our Requeſt, ſeverally aſſembled, to adviſe us the beſt Manner how to attain the Ends of our Declaration in calling a free Parliament for the Preſervation of the Proteſtant Religion, and reſtoring the Rights and Liberties of the Kingdom, and ſettling the ſame, that they may not be in danger of being again ſubverted, have adviſed and deſired us to cauſe our Letters to be written and directed; for the Counties, to the Coroners of the reſpective Counties, or any one of them; and, in default of the Coroners, to the Clerks of the Peace of the reſpective Counties; and for the Univerſities, to the reſpective Vice-Chancellors; and for the Cities, Boroughs, and Cinque-ports, to the chief Magiſtrate of each reſpective City, Borough, and Cinque-port; containing Directions for the chuſing in all ſuch Counties, Cities, Univerſities, Boroughs, and Cinque-ports, within ten Days after the Receipt of the ſaid reſpective Letters, ſuch a Number of Perſons to repreſent them, as from every ſuch Place is or are of right to be ſent to Parliament; of which Elections, and the Times and Places thereof, the reſpective Officers ſhall give notice: The Notice for the intended Election in the Counties to be publiſhed in the Market-towns within the reſpective Counties, by the ſpace of five Days at the leaſt before the ſaid Election; and for the Univerſities, Cities, Boroughs, and Cinque-ports, in every of them reſpectively, by the ſpace of three Days at the leaſt before the ſaid Election; the ſaid Letters, and the Execution thereof, to be returned by ſuch Officer and Officers, who ſhall execute the ſame, to the Clerk of the Crown in the Court of Chancery, ſo as the Perſons ſo to be choſen may meet and ſit at *Weſtminſter* the two and twentieth Day of *January* next.

We, heartily deſiring the Performance of what we have in our ſaid Declaration expreſs'd, in purſuance of the ſaid Advice and Deſire, have cauſed this our Letter to be written to you, to the Intent that you truly and uprightly, without Favour or Affection to any Perſon, or indirect Practice or Proceeding, do and execute what of your part ought to be done according to the ſaid Advice, for the due Execution thereof. The Elections to be made by ſuch Perſons only, as, according to the ancient Laws and Cuſtoms, of right ought to chuſe Members for Parliament; and that you cauſe a Return to be made, by Certificate under your Seal, of the Names of the Perſons elected, annexed to this our Letter, to the ſaid Clerk of the Crown, before the ſaid two and twentieth Day of *January*.

Given at *St. James's* the nine and twentieth Day of *December*, in the Year of our Lord 1688.

[*Out of Lord* Somers's *Collection*, *vol.* xxxv.

A.D. 1688-9. Party were as busy in *fortifying* as the reſt. The Duke of *Bucks* will have it, that all poſſible *Induſtry* was us'd for chuſing only Perſons ill-affected to the unhappy King: And it is no Secret, that the Influence of the Adminiſtration, in whatever Hands, has a mighty Sway on all ſuch Occaſions: It is true, there never was perhaps ſo little real Neceſſity to make uſe of it, as now; for the Eyes of the People in general, being ſtill dazzled with the Glare of his Highneſs's Pretenſions, and their Hearts embitter'd againſt the King and his Cauſe, they were eaſily led to believe, that in eſpouſing his Intereſt they eſpous'd their own; and, upon the Whole, ſince it does not appear that the Party, which afterwards ſo fiercely declam'd againſt the new Settlement, made any formal Complaint of extraordinary Iniquities and Outrages practis'd upon this Occaſion, we ought to conclude, that they wanted ſufficient Matter to found it upon: There was indeed no avow'd Oppoſition to his Highneſs; on the contrary, his Name, his Merits, his Services, were in every Mouth; and even thoſe who began about this time to turn their Backs upon him, becauſe he had firſt turn'd his Back upon them, durſt not openly gratify their Reſentment, for fear of drawing down the Reſentment of the Public on themſelves: That, therefore, the Convention, without any flagrantly-ſiniſter Practices, ſhould be form'd, for the general, of ſuch Perſons as were more diſpos'd to favour the Deliverer than the King, is not ſo much to be wonder'd at, as that the Latter ſhould afterwards find any Favour at all: Hitherto the whole Body of Proteſtants, of whatever Parts compos'd, had co-operated againſt him, had transferr'd that Attachment to his Highneſs which was once his acknowledg'd Right, had taken Arms on the Prince's Side, had aſſociated for his Defence, had overlook'd the Breaches of his Profeſſions and Declarations, had ſeen his Majeſty driven away from his Palace, if not without Compaſſion, at leaſt without the leaſt Remonſtrance in his Behalf: Even the great Aſſembly of Lords Spiritual and Temporal had heſitated whether they ſhould permit his own Guards to reſcue him out of the Hands of his own Subjects; had refus'd to receive his laſt Proteſt againſt the Violence which had been put upon him; had made a ſolemn Tender of the whole executive Power to the Prince, without the leaſt Retroſpect to his Majeſty or his Pretenſions; and had put it into his Power both to act as Sovereign, by convoking the States of the Kingdom, and, by their Means, to ſecure to himſelf the Poſſeſſion of the Sovereignty for good and all: Every one of which Steps was equally inconſiſtent with the Paſſive-Obedience-Creed, and the Letter of the Law: That thoſe, therefore, who had gone ſuch Lengths, ſo unanimouſly, ſhould all at once ſeparate from, and oppoſe, one another; that Part of them ſhould reſume the ſame Scruples in point of Loyalty, which they had ſo notoriouſly violated; that they ſhould affect to make A.D. 1688-9. the Cauſe of the King the Cauſe of *God*, and endeavour to intereſt Heaven and Earth in his Reſtoration; can ſcarce be accounted for on any other Principle, than that which induc'd them to commence Patriots. Till the King ſtretch'd forth his Hand againſt the Church, he had free Leave to make what Innovations he pleas'd in the State; nay, he had all the Aſſiſtance which the whole Body of the Clergy could give him: But he had no ſooner done ſo, than The Sword of the *Lord* and of *Gideon!* was every where the Word: And *the Prince!* was given out as the only Name under Heaven by which the Church could be ſav'd: Reſiſtance then became lawful, nay meritorious; the Plate of an Univerſity was at his Highneſs's Service; and the whole Intereſt, Power, and Credit of the whole eccleſiaſtic Eſtabliſhment at his Devotion.--- The Event ſhew'd that their Weight was great; and, it muſt be own'd, the Prince had the full Benefit of it.--- Poſſibly, they preſum'd too much on this, and expected to have the ſole Government of his Highneſs by way of Equivalent; and poſſibly the Prince, on the other hand, ſet ſo high a Value on the Deliverance he had brought them, that he thought himſelf entitled to their beſt Services, and that thoſe Services ought to be plac'd to their own Account. When two Parties ſtand on ſuch unequal Grounds, they will be ſure to overlook one another: And, if this was the Caſe with theſe, it was but natural that they ſhould ſeparate with as much Haſte as they had joined. It is certain, that his Highneſs loſt the Body of the Biſhops in a few Days after he enter'd upon his Adminiſtration; as alſo, that he never was upon good Terms with their Metropolitan, after he took poſſeſſion of *St. James*'s: The Particulars of the Breach, indeed, both Sides, as if by Conſent, have left in the Dark; and for that Reaſon it may be charitably concluded, that they would not bear the Light. It is as certain, that, before his Government was a Fortnight old, the Preſs, which had hitherto been ſo ſerviceable to his Views and Deſigns, was made uſe of againſt him; and that he himſelf was ſo little able to bear the Freedoms which his own Party had ſo freely us'd, that he caus'd the following Order to be ſet forth in the *Gazette*, viz. [Num. 2417.]

Order to reſtrain the Preſs.

"Whereas there are divers falſe, ſcandalous, and ſeditious Books, Papers of News, and Pamphlets, daily printed and diſperſed, containing idle and miſtaken Relations of what paſſes, with malicious Reflections upon Perſons, to the Diſturbance of the public Peace, which are publiſh'd without any *Authority*, contrary to the Laws in that Caſe provided; his Highneſs the Prince of *Orange* has thought fit to order and require the Maſter and Wardens of the Company of Stationers, and *Robert Stephens*, LATE (*s*) Meſſenger of the Preſs, to make diligent Search in all Printing-houſes, and other Places, and to apprehend all ſuch Authors, Printers, Bookſellers,

(*s*) The very Inſtrument made uſe of on the like Occaſion, in the former Reign.

A.D. 1688-9. Booksellers, Hawkers, and others, as shall be found to print, sell, or disperse the same, and to have them before the next Justice of the Peace, to the intent they may be proceeded against according to Law; for the due Execution whereof, all Mayors, Justices of the Peace, and other Officers, are requir'd to be aiding and assisting to them, as there shall be occasion."

A Sketch of the Prince's Cabinet.

Among the Persons who at this time compos'd the Prince's Cabinet, Mr. *Bentinck* held the first Place, in such a Degree of Super-eminence, as scarce left Room for a Second: But if any had a Pretence to aspire so high, it was Mr. *Sydney*; for if the Former had his Highness's Heart without a Rival, the Latter had an equal Share in his Confidence: After them came the Earl of *Shrewsbury*, Admiral *Herbert*, Lord *Mordaunt*, Lord *Delamere*, and Mr. *Russel*, who, led by their Passions as well as their Principles, were, of all others, deepest engag'd in his Highness's Adventure, and for that Reason were trusted by him the most: The Marquis of *Halifax* and the Earl of *Danby* had also their Seats, as Prime-politicians and Party-leaders; and were made great use of, as well because of their Followings, as because they bid against each other for the Administration. The Earls of *Nottingham*, *Clarendon*, and *Rochester*, and whoever else of the old Prerogative-party had any Credit or Authority among them, for a while also made their Court to his Highness as assiduously as the rest, and so long were permitted to participate of his Councils.

All of these had their particular Views and Connections; and any, perhaps, would have serv'd him on his own Terms, provided they might have engross'd him. When therefore it appear'd that his Highness had already made his Choice; that he continued to depend chiefly on those with whom he at first embark'd; that the Stream of Elections was directed in the same Channel; and that the Grandees of the Church were sufficiently disoblig'd to take any Bias that should be given them, it became the Business of the *Disappointed* to set up an Opposition, under such a Colour, if possible, as should both countenance them in what they had already done, and what they design'd to do.

The Plan which they adopted upon this Occasion, considering their own Advices to the Prince at *Windsor*, when the King's Message by Lord *Feversham* was under Deliberation, and considering the Treatment which the King had since receiv'd from the whole Body of the Nobility, assembled at *Westminster*, was a strange one: They took upon them to shew, in Print, 1. The Necessity of treating with his Majesty to return to his Government, under such legal Restraints as should give Security to the most jealous Persons, for the Preservation of their Liberties, Laws, and Religion; with a Proviso, that, if he should not give his Consent, the *next Heir* should be declar'd *Regent*. 2. To demonstrate that this was practicable. And, 3. That every other Course would be iniquitous, desperate and ruinous. According to them, the very Refusal to treat would be thought such a scandalous Neglect of Duty to a Sovereign Prince, and would give such Jealousies to People, that those who oppos'd it were only afraid that the King should comply, as would be the Foundation of universal Discontents: And, if he was set aside, it could not be done by any legal Authority: In which case, no Man would think himself bound in Conscience to obey or acknowledge any other King. They further urg'd, That if those conscientious Men should be ever so few, if they were Men of Eminence for their Integrity and Ability in Church or State, those few Examples would give a terrible Shock to a new, tottering Government: That tho' the late Defection was general, it had no other End than to re-establish Law and Religion on the old Foundation of a free Parliament, which was all the Prince himself declar'd for: That the Resentments of the disobliged Nobility, Gentry, and Soldiery, would shock a Throne which had so sandy a Foundation: That tho' the Country would have paid their Deliverers chearfully, if they had acted as Deliverers only, they would grudge to pay them for doing their own Business: That, under such a Variety of Discontents, there would be no Way to keep the Peace; but by a standing Army; which would alter the Frame of our Constitution, and establish one of the great Grievances which we had complain'd of: That if the Convention, notwithstanding all these Considerations, should pass on to the *next Heir*, it would be incumbent on them to examine thoroughly the Pretences of the Prince of *Wales*; and yet, if they had not good Proofs of an Imposture, they had better let it alone: And that the *giving* the Crown to the Prince of *Orange*, upon the Pretence that the Government was dissolv'd, would shew the Populace the Way to argue themselves into a State of Nature, and to level all Distinctions at once.

A.D. 1688-9.

The Person who held the Pen on this extraordinary Occasion was Dr. *Sherlock*, who had before defended the Conduct of the Bishops against the Emissaries of the King; and we ought not to forget, that, in the Course of his Performance, he has let slip the following menacing Passage, which will serve in a good degree to account for the growing Ill-humours of the Church, in part touch'd upon above: "There are no Contentions so fierce as those about Religion: This gave Life and Spirit to the Prince's Design, and had the main Stroke in this late Revolution: And tho' Popery were a hated Religion, yet most Men are as zealous for their own Religion as they are against Popery: Those of the Church of *England* are very glad to get rid of Popery; but they will not be contented to part with their Church into the Bargain; for this would be as bad as they could have suffer'd under Popery. The several Sects of Dissenters are glad to get rid of Popery also; but now they expect glorious Days for themselves; and what they expect *God* Almighty knows, for I am confident they don't know themselves. Now

Letter to a Member of the Convention.

A.D. 1688-9

consider how difficult it will be for any Prince, who has but a crazy Title to the immediate Poſſeſſion of the Crown, to adjuſt that Matter ſo, as neither to diſguſt the Church of *England* nor the Diſſenters; and, if either of them be diſoblig'd, there is a formidable Party made againſt him."

There is alſo a Poſtſcript to this Letter, in which we find the following ſhrewd Paſſage: "There is one thing more I would beg of you, *viz.* That the Story of a *French* League to cut Proteſtants Throats in *England* may be well examin'd; for this did more to drive the King out of the Nation, than the Prince's Army: And, if it ſhould prove a Sham, as ſome, who pretend to know, ſay it is, it ſeems at leaſt to be half an Argument to invite the King back again."

To this Pamphlet an expreſs Anſwer was immediately ſet forth: But as there is (*t*) more Pertneſs than Argument or Information in it; and as, about the ſame time, another more important Tract (before-mention'd, in the former Volume) called, *An Enquiry into the preſent State of Affairs*, was alſo ſet forth, with thoſe intereſting Words, *Publiſh'd by Authority*, in the Front of it; it will be more ſatisfactory to take our Counter-evidence from thence; and that more eſpecially, becauſe it treats profeſſedly of the Two grand Queſtions, Whether the People, in their preſent Circumſtances, ow'd Allegiance to the King? or, Whether they were bound to treat with him, and call him back, or not? The Author of this was Dr. *Burnet*: He ſets out with adopting St. *Paul*'s Syſtem of Government (*Rom.* Cap. xiii.) founded on Power only, without any reſpect to Right; and concludes from it, That the Duties of Magiſtrate and Subject were reciprocal; and that, conſequently, upon the total Failing of the one, the other did likewiſe ceaſe. He then proceeds to the particular Caſe of the King; charges him with abuſing his Truſt, to the Subverſion of the Government; ſuppoſes the Fact to be acknowledg'd on all Sides, and to be ſo notorious as to need no Proof; ſays, that, how abſolute ſoever the Authority of a Governor might be, as ſoon as it appear'd, that the Bulwarks, inſtead of being the Defences of the City, were become Batteries to ruin it, Nature would lead to a ſhort Way of arguing; and all Men would conclude, that their only Duty was Self-preſervation: Which being allow'd, it follow'd, that the King and his People were in a State of War; and, conſequently, all Ties were broke on both Sides. His next Topic is the *Deſertion*, which he ſtates as voluntary (the King having no *juſt*, *viſible Cauſe* of Fear upon him,) after a Treaty had been ſet on foot, which had nothing that could be hard in it, except it was the putting the Laws in force againſt Papiſts in Employment, the giving the City of *London* ſome Quiet from their juſt Fears, and the aſſigning the Pay for the Prince's Army: And from hence alſo he concludes, that the mutual Tie was broke a ſecond time; and that the People, being then forſaken, were under a Neceſſity to provide for their own Safety. After this he aſſerts, That either the Allegiance of the People to the King was entirely diſſolv'd, or it ſtill ſubſiſted in its full Force and Vigour: If the Firſt, That then they were under no Obligation to his Majeſty; and it would be a hard Taſk to perſuade Men to return to their Bonds again: If the Laſt, That then they ought to recall the King, imploring only his Pardon for what was paſt, without entering upon any previous Treaty, or preſuming to offer any Articles to him. To any Suppoſition which might be made, that the Allegiance of the Subject was only ſuſpended, not diſſolved, as in the Caſe of an Infant or Madman; and that, conſequently, the Title and Dignity of King ſhould ſtill be preſerv'd to his Majeſty, even tho' the Regency ſhould be transferr'd to another, he anſwers, That natural Diſabilities afforded no Argument in favour of ſuch as were affected and culpable; and that, beſides, in either of thoſe Caſes, there could ariſe no Damage to the Public, by any Struggle between the King and the Regent; whereas, in the preſent Caſe, ſuch a Struggle would be unavoidable, and the Conſequence muſt infallibly be, either the overthrowing the Regency, if not aſſaſſinating the Regent; or, in the Impriſonment of the King: That it could not be ſuppos'd, that any of the King's Children, in whom Piety and Nature work'd, could ever engage in a State of Life, which gave them ſo melancholy a Proſpect: That the Name and Title of a King carry'd a Sound with them, which ſtruck the People: That if, after all the Provocations which the Nation had receiv'd, it ſhould be thought proper to let the King continue to have the Advantage of that Title and Name, it would be natural for all Men, when the preſent Sharpneſs was worn off, to think Matters had been carry'd too far againſt him: That the leaving any Root in the Ground might occaſion a new Spring: That the Subjects were bound, by their Oaths, to maintain the King in his Prerogatives, as well as his Title: That it would look like condemning their own Actions, to allow him the Honour, and yet deprive him of the Power: That if the Oath might be ſlacken'd in any one Part, it might be diſpens'd with in all: That, in all Settlements, it was natural to aſk for good Security: That Experience had ſhewn what inſignificant things Promiſes and Oaths were, when Popery was in the other Scale: That to truſt any more was too impudent a Propoſition for any Man to make: That, therefore, if a Treaty was to be open'd, and the King to return on whatever Condition, it was natural to think the Deſign of Popery and arbitrary

A Pamphlet, by Authority, to prove that no Treaty ought to be held with the King.

A.D. 1688-9

(*t*) The Letter-Writer had ſaid, "That as the Army ought not to have fought for Popery, nor againſt the Laws and Liberties of this Country, ſo neither ought they to have deſerted the Defence of the King's Perſon and Crown, but have brought the Prince to Terms as well as the King." And the Anſwerer replies, "Why, Sir, *nemo tenetur ad Impoſſibilia*. The King was *never brought to Terms*, nor, perhaps, never will: So that if they had fought at all, it muſt have been for Popery and againſt both our Laws and Liberties. Sir, ſhew when and where the King *offer'd us* or the Prince *any Terms*, and I will paſs my Word, you ſhall be employ'd to frame Laws for the Convention."

A.D. 1688-9. bitrary Government would probably return with him, and that more furiouſly, and more irreſiſtably than ever; for it was not to be expected, that *God* would work new Miracles for the Preſervation of a People, who threw themſelves back into the miſerable Condition they had once been reſcued from: That if, after all, it ſhould be inſiſted, that the Oaths of Allegiance and Supremacy were conceiv'd in ſuch Terms, as made it impoſſible to break thro' them, it ought to be conſider'd and receiv'd as a full Anſwer, That the End and Deſign of thoſe Laws were, to ſecure us againſt the Danger of Popery: That the King himſelf, to whom thoſe Oaths are taken, is no longer King, than while he maintains thoſe Laws which bind his Subjects to Obedience: And that if the King ceaſes to be King, by ſubverting our Conſtitution firſt, and deſerting us afterwards, then all our Oaths fall to the Ground; like the matrimonial Oath, when the Condition of it was forfeited: In which caſe, the *next Heir became the lawful and rightful King*; and, if the next was a *Femme covert*, then, by the Law of Nations, which creates a Communication of all the Rights of the Wife to the Huſband, this *Right of Sovereignty was communicated to him alſo*: That, moreover, all the Schemes which could be offer'd for ſecuring the Nation, by a Treaty with the King, had ſuch viſible Defects in them, that Men, who were accuſtom'd to examine things, could not be deceiv'd by them: That the Law-Maxim, ſo often inculcated of late, That all Acts of Parliament to the Diſheriſon of the Crown were null and void in themſelves, ſwept away the very Foundations of all the Security which could be offer'd: That there could be no legal Parliament, without taking the Oath of Allegiance to the King; to do which to the King, in the naked State he was to be reduced to, by thoſe who were for treating with him, would be putting a Scorn on *God* and Religion: And, That the Nation could have no Security by Law for what they had done, or for *what remain'd to be done*, but by an Act paſs'd by King, Lords, and Commons. Theſe are the Contents of ſeven of his Sections: The eighth and ninth are of ſo much Conſequence, (the Former on a national account, and the Latter for the ſake of pointing out the Turns and Doubles of theſe *Revolutioners*) that they deſerve to be inſerted entire.

"But, after all, ſome Men plainly ſay, *The King can do no Wrong*; that his Miniſters are only accountable for all the Ill he had done; and that the Prince, in his Declaration, has laid the Blame of all that for which he engag'd in this great Deſign on the evil Counſellors about the King, on whom the Puniſhment ought to fall, and not on the King himſelf, whoſe Perſon is exempt from Cenſure. To all which this is to be anſwer'd, That the Maxim, *The King can do no Wrong*, is perverted to a Senſe very different from that which was at firſt intended by it; for the Meaning of it is only this, That the King's Power cannot go ſo far as to ſupport him in the doing of any Injuſtice or Wrong to any, according to that Chapter in *Magna Charta*, by which all Commiſſions granted againſt Law are declar'd to be null and void; for this is the true Meaning of that Maxim. But there is no Reaſon to carry this ſo far, as that if Kings will ſtrain their Authority, viſibly, to do the higheſt Wrongs poſſible, they were in no way accountable for it. Whatſoever has been done in Parliament, and has never been condemned by any ſubſequent one, is a Part of the Law of *England*: Since then two of our Kings, *Edward* II. and *Richard* II. have been judged in Parliament for their Maladminiſtration; and ſince theſe Judgments have never been vacated by any ſubſequent Parliaments; thoſe Proceedings are a Part of our Law. And tho' perhaps there have been more expreſs Definitions made of late in favour of the Crown, than ever were in former Times; yet as long as thoſe Proceedings remain upon Record, it is plain that this great Right of the *Engliſh* Nation of preſerving itſelf in Caſes of extreme Neceſſity, againſt the violent Invaſions that the Crown may make upon it, is ſtill entire, and in force. But, after all, it will be readily yielded, that as the Life of a Father is never to be attempted on by his Children, how great ſoever their Provocations may be; ſo the King, being made the political Father of the Country, his *Perſon* ought ſtill to be ſacred. But when the Root of the King's overturning our Laws is, his being ſo entirely devoted to his Religion, and to the Order of the *Jeſuits*, how decent ſoever it might be for the Prince to lay the Blame of all on his evil Counſellors, *yet it will be an unreaſonable Piece of Tenderneſs in the Repreſentative of the Kingdom, not to lay the Blame of things where it ought to be laid.*

A.D. 1688-9.

Either all Thoughts of treating with the King, or all Enquiries into the Birth of the pretended Prince of *Wales* are to be laid aſide. The King has gone ſo far in what he has averred with relation to that Matter, that it is impoſſible to judge it an Impoſture without giving him a large Share in it; and no Man can think that it is impoſſible to maintain the common Decencies of Reſpect to the King, if any Steps are made in that Matter; for even an Enquiry into it is the calling his Honour into queſtion, in ſo ſenſible a Point, that no Man that can make a Diſcovery is ſafe to make it, nor are any ſafe who pretend to examine it, as long as there are any Thoughts of treating with him; which will never be believed to be quite laid down, as long as the Title of King is acknowledged to be ſtill in him. Men that condemn the Errors in Government committed by him, may flatter themſelves with the Poſſibility of his pardoning them; but there is no Mercy where the Matter is perſonal, in which his Honour is ſo immediately concern'd, and where a Judgment againſt the Child caſts ſo black and ſo indelible a Stain on himſelf."

In his tenth Section, reſuming the Conſideration of a Treaty, he proceeds yet farther to

A.D. 1688-9. to ſuggeſt, that ſuch Terms as the King might be induc'd to grant, would not be worth accepting; and that ſuch alone as would be acceptable, he would be oblig'd in Point of Honour to refuſe. By which we are at Liberty to conclude, that if the King would have given up his Son, and enter'd into the Confederacy againſt the Power which had given him Protection, and could have given ſufficient Security for the Performance of Articles, he might have continued to adminiſter the Kingdom in Truſt for the Prince, whether his Subjects gave their Conſent or not. He alſo adds, "That when Matters were brought to ſuch a Paſs as they then were, it was more becoming the Wiſdom and Dignity of the Nation to act *frankly* and *aboveboard*, than to think to varniſh them over with ſome outward Appearances: That in ſuch Caſes, any other way of proceeding had not that Air of Greatneſs and Openneſs which is neceſſary upon ſuch Occaſions: That a great deal of time would be loſt in preparing the Propoſitions; and a Treaty being once entertain'd, many might be practis'd on, and either be corrupted or deſtroy'd: That perhaps half of the Articles would be dropp'd in the Treaty, or the whole would be given up by the King in leſs Time than was employ'd in preparing any one of them: That the very Talk of a Treaty would keep the Minds of many in Agitation and Suſpence: That ſome who were then deſperate, with relation to the King, would enter into a ſeparate Treaty with him; and an inconſtant Multitude would be too much tempted to run as faſt to him as ever they ſhew'd Zeal againſt him: That theſe were not imaginary Dangers, but viſible to all who had converſed much in Hiſtory, or had obſerved the Varieties of Mens Thoughts with relation to public Affairs, or conſider'd how little is to be built on any preſent Heats, how fervent and how univerſal ſoever they may ſeem to be, and how ſoon a Nation may be apt to run even out of one Extreme into another; and that therefore the keeping things ſtill in a looſe and unſettled State, was the hazarding the whole Matter, and the running the Riſk of a Relapſe, which would be much more dangerous than the former Diſeaſe was, unleſs the King of *France*, who had the King now in his Power, would be pleas'd to mediate for us, out of his try'd Love to us and our Religion."

And in the eleventh (*u*) Section he dictates to the Nation as follows: "The clear and natural Method of proceeding upon this Occaſion, is, firſt, To ſtate this Nation as a Proteſtant Kingdom, that is incompatible with Popery or a Popiſh King; of which Opinion many were before the King came to the Crown; and he has ſo managed the Matter ſince, that he has convinced the whole Nation of it at laſt. Here a View may be taken of the Courſe of his Government, in thoſe things that have been notorious and public, without entring into ſuch Specialities as will need Proof, and by Conſequence take up Time; and in Concluſion it is to be ſet forth, that he has quitted the Realm in a Storm, and has left the Nation to ſhift for itſelf; and has both deſerted the Government in general, and abandon'd even thoſe who had ſtuck to him, and were ready to have ſacrific'd all for him in particular: And that the laſt Act of his Authority might be long remember'd, he order'd his Army to be diſbanded; which, ſince it was to be done without paying or diſarming the Soldiers, was the letting looſe of ſo many arm'd Men, under the greateſt Temptation to live like Banditti and Robbers in the Nation. Upon all this it is natural to declare the Throne void; and that the King has fallen from all Right to it. In all that I have ſaid concerning his Deſertion, I limit my Reflections to his firſt leaving of *Whitehall*; for the Accident at *Feverſham*, and what follow'd after that, cannot be call'd a Return to his People: And ſince the Seals never appear'd, and the King never ſpake of a Parliament, nor altered his Meaſures in any thing, but ſtill proſecuted his firſt Deſign by his ſecond Eſcape, his deſerting is ſtill to be dated from his firſt going from *Whitehall*; and he having given that *juſt Advantage* againſt himſelf, which came after all that Series of Injuſtice and Violence that had gone before it, no Man can think that it was not very fitting to *carry it as far as it would go*, and not to treat with him any more upon the foot of acknowledging him King."

A.D. 1688.

What gave ſo much the more Force to Dr. *Sherlock*'s Paper, and made this Counter-performance of Dr. *Burnet*'s ſo much the more neceſſary, was the following Letter from the King to the Lords of his Council; which, tho' not ſo much as mention'd by the *Hiſtorian of his own Times*, had been made public, and diſpers'd all over the Kingdom:

"JAMES R.

My Lords, when we ſaw that it was no longer *ſafe* for us to remain within our Kingdom of *England*, and that thereupon we had taken our Reſolutions to withdraw for ſome time,

(*u*) The Concluſion of all, which is principally calculated to make an Impreſſion on the Clergy, runs in theſe Words:

"When all this is laid together, it is not to be ſuppos'd that conſidering Men can be ſhock'd with thoſe Prejudices that ariſe, rather out of the Sound of ſome ill underſtood Words, than out of any real and forcible Arguments, and it can leaſt of all be imagin'd, that the great and learned Body which has ſo triumph'd over Popery in their late Conteſts with it, ſhould now let themſelves be ſo miſled with the *narrow* Notions of an *unbounded* Loyalty, as to oppoſe or even diſlike ſuch a complete Settlement, as the preſent Exigence of our Affairs requires. Their Worth, the Courage that they ſhew'd againſt Popery, and their Readineſs to have been made Sacrifices in that noble *Reſiſtance* which they both made and maintain'd to the laſt, has indeed rais'd them above Cenſure, and all ſevere Imputations. But it cannot but leſſen the Eſteem that is due to any, though it does not detract from their Worth, if they will ſtill purſue a Point that is liable to ſuch great and juſt Exceptions. No body can think they are in love with Popery, or fond of coming again under Father *Peter*'s Miniſtry [who is charg'd with having ſaid, *That he would make them eat their own Dung*]: but Men that ſee through all the Reaſons that are offer'd for treating, and foreſee the fatal Conſequences that muſt attend it, will be tempted to think that ſome Men either have not Strength of Thought enough to examine this whole Matter more impartially, or that having once declar'd themſelves of a contrary Opinion, they cannot conquer Nature ſo far, as to do that which will import a Confeſſion of their once having been in an Error.

A.D. 1688-9. time, we left, to be communicated to you and to all our Subjects, the Reasons of our withdrawing; and were likewise resolv'd, at the same time, to leave such Orders behind us, to you of our Privy-council, as might best suit with the present State of our Affairs: But that being altogether *unfafe* for us at that time, we now think fit to let you know, that tho' it has been our *constant* Care since our first Accession to the Crown, to govern our People with that *Justice* and *Moderation*, as to give, if possible, NO *Occasion* of Complaint; yet more particularly upon the late Invasion, seeing how the Design was laid, and fearing that our People, who could not be destroy'd but by themselves, might, by *little, imaginary* Grievances, be cheated into a certain Ruin: To prevent so great Mischief, and to take away not only all just Causes, but even Pretences, of Discontent, we freely, and of our own accord, redressed all those things that were set forth as the Causes of that Invasion: And that we might be inform'd by the Counsel and Advice of our Subjects themselves, which way we might give them a further and full Satisfaction, we resolv'd to meet them in a *free Parliament*: And, in order to it, we first laid the Foundation of such a *free Parliament*, in restoring the City of *London*, and the rest of the Corporations, to their ancient Charters and Privileges; and afterwards actually appointed the Writs to be issued out for the Parliament's meeting on the 15th of *January*: But the Prince of *Orange* seeing all the Ends of his *Declaration* answer'd, the People beginning to be undeceiv'd, and returning apace to their ancient Duty and Allegiance; and well foreseeing, that, if the Parliament should meet at the time appointed, such a Settlement in all probability would be made, both in Church and State, as would totally defeat his ambitious and unjust Designs, resolv'd by all means possible to prevent the meeting of the Parliament: And, to do this the most effectual way, he thought fit to lay a Restraint on our Royal Person; for as it were absurd to call that a *free Parliament*, where there is any Force on either of the Houses, so much less can that Parliament be said to act freely, where the Sovereign, by whose Authority they meet and sit, and from whose Royal Assent all their Acts receive their Life and Sanction, is under *actual Confinement*. The hurrying of us under a Guard from our City of *London*, whose returning Loyalty he could no longer Trust, and the other Indignities we suffer'd in the Person of the Earl of *Feversham*, when sent to him by us, and in that *barbarous Confinement of our own Person*, we shall not here repeat, because they are, we doubt not, by this time very well known; and may, we hope, if enough consider'd and reflected upon, together with his *other* Violations and Breaches of the Laws and Liberties of *England*, which by this Invasion he pretended to restore, be sufficient to open the Eyes of all our Subjects, and let them plainly see what every one of them may expect, and what Treatment they shall find from him, if at any time it may serve his Purpose, from whose Hands a Sovereign Prince, an Uncle, and a Father, could meet with no better Entertainment. However, the Sense of these Indignities, and the just Apprehension of further Attempts against our Person, by them who already endeavour'd to murder our Reputation by infamous Calumnies (as if we had been capable of supposing a Prince of *Wales*) which was incomparably more injurious, than the destroying of our Person itself; together with a serious Reflection on a Saying of our Royal Father of blessed Memory, when he was in the like Circumstances, *That there is little Distance between the Prisons and the Graves of Princes*, (which afterwards prov'd too true in his Case) could not but persuade us to make use of that, which the *Law of Nature* gives to the meanest of our Subjects, of freeing ourselves, by all means possible, from that unjust Confinement and Restraint. And this we did, not more for the Security of our own Person, than that thereby we might be in a better Capacity of transacting, and providing for, every thing that may contribute to the Peace and Settlement of our Kingdoms: For as, on the one hand, no Change of Fortune shall make us forget ourselves so far, as to condescend to any thing unbecoming that high and Royal Station in which *God* Almighty, by Right of Succession, has placed us; so, on the other hand, neither the Provocation or Ingratitude of our own Subjects, nor any other Consideration whatsoever, shall ever prevail with us to make the least Step contrary to the true Interest of the *English* Nation; which we ever did, and ever must, look upon as our own. Our Will and Pleasure therefore is, That you of our Privy-Council, take the most effectual Care to make these our gracious Intentions known to the Lords Spiritual and Temporal in and about our Cities of *London* and *Westminster*, to the Lord-Mayor and Commons of our City of *London*, and to all our Subjects in general; and to assure them, that we desire nothing more than to return and hold a *free Parliament*, wherein we may have the best Opportunity of undeceiving our People, and shewing the Sincerity of those Protestations we have often made of the preserving the Liberties and Properties of our Subjects and the *Protestant Religion*; more especially the Church of *England* as by Law established, with such Indulgence for those that dissent from her, as we have always thought ourselves in Justice and Care of the general Welfare of our People, bound to procure for them. And, in the mean time, you of our Privy-council (who can judge better by being upon the Place) are to send us your Advice, what is fit to be done by us towards our returning, and the accomplishing those good Ends. And we do require you, in our Name, and by our Authority, to endeavour so to suppress all Tumults and Disorders, that the Nation in general, and every one of our Subjects in particular, may receive the least Prejudice from the present Distractions, that is possible. So, not doubting of your dutiful Obedience to these our Royal Com-

A.D. 1688-9.

A.D. 1688-9. mands, we bid you heartily farewel. Given at *St. Germans en Laye*, the [illegible] of *January*, 1688-9, and of our Reign the fourth Year."

Kingdoms are not ſo eaſily recover'd as they are loſt: And if, in conſequence of this politic Addreſs, Dr. *Sherlock* had, together with all the *Roman-Catholics*, all the diſobliged Churchmen, and conſcientious Loyaliſts, on his Side; Dr. *Burnet* had ſtill the Court-Intriguers of all ſorts, together with the Republicans, on his. *No Treaty*, was a Propoſition that all thoſe of the latter Diviſion agreed in, becauſe it equally flatter'd the Views and Intereſts of all: But then it was the only one they agreed in; and they had no ſooner proceeded thus far together, than they immediately ſeparated, in order to make a ſeparate Uſe of it.

The ſeveral Purſuits of the ſeveral Parties.

The poor *Republicans*, who, from the Reſtoration down to the Revolution, had been the Forlorn of every Oppoſition, and had undertaken the moſt deſperate Services, as if for the Service-ſake, without the leaſt Proſpect of Succeſs, or Poſſibility of a Reward, now diſcover'd, or thought they diſcover'd, a Ray of Hope; and, under its Direction, took upon them to guide the People to ſuch a Settlement as ſhould both perfect and perpetuate their Felicity. If the Door was ſhut againſt the King, they foreſaw that an Opportunity would ariſe to weaken, if not aboliſh, the kingly Office; or if a ſufficient Quantity of Firmneſs ſhould be wanting, to go ſo far in the great Work which all had engag'd in, they flatter'd themſelves, at leaſt, that ſuch a Precedent might be obtain'd, with regard to the Succeſſion, by the Manner of beſtowing the Crown; and that ſo many heavy Branches might be lopp'd from the Prerogative, as would bring the Conſtitution to a more equal Balance for the time to come, and by degrees make way for a more perfect Deliverance.

The Courtiers were divided into two Factions; both, tho' in different Degrees, attach'd to the Prince, and at Variance with each other. One was for taking the full Advantage of the King's Deſertion, in order to gratify his Highneſs; but then they were for doing it in ſuch a Manner as ſhould ſeem to do the leaſt Violence to the Monarchy; namely, by transferring the Crown to the Princeſs of *Orange*, as the next Heir; and by putting it in her Power, thereby to communicate what Portion of the Sovereignty ſhe pleas'd to the Prince her Huſband. This Party was headed by the Earl of *Danby*.

The Other was for going more roundly to work, and for ſerving his Highneſs in his own Way, by making him a free Gift of the Crown, without any of thoſe nice Regards to the Courſe of Succeſſion, or the Clames of the two Princeſſes: The Marquis of *Halifax*, who, in the late Reign, had been ſo inſtrumental in defeating the Excluſion-Bill, was at the Head of theſe; either becauſe he thought the Principle they went upon would occaſion frequent Revolutions; or, what is more likely, to make his Court in the moſt effectual manner to his new Maſter: That he was follow'd, or rather led, in this Meaſure by Mr. *Bentinck*, and all the reſt of his Highneſs's *Dutch* Servants, will be eaſily believ'd; and that the Prince himſelf was alſo at the Bottom of it, will, upon the Iſſue of all, appear undeniable.

A.D. 1688-9.

So great, however, were the Heats among the ſeveral Parties, and ſo fiercely and obſtinately were they maintain'd on all Sides, that the Day appointed for the Meeting of the Convention came on, before any Expedient could be found to bring them to an End: This encreas'd the Embarraſſments of the Cabinet; for no plauſible Pretence could be aſſign'd for deferring the Meeting; and if they met in a Ferment, it was obvious nothing but Confuſion could follow: As a Mean, therefore, to keep themſelves in Countenance without Doors, and withal to gain a little farther time to ſtrike up a tolerable Compromiſe within, the two Houſes were ſuffer'd to meet on the (*w*) Day prefix'd; *The Convention meets.* and ſuch a Management was obſerv'd, that the grand Affair was not only poſtpon'd for ſome Days, but all the ſeveral Parties were brought, in the mean while, to make ſuch Conceſſions as ſeem'd to indicate, that they were equally Candidates for his Highneſs's good Graces, and equally diſpos'd to deſerve them.

The Choice of the two Speakers (which fell, as before, on the Marquis of *Halifax*, in Oppoſition to the Earl of *Danby*, and on Mr. *Powle*, without any Oppoſition at all) was of courſe the firſt Article to be diſpatch'd in both Houſes, and then they were ſeverally preſented with a Letter from the Prince, which was to ſerve inſtead of a Speech, and of which the Tenor was as follows:

"*My Lords and Gentlemen*,

I have endeavour'd to the utmoſt of *The Prince's Letter.* my Power, to perform what was deſir'd from me in order to the Public Peace and Safety; and I do not know that *any thing* hath been *omitted* which might tend to the Preſervation of them, ſince the Adminiſtration of Affairs was put into my Hands. It now lieth upon you to lay the Foundations of a firm Security for your Religion, your Laws, and your Liberties.

I do not doubt, but that by ſuch a full and free Repreſentative of the Nation, as is now met, the Ends of my Declaration will be attained. And ſince it hath pleaſed *God* hitherto to bleſs my good Intentions with ſo great Succeſs, I truſt in him, that he will complete his own Work, by ſending a Spirit of Peace and Union to influence your Counſels, that no Interruption may be given to an happy and laſting Settlement.

The dangerous Condition of the Proteſtants in *Ireland*, requiring a large and ſpeedy Succour, and the preſent State of things abroad, oblige me to tell you, that next to the Danger of unſeaſonable Diviſions among ourſelves, nothing can be ſo fatal as too great Dela[illegible]

(*w*) The twenty-ſecond, tho' Biſhop *Burnet* is pleas'd to ſay the twenty-fourth.

A.D. 1688-9. Delay in your Conſultations. The *States*, by whom I have been enabled to reſcue this Nation, may ſuddenly feel the ill Effects of it, both by being too long depriv'd of the Service of their Troops which are now here, and of your early Aſſiſtance againſt a powerful Enemy, who hath declared a War againſt them: And as *England* is by Treaty already engaged to help them upon ſuch Exigencies, ſo I am confident that their chearful Concurrence to preſerve this Kingdom with ſo much hazard to themſelves, will meet with all the Returns of Friendſhip and Aſſiſtance, which may be expected from you as Proteſtants and *Engliſhmen*, whenever their Condition ſhall require it."

Thus we ſee the State of *Ireland*, and the very Dangers the new Court had ſuffer'd to grow, for Ends of their own, made uſe of, as an Argument to quicken the Proceedings of the Convention in the Settlement of *England*, agreeable to the Advice before aſcrib'd to the Marquis of *Hallifax*: And as to the War which *France* had commenc'd againſt the *States*, and which makes ſo peremptory an Article in his Highneſs's Letter, it had been declar'd *November* 26, N. S. without any Mention of, or apparent Connection with, the Conduct of their Lordſhips, with reſpect to the Affairs of *England*: The only Cauſe aſſign'd in his *moſt Chriſtian* Majeſty's Ordinance on that Head, being the Share they had taken in the *Cologne*-Election, and their ſending an Army under Prince *Waldeck* to join the Princes in League againſt the Cardinal of *Furſtemberg*.

We may recollect, indeed, that the *French* Court, by the Mouth of Mr. *d'Avaux*, had threaten'd to make the Caſe of the King of *England* their own; but that Threat had operated ſo miſchievouſly, that it was thought fit to purſue it no farther: And this Omiſſion ought to be look'd upon as an Endeavour to rectify their Error.

This by the way. The Particulars of the Letter could not as yet be debated: What was now to be conſidered, was the Continuance of his Highneſs's Adminiſtration. The Moment the two Houſes were form'd, his Commiſſion expir'd, and they might have transferr'd the Regency to a joint Committee of their own, as Truſtees for the People; and by way of Precaution againſt the Deſigns of a Prince who had been adviſ'd to act as a Conqueror. But no ſuch Notion ſeems to have been entertain'd; on the contrary, Mr. *Powle*, from the Speaker's Chair, open'd the Diet, with an Harangue, on the dangerous State of the Nation, the fatal Conſequences of Anarchy, the deplorable Condition of the Proteſtants of *Ireland*, the dreadful Conſequences to *England* of the Loſs of that Kingdom, the Growth of the Power of *France*, the inſatiable Ambition of the *moſt Chriſtian* King, his ſworn Enmity to the Proteſtant Religion and the Intereſt of *England*, the Neceſſity of putting the Nation in ſuch a Poſture as might not only ſecure it from any Affront, but enable it to ſubdue *France* itſelf a ſecond time, or at leaſt recover the Provinces of *Normandy* and *Aquitain*, which were the Inheritance of our Kings; and whatever elſe had a Tendency to convince or perſuade his Audience, that their All depended on the Prince of *Orange*. And with ſuch great Succeſs did he play the Orator on this Occaſion, that the Houſe rang with Applauſes; and in a Fit of Tranſport all was agreed to that was propos'd either for his Highneſs's Honour or his Intereſt.

The Speaker's Harangue.

A.D. 1688-9.

The Lords appeared in much the ſame Diſpoſition. The Houſe was full, the Biſhop's Bench in particular: Scarce any were abſent, beſides the Archbiſhop of *Canterbury*, who choſe to be ingloriouſly neuter at this great Criſis, and to appear neither for his King nor Country, which has drawn upon him very ſevere, but very juſt Cenſures. The appointing a Day of public Thankſgiving to Almighty *God* for having made his Highneſs the glorious Inſtrument of the great Deliverance of this Kingdom from Popery and arbitrary Power, was the firſt Court-motion; and their Lordſhips not only agreed to it unanimouſly, but ſent down their Vote to the Commons; who, as unanimouſly concurred in it: The Commons, having alſo prepar'd an Addreſs of Thanks to the Prince, for the glorious things he had done, and therein beſought him to continue the Adminiſtration, call'd upon the Lords to concur in their turn; which they did, with the ſame Unanimity as the Commons had ſhewn before: And, after this amicable Intercourſe, both Houſes, the very ſame Day, waited upon his Highneſs in a Body with the ſaid Addreſs; which was the higheſt Compliment that they had been us'd to pay even to their Kings: The Expreſſions they us'd, upon this remarkable Occaſion, were theſe:

The Unanimity of the two Houſes.

" We the Lords Spiritual and Temporal, and Commons, aſſembled at *Weſtminſter*, being highly ſenſible of the great Deliverance of this Kingdom from Popery and arbitrary Power; and that our Preſervation is (next under *God*) owing to your Highneſs; do return our moſt humble Thanks and Acknowledgments to your Highneſs, as the glorious Inſtrument of ſo great a Bleſſing.

Their Addreſs to the Prince.

We do further acknowledge the great Care your Highneſs has been pleas'd to take in the Adminiſtration of the public Affairs of the Kingdom to this time; and we do moſt humbly deſire your Highneſs, that you will take upon you the Adminiſtration of public Affairs, both Civil and Military, and the Diſpoſal of the public Revenue, for the Preſervation of our Religion, Rights, Laws, Liberties and Properties, and of the Peace of the Nation: And that your Highneſs will take into your particular Care the preſent State of *Ireland*, and endeavour, by the moſt ſpeedy and effectual Means, to prevent the Dangers threatening that Kingdom. All which we make our Requeſt to your Highneſs to undertake and exerciſe, till further Application ſhall be made by us, which ſhall be expedited with all convenient Speed; and we ſhall uſe our utmoſt Endeavours to give Diſpatch to the Matters recommended to us by your Highneſs's Letter."

Thus

A. D. 1688.

Thus *Reſiſtance* was authoris'd in form by all the Lords, and the whole repreſentative Body of the Kingdom; the Prince was gratify'd with a firmer Hold of the Government than he had before; and of (*x*) eleven Biſhops, that were appointed to draw up the Form for the Thankſgiving, it does not appear that any one made any Scruple to undertake the Service.

As to the King and his Cauſe, though ſo much had been ſaid for both without-doors, not a Hint eſcap'd in favour of either: "On the contrary, the Duke of *Bucks* informs us, that the Lords had no ſooner fill'd their Chair, than a Letter was brought in, directed to the Speaker; and it appearing by the Bearer of it, Mr. *Grey*, that it was given him by the Earl of *Melfort*, at *St. Germains*, the Lords, with a kind of Clamour, forbad it to be read. By which, ſays his Grace, it appear'd plainly, what was like to follow to that unhappy Prince, tho' they ſtill divided about the Manner of excluding him." The Subſtance of this Letter was, "That he thought himſelf oblig'd in Conſcience to do all he could to open his People's Eyes, that they might ſee the true Intereſt of the Nation in this important Conjuncture: That finding he could no longer ſtay with Safety, nor act with Freedom, he had left the Reaſons of his withdrawing from *Rochester*, under his own Hand: That underſtanding that Letter [here repeated at length] was not taken to be his, but was maliciouſly ſuppreſs'd by the Prince of *Orange*, he wrote to ſeveral of his Privy-Council, and directed Copies thereof to divers of them, the Peers of the Realm, believing none durſt intercept or open any of his Letters: That of all theſe he had no Account: That, however, he did not wonder that all Arts were us'd to hinder them from knowing his Sentiments, (*y*) ſince the Prince of *Orange*, *againſt all Law*, choſe to impriſon Lord *Feverſham*, and to drive him the King away, rather than receive his Invitation of coming to *St. James's*, or hear what he had to propoſe; well knowing, it would content all reaſonable Men; for which reaſon he durſt not truſt the Peers with the Knowledge of it: That, whatever Crimes ſhould be committed, he was reſolv'd to be innocent: That he was ready to return, when he might with Safety: That he was reſolv'd nothing ſhould be omitted on his Part, which could contribute towards the Redreſs of all Diſorders, in a free Parliament, legally call'd, and held without Conſtraint; more particularly to ſecure the Church of *England*; and to give ſuch Indulgence to Diſſenters, as his People might have no Reaſon to be jealous of: And that he would likewiſe, with the Advice of that Parliament, heal all Diviſions, cover with Oblivion all Faults, and reſtore the Happineſs of his People; which could be effectually done by no other Power."

A. D. 1688.

The Lords did not however reject this Letter in the peremptory Way that the Commons did; for they firſt aſk'd Mr. *Grey*, of whom he receiv'd it? and he naming Lord *Preſton*, they ſent for his Lordſhip, put the ſame Queſtion to him; and he replying, that he receiv'd it from a *Scotſman*, a Day was appointed for his bringing that *Scotſman* before the Houſe: But when that Day came, and his Lordſhip and the *Scotſman* attended accordingly, neither of them was call'd: And ſo the Matter dy'd of course.

Upon the Whole, we have here an additional Proof, that the Meeting of the Convention came on before the Cabinet-Syſtem was thoroughly digeſted; and that, while there was any Hope remaining, none of the Party-leaders thought it for their Intereſt to declare openly againſt his Highneſs.

But that Addreſs which appears ſo ſwift and forward an Advance, to us, fell ſhort of the Prince's Expectation; at leaſt there is Reaſon to think ſo, from the Coldneſs of his Behaviour upon it: He took State upon him, as before; he demurr'd till the next Day; and his Anſwer then partook of the ſame diſobliging Dryneſs which accompany'd all he ſaid or did: "I am glad, ſaid he, that what I have done has pleas'd you: And, ſince *you deſire me* to continue the Adminiſtration of Affairs, I am willing to accept it." But, in the midſt of all this ſeeming Indifference, he did not however forget to throw in another Quickener, in the following Words: "I muſt recommend to you the Conſideration of Affairs *abroad*, which makes it *fit* for you to expedite *your Buſineſs*, not only for making a Settlement at home, on a good Foundation, but for the Safety of *Europe*."

His Highneſs's Anſwer to their Addreſs.

But *fit* as it was for the two Houſes to *expedite their Buſineſs*, this very Anſwer was no ſooner reported, than they (*z*) adjourn'd to the 26th, and did not proceed to Buſineſs till the 28th: And, during this Recreſs, the Cabinet,

A ſhort Adjournment.

(*x*) Viz. *Compton* Biſhop of *London*, *Spratt* of *Rochester*, *Lloyd* of *Norwich*, *Turner* of *Ely*, *Lake* of *Chichester*, *Fairington* of *Gloucester*, *Ken* of *Bath* and *Wells*, *White* of *Peterborough*, *Barlow* of *Lincoln*, *Trelawny* of *Briſtol*, and *Thynne* of *St. Aſaph*.

(*y*) This Paſſage has hitherto been ſtifled by thoſe who have pretended to give a Brief of this Letter.

(*z*) "The Commons having firſt over-rul'd a Motion which had been made for printing their Votes; and the Lords having appointed the Lord Chief Baron *Bromley*, Sir *Robert Atkins*, Sir *William Dolben*, Sir *Cresswell Levins*, Sir *John Holt*, Sir *Edward Neville*, Mr. *Whitlock*, Mr. *Bradbury*, and Mr. *Petit*, to aſſiſt them in Matters of Law, in room of the Judges: On which occaſion we find the following Story told, by one of King *James*'s Advocates! perhaps Mr. *North*, for the Style and Manner extremely reſembles his: *viz.*" Take one ſhort but very ſignificant Inſtance, how things were carry'd in thoſe mad Days, as it was related by a noble Peer (who was himſelf very forward for the Abdication) to his Friends upon occaſion. There being no Judges yet appointed, there was a Debate in the Convention, what Gentlemen of the long Robe ſhould be made choice of to aſſiſt in the Houſe: Some named Sir *Francis Pemberton*, Sir *Robert Sawyer*, and Mr. *Finch*; but the Lords *Mordaunt*, *Delamere*, and ſome others, took fire ſuddenly, and broke out into big and boiſterous Language, telling the Houſe ſtarly and plainly, *We will have none of them to have been Inſtruments in the late Reign*. Upon which a ſudden Damp ſeiz'd all the Lords, as if they had been attacqued in Plank and Rear with Cannons and Mortars, or the Thunder from Mount *Sinai*: For we look'd on them, ſaid that Lord, as ſo many Princes of *Orange*, or ſuch as muſt not be contradicted, for fear of his Diſpleaſure; and the ſame manner moſt Votes were forced, till we had the Grace to be pliable to what the military Lords, and their Complices propos'd." *Loyal Martyr vindicated*, p. 20.

A.D. 1688-9. Cabinet, the Court, the Houſes and Haunts of the ſeveral Party-leaders, and, in general, the whole Town was in the greateſt Agitation that perhaps ever was known: Every Coffee-houſe-Politician had his *Utopia*, and almoſt every Man became a Legiſlator: Scarce a Day paſs'd without producing a Variety of new Schemes; and in all theſe it appear'd, that thoſe who were remoteſt from Buſineſs, and of courſe had the leaſt perſonal Intereſt in the new Settlement, moſt regarded that of the Public.

Projects for a new Settlement.

In the very Beginning of *Jan.* a (*u*) Tract was ſet forth by an anonymous Writer, which profeſſes to adopt an old Notion, That all Power was *originally* or *fundamentally* in the People, and *formally* in the Parliament. The Parliament he calls a Corporation, made up of three conſtituent, eſſentiating Parts, King, Lords, and Commons: And he argues, that, when any of theſe eſſentiating Parts is loſt, by which it becomes impoſſible to have a Parliament, that Corporation is broke, the Government is diſſolv'd, and all Power reverts to its Root or Center the People: In which caſe, continues he, the Royal Family is as it were extinct; the People may ſet up what Government they pleaſe, either the old or a new, a Monarchy abſolute or limited, or an Ariſtocracy or Democracy: If a Monarchy limited, ſuppoſing it moſtly ſuited to the Temper of the *Engliſh*, they may chuſe what Family they pleaſe to ſit in the Throne; they may ſettle it on the Princeſs of *Orange*, Princeſs *Anne*, Prince of *Orange*; and, for want of Iſſue, on whom elſe they thought fit (the Poſterity of the poor Duke of *Monmouth* were already forgot,) who would not hold by virtue of any old Right or Claim, but by a new Election, which might however be made in ſuch Forms as ſhould, *de novo*, render the Monarchy hereditary as before: The People might alſo, in ſuch caſe, ſecure themſelves againſt the future Approach of Slavery, by ſhutting up the two grand Avenues of *Force* and *Injuſtice* (for the Entrance by *Corruption* had not as yet been laid ſo broad, as to raiſe any Apprehenſions on that Side;) and theſe Avenues might be effectually ſhut up, by transferring the *Jura Majeſtatis*, the Militia, the Power of War and Peace, the Nomination of Judges, Sheriffs, and all other Officers, from the King only, to the great Corporation of King, Lords, and Commons; the Latter of whom, it was then ſuppos'd, would never give way to ſuch Abuſes as would terminate in the Ruin of their Poſterity. The ſame Author alſo ſet forth another Tract ſome time after, called *Good Advice before it be late*; or, *a Breviate for the Convention*; in which he expatiated more at large on theſe ſeveral Points, with the Addition of depriving the King of his Negative; and inſiſts, with the utmoſt Urgency, on the Neceſſity of making a full Uſe of the preſent golden Opportunity, when they had a Crown to carry in the one Hand,

in behalf of the People.

and the Terms of Acceptance in the other, to place the Happineſs of their Country on an eternal Foundation.

A.D. 1688-9.

As the main Drift of this Project was only to reduce the Powgr of the King, without deſtroying the Monarchy, or rendering it elective, it met with many Patrons and Advocates without-doors; tho' it was no farther regarded within, than as it ſerv'd to eſtabliſh an Opinion, That the Throne was vacant, and that the People might fill it as they pleas'd: For as to the Limitations of the Royal Power for the time to come, they were equally diſſatisfactory to thoſe who were for adhering to the old King, and to thoſe who were for chuſing a new.

The *Republicans* alſo made a feeble Effort to convince the People, that it was their Intereſt to cloſe with them; and to render their Mode of Government ſo much the more palatable, by recommending it only as an Expedient to anſwer the Ends of a Regency, during the Life of the King. Their Project was called, *Now is the Time*; *or, a modeſt Propoſal to the preſent Convention*; and was expreſſed as follows:

" The thing that offers itſelf in this great Conjuncture is, to have a grand Committee of Lords and Commons, (forty at leaſt from each Houſe) to be as a Privy-council, or Council of State, or governing Senate. *a temporary Republic.*

It were to be wiſh'd, that twenty of each forty might be for Life; and the other twenty *biennial*, ten going off every Year: Or half might be changed annually.

Each Senator or Counſellor to have for his Salary or Maintenance a thouſand Pounds a Year. This would be ſuch an Advancement to the Nobility and Gentry, as *England* never ſaw. And the Charge is a Trifle. There is more ſpent, in ſome Monarchies, upon Hawks, Hounds, and Whores.

The Prince to preſide in this Council or Senate, (or ſuch Perſon as he ſhall appoint in his ſtead) and to have ten Votes at leaſt. He muſt alſo be General and Admiral; and muſt have ſuch farther Powers, and ſuch a Maintenance or Revenue, as his great Merits require; but, withal, ſuch as are conſiſtent with the Government he deſigns for us. The Prince's Maintenance ſhould equal, or exceed, that of all the Senators put together.

All that are of this Council, and all that hope to be, (that is, all the conſiderable Men of the Nation) will by this means be firm to the Prince: And ſo will thoſe others who have the great Privilege of chuſing them, whereby they may have Confidence in their Adminiſtration. And this one thing will give the Prince ſo ſtrong an Intereſt, that he needs fear no Pretenſion that can be againſt him. It will be better than a ſtanding Army; the Neceſſity whereof nothing can prevent, but ſuch a ſtanding Council.

The Parliament to be choſen triennially, and to meet annually.

It is believ'd, that ſuch a Conſtitution as this

(*u*) Call'd, *A Letter to a Friend, advoſing, in this extraordinary Juncture, how to free the Nation from Slavery for ever.*

A.D. 1688. this would effectually secure us (according to the Prince's good Intentions) from Popery and Tyranny: And the Prince will be the glorious Author of the *Britannic* Liberty, as his Great-grand-father was of the *Belgic*. The *Genoese* to this Day adore the Memory of *Andrew Doria*, who chose rather to make them a free State, than to be their Prince. Barely to change our Master, would but revive the Feuds of *York* and *Lancaster*, and involve us in the like Calamities.

These things to continue *but during the Life of the King*, and not to *prejudice a Protestant Successor*."

But the *Press* found the most Employment from those who were for centering all the Advantages, derivable from the present Circumstance, in the Prince of *Orange* only: *the Prince.* One of these (who takes as much Pains as any to prove, that, as the *supreme Power personal* had hitherto been lodg'd in King, Lords, and Commons; so the *supreme Power real* had ever remain'd in the Community, was now laps'd to it, and might be equitably dispos'd of by it) is nevertheless for preserving the original Constitution as it was left by the King, as being the best, the justest, and most desirable, and only for filling up the Vacancy of the Throne: " The Royal Family, says he, affords a Person that both Heaven and Earth point out for King. There are Lords, whose Nobility is not alter'd by the Dissolution of the Government, and are the Subject-matter of a House of Lords; and there are Places which, by Custom or Charter, have Right to chuse Representatives of the Commons:" And again, afterwards, " If the Community be at Liberty to act as above; it will certainly be most advisable, not only for the Security and Welfare of the Nation, but (if rightly understood) for the Interest of their Royal Highnesses, to limit the Crown as follows:--- To the Prince of *Orange* during his Life; (yet with all possible Honour and Respect to the Princess, whose Interests and Inclinations are inseparably the same with his) Remainder to the Princess of *Orange*, and the Heirs of her Body; Remainder to the Princess of *Denmark*, and the Heirs of her Body; Remainder to the Heirs of the Body of the Prince of *Orange*; Remainder as an Act of Parliament shall appoint.

This will have these Conveniencies, among others:

1. Husband and Wife are but one Person in Law, and her Husband's Honour is hers.

2. It puts the present kingly Power into the best Hand in the World; which (without Flattery) is agreed on by all Men.

3. It asserts the abovesaid Power in the Community.

4. It will be some Acknowledgment to the Prince for what he has done for the Nation: And it is worthy Observation, that, before the *Theocracy* of the *Jews* ceased, the Manner of the divine Designation of their Judges was, by *God*'s giving the People some A.D. 1688. Deliverance by the Hand of the Person, to whose Government they ought to submit; and this even in that time of extraordinary Revelations. I challenge the best Historians to give an Instance (since that *Theocracy* ceas'd) of a Designation of any Person to any Government, more visibly divine than that which we now admire. If the Hand of Providence (miraculously and timely disposing natural things, in every Circumstance to the best advantage) should have any Influence upon Mens Minds; most certainly we ought not here to be insensible. If *the Voice of the People be the Voice of God*, it never spoke louder: If a Nation of various Opinions, Interests, and Factions, from a turbulent and fluctuating State, falls into a serene and quiet Calm, and Mens Minds are strangely united on a sudden; it shews from whence they are influenced. In a word, if the Hand of *God* is to be seen in human Affairs, and his Voice to be heard upon Earth (we cannot any where (since the ceasing of Miracles) find a clearer and more remarkable Instance, than is to be observ'd in the present Revolution."

Another of these notable Undertakers, at the End of a long and labour'd (*b*) Discourse on the Fundamentals of Government, and the Defects of the *English* Constitution, appears so transported with the Virtues and Accomplishments of the *Deliverer*, that he ventures to say, " Were such a mighty thing as the Settlement to be determin'd by my single Vote, the Government should be Monarchy, and this Monarchy should be absolute and arbitrary, and the Prince should be my King.--- But the Honour I have for him runs not to his Posterity."

We shall have Occasion to open this Vein again by and by; and, in the mean while, it is necessary to observe, that these Papers in his Highness's Behalf, produced others of a contrary Tendency, tho' gloss'd over with the smoothest Professions of Esteem for his Person, and Gratitude for his Services, imaginable. Among the first of these was a Collection of certain *remarkable Passages* out of Mr. *Fagel*'s Letter to *Steward*, in the Name of the Prince and Princess of *Orange*, which were cited at large in the former Volume, and which overflow with such Expressions of their Duty and Affection to the King, and of their Resolution to *continue in the same Duty and Affection, or rather to increase it if possible*, as were utterly irreconcileable with their late Conduct; and which Collection was accompany'd with the following (*b*) Note: " Memorandum, That these singular *the King.* Expressions of Affection and Duty to the King their Father, were sent after those irregular and offensive Measures of *Quo Warranting Charters*, the *Dispensing Power*, *Closseting*, the *Ecclesiastical Commission*, and *Magdalen College*, were practised; and comparing this with several Expressions in his Highness's

(*b*) To be found in the *State Tracts, temp. W.* III. *v.* i.
(*c*) The three remarkable Papers which follow, and several which hereafter occur, I never saw, either separate, or in any Collection, but that of Lord *Somers*.

A.D. 1688-9. ness's Declaration, and both with his Majesty's Reasons why he withdrew himself from *Rochester*, may it not become us, as Members of the Church of *England*, and Subjects of the King of *England*, to desire him to return to us upon the Terms of the ancient Constitution of our Government; and if those be too large, upon such Terms, as will make us safe? And may not our neglecting to do it, upon a Supposition of a Demise, because he withdrew himself, which he charges upon a Constraint, become a lasting Reproach upon these Kingdoms, and through our Means, a like Dishonour to the Prince and Princess?"

There came out also, about the same time, two other Half-sheets which contain some things that very well deserve to be transmitted to Posterity. The first is call'd, *An honest Man's Wish for the Prince of* Orange; and the second, *A Speech to his Highness the Prince of* Orange. In the Former we find these Words: "I could wish, that some Men who now seek to requite him with the Crown, would consider whether they do not at last requite him with the greatest Affront and Injury: For whilst they pretend to bestow or give it, they do indeed confront the very Words of the Prince's own most gracious Declaration, wherein he assures us, that he came to preserve the Right of Succession. Now the giving of it, I presume, must suppose it to be in their Power or Disposal; and so it shall become merely elective, which will quite destroy the Right of Succession that he, by promise, has engaged himself to maintain. And then if there be any such thing as a Right of Succession, whilst they suppose that the Prince of *Orange* will accept the Crown from their Hands, they must needs suppose him to be unjust in receiving that which as yet belongs to another, unless they can prove that the two next which ought to come in before him have any way forfeited their Right. And all this, I think, is no very Friendly Requital. But this may not prove the worst yet; for whilst they break the Course of Succession by giving the Kingdom to him, and make it thus elective, they may possibly do the greatest Injury both to him, and his Heirs after him, though they should be the Issue of his own very Body: For the Son will have no better a Title than the Father. And as no Man knows whether his Son shall be a wise Man or a Fool, so if he should seem a Fool in the Eyes of a reigning Parliament or Convention, and not fit to govern, then what is become of his Inheritance? And so for the Prince himself; should he receive the Crown now as a Gift from the Parliament or Convention, and that also by their most unanimous Consent; yet still, I fear, he would not be very secure in the Possession of it; for the Power that gives, may soon challenge the same Power to take away likewise: And, as the Humours of the Body Natural are said to be all changed once in seven Years, so may it be (if not much sooner also) in such a Body Politic. Nor can this be any strange thing to suppose, if we consider the Years that are past: So that the Prince, after all, if he receive the Crown A.D. 1688-9. by way of Donation, must be bound up to his good Behaviour, and have a great care of provoking or disobliging, lest the very Donor pretend some kind of Forfeiture. Again, suppose a great Part of the three Kingdoms should be possess'd with the Injustice of his Title, and appear in earnest for one whose Right it is, who knows but such Strugglings and Convulsions may follow as may make him the most unhappy, who is, doubtless, the most meritorious among Princes? And therefore for these Reasons, lastly,

I could wish, that the Wisdom of the Nation at this time conven'd, would think of some other way to express their Gratitude to this most excellent Prince, who, under *God*, has been our only Deliverer. And, doubtless, no good Protestant can ever think they go too far, whilst they act by the Rules of Law and Justice, without subverting the old Foundation."

And in the Latter these: "Your Honour lies in your keeping close to the Sense of your first Declaration: That Declaration obliges you in the Sense of most, and I think all, honest Men, to refuse the false Glitterings of a Crown, restores us to our Liberties, secures the Protestant Religion, is good and merciful even to Papists, makes you the great Arbiter of *Europe*, gives you Opportunity to resettle its Peace, and call to an Account that great Disturber, the King of *France*, for the real Invasions he has made upon it, and to punish him for the Insolencies he has offer'd to yourself. This Management will bespeak you great without Ambition, inspir'd with the *Roman* Genius, which lov'd to plant Liberty and good Manners more than Empire. And tho' the King be restor'd to the Title, and as much Power as is useful and safe, yet we shall always bless you when you are nam'd, join our Arms unanimously with yours, to make all *France* happy by a Restoration of the Assembly of the Estates, and to relieve the Protestants too, by reviving the Edict of *Nants*; to pull down the Pride of that haughty Man, and approve the *English* Nation, under your Banners, the Scourge of Tyrants. These are the great things you may chuse for your Share, and I pray *God* direct you. But, if instead thereof, you pursue other Measures, and you are either crowned yourself, or allow your Princess so to be, you must dethrone your own Uncle and your Wife's Father, hazard our Liberties by sudden and uncertain Wars, blemish the Protestant Religion with the deposing Doctrine, unite the Papal Force, strengthen the *French* King, make your great self appear rather ambitious than a Benefactor, create strong Factions, such as you can never imagine will be compos'd till the Restoration of the King, if you seriously reflect upon our Tempers, of which the present Fermentations give some Proof. Consider then, Great Sir, and be great by being good, that the present may adore, and After-ages for ever admire, you."

To the Objections started in these several

Papers,

A.D. 1688. Papers, no expreſs Anſwer appears to have been return'd, only in a Tract call'd, *Four Queſtions debated*, we find the laſt of the four to be, "Whether it be conſiſtent with the Prince's Honour to accept of the Government, eſpecially conſidering his Declaration was to redreſs Matters by a free Parliament?" The Affirmative of which is maintain'd; on a Suppoſition that the referring of all things to a Convention was tantamount to the referring them to a free Parliament: And that the Prince was call'd by the extraordinary Providence of *God*; which, we are to underſtand, cancell'd all other Obligations.

While theſe Matters were yet warm from the Preſs, thoſe who undertook for the Princeſs of *Orange*, endeavour'd alſo to eſtabliſh an Intereſt with the Public, by ſetting forth their Syſtem (under the Title of, *Reflections upon the preſent State of the Nation*, or, as it was afterwards reprinted, *Propoſals humbly offer'd in Behalf of the Princeſs of* Orange) which was as follows:

the Princeſs of Orange.

"It is a Maxim of the Law of *England*, concerning the Government, That there is no *Inter-regnum*. Of neceſſity there muſt be a Change in the Perſon, yet there is a Continuation of the Government. Which ſhews the Prudence and Perfection of the Conſtitution, in preventing, that which of all things is moſt deplorable, a Failure of Government. This Rule is therefore of that Importance, as not to be given up upon the trivial Saying of *Nemo eſt hæres viventis*.

'Tis true, the common and ordinary Cauſe of a Change in the Perſon that is inveſted with the Royal Authority, is Death.

But we are now in a rare and extraordinary Caſe, where the King is living, and yet may be ſaid to be diveſted of the Royal Office, as having, by his Encroachments upon the Peoples Rights, provok'd them to reſort to Arms; and being *vanquiſh'd* by that Force, follow'd with a total Defection from him, and his relinquiſhing the Kingdom thereupon, without providing any ways for the Adminiſtration of the Government.

This ſeems to be a Ceſſer of his Government, and may in civil and politic Conſtruction amount to as much, as if he had dy'd.

But becauſe this is a Ceſs of that nature that requires a Judgment to be made upon it, it ſeems neceſſary to have a Convention of the Eſtates of the Nation, to make a Declaration thereupon (for 'tis not for private Perſons to determine in the Caſes aforeſaid, how or when the King has loſt his Government); and, till ſuch authoritative Declaration made, the King may be ſuppos'd in ſome kind of poſſeſſion of the kingly Office.

But, after the Judgment made and declar'd, there ſeems to be no Difference in the Conſequence and Reſult of the thing, between ſuch an extraordinary Caſe of the Ceſſer of the Royal Dignity, and the Caſe of Death, or voluntary Reſignation; or as if the King had been profeſt, and made himſelf a Recluſe in a religious Houſe.

Then it muſt devolve upon the next Heir, A.D. 1688. her Royal Highneſs the Princeſs of *Orange*.

As to the pretended Prince of *Wales*, if there had been no Suſpicions as to his Birth (as there are many violent ones) yet he being convey'd into unknown Places, by Perſons in whom no Credit can be repos'd, and at an Age which expoſes him to all manner of Practices and Impoſtures, touching his Perſon, there can hereafter be no manner of Certainty of him, ſo as to induce the Nation ever to conſider any Pretence of that kind.

Theſe things being conſider'd,

Firſt, Whether will not the declaring her Royal Highneſs Queen of *England*, as next in Succeſſion, be the ſureſt and beſt Foundation to begin our Settlement upon, rather than upon a groundleſs Conceit of the Government being devolv'd to the People, and ſo to proceed to elect a King?

Secondly, If that Conceit of devolving to the People be admitted, whether muſt we not conclude, that the Miſgovernment of King *James* the Second, hath not only determin'd his Royalty, but put a Period to the Monarchy itſelf? And then 'tis not only a loſs as to his Perſon, but to the whole Royal Family.

Thirdly, Whether thoſe Perſons that have ſtarted this Notion, upon Pretence of giving the Nation an Opportunity of gratifying his Highneſs the Prince of *Orange*, in Proportion to his Merits (which it muſt be acknowledged no Reward can exceed) if they were ſearched to the bottom, did not do it rather to undermine this ancient and hereditary Monarchy, and to give an Advantage to their Republican Principles, than out of any Affection and Gratitude to his Highneſs? For if the Latter was that they had the chief reſpect to, would it not be the more proper way to declare her Royal Highneſs Queen, which will immediately put the Nation under a regular Conſtitution and Poſture of Government? Then it will be capable of expreſſing its Gratitude to the Prince of *Orange*, in Matters touching even the Royal Dignity itſelf, without making ſuch a Stroke upon the Government, as the electing of a King, or making any other immediate Alteration in the Right of the Monarchy (before the Parliament is completed and conſtituted in all its Parts) muſt amount unto."

As it was fear'd, by thoſe who were deepeſt in the Prince's Secret, that this would prove the moſt univerſally-palateable, of all the Schemes hitherto made public; ſo they alſo knew, that his Highneſs would never give in to it: To hinder, therefore, as far as poſſible, the Effect of this Doctrine among the People, and to pave the Way for a Compromize, yet another (*d*) Piece was ſet forth, if not by Authority, yet at leaſt by the ſame Perſon who had been employ'd by Authority before; in which it is, by the way, not only premis'd, as in ſeveral of the foregoing Pieces, That the Diſpoſal of the Government was fallen to the People, becauſe there

the Prince and Princeſs jointly.

Wa

(*d*) *A brief Juſtification of the Prince of* Orange's *Deſcent into* England, *and of the Kingdom's late Recourſe to Arms, &c.*

A.D. 1688-9. was no *Præcision in the Laws*, by which any of the Blood Royal could lay clame to it; but it was queſtionable, whether, in the preſent Circumſtance, either of the two Houſes had a Negative on the other: Of which the following remarkable Uſe is made: "And, by conſequence, as it will become them [the two Houſes] in Prudence, not to interfere in their Reſolves about the Conveyance of the Crown; ſo it will be no Departure in the Lords from their own Grandeur, to conſider of what Force and Obligation, to the whole Commons of *England*, the Declaration of their Repreſentatives in that Matter will be; and whether it will not be more than probable, that they will own the regal Authority to be in that Perſon, and there to maintain and defend it, where they themſelves ſhall convey and ſettle it." Theſe are the very Words of the Pamphlet, which, in political Language, ſignify, that the *new Court* had a ſtronger Party in the Commons than the Lords; and that, in caſe the Latter continued obſtinate, the Vote of the Former would be deem'd ſufficient to make a Grant of the Crown. This however is only inſinuated, as if by the way: And the main Scope of all is to be found in the Paſſages that enſue:

"As to her Royal Highneſs the Princeſs of *Orange*, they muſt be Enemies to the Kingdom, who would have any thing withheld from, or deny'd unto, her, that the Convention can in conſiſtency with their own Wiſdom, and with the Safety of the Nation, grant and beſtow. For how great ſoever ſhe is by her Quality, ſhe is far greater by her Merit. Had ſhe been of a Rank never to have ſtood in a Nearneſs to a Crown, yet all who have the Honour to know her would have confeſs'd, that ſhe deſerv'd one. But alas! tho' there may be a Partner in the Royal Style, there can be none in the Regal Power: And, as ſhe herſelf will undoubtedly acknowledge the Prince her Huſband to be the only Perſon fit at this Seaſon for the Latter, ſo ſhe will account it to proceed from no want of Deference to her Perſon and Virtues, if no more be conferr'd upon her but the Royal Title. For, ſeeing the Sovereignty can be but in one, tho' the Style be communicable to more, Reaſon of State obligeth to lodge it where it may be moſt for the public Good. The Diſpoſal of the Crown being fallen to the People, by a Ceſs and Devolution; the Succeſſion unto it is not to be govern'd by a Proximity of Blood, but by weighing what is moſt expedient for the Benefit of the Community. To beſtow the ſovereign Power unto more than one Perſon at a time were to embarraſs the Execution of it, and to make it impracticable, thro' the Differences which may ariſe if two ſhould become equally veſted in it. From thence it was, that, upon the conſtituting and creating *Philip* King, in conjunction with *Mary* the Daughter of *Henry* VIII. it was ordained and enacted, 'That the Queen might and 'ſhould ſolely, and as ſole Queen, uſe, have, 'and enjoy, the Crown and Sovereignty of 'and over all theſe Realms, Dominions and A.D. 1688-9.
'Subjects, with all the Pre-eminencies, Pre-'rogatives, Dignities, Authorities, Juriſdic-'tions, Honours, thereunto belonging, *&c.* 'and that no Right or Clame of Sovereignty 'ſhould be given, come, or grow unto the 'ſaid *Philip*, over the ſaid Realms and Domi-'nions.' But tho' the ſovereign Power be not communicable to more than one, and can be lodged no where, ſave in a ſingle Perſon, yet the Royal Style may be imparted to more, without the leaſt Inconvenience ariſing thereby to the Nation. And therefore when I ſay, that her Royal Highneſs the Princeſs of *Orange* ought to have the Royal Style conferr'd upon her, I do not thereby mean, that ſhe ſhould enjoy merely the bare and naked Name of Queen, but that, together with the Perſon to whom the Sovereignty ſhall be committed, ſhe ſhall be nam'd in all Laws, Gifts, Grants, and Patents, *&c.* and that all theſe ſhall be enacted, inſtituted, ſet forth, and made in the Name of the Perſon in whom the Sovereignty ſhall be fix'd and ſettled. Nor is this all that her Highneſs may in Juſtice expect, but it doth become the People in deference to her Merit, and in gratitude for the many Obligations which ſhe hath heap'd upon them, to ſettle the whole Sovereignty upon her in Reverſion, in caſe ſhe outlive the Perſon to whom that Power is firſt truſted and committed. And as this will teſtify, that the Diſpoſal of it otherwiſe for the preſent ariſeth not from Diſreſpect, but from Motives of Neceſſity; ſo we may be aſſur'd, that her Royal Highneſs's Love to her Country is ſo prevalent in her, above all Conſiderations regarding herſelf, that ſhe would be loth in the mean time, and under the great and preſent Exigencies, to interpoſe between the Nation and the Bleſſings and Safety likely to ariſe unto it, by the coming under the governing Care and ſovereign Protection of his Highneſs the Prince her Huſband. Nay ſhe would account it an Injury unto her, and not a Favour, to have the Regal Power ſettled in her, during the Life of the Prince, and to have his Highneſs precluded from it. And as, through her being veſted in what I have nam'd, ſhe will enjoy all the Honour and Glory which accompany a Crown, ſo ſhe will be only eaſed of the thorny Cares, and the next-to-inſupportable Toils, that, under the preſent Conjuncture of Affairs in the World, are likely to attend the ſwaying of the *Engliſh* Scepter."

It was but natural that ſuch a Diverſity of Doctrines and Intereſts ſhould produce Diſtraction and Confuſion. Even this Paper, ſupported as it was, by all the *Engliſhmen* who were Joint-Adventurers with his Highneſs, had not, at firſt, its full Effect. The Earl of *Danby* contended as ſtrenuouſly as ever for beſtowing the Government on the Princeſs: The Marquis of *Halifax* and all the *Dutchmen* were as obſtinate for the Prince: Neither were for dividing the Throne, by admitting a Partnerſhip in the Sovereignty; and nothing could ſatisfy the Church-Luminaries,

A.D. 1688-9. naries, together with such of the temporal Peers as thought it for their Interest to join with them, but a Regency.

In the Suspence arising from these Contrarieties, five whole Days were wasted; and then, to allay the Impatience of the Public, as well as to clear the way to their several Purposes, all those who were for filling the Throne a-new, so far concurr'd, as to agree in the Expediency and Necessity of first declaring it vacant.

Debate of the Commons on the State of the Nation.

Accordingly, on the 28th, the Commons, where it now appear'd their great Strength was, resolv'd themselves into a Committee of the whole House, of which Mr. *Hampden* was Chairman, upon the great Work of considering the State of the Nation. Mr. *Dolben*, Son of the late Archbishop of *York*, was the bold Man who first broke the Ice, and made a long Speech tending to prove, That the King's deserting his Kingdom without appointing any Person to administer the Government, amounted in Reason and Judgment of Law, to a Demise of that Prince. The same Opinion was adopted and defended by others after him. Sir *Robert Howard* went a Step farther, and not only asserted that the Throne was vacant, but took upon him to prove, that the whole Reign of his late Majesty was one continu'd Breach of the *Original Contract* between the King and People. His Arguments were sustain'd by Mr. *Garraway*, Sir *Thomas Lee*, Mr. *Sacheverel*, Mr. *Pollexfen*, Sir *George Treby*, and Mr. *Somers*; several of whom objected to Mr. *Dolben*'s Notion of a Demise, as too narrow a Basis to found a new Settlement upon, as not comprehending the Mal-Administration of the late King, and as inferring a Descent of the Crown to the next hereditary Successor; whereas they insisted, that in the present Case, there could be no Descent; that the Throne was vacant, and of course was at the Disposal of the Public. A.D. 1688. Others contended, that the King's withdrawing himself amounted to an Abdication; and that it ought to be understood, he had by so doing renounc'd the Sovereignty. According to Bishop *Burnet*, the *Republican* Party were for going farther still, and contended for deposing the King by a formal Sentence [on a Presumption of *Forfeiture*] and for filling the Throne by as formal an Election.—But this, says he, was over-rul'd in the Beginning. On the other hand, those who were for keeping things, as near as possible, within their ancient Channel, oppos'd all these Propositions alike. We are, in particular, told, that Mr. *Finch* (after complimenting the Prince of *Orange* with all the Virtues of all the ancient Heroes, and affecting to take it for granted, that he would be more pleas'd with the Glory of having deliver'd the Nation, than to leave room to suppose, that in all he had done, he had sought only to gratify his own Ambition by his Acceptance of the Crown) gave it as his Opinion, That the most advisable Course to settle the Peace of the Nation, would be to follow such Measures as bid fairest to be approv'd by the Nation; and that a Regency during the Life of the King, would give a more universal Satisfaction than the declaring the Throne vacant. Sir *Christopher Musgrave* insisted, That to declare the Throne vacant, would be actually to depose the King: And he desir'd to be inform'd by the Gentlemen of the long Robe, whether there was any *Provision in our Laws* to authorize them to do so? Sir *Edward Seymour* (*e*), who had been so forward to join the Prince at *Exeter*, who had set on foot the Association, and who had accepted a Commission under his Highness, spoke also on the same Side, with great Warmth: And there is a (*f*) Speech in Print which concludes with a Motion,

(*e*) Concerning this Gentleman and Dr. *Burnet* Sir *John Reresby* recites the following Passage, in his *Memoires*:

"In the midst of this I saw Lord *Hallifax*, in company with Mr. *Seymour*, the *quondam* Speaker of the Commons, a Man of great Parts, and much for continuing the Power in the King's Name, and even in his Person, could we but be secur'd from the Danger of Popery. Dr. *Burnet* also was present, who with great Violence argued, That the Prince was to be crown'd; and urg'd, That *England* could never be happily settled, till his Highness was at the Helm, and this Kingdom in strict Conjunction with *Holland*. *Seymour* said his Proposals were impracticable: for that if the Prince was King, he must maintain himself as such by the means of an Army, which was not to be rely'd on against their natural Sovereign. He observ'd, That, as the late *English* Army would not fight for Popery, they would be as backward in fighting against their King; and that it was impossible for *England* and *Holland* to join heartily in one and the same Interest, being Suitors, as they were, to one and the same Mistress, namely, *Trade*."

(*f*) Which not being to be found in any Collection of Parliament Proceedings, or State Tracts, and being extremely curious, I have here annexed, as follows:

"Mr. Speaker,

The present Providence deserves our most serious Thoughts; and truly, Sir, I cannot but say that we are extremely oblig'd to the great Goodness and Valour of the Prince of *Orange*, who, with such Hazard and Expence, has brought us so seasonable and eminent a Deliverance from Popery, and (I hope) from arbitrary Power also; Sir, we cannot give him too much, unless we give him more than our own, the Crown I mean: We have been of a long time taught, that it is not the Gift or Work of Subjects: Sovereign Princes have made bold with one another, but I am of opinion, whatever Malice may suggest against his Highness, he has too noble a Soul to be guilty of such an Attempt: He came not hither for Greatness, he has it of his own, and brought it with him, and values being *optimus* more than *maximus*; which is the best way of joining that Imperial Style together, *optimus maximus*: I say, I am confident it is more than he will judge proper to receive; and that he will think it more for his Glory to reduce the Monarchy to its just and legal Establishment, than to be King himself: and to secure us against Popery, than to lead us into the Errors of it, of which the most pestilent are, the *deposing Princes*, and *breaking Faith with Heretics*. The Prince is too great a Disciple both of Religion and Honour, not to be satisfy'd with our doing what is agreeable to them; and let us not press him out of his own Sentiments, which have been the greatest and most heroic that have appear'd in this latter Age of the World, lest, whilst we have taken Arms to redress Grievances, we draw greater upon ourselves, and that as well from abroad as at home: for, Sir, when we believe Catholic Princes to have a Zeal to unreasonably fierce and unsafe to other People, we cannot at the same time think they will tamely suffer a Catholic King to be kept out of his Kingdoms, for little more than being so; and I am afraid that this Procedure may precipitate *Ireland* into Extremities; and if it should follow the King to *France*, all sober, sensible Men know of what ill Consequence a Revolt to that Crown may be to this Kingdom; we shall then, instead of invading *France*, find Difficulties to preserve our own; nor, for what I see, are we sure of being at Peace here: The Tide has mightily abated since the King's going from *Rochester*. Those that wish'd his Humiliation in the Government will by no means hear of his Exclusion and Perdition from the Crown: They either believe the Fault none of his, or not of Weight enough to justify so extraordinary an Example. Kings must see and hear by the Eyes and Ears of *others*, which makes it their Misfortune rather than their Crime.

1688

A.D. 1688-9. Motion, to call upon the Prince, to complete the great things he had done for the Nation, by taking upon him to be their *Arbitrator* as well as *Deliverer*, by preſcribing the due Bounds between Prerogative and Liberty, and by calling back the King to co-operate with him for thoſe great Ends. But if ſuch a Speech was really made, it does not appear that it was even ſeconded, and, conſequently, could have no Effect. On the contrary, after a Debate which laſted many Hours, Lord *Fenſhaw*, miſtruſting the Iſſue, mov'd, That it might be adjourn'd to another Day, in regard of its very great Importance, and of the Miſchiefs that might be occaſion'd by taking too haſty Steps in a Matter of ſo much Weight; but without Succeſs: The Cry was ſo ſtrong on the other Side, that he could ſcarce be heard. And, upon the whole, the Committee came to this complicated Reſolution: Reſolv'd, That King *James* the Second, having endeavour'd to ſubvert the Conſtitution of the Kingdom, by breaking the original Contract between King and People, and by the Advice of *Jeſuits*, and other wicked Perſons, having violated the Fundamental Laws, and withdrawn himſelf out of the Kingdom, had abdicated the Kingdom; and that the Throne is thereby become vacant. This memorable Vote was immediatly reported to the Houſe, and being agreed to without a Diviſion, Mr. *Hampden* was order'd to carry it up to the Lords for their Concurrence. A.D. 1688-9.

Their grand Reſolve.

which they ſend to the Lords for their Concurrence.

"The Houſe of Lords, ſays the Duke of *Bucks*, was divided into three Parties; that of the *High Church* [or thoſe who were for aggrandizing the Church, that the Church might, in Return, aſſiſt in aggrandizing them]: Thoſe we now call *Whigs* [who had hitherto engroſs'd the venerable Name of Patriot to themſelves, and who affected to love their Country above all things] aſſur'd of good Employments under the Prince: And a third, very much the ſmalleſt, inclin'd to the unfortunate King, ſome out of Conſcience, but more out of Deſpair of Favour from the Prince."

Debate thereon.

That the great Queſtion before them might be more fully and freely debated, their Lordſhips alſo reſolv'd themſelves into a Committee of the whole Houſe; the Earl of *Danby* had the Chair; and the Courſe of that Day's Debate took its Direction from the Earl of *Nottingham*, who mov'd, Not to agree with the Commons, that the Throne was vacant; and yet that it might be ſo ſuppos'd, for the ſake

---

that they do amiſs: We are alſo of a Church that has been ſingular for her Honour and Deference to Kings, and if we have any for her, I think we ought to tread tenderly in this Point; and that we may be juſt, two things compel us to it for our own ſake. The firſt is, that the moſt of the things that made the King's Government ſo obnoxious, have already been done in this, we have had a *diſpenſing Power* exerciſed both at *Exeter* and *London*; we have had *free Quarters* conſtrain'd in almoſt all Places where the *Dutch* Army has march'd; we have in great part a *popiſh Army* too, tho' that was one of the moſt crying Offences we objected to the King, and from which we drew the moſt popular Notions of our Inſecurity: The very *Money* that is now receiving was aſk'd with two Armies on foot; and all Men will conclude it was ill refuſing a Propoſal ſo ſeconded: and how far our famous *Petition of Right* may be concern'd in this, the Gentlemen of the Law muſt determine; but I dare ſay this very *Loan* could not eſcape it under a lawful Prince, and under our preſent Circumſtances we cannot reaſonably think the Caſe better. Nor, Mr. Speaker, is this all: The ſecond Reaſon for *Temper is*, the little Truth that at laſt appears in thoſe many Stories, that, above any thing, ſeem'd to alienate the Hearts of the Subjects from his Majeſty, and to diſſolve that Tie of Affection and Duty they had to him, as his Subjects: Such as 'the Alarms we had here of a *French* Invaſion; the 'King's ſelling the Kingdom for five Millions Retling; the 'Iriſh killing Men, Women and Child, upon the Roads; 'the *French* embark'd for the Weſt, but met and ſunk by 'the *Dutch*; the forty thouſand new-faſhion'd Knives of 'Slaughter; the Queen's back-door, for bringing to Bed a 'falſe Child; her cutting the Earl of *Craven* and the Princeſs 'Anne's' with forty more of that Stamp, that Time has prov'd as malicious as falſe: How much they have influenced to this preſent Change, is not unworthy of our juſt Thoughts and Cenſure; and, in my Opinion, that calls upon us as loudly for a ſpeedy Reparation. Mr. Speaker, theſe are the things that have driven the King out of *England*, and if it can be prov'd that the Prince of *Wales* is an Impoſtor, and that there was a League with *France* to cut off the Proteſtants; I think nothing that has befallen him too hard Meaſure for him: But, Mr. Speaker, it is upon no other Terms that the People of *England* will part with their King, or with any Patience think of the Uſage he has had upon that Suppoſition: But it is objected, that ſome of thoſe that were in Arms are under Apprehenſion leſt their Eſtates and Lives ſhould be at the Mercy of the King, if he returns; I think the King will be ſo far from expecting, and the Nation from yielding to it, that they muſt not only be all pardon'd, but theſe Lords and Gentlemen, that have been the noble Aſſerters of our *Engliſh* Liberties at this Juncture, muſt be poſted in the greateſt Places of Honour and Truſt: I hope the King himſelf will ſee it his Intereſt to leave off little parſimonial Favourites, and be willing that ſuch be employ'd in all his Affairs as his People can confide in, and as will uſe their Preferment for the Honour of their Prince, and the Good of the Subjects.

The Objection againſt the King's Return, upon the account of having deſerted his Kingdom by going into *France*, I am aſtoniſh'd at; for if that Kingdom be not his Right, why is it a Part of his Title? And if it be, he may viſit that as well as any other of his Territories, if he has Reaſon to apprehend himſelf in danger, without making a Demiſe, Forfeiture, Surrender, or Abdication of the Crown of *England*. Mr. Speaker, I fear that, if I have not tir'd your Patience, I have been at leaſt over-long for ſome Members of a contrary Judgment, who ſit in this Convention, and therefore I ſhall only add this humble Caution, that our Convention conſider well their Power, which I humbly conceive is too ſcanty to be able to make a new King, tho' it may call home that to whom we have moſt, if not all of us, ſworn Allegiance; nay, let me ſay further, that, if our Caſe was ſo deſperate that no Remedy would ſerve but creating a new King, our Convention has not *enough of our Fellow-ſubjects* for the reſt to be concluded by. When things are tranſacted according to the known Laws and ancient Cuſtoms, the *uſual Deputies* may deliver and ſtate the Intentions of the People; but when ſo many and great Alterations muſt be made in the Building that is to be for the common Conveniency, every Man thinks himſelf worthy to be conſulted, as well as the greateſt Architect, when he is to dwell in the Houſe. Parliaments, that are called by Kings, cannot make Kings; and a Convention, not call'd by a King, and as narrow-bottom'd as a Parliament, is yet leſs than a Parliament, becauſe it wants the Sanction that a Parliament has. If then it ſeems a Solœciſm, that a Meeting leſs than a Parliament can make a King, without whom a Parliament cannot be; what ſhall we think of this Convention's making a King of him, that makes the Convention? Can they act lawfully upon an unlawful Call? Or can an unlawful Convention make him a lawful King? We are taught by an *Engliſh* Proverb, that *no Stream riſes higher than its Fountain*; how is it then poſſible for them to give *him* Authority to govern, that have none but what they receive from *him*, who, by our Law, can have none to give? Sir, this is neither more nor leſs, than for his Highneſs to make himſelf King, by a Medium of his own; a thing as much beyond him to do, as it is above us to think of it. Therefore, if we muſt go to that Work, let us call in more Heads to our Aſſiſtance; but I rather adviſe, and humbly move, that we may pray the Prince, who has been our Deliverer to be our Arbitrator, to give due Limits to the Prerogative and our Liberty, to ſecure us, that are the Proteſtant Subjects, in our Religion, and to ſhew the King what ſort of Liberty he only ought to expect for his Catholic Subjects. I ſay, let us beſeech him to call back the King for thoſe great Ends, the accompliſhing of which will make both King and Kingdom happy, and the great Prince of *Orange* renowned in all the Hiſtories of *Europe*, as well as in our Annals. [*Out of Lord* Somers's *Collection*, *vol.* xxxv.

A.D. 1688-9.

Lord Nottingham's Question, Whether, in case of a Vacancy, the Resort should be to a new King, or a Regent?

take of diſcuſſing another Queſtion, namely, Whether in caſe it was vacant, it ought to be fill'd by a Regent or a King? Which ſhew'd plainly enough, that the Vacancy would be admitted or not by him and his Party, according as they were pleas'd or diſpleas'd with the manner of filling it. A Regency was their Propoſal, and the Arguments for and againſt it are thus retail'd by the *Hiſtorian of his own Times:* "It was urged, that if, upon any Pretence whatſoever, the Nation might throw off their King, then the Crown muſt become precarious, and the Power of judging the King muſt be in the People. This muſt end in a Commonwealth. A great deal was brought from both the Laws and Hiſtory of *England*, to prove, that not only the Perſon, but the Authority, of the King was ſacred. The Law had indeed provided a Remedy of a Regency for the Infancy of our Kings. So, if a King ſhould fall into ſuch Errors in his Conduct, as ſhew'd that he was as little capable of holding the Government as an Infant was, then the Eſtates of the Kingdom might, upon this Parity of the Caſe, ſeek to the Remedy provided for an Infant, and lodge the Power with the Regent. But the Right was to remain, and to go on in a lineal Succeſſion: For, if that was once put ever ſo little out of its Order, the Crown would in a little time become elective; which might rend the Nation in pieces by a Diverſity of Elections, and by the different Factions that would adhere to the Perſon whom they had elected. They did not deny, but that great Objections lay againſt the Methods that they propoſed: But Affairs were brought into ſo deſperate a State by King *James*'s Conduct, that it was not poſſible to propoſe a Remedy, that might not be juſtly excepted to. But they thought their Expedient would take in the greateſt, as well as the beſt, Part of the Nation: Whereas all other Expedients gratify'd a Republican Party, compos'd of the Diſſenters, and of Men of no Religion, who hop'd now to ſee the Church ruin'd, and the Government ſet upon ſuch a Bottom, as that we ſhould have only a titular King; who, as he had his Power from the People, ſo he ſhould be accountable to them for the Exerciſe of it, and ſhould forfeit it at their Pleaſure (*g*).

In anſwer to this, it was argu'd, that a Regency was as much againſt Monarchy, or rather more than a new Election. If a King's ill Government did give the People a Right in any Caſe to take his Power from him, and to lodge it with another, owning that the Right to it remained ſtill in him, this might have every whit as bad Conſequences as the other ſeem'd to have; for Recourſe might be had to this violent Remedy too often and too raſhly. By this Propoſition of a Regent, here were to be, upon the Matter, two Kings at the ſame time: One with the Title, and another with the Power of a King. This was both more illegal, and more unſafe, than the Method they propoſed. The Law of *England* had ſettled the Point of the Subject's Security in obeying the King in Poſſeſſion, in the Statute made by *Henry* the Seventh. So every Man knew he was ſafe under a King, and ſo would act with Zeal and Courage. But all ſuch as ſhould act under a Prince Regent, created by this Convention, were upon a Bottom that had not the neceſſary Forms of Law for it. All that was done by them would be thought null and void in Law: So that no Man could be ſafe that acted under it. If the Oaths of King *James* were thought to be ſtill binding, the Subjects were by theſe not only bound to maintain his Title to the Crown, but all his Prerogatives and Powers. And therefore it ſeem'd abſurd to continue a Government in his Name, and to take Oaths ſtill to him, when yet all the Power was taken out of his Hands. This would be an odious thing, both before *God* and the whole World, and would caſt a Reproach upon us at preſent, and bring certain Ruin for the future on any ſuch mixed and unnatural ſort of Government. Therefore, if the Oaths were ſtill binding, the Nation was ſtill bound by them, not by Halves, but in their whole Extent. It was ſaid, that, if the Government ſhould be carry'd on in King *James*'s Name, but in other Hands, the Body of the Nation would conſider him as the Perſon that was truly their King. And if any ſhould plot or act for him, they could not be proceeded againſt for High Treaſon, as conſpiring againſt the King's Perſon or Government; when it ſhould be viſible that they were only deſigning to preſerve his Perſon, and to reſtore him to his Government. To proceed againſt any, or to take their Lives for ſuch Practices, would be to add Murder to Perjury. And it was not to be ſuppos'd that Juries ſhould find ſuch Men guilty of Treaſon. In the Weakneſs of Infancy, a Prince Regent was in Law the ſame Perſon with the King, who had not yet a Will: And it was to be preſum'd the Prince Regent's Will was the King's Will. But that could not be apply'd to the preſent Caſe, where

A.D. 1689.

(*g*) Our Author adds, by way of Comment: "But of thoſe who agreed in this Expedient, it was viſible there were two different Parties. Some intended to bring King *James* back; and went into this, as the moſt probable Way for laying the Nation aſleep, and for overcoming the preſent Averſion that all People had to him. That being once done, they reckon'd it would be no hard thing, with the Help of ſome Time, to compaſs the other. Others ſeem'd to mean more ſincerely: They ſaid, they could not vote or argue, but according to their own Principles, as long as the Matter was yet entire: But they own'd, that they had taken up another Principle, both from the Law and from the Hiſtory of *England*; which was, that they would obey and pay Allegiance to the King for the time being: They thought a King thus *de facto* had a Right to their Obedience, and that they were bound to adhere to him, and to defend him, even in oppoſition to him with whom they thought the Right did ſtill remain. The Earl of *Nottingham* was the Perſon that own'd this Doctrine the moſt during theſe Debates. He ſaid to myſelf, that, tho' he could not argue nor vote according to the Scheme and Principles he had concerning the Laws and Conſtitution, yet he ſhould not be ſorry to ſee his Side out-voted; and that, tho' he could not agree to the making a King, as things ſtood, yet, if he found one ſtirring, he would be more faithful to him, than thoſe that made him could be, according to their own Principles."

A.D. 1688-9. where the King and the Regent must be presum'd to be in a perpetual Struggle, the one to recover his Power, the other to preserve his Authority.

The Lords *Hallifax* and *Danby*, tho' Rivals, and embark'd in different Schemes, co-operated upon this Occasion; and, upon the whole, it appeared to be the Opinion of the Majority, That in case of a Vacancy, the Throne ought rather to be fill'd with a King than a Regent. The Numbers being forty-nine for the Latter (among whom were all the Bishops, except those of *London* and *Bristol*) (*b*) and fifty-one for the Former.

The Majority for a new King.

While the Lords were debating this previous Question, the Commons pass'd a Vote, declaring, That Popery had been found by Experience inconsistent with the *English* Constitution, and excluding for ever all *Roman* Catholics from the Succession to the Crown; with which we shall find, the Lords unanimously concurr'd.

Whether there was an original Contract between King and People, debated.

The next Day, being the 30th, their Lordships suffer'd it to be made a Question, Whether, or no, there was an original Contract between King and People? And many maintain'd the Negative, insisting, That Kings held their Power from *God* only, and were only to him accountable; while others as warmly asserted, That all Power belong'd originally and fundamentally to the Community, and to the King only by mutual Compact: In Support of which Argument, they referr'd to the Form of the Coronation Oath, which, however enfeebled by corrupt Prelates, and encroaching Kings, still discover'd the Traces of a Trust committed, of a Contract made, and of Conditions to be observ'd: They, moreover, ask'd, What did all the Limitations of the regal Power signify, if, upon a King's breaking thro' them, the People had no Right to maintain their Laws and preserve their Constitution? And tho' they acknowledg'd, that, indeed, such a Right might be abus'd, and that such an Abuse might be productive of very pernicious Consequences, they persever'd nevertheless in arguing, that the denying this Right, and the prohibiting the Exertion of it, in any Extremity whatever, tended to the utter Destruction of Liberty, and the Establishment of Tyranny. To all which, they had the Precaution to add, That the Alteration then propos'd, would be no Precedent, unless in the like Circumstance: That when such a Circumstance occurr'd, it was fit that such a Use should be made of it: That if the Precedents already to be found in our Histories, were not allow'd to be good ones, the Interest of the Public requir'd that a good one should be made; and that the Necessity of shutting the Door for ever against Popery, and of filling up the Chasm which had been made in the Government, was of more Weight than all other Considerations. It was reply'd, That the Coronation-Oath was a mere Form: That the King was as much King before he took it, as afterwards: That there was no Clause of Disability or Forfeiture in it, in Case he either refus'd to take it, or he broke thro' it afterwards: And that, in short, it was the express Voice of the Law that the People of *England* had no coercive Power over their King. Unluckily, those who argued in this manner, had been as deaf to the Voice of the Law on this Head, as those who profess'd to shew no Regard to it. It was as unlawful to take Arms against the King, under any Pretence whatsoever, as to depose him, to abett and comfort his Enemies, as to fight under their Standard; and yet the whole Nation had trespass'd one way or the other. When, therefore, their own Artillery came to be play'd upon them, they could not help falling into Confusion: And, upon the Issue, it was resolv'd, by fifty-three against forty-six, That there was an original Contract between King and People; and, after a short Debate, That King *James* had broken that original Contract. A.D. 1688-9.

The Affirmative resolv'd; and that the King had broken it.

This clos'd the Business of that Day; the next was the Day appointed by both Houses for a solemn (*i*) Thanksgiving for the late Deliverance; and after that Service was over, their Lordships, returning to their House, took the Word *abdicated* into Consideration, and without entering into a formal Enquiry, whether his Majesty's withdrawing himself, was voluntary, or the Effect of Fear and Force, concluded, that *deserted* was more proper. The Question which came next before them was, Whether the King, having broken the original Contract between him and his People, and deserted the Government, the Throne was thereby become vacant? The Body of the Bishops, with their Auxiliaries among the temporal Peers, recurr'd to the Law-Maxim, That the King never dies; and thence infer'd, that the Throne could never be vacant; but, on a Demise, whether natural or civil, was immediately fill'd by the next Heir. This, according to them, seem'd to be prov'd by the very Words of the Oath of Allegiance; by which the Subject was bound to the Heirs and Successors of the King, as well as to him personally. The new Courtiers, on the other hand, as stoutly maintain'd that other Maxim, that a Right of Inheritance could not entitle a Man to Possession, while the Person from whom he deriv'd that Right was living: That the Oath of Allegiance regarded a natural Demise only: That there was no *Provision in the Law* for a civil Demise: That it was the Business of the Convention to supply the Defect: That if the King dissolv'd the Tye between himself and his Subjects, he did the same between them and his Posterity;

(*b*) It is particularly remember'd, that the Archbishop of *Canterbury*, the Earls of *Huntington* and *Mulgrave*, and the Lord *Churchill*, were absent, under various Pretences.

(*i*) Sir *John Reresby* observes, That the public Joy did not rise so high on this Occasion, as was expected: And it deserves to be farther remember'd, That Dr. *Lloyd*, Bishop of *St. Asaph*, who was appointed to preach before the Lords, pleaded Indisposition to excuse himself; and, none of his Brethren caring to officiate in his room, the Honour fell to Dr. *Gee*, one of the Prince's Chaplains.

A.D. 1688-9. Posterity; and that the Desertion operated in the same manner with respect to a Sovereign, as an Attainder to the Subject. This Debate was the most violent of any that these violent Times produced, and ended in the manner most mortifying to his Highness the Prince-Administrator, and those who had embark'd their All on his Bottom; for, on a Division of the House, it appear'd, that there was a Majority against the Vacancy of eleven Voices.

They reject the Notion of a Vacancy: And yet cannot shew by whom it is fill'd.

But by whom was the Throne fill'd? was, naturally and obviously, the next Question. Against the absent King they had already put in a *Caveat*, as well by the two former Debates relating to the *original Contract*, and the Breach of it; as the use they had made of the Word *deserted*, instead of *abdicated*: And as to the next Heir, they were not agreed who he was. We are told by Bishop *Burnet*, that when it was propos'd by some, that the (*k*) Birth of the pretended Prince of *Wales* should be examin'd into, it was rejected with Indignation: And when others made a Counter-motion, That the Prince and Princess of *Orange* should be declar'd King and Queen, as the Persons to whom the Right of Succession was fallen, it was over-rul'd by a Majority of five Voices. And thus the Day of national Thanksgiving, became a Day of national Confusion.

It is natural to imagine, that the new Courtiers were not very easy under the Damp which this sudden Cloud brought upon their Affairs; and that they apply'd themselves with all the Art and Industry in their Power to disperse it: But then as it is impossible to trace them Step by Step thro' any one of their dark Intrigues, we ought to be as tender in our Charge, as we are deficient in our Proof.

A tumultuous Petition set on foot.

It is, however, most certain, that the very next Day, *viz. February* 1, some bold and officious Persons prepar'd a Petition to the two Houses, in the Name of great Numbers of the Inhabitants of *London* and *Westminster*, setting forth their deep Sense of the Dangers of Delays and perplexed Debates about settling the Government, at that time vacant; by reason whereof the necessary Ends of Government could not be duly administred, and humbly desiring, that the Prince and Princess of *Orange* might be speedily settled on the Throne, *&c.* and made it their Business to sollicit Hands to it, not only from House to House, but in the very Streets and all public Places, to the Terror and Wonder of all considerate Men, who rightly concluded, that the best Cause would be disgrac'd by such irregular Means of supporting it, and who were asham'd to see the last Resource, in a manner, plac'd in the Mob. It is true, the Prince himself thought it incumbent on him to discountenance so scandalous a Proceeding, and actually did call upon the Lord Mayor to put a stop to it: But by the Lord Mayor's Order thereon, it appears, that it had time to operate first; for the Preamble runs in these very Words, "Whereas his Highness the Prince of *Orange* has been pleas'd to signify to me this Day, that divers Persons, pretending themselves to be Citizens of *London*, in a tumultuous and disorderly manner have *lately disturb'd* the present Convention of Lords and Commons sitting at *Westminster*, upon Pretence of petitioning, *&c.*" which is an Acknowledgment, that the Outrage had been carry'd to the very Doors of both Houses: And Sir *John Reresby* is express, that the Lords who were for conferring the Crown immediately on the Prince, and who began to apprehend that the adverse Parties might prevail against them, found Means to stir up the People to petition in this tumultuous manner; adding, that the Lords rejected it because it was not sign'd; and the Commons for a much better Reason; because they would not be aw'd in their Resolutions, which ought to be free. [*Mem. p.* 310.]

Thanks of the Commons given to the Clergy, Soldiery, Seamen, &c.

The Latter, however, thought it advisable to qualify this Refusal by two popular Votes, which pass'd *Nemine Contradicente*, *viz.* 1, That the Thanks of the House be given

(*k*) Concerning this Circumstance his Lordship proceeds to expatiate as follows:

"Some prefied this, not so much from an Opinion that they were bound to assert his Right, if it should appear that he was born of the Queen, as because they thought it would justify the Nation, and more particularly the Prince and the two Princesses, if an Imposture in that Matter could have been prov'd. And it would have gone far to satisfy many of the weaker sort, as to all the Proceeding against King *James*. Upon which I was order'd to gather together all the presumptive Proofs that were formerly mention'd, which were all ready to have been made out. It is true, these did not amount to a full and legal Proof: Yet they *seem'd* to be such violent Presumptions, that, when they were all laid together, they were *more convincing than plain and downright Evidence*: For that was liable to the Suspicion of Subornation: Whereas the other seem'd to carry on them very convincing Characters of Truth and Certainty. But when this Matter was *in private* debated, some observ'd, that as King *James*, by going about to prove the Truth of the Birth and yet doing it so defectively, had really made it more suspicious than it was before; so if there was no clear and positive Proof made of an Imposture, the pretending to examine into it, and then the not being able to make it out beyond the Possibility of Contradiction, would really give more Credit to the thing than it then had, and, instead of weakening it, would strengthen the Pretension of his Birth.——

He was now sent out of *England* to be bred up in *France*, an Enemy both to the Nation and to the establish'd Religion: It was impossible for the People of *England* to know, whether he was the same Person that had been carry'd over, or not: If he should die, another might be put in his room, in such a manner that the Nation could not be assured concerning him: The *English* Nation ought not to send into another Country for Witnesses to prove that he was their Prince; much less receive one upon the Testimony of such, as were not only Aliens, but ought to be presum'd Enemies: It was also known, that all the Persons, who had been the Confidents in that Matter, were convey'd away: So it was impossible to come at them, by whose means only the Truth of that Birth could be found out. But while these things were fairly debated by some, there were others who had deeper and darker Designs in this Matter.

They thought it would be a good Security for the Nation, to have a dormant Title to the Crown lie as it were neglected, to oblige our Princes to govern well, while they would apprehend the Danger of a Revolt to a Pretender still in their Eye. *Wildman* thought, it was a deep Piece of Policy to let this lie in the dark, and undecided. Nor did they think it an ill Precedent, that they should so neglect the Right of Succession, as not so much as to enquire into this Matter. Upon all these Considerations, no further Enquiry was made into it. It is true, this put a plausible Objection in the Mouth of all King *James*'s Party: Here, they said, an Infant was condemned, and deny'd his Right, without either Proof or Enquiry. This still takes with many of the present Age. And, that it may not take more in the next, I have us'd more than ordinary Care to gather together all the Particulars that were then laid before me as to that Matter."

A.D. 1688-9. given to the Clergy of the Church of *England*, who had preached and written againſt Popery, who had refus'd to read the King's Declaration, and who, in Oppoſition to the pretended diſpenſing Power, clam'd in the late Reign, had withſtood the illegal Eccleſiaſtical Commiſſion. And, 2, That the Thanks of the Houſe be given to the Officers, Soldiers, and Mariners, who had teſtify'd their ſteady Adherence to the Proteſtant Religion, and who had been inſtrumental in delivering the Kingdom from Popery and Slavery; alſo; to all ſuch as had appear'd in Arms for that Purpoſe (*l*).

who had appear'd against Popery, &c.

About this time alſo, to keep up the Flame without Doors, and to intimidate the Refractory within, two Papers were ſet forth, no doubt by the Direction of thoſe who conjur'd up the Mob-Petition, under the Title of, *Several Queries relating to the preſent Proceedings in Parliament, more eſpecially recommended to the Conſideration of the Biſhops, and* (*m*) *A Proteſtant Precedent offer'd to the Biſhops for the Excluſion of King* James II. The Queries were in all twelve. In the firſt it was aſk'd, "How the Houſe of Commons could anſwer it to their Conſtituents, if they neglected the preſent great Opportunity to rectify all the Miſchiefs which had aroſe from the Neglect of the like Opportunity at the Reſtoration? 2. Whether the Nation could be preſerv'd from falling again into the like Miſchiefs, without altering the Succeſſion, more eſpecially ſince the Birth of the Prince of *Wales* was *not* proved ſuppoſititious? And whether it would not be more adviſeable to make that Alteration firſt, and proſecute the Enquiry afterwards? 3. Whether it could be imagin'd worth the Prince of *Orange*'s while to quit his *Stadtholderſhip* in *Holland*, in order to become a Subject here, from whence he might be liable to be baniſhed in a Year's time, in caſe his Royal Conſort ſhould die ſo ſoon? 4. Whether, conſidering the preſent State of Affairs, it was ſafe to truſt the Adminiſtration in the Hands of a Woman, tho' ever ſo virtuous? And whether the Nation would be able to protect itſelf without the Aſſiſtance of his Highneſs, who was already ſtrengthen'd with more Alliances than *England* could ever hope to obtain, in caſe the Crown was conferr'd on any other? 5. Whether it would be a greater real Kindneſs to the Princeſs, to make her ſole Queen, with an apparent Probability of her being depoſed again, than to aſſociate her with her Huſband, who alone was able to maintain the Poſſeſſion of the Throne, and protect the Kingdom? 6. Whether it was not more likely that a Prince who could pretend no Right to the Crown but the Choice of the People, ſhould obſerve the Conditions on which it was beſtow'd on him, than one who would be prompted by the Flatteries of proſtitute Prieſts and Lawyers, to plead a Right Divine to the Scepter, and to challenge ſuch a Prerogative as could neither be diminiſhed nor controll'd even by his own Conſent in Parliament? 7. Whether the Houſe of Commons, upon theſe Conſiderations, would not think it neceſſary that the Prince and Princeſs of *Orange* ſhould be crowned King and Queen for their two Lives? And whether it could be imagined that the Commons ſhould ſo far betray their Country, as to *recede* from this Point, ſo neceſſary for its Preſervation, notwithſtanding all the Diſturbances which the Biſhops ſhould make in the Houſe of Lords; and tho' they did not meet with the Concurrence of that Houſe ſo ſoon as in Reaſon might be expected? 8. Whether the Houſe of Lords would ſuffer themſelves any longer to be impoſ'd upon by the Biſhops, in a thing that would be ſo injurious to the Nation; and, admitting they ſhould, whether the Circumſtances of Affairs would not in a little time *force* them to a Compliance with the Houſe of Commons? 9. Whether the Prince of *Orange* would not ſhew himſelf one of the *unkindeſt Men* in the World if he *did not ſtick by theſe People, till he ſaw them ſecur'd*, that had ventur'd their Lives and Fortunes for him and their Country in Confidence of his Protection? and whether he, as Head of the Proteſtant Religion, be not obliged to ſtand by the forty-eight Proteſtant Lords, and Houſe of Commons, that had ſerved their Country ſo faithfully? 10. Whether it would not be Prudence in the Biſhops,

Inflammatory Papers.

A.D. 1688-9.

(*l*) Mr. *Lewiſon Gower* was appointed to wait on the Archbiſhop of *Canterbury* with the former of theſe Votes; and Mr. *Wharton* on the Marſhal *Schomberg* with the other. The Marſhal reply'd, "That he look'd upon it as a great Honour done to the Army, that the Houſe of Commons ſhould take ſo much notice of their Service; that he would communicate it to the whole Army; and that he hop'd it would have a very good Effect." The Archbiſhop made no Reply at all.

(*m*) *Viz.* That of *Sigiſmund* the Third, hereditary King of *Sweden*, who, by a Convention of the States of that Kingdom was excluded, even with his Heirs (a Severity, which, ſays our Author, both the honourable Houſes of Parliament here have, with great Juſtice and Wiſdom, declin'd) from that Crown for ever. Some of the Articles drawn up againſt him were theſe: *Firſt*, for ſwerving from their receiv'd Chriſtian Religion; as alſo from his Oath and Promiſe, and ſolemn Engagement made to his People at his Coronation, to preſerve their Rights and Privileges; as alſo, their holy reform'd Religion inviolated: For departing the Country without the Conſent, and againſt the Will, of the States and Orders of the Realm: For exporting ſeveral Acts of great Concernment out of the Chancelary: For proſecuting ſuch as would not embrace or favour the *Romiſh* Superſtition: For contemning and endeavouring to undermine and annul thoſe laudable Inſtitutions and Laws made for the Security of the Realm, and the Eſtabliſhment of the Proteſtant reformed Religion: For raiſing up what Enemies he could againſt his Native Country, thereby to involve his Subjects in a Deluge of Blood, which he intended, and had almoſt effected: For inhumanly deſigning and ſuborning Ruffians and Villains, to murder and aſſaſſinate one of the chief Nobles, for no other Reaſon, but that, out of Conſcience and Duty, he would have perſuaded him from thoſe Irregularities and notorious Breaches of the known Laws of the Land. For theſe, and many more Cauſes, as the ſending his Son out of the Land, without the Conſent of the States, and cauſing him to be brought up and educated in the *Romiſh* Superſtition, did the *Swedeſh* (ſubmitting the fame to the Judgment of all ſincere and candid Arbitrators) juſtify their Abdication for ever, of King *Sigiſmund* the Third, and his Heirs, from the Crown of *Sweden*, &c. and proceeded ſtraight to the conſtituting and electing of *Charles* Duke of *Sudermania*. *Vid.* Spanheim's *Hiſt of* Sweden, &c. And, in Concluſion, they pray for, and doubt not of, a candid Conſtruction, a benign and favourable Acceptation, from all Chriſtian Emperors, Kings, Princes, States, &c. of this their legitimate Defence, and to vindicate them and their moſt equal Cauſe from all Calumny, or evil Interpretation whatſoever.

A.D. 1688-9. thops, supposing their Designs be good, as it was to be hop'd they were, to shew their Readiness to assist the Nobility and Gentry in carrying on this great Work, whereby they might settle the Church upon the surest Foundation, the Laws of *God* and of the Land, and continue themselves in the Affections of the People? 11. Whether all the Protestant Blood which should be spilt in *Ireland* by reason of these long Delays, would not be justly laid at the Bishops Doors, if they proceeded after the same manner they had begun? And lastly, to answer the great Objection, that the Kingdom of *Scotland* would be lost, if that of *England* was made elective for this Turn, whether the *Scots* could chuse any body that would be more agreeable to their Interests than the Prince of *Orange*? And, supposing they could, whether it would not be Madness to imagine, since they had a different Parliament, different Laws, and a different Original Contract (*s*) that the King might commit a Forfeiture there, when he had committed none here, or a Forfeiture here, when he had committed none there) that they would not place the Crown upon him, without any respect to what is done here, whether we made it a Forfeiture, or only a bare Demise?" A.D. 1688.

But neither these Papers, nor the Mob-Petition, made as yet any Converts in the House of Lords: On the contrary, they met on the first of *February*, in the same Disposition that they had separated the Evening before, and would hear of nothing but sending back the Vote of the Commons, so amended, by inserting the Word *deserted*, instead of *abdicated*, and by omitting those Words entirely, *and the Throne is thereby vacant*, as manifestly left the King without (*n*) Hope, and, by *Inuendo*, the Prince of *Orange*

(*n*) His Friends, however, took advantage of the present Ferment to set forth the following specious Paper:

"*A Lord's Speech without-doors, to the Lords, upon the present Condition of the Government.*

My Lords,

Pray give me leave to cast in my Mite at this time upon this great Debate; and tho' it be with an entire Dissent to some leading Lords, to whom I bear great Reverence, it is according to my Conscience, and that is the Rule of every honest Man's Actions.

My Lords, I cannot forbear thinking, that a greater Reproach can hardly come upon any People, than is like to fall upon us Protestants, for this unprecedented Usage of our poor King: We fear'd the Security of our Religion because of him, and are now like to violate a great part of it by forfeiting our Loyalty towards him; Religion is the Pretence, but some fear, a new Master is the Thing: This I take to have been the Business of To-day; for, notwithstanding we see how feeble a thing Popery is in *England*, that it is beaten without Blows, and routed so effectually, that it can never hope, nor we justly fear, it should return upon us, and consequently our Religion pretty secure, yet I don't see that this satisfies us, unless the King goes also: He must be turn'd away, and the Crown change its Head; for, if the Crown be not the Quarrel more than Property, and his Majesty's Person than his Religion, why did not the Prince stop, when he heard a free Parliament was calling by the King's Writs, (where all Matters, especially that of the Prince of *Wales*, might have been consider'd) or, at least, where his Majesty's Commissioners of Peace met him? Who advis'd him to advance, and give his Majesty that Apprehension of his own Insecurity? and if any thing but a Crown would have serv'd him, why was a noble Peer of this House clapt up at *Windsor*, when his Majesty sent him on purpose to invite the Prince to *St. James's*? A Message that affected all good Mens Hearts more than any thing but his Majesty's Return: it look'd so natural and peaceable. But it seems as if it had been therefore affronted; for the Invitation could not have been receiv'd without the King's remaining King: And who was there that did not lately say it should be so? I, and who is there now that does not see it is not so?

We can, my Lords, no longer doubt of this, if we will remember, that, the same Night the Prince should have answer'd his Majesty's kind Message, *the King's Guards were chang'd, and at Midnight the Prince's Guards were clapt upon his Majesty's Person*; and, which is yet more extravagant, to accomplish the Business, three noble Lords, in view, were sent to let him know, *it was not for his Safety, or the Prince's Honour, that he should stay in his own Palace*. A strange Way, my Lords, of treating one's own King in his own House! I cannot comprehend how it was for the Prince's Honour the King should go against his Will; or how it was against his Honour that his Majesty should be safe in *his own House*: I leave it with your Lordships to think, who could render the King's Stay unsafe at *Whitehall* after the *Dutch* Guards were poured there?

My Lords, this I confess is a great Iniquity that sticks with me, and deserves our highest Scrutiny and Reflection, that, after *deserting* our King away, we should offer to advance ourselves to any body to take the Government, as if he had formally *deserted* it: It becomes us rather to ask, *Where the King is? how he came to go? and who sent him away?* I take the Honour of the Peerage of *England* to be deeply engag'd, both at home and abroad, to search out this Matter, and especially those who are now present, most of whom owe their Share in that noble Order to his Majesty, his Brother, Father, or Grandfather. It is not unreasonable to believe the King had not gone at first, but upon some *Message sent, and Letters receiv'd*, to take care of his Person, for that nothing less than the Crown was intended; but being not out of his own Territories, and therefore no Desertion, Abdication, or Remise, as the Critics of the Conjuncture we are under pretend, (for the King may be where he will in his own Kingdom:) We see, while it was in his Choice to go, he return'd, and by as good as our Advice too; so that we cannot in truth say his *Desertion* is the Cause; for it is plainly the Effect of our late extraordinary Proceedings. If any should say, *he needed not, have gone now*, it is a great Mistake; for a King ought to go, if he cannot stay a King in his own Kingdom; which *Force* refus'd to let him be: And to stay, a Subject to another Authority, had been a meaner Forfeiture of his Right than can in justice be charg'd upon his Retirement: Wherefore his going must and will lie at their Doors that *set him an Hour to be gone out of his own Palace*.

Many are angry (and yet pleas'd) that he is gone for *France*; but where, my Lords, should he go? *Flanders* dar'd not receive him: *Holland*, you could not think he should go to; and *Ireland* you would have lik'd less; and when we consider how for a League with *France* has been made the Cause of his Misfortune (tho' to this day it is in the Clouds) what other Prince had the same Obligation to receive and succour him? Therefore, whatever Arts are us'd to blacken his Retreat, we cannot, with any Shew of Reason, imagine, that he could think himself safe with us, that had exercis'd sovereign Power without him our sovereign Lord, and under the Protection of a foreign Prince and his Army; though at the same time, we had *sworn Allegiance to him; and that it was unlawful for us to take up Arms against him, under any Pretence whatever*.

My Lords, if this be not virtually and in effect to pull the Crown off his Head, and dethrone him unheard, I am to learn my Alphabet again. This is short warning to give Kings, for us, at least, my Lords, that boast of Loyalty, and were brought to these Seats by the Favour of the Crown. What can other Nations think of the Nobility of this, if we come not to a juster Temper? *God* defend us, and our Children after us, from the ill Consequences of what has been done, and prevent the rest. Had we embraced the happy Providence of his Majesty's Return, we might have improv'd it, that the Children unborn should have blessed us: Then we had reformed safely, for by joining Title to our Actions, we had made them legal. This we should have had from his Majesty, or a plain Denial, which would in some measure have excused so rare and unusual an Enterprise: Nor can I comprehend which way it is possible to guard the Prince's Honour, but by doing his Majesty Right; for your Lordships may please to remember, that in the Memorial of the *States*, that was printed amongst us, which they gave to all the public Ministers at the *Hague*, to justify their sending the Prince their Forces upon this Expedition, they also expressly say, *It was upon Condition not to dethrone the King, or alter the Succession*; and in my Opinion, we are in the high way to both.

My Lords, we are Protestant Christians, as well as Peers of the Realm, and are now upon our Religion and Conscience, as well as Honour, to do right: Let us so act as we can answer it to *God* and Man, and not stumble at Straws and leap over Blocks; Errors cannot be corrected by committing greater; nor one Part of the Government be mended, by

A.D. 1688-9. *Orange* too. This brought the Former Points again into Debate; the new Courtiers were again worsted, and for the present, had no other Resource, than to shew their Resentment by entering a Protest; in which, no less than forty of them join'd, having the Marquis of *Hallifax* and the Earl of *Danby* at their Head. A.D. 1688-9.

It was not however till the next Day that the said Vote and Amendments were actually sent down, and then they were accompany'd with a sort of Qualifier; namely, their unanimous

by beating out another to do it. I need not tell your Lordships, that by our Laws, Kings cannot err, and therefore they are not accountable, but their Ministers are, without whom a King cannot perform any Act of Government; which is the reason of the Maxim; and therefore let them be punished that the Law only makes guilty. This our wise Ancestors contrived to save the Head of the Government whole, and to prevent the Confusion and Disorder that might otherwise be apt to attend the Form of it; nor is it indeed a thing that ought to be endur'd by us Peers, to suppose that he that raised us so high, could be for any Reason thrown by us so low.

My Lords, let us limit the King if you please, but not renounce him; there is a Difference between restraining and destroying him. What need of such extraordinary Remedies, since that which secures the Government under one King, will do it under another? Popery itself can never come in but over the Bridge of despotic or absolute Power; and if we can secure ourselves from that, we are as safe against Opinion as against Ambition; and till we are so by an Amendment of our Constitution, we are exposed to the mere good Nature of the Prince in Possession whoever he be. And to render what I have said to your Lordships not unreasonable, and what I have to move your Lordships to, in the Close of my Speech, not ungrateful, I beseech your Lordships that we may call up our Account, and see how our Loss and Gain stands, so far as we have gone in our late Change.

We have lost a lawful King, and got an unlawful Protector, as our Law stands: we have miss'd a legal and a free Parliament, and have got a Convention that cannot make Laws, nor call a Parliament that can, but what will need a Confirmation from a better Authority.

We have lost the Reputation of keeping our Faith with Heretics, by breaking our solemn Oaths with our King, in the time of his Extremity, because we thought him such, tho' he gave us leave to lay down our Commissions, that we might not have the Temptation or Occasion to betray him: But we have got the Reputation of good Protestants by it, tho' I fear, not of good Men, in that some of us have not only not shewn ourselves irreligiously concern'd for our Religion; but, in some respect, not honestly; that, besides a thousand personal Immoralities, could press Advance-money from the King overnight, to bear the Charges of deserting him next Day, against our warm and repeated Vows to take his Fate, and die at his Feet! And that any of us should be tainted for this Treachery, and numbered among the Heroes for our running away, cannot surely be *the Lord's doing*, let Dr. *Burnet* say what he will (*alluding to his Application of that Text, in his Sermon before the Commons on the Thanksgiving-Day*); and yet it is *very marvellous* in some Mens Eyes for all that. These are the Spurke, my Lords, that hunt the poor King's Blood, tho' we know they had hardly had any in their Veins, but for his Bounty, and yet are the Favourites of the Reformation. For *Christ's* sake, my Lords, let us not at this rate christen Villany and rank Dishonesty among the Graces. Popery itself could not have done more; and, it is certain, we are even with the Papists now to all Intents and Purposes.

This is not all our Loss; we have rebelled against the fifth Commandment also, *Honour thy Father*; and tho' we have got that of leaving Father for the sake of Religion, we could have but little Religion to do it in such a Manner, to so affectionate a Father; nor did it lessen the Error to have a *Church-of-England* Apostle to be Captain of her Lifeguard, in his blue Coat and Jack-boots, and an arrant temporal Sword in his Hand, to defend natural Affection and passive Obedience. This was an odd sort of Compliance with our Saviour's Command, to put up his Sword as one of *St. Peter's* Successors. My Lords, I shall not stop here; we thought we had been rid of popish Soldiers, but find we have got as many Papists in our *Dutch*, as we had in our *English* Army: Now it is plain, that either all Papists are not alike, (and then the Danger we have apprehended from Papists is not universal, as we have alarm'd, but that they are to be liv'd with, since we are to be fav'd and guarded from the Danger of Popery by them) or we have ill Luck to think we can be fav'd from that Religion by those that are of it, because they are *Dutchmen*. My Lords, I am sorry we can take such Pleasure to see Strangers tread our Courts, pray *God* it does not shew the Way to *other Countries to take their turns*. But that a *Dutch* Papist should be so harmless a thing with us, that thought no Papists could be so, shews our Contradictions to a Madness. I know not how well our Soldiers like to give way to *Dutchmen*, that thought they had purchas'd a Preference to Strangers at a dear rate; but it is the justest thing in the World upon them, that the Prince should distrust those to guard him, that had betray'd their own Master that lov'd them to a Fault; they may serve to be sent for *Holland*, to be knock'd on the Head in the *Dutchmen* Quarrel, but never to be trusted at home, tho' they have given up their Quarters with their King to Foreigners; so that the Proverb is true upon them, *they have* hereby *brought their Noble to Ninepence*. Yet, to be just, I must confess it is a Reproach due only to their Officers, and not all of them neither; and Time may give those the Opportunity to retrieve the Credit they have lost by other Mens Faults.

We were also very apprehensive of the ill Consequences of the dispensing Power, especially in the Case of Sir *Edward Hales*; but it seems the Common-council of *London* are forbid to take the usual Oaths, and yet requir'd to act; which is an unqualify'd Capacity. We were in hopes we had lost a rude Army, but we have found a ruder; twenty Places cry out of them; and *Kingston* certainly with great Justice, that in two Nights time was two hundred Pounds the worse for them. And, for *cheating* we have got *qualifying*, that they that won't enter into Associations to protect the Prince of *Orange*, without one Word of our King, were to have no Employment; so that if the Prince should take the Crown, I am bound to defend him against my own King, and my sworn Allegiance, tho' he come in the Right of his Crown. Believe me, my Lords, it is the boldest Bid that ever Men made: I see *Forty-one* was a Fool to *Eighty-eight*; and that we *Churches of England* Protestants shall cancel all the Merits of our Fathers, overthrow the Ground and Consequence of their most exemplary Loyalty to King *Charles* the First and Second, render their Death the Death of Fools, trample their Memories and Blood under our Feet, subject ourselves to the just Reproach of the Fanatics, whose Principles and Practices we have outdone, even to that King that we fore'd upon them, and by our Example had brought them to live well withal. *God* help us; this, my Lords, makes me say, that either we must turn from being *Church-of-England* Men, or steer another Course, for it is but too plain that Presbytery is leading us out of our ancient Way; and, whether we believe it or no, our Church sinks, and will more, for that is the Interest that suits best with a *Dutch* Humour and Conjunction; and be sure, if we are so base to leave our King, *God* will be so just as to leave us; and here, my *Lords*, I shall leave you, with this humble Motion, That we make an humble Address to his Majesty to return home to us, that we may act securely, and not go out of the good old Way, which may entail Misery upon us and our Posterity. I should think we have had enough of sending our Princes abroad, in that much of the Inconvenience we have lain under since their Restoration has been chiefly owing to it: We have driven him where we would not have him go, and we do what we can to provoke that League we have been afraid of, and made a great Part of the Reason of this strange Alteration in the Kingdom. Some tell us, it is too late; but I cannot comprehend the good Sense of such an Objection: Is it at any time too late for a King and his People to agree? After bloody Battles it has not been thought so, in all Times and Nations; and why it may not be without them, I never heard a good Reason yet: If his going was unreasonable, it has hurt him more than us, since we may thence hope for the better Terms: If it was not a Fault to go, it will be a great one in us, if we can have him home upon good Terms, and will not; for, if I may with leave speak it, his Return is as much our Convenience as his Advantage.

The offensive Part of him is gone, that is to say, the Power of Popery, and what remains is our great Interest to keep and improve to our own Benefit and Safety: I mean, my Lords, his undoubted Title and Kingship. And whatever some hot Men say, that are more govern'd by private Avarice and Revenge than the public Good, of these Kingdoms; I cannot but renew my Motion to your Lordships, That we may send a Duke, an Earl, a Viscount, a Baron, and two spiritual Lords, to invite his Majesty home, upon the Constitution of the Government. And, my Lords, forgive me if I say, that if we can but get our Juries, Sheriffs, Judges, High Courts of Chancery and Parliaments, settled as they ought to be, the Army at least reduced, the Militia better regulated, and a due Liberty of Conscience established to all Protestant Dissenters, (I say so far to Papists only, as the Law against Conventicles does admit, we may yet be happy; and upon these Terms, my Lords, and no other, will his Highness the Prince of *Orange* become truly meritorious with the *English* Nation.

A.D. 1688-9. unanimous Concurrence to that other Reſolution of the Commons, That the Government of a Popiſh Prince was inconſiſtent with the Welfare of a Proteſtant Kingdom: And yet farther to make their Peace with the Public, as well as to humour the new Court, they order'd, That the Day of Thankſgiving on the ſixth of *February* Inſtant, on which Day the LATE King *James* the Second came to the Throne, ſhould not be obſerv'd; and caus'd the ſaid Order to be inſerted in the next *Gazette*.

But the Commons were not in a Humour to be gratify'd by Halves: The Amendments were immediately taken into Conſideration, and, notwithſtanding all the Minority could urge, were rejected with all the Warmth imaginable; for which a Committee was appointed to prepare Reaſons, to be offer'd at a Conference with the Lords.

Thus ended this buſy Week. The next Day was *Sunday*; and both Houſes took Advantage of it; not to reſt from their Labours, but to gain Time to ſtrengthen their reſpective Cabals, and further their ſeveral Purpoſes.

The oppoſing Lords, who had now the Aſcendant in the Houſe, had ſtill a Regency in View, as their main Point, and ſubordinately caſt their Eyes on the two Princeſſes. Againſt a Regency, the two great Rivals, *Hallifax* and *Danby*, as we have ſeen, co-operated; but, at the ſame time, labour'd ſeparately; the former for the Prince, and the Latter for his Conſort. "The Earl of *Danby*, ſays the *Hiſtorian of his own Times*, ſent one over to the Princeſs, and gave her an Account of the preſent State of that Debate; and deſir'd to know her own Senſe of the Matter; for, if ſhe deſir'd it, he did not doubt but he ſhould be able to carry it for ſetting her alone on the Throne. She made him a very ſharp Anſwer; ſhe ſaid, ſhe was the Prince's Wife, and would never be other than what ſhe ſhould be in Conjunction with him, and under him; and that ſhe would take it extremely unkindly, if any, under a Pretence of their Care of her, would ſet up a divided Intereſt between her and the Prince. And, not content with this, ſhe ſent both Lord *Danby*'s Letter, and her Anſwer, to the Prince. Her ſending it thus to him was the moſt effectual Diſcouragement poſſible to any Attempt for the future to create a Miſunderſtanding or Jealouſy between them." He adds, the Prince bore this with his uſual Phlegm: For he did not expoſtulate with the Earl of *Danby* upon it, but continu'd ſtill to employ and to truſt him.

The Behaviour of the Princeſs of Orange *during theſe Debates,*

and of the Prince.

And again, "During all theſe Debates, and the great Heat with which they were managed, the Prince's own Behaviour was very myſterious. He ſtaid at *St. James*'s; he went little abroad; Acceſs to him was not very eaſy; he heard all that was ſaid to him, but ſeldom made any Anſwers; he did not affect to be affable or popular; nor would he take any Pains to gain any one Perſon over to his Party; he ſaid, he came over, being invited, to ſave the Nation; he had now brought together a free and true Repreſentative of the Kingdom; he left it therefore to them to do, what they thought beſt for the good of the Kingdom; and, when things where once ſettled, he ſhould be well ſatisfy'd to *go back* to *Holland* again. Thoſe who did not know him well, and who imagin'd that a Crown had Charms which Human Nature was not ſtrong enough to reſiſt, look'd on all this as an Affectation, and as a *diſguiſed Threatning*, which imported that he would leave the Nation to periſh, unleſs his Method of ſettling it was follow'd."

A.D. 1688-9.

Thus, with regard to his Highneſs, we are here taught to conclude, that a Crown was, in his Eſteem, a thing of ſo little Value, that he ſcarce thought it worth ſtooping for: And yet we learn from the ſame Author, that thoſe who were deepeſt in his Intereſt, and thoſe who were moſt ſollicitous to obtain his Favour, equally endeavour'd, with all their Might, to procure it for him: Beſides, we cannot forget what he has before told us, That the Lawyers would have had him ſeize it in Right of Conqueſt, and that he rejected their Advice, only, that he might get a ſurer Hold, by a fairer, more popular, and more peaceable Title: Speaking alſo of Lord *Hallifax*'s Eagerneſs to get the ſtart of Lord *Danby* in his Highneſs's good Graces, and, in order thereto, of his Project to compliment him with the Throne, at the Expence of the two Princeſſes, he proceeds as follows: "How far the Prince himſelf entertained this, I cannot tell; but I ſaw it made a great Impreſſion on *Bentinck*. He ſpoke of it to me, as aſking my Opinion about it, but ſo, that I plainly ſaw what was his own; for he gave me all the Arguments that were offer'd for it, as that it was moſt natural that the Sovereign Power ſhould be only in one Perſon; that a Man's Wife ought only to be his Wife; that it was a ſuitable Return to the Prince for what he had done for the Nation; that a divided Sovereignty was liable to great Inconveniences; and tho' there was leſs to be apprehended from the Princeſs of any thing of that kind, than from any Woman alive, yet all Mortals are frail, and might, at ſome time or other of their Lives, be wrought on.

To all this I anſwer'd with ſome Vehemence, that this was a very ill Return for the Steps the Princeſs had made to the Prince three Years ago; it would be thought both unjuſt and ungrateful; it would meet with great Oppoſition, and give a general ill Impreſſion of the Prince, as inſatiable and jealous in his Ambition. There was an ill Humour already ſpreading itſelf thro' the Nation, and thro' the Clergy: It was not neceſſary to increaſe this; which ſuch a Step, as was now propos'd, would do out of Meaſure. It would engage the one Sex generally againſt the Prince; and, in time, they might feel the Effects of that very ſenſibly; and, for my own Part, I ſhould think myſelf bound to oppoſe it all I could, conſidering what had paſs'd in *Holland* on that Head. We talked over the whole thing for many Hours, till it was pretty far in the Morning.

A.D. 1688-9. I saw he was well instructed in the Argument; and he himself was possessed with it. So next Morning I came to him and desir'd my *Congé*. I would oppose nothing in which the Prince seem'd to be concern'd, as long as I was his Servant; and therefore I desir'd to be disengag'd, that I might be free to oppose this Proposition with all the Strength and Credit I had."

Every body knows, that Mr. *Bentinck* was the Prince's second self; if therefore he us'd such Language as is here ascrib'd to him, it can be no Injury to his Highness to conclude, that he was the Prompter. But the Duke of *Bucks* goes much farther, and speaks much plainer: He is express, that the Princess had a better Interest than her Consort, tho' he was here arm'd, and she was absent; and that for this Reason she was kept in (*n*) *Holland*, till he had master'd that Difficulty, which vex'd him more than any other.

"One of the Prince's Arguments, proceeds his Grace, (tho' he gave some more *solid ones* that seldom fail to persuade) was indeed a little extraordinary; for he very gravely endeavour'd to make his Friends believe, that he would *leave them all in the Lurch*, by *returning* with his Army into *Holland*, rather than yield the Title to his own Wife: And a while he oppos'd, tho' to no Purpose, even her being join'd with himself in the Sovereignty; which shews the *extreme Restlessness of Ambition*, even in its highest Scenes of Success: For tho' an almost extravagant Expedition had thus luckily succeeded, even beyond his utmost Hopes, yet, upon this Jealousy, he grew more uneasy than, perhaps, ever in his Life before.

On this account he grew jealous of his most intimate Confidents among the *English*, because they had so much Regard to his Wife, with whom he lived always coldly and a little imperiously (imitating in that *Henry* the Seventh) tho' her constant and most remarkable Compliance with him, even against her own Father and Principles also, had been a mighty Help to all his Designs.

At this time, among other Consultations that were held in several Places about these Matters, there was one appointed at Mr. *William Herbert*'s Lodgings at *St. James*'s, who was then sick of the Gout, and so concern'd at the great *Favourite*'s urging, it was best to make the Princess no Sovereign, and only a Queen-Consort, that, rising out of Bed with Earnestness, he protested against ever drawing a Sword on the Prince's Side, if he could have imagin'd him capable of such Usage to his Wife. This so alarm'd and convinc'd Mr. *Bentinck* of the Impossibility of obtaining a Point, which even so interested a Courtier as *Herbert*, refus'd to comply in, that in half an Hour's time he brought them Assurance from the Prince of his not insisting on it, and of his being content with a conjunctive Sovereignty, on condition he might have the sole Administration; which last they consented to, because *she herself so* A.D. 1688-9. *desir'd it*."

In the first of these three Paragraphs we have an Explanation of that Passage in the Paper of Queries above recited, which says, the Prince would be the *unkindest of Men*, if he *withdrew* his Protection from those who had venturd their All for his Sake: And tho' Bishop *Burnet*, when touching transiently on the Prince's Talk of returning to *Holland* when things were once settled, will have it, that those who took this for a *disguis'd Threatning*, did so, because they did not know him well; yet even Bishop *Burnet* himself, in the same Page, against his Will, authorizes that very Interpretation as follows: "After a Reservedness that had continued so close for several Weeks, that no body could certainly tell what he desir'd, he call'd for the Marquis of *Hallifax*, and the Earls of *Shrewsbury* and *Danby*, and some others, to explain himself more distinctly to them.

He told them, he had been till then silent, because he would not say or do any thing that might seem, in any sort, to take from any Person the full Freedom of deliberating and voting in Matters of such Importance: He was resolv'd neither to court nor threaten any one; and therefore he had declin'd to give out his own Thoughts: Some were for putting the Government into the Hands of a Regent; he would say nothing against it, if it was thought the best Mean for settling their Affairs; only he thought it necessary to tell them, that he would not be the Regent; so, if they continu'd in that Design, they must look out for some other Person to be put in that Post. He himself saw what the Consequences of it were like to prove; so he would not accept of it. Others were for putting the Princess singly on the Throne, and that he should reign by her Courtesy. He said, no Man could esteem a Woman more than he did the Princess; but he was so made, that he could not think of holding any thing by Apron-Strings; nor could he think it reasonable to have any *Share* in the Government, unless it was put in his *Person*, and that *for Term of Life*. If they did think it fit to settle it otherwise, he would not oppose them in it; *but he would go back to* Holland, *and meddle no more in their Affairs*. He assur'd them, that whatsoever others might think of a Crown, it was no such thing in his Eyes, but that he could live very well, and be well pleas'd without it. In the End he said, that he could not resolve to accept of a Dignity, so as to hold it only [during] the Life of another; yet he thought, that the Issue of Princess *Anne* should be preferr'd, in the Succession, to any Issue that he might have by any other Wife than the Princess. All this he deliver'd to them in so cold and unconcern'd a manner, that those, who judg'd of others by the Dispositions that they felt in themselves, look'd on it all as Artifice and Contrivance."

Thus, if his Highness did not make use of disguis'd

(*n*) Bishop *Burnet* says, she was shut in there, during the East Winds, by the freezing of the Rivers, and by contrary Winds, after the Thaw came.

A.D. 1688-9. *disguis'd Threatnings*, he did of *open* ones; if he did not covet a Crown upon such Terms as were then offer'd, he did upon his own; and if this was not all *Artifice* and *Contrivance*, how are we to account for his Lordship's next Paragraph, which runs in these Words, "This was presently told about, as it *was not intended to be kept secret*. And it helped not a little to bring the Debates at *Westminster* to a speedy Determination?" His Lordship adds, "Some were still in Doubt with relation to the Princess: In some it was Conscience; for they thought the equitable Right was in her: Others might be mov'd by Interest, since, if she should think herself wrong'd, and ill used in this Matter, she, who was like to outlive the Prince, being so much younger and healthier than he was, might have it in her Power to take her Revenge on all that should concur in such a Design. Upon this, I, who knew her Sense of the Matter very perfectly by what had pass'd in *Holland*, as was formerly told, was in a great Difficulty. I had promis'd her never to speak of that Matter, but by HER ORDER; but I presum'd, *in such a Case*, I was to take ORDERS FROM THE PRINCE: So I asked him, what he would order me to do? he said, he would give me NO ORDERS in that Matter, but left me to do as I pleas'd. I look'd on this as the allowing me to let the Princess's Resolution in that be known; by which many, who stood formerly in Suspence, were fully satisfy'd. Those to whom I gave the Account of that Matter were indeed amaz'd at it, and concluded, that the Princess was either a very good, or a very weak, Woman. An Indifference for Power and Rule seem'd so extraordinary a thing, that it was thought a certain Character of an Excess of Goodness or Simplicity." And yet he would have us believe, that the Prince was so excessively simple, or good, as to be equally indifferent to Power and Rule; in Opposition to the whole Current of his whole Life.

But, over and above this formal Speech of his Highness to his own Partisans, the affected Publication of it, and the busy Part our *Historian* himself took the liberty to act, in breach of the Trust repos'd in him, yet other Proofs of *Artifice* and *Contrivance* are to be traced in the Records of these Times: For tho' it should be allow'd, that the Prince could not prevail on himself to solicit the Suffrages of the *English* Peers in person, his Agents made no scruple to do it for him: Among their Converts, express Mention is made of the Dukes of *Ormond*, *Southampton*, *Grafton*, and *Northumberland*, who were at first for a Regency. Dr. *Burnet* himself adds, "That the poor Bishop of *Durham*, who had absconded for some time, and was waiting for a Ship to go beyond-sea, fearing public Affronts, and had offer'd to compound by resigning his Bishopric, was now *prevail'd on* to come, and, by voting the new Settlement, to merit at least a Pardon for all he had done: And, from this Acknowledgment, we are authoris'd to conclude, that the several other Lords, which were, in the end, *prevail'd* upon to declare for the Prince, either made their Peace or their Court, on the like selfish Considerations.

Crowds wait on the Prince.

Possibly some Progress was made in the great Work of rectifying the Balance of the House of Lords, and of adjusting the Succession with the several Party-leaders, on this important *Sunday*; for, on that very Day, the Squadron appointed to convoy the Princess from *Holland* set sail: But, whether she was then sent for, because it was presum'd a Compromise was in view, or to assist his Highness, according to her usual Complacency, against herself, it is certain that, when their Lordships assembled the next Day, the Temper of the Majority appear'd the (*p*) same as before; and it seem'd to lie on the Commons to argue them out of it.

A Squadron sent to bring over the Princess.

A Conference is the usual Expedient on these Occasions: The Commons demanded one; which was granted of course; and the Reasons they assign'd for rejecting the Amendments of the Lords were in substance as follow, *viz.* To the First, which respected only the King's *withdrawing*, because the Word *deserted* did not fully express the Conclusion necessary to be infer'd from the Premises, to which their Lordships had *agreed*; whereas the Word *abdicated* respected the *Whole*; for which purpose they had made choice of it: And to the Second, 1. Because the Vacancy of the Throne might be infer'd even from that Part of their Vote which their Lordships had agreed to; for, if he had

The Commons Reasons for rejecting the Lords Amendments.

(*p*) "*February* 2, 3, (says Sir *John Reresby*) I saw the Duke of *Somerset*, the Earl of *Bedington*, the Earl of *Scarsdale*, and some other Lords, who had all been active in the Prince's Cause, which they now seem'd in some measure to repent. Some of them said, The thing had run a Length they little expected; others, That they could never have believ'd the Prince would have contended for the Crown; but all agreed in Opinion, it was to be set on the Head of the Princess, and so defend in its right Course: And the Earl of *Scarsdale* particularly told me, the Princess of *Denmark* was very sensible of the Error she had committed in leaving her Father, to make herself of a Party with the Prince, who now in return was endeavouring to put her by her Right, and to obtain Priority of Succession before her."

And again afterwards: "There were most certainly great and violent Discontents at this time, and the Causes thereof were these: The Prince had declar'd he had no Design upon the Crown, and now fought it as he could: he came to settle the Protestant Religion, and yet brought over four thousand Papists with him in his Army, a Number not far short of what the King had in his; but then the former were Foreigners, the latter, for the most part, *English*; public Declaration had been made, that the Birth of the Prince of *Wales* was false or supposititious; that there was a private Treaty made with *France* to enslave *England*; that the Murder of the late King, and of the Earl of *Essex*, would be amply made out: and yet nothing of all this appear'd, excepting some small Circumstances relating to the Earl of *Essex*: Then the Prince kept his *Dutch* Forces in Town, while the *English* were march'd off to remote Quarters; his Highness declar'd he intended to keep his own Men here, and to send ours to *Holland* and *Ireland*; the Princess *Anne* of *Denmark* was postpon'd in the Succession; several Noblemen were disappointed of Posts and Preferments they deservedly expected for joining with his Highness, because they would not vote so readily for him as he imagin'd: In short, the Letters his Majesty sent to the two Houses were not so much as open'd; and Trade, the *Dutch* being a frugal People, seem'd to be much abated in *London*, to what it had been in the King's time: These were the Causes of the Discontents that now broke out and appear'd."

A.D. 1688-9 had deserted the Government, he had in true Construction deserted the Throne. 2. Because they need not take upon them to prove the said Vacancy, as to any other Person, since their Lordships had already admitted it, by their addressing the Prince of *Orange* to take upon him the Administration, &c. 3. Because there was no Person in the Throne, to extend Protection to the People; and, consequently, there was no Person to whom they ow'd the Allegiance of Subjects; the one being the Condition of the other.

Counter-Reasons of the Lords for insisting on the said Amendments.

It is easy to prolong a Dispute, when it is not the Interest of those concern'd to bring it to an End: When these Reasons were reported, instead of acquiescing, the opposing Lords undertook to confute them; and so far carry'd their Point, that they procur'd a Committee of their own to prepare Counter-Reasons for insisting on their Amendments, to the following Effect, *viz.* For insisting on the first, Because the Word *abdicated* was not known to the Common-law of *England*; and, in the most common Acceptance of the Civil-law, imply'd a voluntary, express Act of Renunciation, which was not the present Case, nor did follow from the Premises: For insisting on the second, against the Vacancy of the Throne, Because that, tho' they had agreed the King had deserted the Government, and had therefore apply'd to the Prince of *Orange* to take upon him the Administration, it could only be inferr'd from thence, that the *Exercise* of the Government by King *James* the Second ceas'd, and that the Lords were willing to secure the Nation against his *Return*; but not that there was either such an Abdication by him, or such a Vacancy in the Throne, as render'd the Crown elective; to which they could not agree, because, by the Constitution, the Monarchy was hereditary; and because no Act of the King alone could bar or destroy the Right of his Heirs: From which Considerations it appear'd, in answer to the third Reason alledg'd by the Commons, that if the Throne was vacant, by the Abdication of King *James* II. Allegiance was due to the Person to whom the Right of Succession did belong. Who this Person was they did not take upon them to specify: But, as they had avoided all Discussion of the Birth of the Prince of *Wales*, and had thereby, in effect, excluded him as well as the King, it must be concluded, that they meant the Princess of *Orange*, whose lineal Clame, next to a Regency, furnish'd them with the most plausible Pretences to found their present Opposition upon Principle, which was in truth the Result of Disappointment.

Unsatisfactory to the Commons.

These Reasons were communicated to the Commons at a second Conference; and, when reported to the House, produc'd another vehement Debate; *Finch*, *Seymour*, and several of their Party, adopting their Lordships Reasons, and arguing with the utmost Vehemence against the Vacancy; but to as little purpose as the new Courtiers had contended for it among the Lords; the Question to agree with their Lordships on that Point being carry'd in the Negative, by two hundred and eighty-two Voices against one hundred and fifty-one. A.D. 1688-9.

A free Conference was now the last Resource of both Houses, to avoid a Rupture, which at this Crisis would, in all Probability, have thrown the Nation into the utmost Confusion; and both made use of their most able and most experienc'd Members to be their Managers, as if the Event had depended on the Force of Truth, and not the Bias of Party.

A free Conference.

Mr. *Hampden* open'd the Conference with an introductory Speech, importing in general, That the Commons were induc'd to maintain their Vote, because they conceiv'd the Meaning of the Word abdicated was not restrain'd to a voluntary, express Resignation only, in Word or Writing, but extended also to such Overt-acts as were tantamount to it; because, if the Throne had been full, their Lordships would have justify'd their Amendment by telling the Commons by whom it was fill'd; and because they did not apprehend that the present Vacancy had any Tendency to render the Crown elective.

Mr. *Sommers* who spoke next, to obviate the Objection made by the Lords, that the Word *abdicated* was not a Law-Term, observ'd, That the very same lay against the Word *desert*, which their Lordships had substituted in the Room of it; and, after an elaborate Comment on both, tending to shew that the Commons had done no Violence to the Former, by the Sense in which they had us'd it, and that the Latter was of too doubtful and various a Signification to be us'd in the present Case at all, concluded, that the King, by breaking the original Contract, by violating the fundamental Laws, and by withdrawing his Person, had thereby renounced to be a King according to the Constitution, which was to all Intents and Purposes an Abdication.

Mr. Serjeant *Holt* follow'd in the same Track, and came to the like Conclusion; for, according to him, Government and Magistracy, were a Trust, and he that acted contrary to that Trust, disclam'd or renounc'd it: He might have said forfeited it.

Here the Earl of *Nottingham* interpos'd, and previous to any farther Litigation, desir'd to be inform'd, What the Commons meant by the Conclusion of their Vote, that *the Throne was thereby vacant?* Whether they meant that it was so vacant as to null the Succession in the hereditary Line? Which, according to the Lords, was to make the Throne elective.

Mr. Serjeant *Maynard* reply'd, That the Constitution, notwithstanding the Vacancy, was the same; that the Laws, which were the Foundations of the Constitution, were the same; that the Commons did not say, that the Crown was always and perpetually elective, but that there was a Breach in the Government, which it was necessary to fill; and that, when it was filled, the Constitution would be the same as before.

Here the Bishop of *Ely* took the Word and

A.D. 1688-9. in oppoſition to what Mr. *Sommers* had advanc'd, demanded, Whether, according to the Sentiments of *Grotius* whom he had quoted, the going away with a Purpoſe to return, or under the Influence of Force or Fear, did not void the Notion of an Abdication? But no direct Anſwer was given. Serjeant *Maynard* ſaid, That was no Part of the Caſe declar'd by the Commons in their Vote; and the Biſhop did not think fit to inſiſt on his Queſtion: On the contrary, he contented himſelf with playing the Critic on the Word *abdicate*; affirm'd, that in the Opinion of the Lords it was of too large a Signification for the Caſe in hand; argued, that in a ſucceſſive Kingdom an Abdication could only infer a Forfeiture as to the Perſon himſelf; and concluded with intimating, that, if this was declar'd to be the Senſe of both Houſes, all farther Conteſt would be at an end.

The Earl of *Rocheſter*, who ſpoke next, would not admit that *Abdication* did imply a perfect Renunciation, nor that the two Houſes were thereby authoris'd to break the Line of Succeſſion, and fill the Throne, as they pleas'd; but inſiſted, that, upon any Deſcent of any kind, Allegiance was due by Law to the legal Heir; and, conſequently, that there was no Vacancy.

The Earl of *Nottingham* then propos'd, as he had before done in the Houſe of Lords, That, in order to ſhorten the Debates, the *abdicating* or *deſerting* Point might be poſtpon'd, till that of the *Vacancy* was adjuſted. But this was objected to by Sir *George Treby*, as an Inverſion of Order; it being to enquire of the Concluſion, ſaid he, before the Premiſes were ſettled; for, according to the Words of the Vote, the Vacancy was the Reſult of the Abdication. This drew on a Reply from the Earl, and a Rejoinder from Sir *George*; but without drawing the Diſpute to any Iſſue. Upon which the Earl of *Rocheſter* called upon the Commons to give their own Meaning of the Word *abdicate*: Adding, "I believe my Lords would be induc'd to agree that the King hath abdicated, that is, renounced the Government for himſelf, if you mean no other than that.—But if you mean any thing more, tho' their Lordſhips ſhould agree to the uſing the Word *abdicated*, yet this would prove a greater Argument againſt their agreeing in the other Point, about the Vacancy of the Throne."

Here there was a Pauſe;—Of which Mr. *Hampden* took the advantage to ſay, "If the Lords have nothing farther to offer upon this Point, it will be fit for us to go on to the other Amendment;" And, no Lord offering to ſpeak, Mr. *Sacheverel* open'd the Debate on that Amendment, by urging, That the Commons very much wonder'd that they ſhould be charg'd by the Lords, with a Deſign to alter the Conſtitution by rendring the Kingdom elective, when no ſuch thing was meant by them, or could be deduc'd from their Words. He alſo undertook to ſhew the Inſufficiency of their Lordſhips Reaſons for inſiſting on their Amendments; and argued, that if, as they ſtated the Caſe, the King had only deſerted the Exerciſe of the Kingſhip, but ſtill continued in the Office; then all the Acts of the Convention were unjuſtifiable, and the Nation could have no Relief, unleſs their Lordſhips, by their own Authority, ſhould ſet up another Regency; which, by the Laws of *England*, they could not. A.D. 1688-9.

Mr. *Pollexfen*, with ſome Shrewdneſs, but more Perplexity, obſerv'd, That if the King had *only deſerted* the *Exerciſe* of the Government, as their Lordſhips in their Reaſons ſuggeſted, the Right ſtill remain'd in him: That, however, no ſuch Inference could be made, even from their own Vote; ſince they did not therein ſay, that he had deſerted the Exerciſe of the Government, but the Government itſelf; which, according to them, were different things: That if their Lordſhips Purpoſe at that time had been to ſignify, that only the Exerciſe ceas'd, ſurely they would have aſcertain'd their Meaning, by making uſe of the Word: That it was their Buſineſs to reaſon from the Words of the Vote: That thoſe Words indicated, not that he had exercis'd the Government, but that he had deſtroy'd it: That, conſequently, his Deſertion was not a ceaſing to reign, but a ceaſing to tyrannize: That, moreover, no Diſtinction could be made between Government and the Exerciſe of the Government: That whoſoever depriv'd the King of the one depriv'd him alſo of the other, and conſequently was equally guilty in the Eye of the Law; which their Lordſhips would do well to conſider for their own ſakes: That, if the King had ſtill a Right to be a King, the Commons could not agree to debar him the Exerciſe of that Right: That if, on the contrary, by breaking the original Contract, ſubverting the Conſtitution, &c. he had abdicated that Right, they might lawfully go on to ſettle the Peace and Welfare of the Nation: And, laſtly, That, if the Right was ſtill in him, the ſetting up a Regency without his Conſent, or till his Return, would be introductive of a new Principle of Government, which would turn our ancient, limited Government, by Monarchy, into a Commonwealth.

Here the Earl of *Clarendon* cited that Paſſage in the ſecond Reaſon of the Commons for diſagreeing with their Lordſhips, in which they ſay, That they need not prove, that as to any other Perſon, (beſides the King) the Throne was alſo vacant; and aſk'd, Whether this did not imply a Vacancy throughout, as well as with reſpect to King *James*? And, if ſo, it muſt neceſſarily follow, added his Lordſhip, that the Kingdom muſt thereby become elective ſtill, or the Government be chang'd into a Commonwealth.

Serjeant *Maynard* reply'd, That, if there had not been a Defect of Government, there would have been no need to apply to the Prince of *Orange* to take upon him the Adminiſtration: That the Word *elective* was none of the Commons Word: That they had not the thing in their Thoughts: That the Extent of their Meaning was, to provide a Supply for the Defect brought upon the Government

A.D. 1688-9. Government by the late King's Mal-administration: That there was a Neceſſity that ſuch a Proviſion ſhould be made; and that, if it was made, it would not render the Kingdom perpetually elective.

Here Mr. *Pollexfen* again call'd upon the Lords to declare, Whether they agreed that the Throne was vacant, as to King *James*? And, if it was fill'd by any body elſe, to name by whom; but could obtain no direct Anſwer: The Lords had all along acted as if the Throne was vacant; and yet could not be brought to acknowledge it in Words, becauſe the Stream of their Intereſt now ſet another Way: In agreeing to the Vacancy, they gave up the Point of Succeſſion; and, in denying it, they paſs'd a Cenſure on all they had hitherto done. The Lord *Clarendon*, who undertook to remove the Difficulty which was thus faſten'd upon them, had recourſe to ſuch Evaſions, as rather diſgrac'd than ſerv'd his Cauſe: He would not allow that the Throne was vacant, even as to King *James*'s; but, for Diſcourſe ſake, he would ſuppoſe it: He aſk'd, Whether in that Caſe the Vacancy was not to be ſupply'd by *thoſe that ſhould have come if he were dead?* and then deſtroy'd that Queſtion by another, Whether there was any body who had the Right of filling it up? All he ſaid ſeem'd to argue Perplexity, or Diſingenuity; or both. To the latter of his Lordſhip's Queries, Serjeant *Maynard* reply'd, That it was not as yet properly before them; and to the former, That, in the ordinary Way, the Monarchy deſcended to the apparent Heir; but, in the preſent Caſe, it could not; for, ſaid he, we have a Maxim in Law as certain as any other, which ſtops the Courſe, *Nemo eſt hæres viventis*.

The Earl of *Pembroke* anſwer'd, That, according to their Lordſhips Conceptions, it was the ſame thing for the King to be dead in Law as in Fact; and that his Heirs were as much his Heirs in one Caſe as the other: That as to the Queſtion, Who was the Heir? or, which is the ſame thing, By whom was the Throne filled? tho' they did not, or could not, name the particular Perſon, it did not follow that there was no ſuch Perſon to name. *Maynard*, on the contrary, maintain'd his former Propoſition; more indeed by Aſſertions than Arguments; ſaying, among other things, Your Lordſhips will neither agree that the Throne is vacant, nor tell us how it is full: King *James* is gone; we know of no other; what ſhall the Nation do in this Uncertainty?--- No Man can ſucceed, as the King's Heir, while the King lives.--- The Crown cannot deſcend till he dies.--- *&c.*

The Earl of *Nottingham*, recurring to the firſt Article in diſpute, would not allow that the Lords, by making uſe of the Word *deſert*, had already confeſs'd that the Throne was vacant: On the contrary he affirm'd, they had fully explan'd themſelves on that Head, by urging, that the ſaid Word might have a different Senſe, and did not neceſſarily imply the entire renouncing of a Right, but the bare ceaſing of the *Exerciſe*: That, therefore, in applying to the Prince to ſupply the *Exerciſe*, they neither admitted the Throne to be vacant, nor committed any Treſpaſs: For, in the Abſence of the King, they were the King's and Kingdom's great Council, and might have made that Application without the Commons.---- He then touch'd on what Mr. *Pollexfen* had ſaid, That there was no Diſtinction in Law between the Kingſhip, and the Exerciſe of it; and that it was as much a Crime to take away the Exerciſe as the Kingſhip; but made no Attempt to anſwer it, ſaying, They were not diſcourſing of a Regency, but a Vacancy: After which, he proceeded to adopt Lord *Pembroke*'s Notion, That the Civil Death of the King ought to have the ſame Operation as his natural Death: And thereupon to aſk, Whether, if the next Heir ſhould be ſet aſide in this Caſe, and another ſhould be put in, whether the Right of Succeſſion would alſo be transferred to his Heirs? if not, whether the new King ſhould be King only during King *James*'s Life? or, if during his own, and King *James* ſhould die firſt, what would become of the hereditary Monarchy? If the Throne was vacant, whether they were oblig'd to fill it? If ſo, whether they ought to fill it according to their old Laws, or according to the Humour of the Times? *&c.*

A.D. 1688-9.

To all this Mr. *Sacheverel* reply'd, That the Buſineſs before them was ſimply to determine, whether the Throne was vacant; and that if it was not, as the Scope of their Lordſhips Arguments ſeem'd to inculcate, they need not amuſe themſelves, or the Nation, with purſuing a Train of imaginary Conſequences: And the Earl again deſiring that the Vacancy might be ſuppos'd, in order to the paſſing on to the next Step, the ſame Gentleman again put in his Proteſt; as did alſo Mr. *Sommers*, who, from the Caſe of *Richard* II. obſerv'd, that the Word *vacant* was known to our Common-law, tho' the Word *abdicate* was not. This gave the Debate a new Turn; for Advantage was taken by the Lords *Rocheſter* and *Clarendon* to ſhew, that the Vote of Vacancy, which took place then, made way for filling the Throne by Election, to the Prejudice of the right Heir; which was the very thing apprehended now.

This, Sir *Robert Howard*, who ſpoke next, acknowledg'd; but then he obſerv'd, that the Election of *Henry* IV, upon that Occaſion, was very different from the Elections of other Countries: He alſo acknowledg'd, that he thought all which had been done ſince the King left the Government had been legally done: But then he aſk'd, if there had been an unqueſtionable Heir, to whom the Crown had legally deſcended, whether their Lordſhips would have ventur'd on the Exerciſe of his Right, without a Commiſſion from him? All knew, he ſaid, that an Heir Male had been pretended; but all were not ſatisfy'd with that Pretenſion: An Examination, he inſinuated, would perhaps bring them into greater Difficulties than thoſe they now labour'd under; and muſt we ſtay, added he,

A.D. 1688-9 he, till the Truth of the Matter be found out? And again; Uſe what *Words* you will; *fill up*, *nominate*, or *elect*; it is the *thing* we are to take care of, and it is high time it were done.--- Your Lordſhips, I hope, will give us leave to remember *Salus Populi eſt ſuprema Lex*.--- If neither you nor we can do any thing in this Caſe, we have met to no Purpoſe.— Your Lordſhips ſay you will never make a Precedent of Election, or take upon you to alter the Succeſſion.---- Have not you yourſelves already hinted the very Succeſſion, and cut off ſome that might have a lineal Right? Have you not concurr'd with us in our Vote, That it is inconſiſtent with our Religion and our Laws to have a Papiſt to reign over us? Muſt we not then come to an Election, if the next Heir be a Papiſt? Nay, ſuppoſe there was not a Proteſtant Heir to be found, would not your Lordſhips break the Line? If then your Lordſhips, in ſuch a Caſe, muſt break thro' the Succeſſion, I think the Nation has Reaſon to expect you ſhould take care to ſupply the preſent Defect, where the Succeſſion is uncertain: For, otherwiſe, we that us'd to boaſt of living under the beſt of Governments muſt be left without any.--- Your Lordſhips, it ſeems, cannot agree with us to ſupply the Gap; and we muſt not do it ourſelves, by Election, which is the only Way left to provide for our Settlement: So that, upon the Whole, nothing remains but to break up in Confuſion, and ſo leave the Nation to extricate itſelf, as well as it can, out of the preſent Diſtraction: But then at whoſe Door that will lie, I muſt leave to your Lordſhips Thoughts.

To all this, two different Replies were made: It was the Earl of *Pembroke*'s Opinion, That the Vote concerning a Popiſh Succeſſor amounted to no more than a Declaration of the Senſe of each Houſe; and could ſerve no farther than to be a Foundation of ſome future Law: That their immediate Buſineſs was to put things in a legal Method; which could only be done by naming the legal Succeſſor, in order to the calling a Parliament, wherein the whole Matter might be ſettled: But, according to the Earl of *Clarendon*, it was not in the Power of either Houſe, or of both together, to diſpoſe of the Inheritance of the Crown.

Sir *Richard Temple*, on the other hand, maintain'd, That they had as much Power as their Predeceſſors, to provide for all Emergencies, and to ſupply all Defects; affirm'd, as others had done before, that all which had hitherto been done demonſtrated a Vacancy; that there was no Intention to change the Government, nor juſt Ground to ſuſpect it; and that the Commons had all the Reaſon to inſiſt, that their Lordſhips ſhould concur in the Vote. Sir *Thomas Lee* ſaid ſeveral things to the ſame Purpoſe. Sir *George Treby* again recurr'd to the Precedent of *Richard* the Second; urg'd, that they ſaid no more than their Anceſtors had ſaid before them: And, in anſwer to what had been objected to that Precedent, That the whole Proceeding had been repeal'd by *Edward* IV. reply'd, that all the Acts and Attainders againſt the *Lancaſter*-Line had been alſo repeal'd by *Henry* VII. The Earl of *Pembroke* would not hear of Precedents or Proofs ſo remote; but alledg'd, that the Laws in being were Part of the original Contract: That the Oath of Allegiance, which ty'd the Subject to be true and faithful to the King, his Heirs and Succeſſors, was a Part of thoſe Laws; and that therefore they could not of themſelves, without breaking the ſaid Contract in their Turn, break the Succeſſion; which, being ſettled by Law, could not be alter'd but by another Law, which the two Houſes could not make. Sir *George Treby* rejoin'd, That, if none were to be allow'd for Acts of Parliament, but ſuch as were made by hereditary Kings in the right Line, the greateſt Part of our Laws and Records would be loſt: And Mr. Serjeant *Maynard* added, "If we look into the Law of Nature, (that is above all human Laws) we have enough to juſtify us in what we are now doing; and to provide for ourſelves and the public Weal, in ſuch an Exigency as this." A.D. 1688-9

Here the Earl of *Nottingham* again interpos'd: But tho' he began with theſe healing Words, "After this long Debate, pray let us endeavour to come as near as we can to an Agreement," he could not help reflecting on the Management of it, and ſhewing his Deſpair of the Iſſue. He then enlarg'd on the extreme Tenderneſs ſhewn by our Laws to the Inheritance of the Crown, ſaying, That the Courſe of it ran ſtronger in the right Line of Birth than any other Inheritance; that no Attainder of the Heir could bar his Succeſſion; and that the very Deſcent of the Crown remov'd that Defect; that, therefore, the King's Iſſue could not ſuffer for his Fault; and that conſequently there was no Vacancy. He farther inſinuated, that the Conceſſions made by the Commons in the Courſe of the Debate, did not agree with their Vote; for, if it was a lineal Inheritance, as they had all own'd, the Throne was full; and if they did not mean to alter the Conſtitution, as they had all declar'd, it was their Buſineſs to preſerve the Succeſſion in its ancient Courſe: And upon the whole Matter he concluded as follows:

"You ſeem to underſtand your own Words to mean leſs than they do really import.

I do not find that you mean to make the Kingdom elective; and yet you talk of ſupplying the Vacancy by the Lords and Commons.

You do not ſay, that the King has left the Crown for himſelf and his Heirs; and yet your Words ſpeak of a Vacancy, and nothing of the Succeſſion; but you do not tell us what you mean.

Therefore if this Matter were explain'd, that my Lords may know how far the Intention of the Vote reacheth, that it may not, abroad, or hereafter, be conſtrued to go beyond ſuch Meaning, that is, as to the King himſelf, and not to his Heirs, perhaps there might quickly be a happier Accommodation than

A.D. 1688-9. than can be expected while things remain thus, ſtill in doubt, and in the dark.

Gentlemen, if any of you can ſettle this Matter in its true Light, it would do very well; and it is you muſt do it; for the Words are yours, and ſo we muſt be told your Signification, and Intention by yourſelves.

If you mean by Abdication and Vacancy only that the King has left the Government, and it is devolv'd upon the next Succeſſor, that may perhaps ſatisfy my Lords, and we may agree upon ſome Settlement.

I muſt confeſs any Government is better than none; but I earneſtly deſire we may enjoy our ancient Conſtitution.

Therefore I again renew my Requeſt, that you would come to ſuch an Explanation, as may breed an Union between the two Houſes, for the Strength of your Conſultation and Reſolutions in this great Emergency.

If the Kingdom were indeed elective, we were in a Capacity of electing, but *pro hac vice*; according to the Conſtitution, this Queſtion would be greater than what it was before; but then the great Debate in it would only be, who ſhould firſt have the Honour of laying the very Foundation of the new Government.

But as this Caſe ſtands upon the foot of our ancient Laws, and fundamental Conſtitution, I humbly beſeech you to conſider, whether at the ſame time that in this way you get an eſtabliſhed Government, you do not overturn all our legal Foundations."

Mr. *Paul Foley* reply'd, That there was no ſuch Danger; that, on the Contrary, they were purſuing thoſe Methods which agreed with our Laws and Conſtitution; for, ſaid he, tho' the Monarchy of this Nation be hereditary in the ordinary Courſe of Succeſſion, yet there may fall out a Caſe wherein that cannot be comply'd with, and a plain Vacancy may enſue; for, put the Caſe the whole Royal Line ſhould fail (as they are all mortal, as well as we ourſelves are) ſhould we in that caſe have no Government at all? And who then ſhould we have but the Lords and Commons? And I think that Caſe comes neareſt to the Caſe in queſtion, where the Succeſſor is not known; for if he had been, we ſhould have heard of him before now.

And Mr. *Gyles Eyre*, yet farther added, "The Throne may be vacant as to the Poſſeſſion, without the Excluſion of one that has a Right to the Succeſſion, or a Diſſolution of the Government in the Conſtitution; neither will there be Room for the Objection of a King *de facto*, and not *de jure*, which ſome of the Lords were pleas'd to expreſs their Fears of.

This Gentleman that ſtands by me (Mr. *Sommers*) inſtanc'd a Record that was miſtaken as a Precedent for the Proceeding in this Caſe: It was only mention'd by him to ſhew, that by uſing the Word *vacant*, the Commons did no more than our Anceſtors did before us; and therefore it was not an unknown Word or Thing to have the Throne vacant.

We do apprehend we have made a right and apt Concluſion from the Premiſes, for otherwiſe all the Vote is but hiſtorical. A.D. 1688-9.

We declare the late King hath broken the original Contract, hath violated the fundamental Laws, and hath withdrawn himſelf out of the Kingdom, that he hath abdicated, and actually renounc'd the Government.

What occaſion was there for ſuch a Declaration as this, if nothing were concluded from it? That were only to give the Kingdom a compendious Hiſtory of thoſe Miſeries they have too well learnt by feeling them.

Therefore there was a Neceſſity to make ſome Concluſion, and none ſo natural as this, that we are left without a King in the Words of the Vote; that the Throne is thereby vacant; which it may be as to the Poſſeſſion, and yet the Right of Succeſſion no way prejudic'd."

The Conference broke up.

Here the Conference broke up, and the Commons were left in Poſſeſſion of the laſt Word, which ſeems to be the only Token of Victory that remain'd with them. According to the admir'd Author of the *Diſſertation on Parties*, the whole Diſpute about the Words *abdicate*, *deſert*, and *vacancy*, was fitter for a School than a Houſe of Parliament, and might have been expected in ſome Aſſembly of Pedants, where young Students exercis'd themſelves in Diſputation, but not in ſuch an auguſt Aſſembly as that of Lords and Commons met in ſolemn Conference upon the moſt important Occaſion. But ſurely theſe *Words* floated only on the Surface of the Diſpute, and there was ſomething more at the Bottom. It is plain both Sides had their Reſerves: Even thoſe that maintain'd the Vacancy did not carry their Concluſions ſo far as they might, which gave their Adverſaries ſome Advantage over them: And thoſe again, who affected ſo tender a Concern for the Monarchy, and the Lineal Succeſſion to it, ſcarce made any Difficulty to ſet aſide the King and the Male-Line: Provided there was but a Clame by Inheritance, they never troubled themſelves about the Juſtice of it. *Henry* the Fourth they ſaid was an Uſurper, not becauſe *Richard* the Second was ſtill living, but becauſe the Earl of *March*, who was the next in Blood, was living alſo: And yet they rather choſe to ſuppoſe him a King by Inheritance, than by Election; becauſe he made ſuch a Clame, and the Earl of *March* did not appear to make any Clame at all; which Argument they us'd, becauſe even they were inclin'd to paſs over the Prince of *Wales*, as non-apparent, and, therefore, to be eſteem'd non-exiſtent; and to fill the Throne with the Princeſs of *Orange*; the Earl of *Nottingham* expreſly ſaying, that the Caſe of *Richard* II. came up to what he would have the declared Senſe of both Houſes upon the Queſtion, *viz.* That the Throne might be vacant with reſpect to the King abdicating; but not ſo vacant but that the Clame of the immediate Succeſſor might immediately take place.

To cloſe on this important Head: The Commons had prudently adjourn'd till the next Day, that the Lords might have Time

A.D. 1688-9. to receive the Report of their Managers first, and to come to some healing Resolution thereon, which might not only prevent a final Breach, but serve as a Basis for the new Establishment.

Accordingly, when the said Report was made, the Question which came next before their Lordships was, Whether they should adhere to their Amendments? which kindled another long and fierce Debate: The Earl of *Danby* first, and the Marquis of *Halifax* afterwards, declar'd for the Negative, labour'd with all their Might to reason the House into a Concurrence with the Commons, and were follow'd by all the rest of the new Courtiers, and their new Allies; while, on the contrary, the Managers of the late Conference maintain'd the same Opinions which they had maintain'd before, with rather more Heat and Obstinacy than ever; and call'd upon the House to assert their Importance and Independency, by adhering at all Hazards. At last the Question was put; and, notwithstanding all the Arts which had been us'd by those in Power, and the Successes they had met with, the two Parties were still so near an Equality, that the Former carry'd it by so very small a Majority, according to the *Historian of his own Times*, as of two or three.

On the Report, the Lords resolve to continue, by a small Majority:

[*Vol. i. p. 822.*]

When the Chain of Opposition was thus broke thro', the Difficulty was not so great to keep the Passage open: To concur with the Commons in the two Points, of Abdication and Vacancy, now follow'd as of course; and when it was thereupon propos'd to fill the Throne with the Prince and Princess of *Orange*, it was carry'd in the Affirmative by no less than Twenty Voices, *viz.* Content Sixty-five, Not content Forty-five: So suddenly were the Eyes of many of their Lordships open'd! And so instantly did they manifest their Penitence, by making an Atonement for their past Offences!

And to fill up the Vacancy of the Throne with the Prince and Princess of Orange.

A.D. 1688.

By most Authors this last Motion is ascrib'd to the Marquis of *Hallifax*: But our Historian last-quoted is express, that, when it came to be debated who should fill the Throne, the said Marquis, to get the start of Lord *Danby* in the Prince's Favour, mov'd, that the Crown should be given to his Highness first, and the two Princesses after him; in which he was seconded by none but the Lord *Colpeper*. But by whomsoever it was made, it appears from the Resolution which it produc'd, That, if the Commons were foremost to vacate the Throne, the Lords were foremost to fill it; and, consequently, that their Merits and Services were equal, in accomplishing this almost-miraculous Revolution.

[*Ibid. p. 818, 819.*]

One Day, *viz.* the Sixth of *February*, produc'd this great Turn in favour of the new Court; and so near did the Prospect now appear of a Settlement, that the Commons, for their first Business, the next Day, reviv'd their Committee for preparing general Heads of such things, as were *absolutely necessary* to be consider'd, for the better Security of our Religion, Laws and Liberties: But, near as it was, there were still some Difficulties to be surmounted. The Lords had not thoroughly digested their own Vote in favour of the Prince and Princess of *Orange*; nor had made any Provisions for the Descent of the Crown after them: Tho' both were nam'd in the Vote, it was not yet decided whether they should be joint Sovereigns, or whether the Prerogatives of the Sovereignty should be lodg'd in him only: The several Parties were still as (*p*) eager in their several Pursuits as ever: Even those who

(*p*) As appears by the two following Papers, which were publish'd after the two Houses had declar'd the Throne vacant:

"*Reasons for crowning the Prince and Princess of* Orange *King and Queen* JOINTLY; *and for placing the executive Power in the Prince* ALONE.

Whereas the grand Convention of the Estates of *England* have asserted the People's Right, by declaring, 'That the 'late King *James* II. having endeavour'd to subvert the 'Constitution of the Kingdom by breaking the *original* '*Contract* between King and People; and by Advice of 'Jesuits, and other wicked Persons, having violated the 'fundamental Laws; and, having withdrawn himself out 'of this Kingdom, has abdicated the Government, and 'that the Throne is thereby vacant:' For which Misgovernment he has forfeited the Trust of the Regal Inheritance and of the executive Power, both in himself, and in his Heirs, lineal and collateral; so that the same is devolv'd back to the People, who have also the legislative Authority: and consequently may of Right give and dispose thereof, by their Representatives, for their future Peace, Benefit, Security, and Government, according to their good Will and Pleasure. And forasmuch as it is absolutely necessary, that the Government be speedily settled on sure and lasting Foundations, and consequently, that such Person or Persons be immediately placed in the Throne in whom the Nation has most Reason to repose an entire Confidence: It therefore now lies upon us to make so judicious a Choice, that we may, in all human Probability, thereby render ourselves a happy People, and give our Posterity Cause to rejoice, when they shall read the Proceedings of this wise and grand Convention. Who is it therefore that has so highly merited the Love and good Opinion of the People, the Honour of wearing the Crown and swaying the Scepter of this Land, as his Illustrious Highness the Prince of *Orange*? who with so great Expence, Hazard, Conduct, Courage, and Generosity, has happily rescued us from Popery and Slavery: and with so much Gallantry reliev'd us to our ancient Rights, Religion, Laws, Liberties, and Properties: for which heroic Action we can do no less, in Prudence, Honour, and Gratitude, than pray him to accept our Crown.

II. It is better to settle the Exercise of the Government in one who is not immediate in the Line, than in one that is: 1. Because it is a clear asserting of a fundamental Right, that manifests the Constitution of the *English* Government, and covers the Subjects from Tyranny and Slavery. 2. It cuts off the Dispute of the pretended Prince of *Wales*. 3. The old Succession being legally dissolv'd, and a new one made, the Government is secur'd from falling into the Hands of a Papist.

III. The making the Prince and Princess of *Orange* King and Queen jointly is the Nation's Gratitude and Generosity: and by recontinuing the Line in Remainder is manifested the inestimable Value the People have for the two Princesses, notwithstanding the Mal-administration of the unhappy Father.

IV. The present State of *Europe* in general, and of these Kingdoms in particular, require a vigorous and masculine Administration. To recover what is lost, relieve what is in danger, and rectify what is amiss, cannot be effected but by a Prince that is consummate in the Art both of Peace and War. Tho' the Prince and Princess be King and Queen jointly, and will equally share the Glory of a Crown, and we the Happiness of their auspicious Reign: yet the Wisdom of the grand Convention is manifested

First, In the placing the executive Power in one of them, and not in both: for two Persons, equal in Authority, may differ in Opinion, and consequently in Command: and it is evident no Man can serve two Masters.

Secondly, 'Tis highly necessary and prudent, rather to vest the Administration in the Husband than in the Wife.

1. Because a Man, by Nature, Education, and Experience, is generally render'd more capable to govern than the Woman.

Therefore, 2. The Husband ought rather to rule the Wife, than

A.D. 1688-9. who were for excluding the Princess from her titular Share of Royalty, or at least some who had adopted their Notions, in hope of throwing all things again into Confusion, were not without Hopes of inducing the Commons to join with them; and those among the Lords, who were now become the Minority, resolv'd nevertheless to oppose the new Settlement to the last.

Thus when the Vote of *Concurrence* and that of filling up the *Vacancy* were severally to be sent down to the Commons, together with the new Oaths of Allegiance and Supremacy, they not only shew'd the same Dissatisfaction with every one of those Measures, but enter'd their Protest against them:

The opposing Lords enter their Protest.

And how this could be done, without their A.D. 1688-9.
subscribing their Names, is scarce conceivable: Notwithstanding which, we are told by one Author, that, tho' call'd upon to do [Echard.]
so by one of their Leaders, they refus'd: And, by another, "That he is sorry for it, [Oldmixon.]
because it would have been a fine (*q*) Roll to have oblig'd Posterity with."

The Vote to fill up the Vacancy was conceiv'd in the following general Words: "Resolv'd by the Lords Spiritual and Temporal assembled at *Westminster*, That the Prince and Princess of *Orange* shall be declar'd King and Queen of *England*, and all the Dominions thereunto belonging." The Oath of Allegiance in their (*r*): "I *A. B.* do

---

than the Wife the Husband, especially considering the Vow in Matrimony.

5. The Prince of *Orange* is not more proper to govern as he is Man and Husband only, but as he is a Man, a Husband, and a Prince, of known Honour, profound Wisdom, undaunted Courage, and incomparable Merit; as he is a Person that is naturally incliu'd to be just, merciful and peaceable, and to do all public Acts of Generosity for the Advancement of the Interest and Happiness of human Societies; and therefore most fit under Heaven to have the sole Executive Power."

Reasons humbly offer'd for placing his Highness the Prince of Orange, SINGLY in the Throne during his Life.

"I. It will be a clear Assertion of the Peoples Right, firm Evidence of a Contract broken, and a sure Precedent to all Ages, when, after a most solemn Debate, the Estates of *England* declare, That the King having abdicated the Government, *and the Throne being thereby legally vacant, they think fit to fill it again with one who is not immediate in the Line.*

II. *It will be* a Caution to succeeding Kings, of what *fatal* Consequence a general Derogation from the Laws may be, when they find, by this Instance, the Exercise of the kingly Office in Danger, not only with Reference to themselves, but precarious, to their Family by the Misgovernment: And Generations to come shall praise our Conduct, when reading the History of this Day, it appears we understood our Case; had Honour and Honesty to maintain it, and Wisdom enough to transmit it perfect to our Posterity.

III. It will be the highest Obligation upon the two Princesses that can be expected from a sensible People; when, next to asserting our own Right, by a Fact (which is absolutely necessary, and above all other human Arguments) they see themselves of inestimable Value with us, by resembling the Line in Remainder; and that their own strict Adherence to the Protestant Religion and Interest, outweighs the Demerits of their unhappy Father.

IV. The Princess of *Orange* will share in all the Glory of a Crown without the Trouble of it: Easy from the Popish Reflection, That *she sits in her Father's Throne while he lives.* And it concerns the Kingdom, as well as the Princes, to take care, that she be at rest from those Solicitations on the Behalf of Papists, which, under the Countenance of her Father, will perpetually disturb her tender Breast. Nor is there any Room for the Princess of *Denmark* to think herself neglected; the Exchange being attended with many Advantages, such as it would be lost Time to repeat, they are so very obvious, and likewise too many for the Compass of this Paper.

V. If the Prince of *Orange* be not King in his own Right, his Interest cannot be entirely ours; for though his Gallantry be an Assurance of Sincerity to us, yet, if there remain any Probability of his returning to *Holland*, as upon the Death of his Wife, if she only be Sovereign, his Interest must be divided: Nor will it, according to the Art of Government, become the Prudence of any Nation to open the Secrets of their Policy to one, whom they may be so unfortunate as to part with into a Country that may possibly interfere with us.

VI. It is dangerous to the *Government* itself to vest the Exercise of the Sovereignty *in Both*, for they may differ in Sentiments of things; and if there be a Possibility of Division, it would be an unaccountable Weakness, and great Oversight, not to secure ourselves in so important a Point.

VII. *It is repugnant* to grant the Crown to SOME, and fix the Administration in ONE; for the Administration is an Incident inseparable from the Sovereignty. To be a King or Queen, and not to have the Exercise of King or Queen, is a Contradiction; a Departure from all the Rules that were ever laid down in Government, unless in case of personal Incapacity, and therefore below a masculine way of reasoning.

Lastly, It supports the noble Maxim, That a neighbouring Nation may take Arms to assist the Rescue of a People oppressed by Tyranny. And foreign Princes will be apt to look into themselves, when they hear, by our Example of Gratitude, that they are no longer safe, than just to their Subjects."

(*q*) Such a Roll is, however, forth-coming in Lord *Somers's* Collection, Vol. xxxv, under the Title of *A List of the Lords that enter'd their Protest against the Vacancy of the Throne*, February 7, 1688, and consists of, the Dukes of *Somerset, Ormond, Beaufort, Grafton* and *Northumberland* (the three last of whom we have before found nam'd among the Converts to the new Court, the Archbishop of *York*, the Earls of *Exeter, Clarendon, Salisbury, Nottingham, Litchfield, Rochester, Feversham, Berkeley, Pembroke, Scarsdale, Abingdon* and *Craven*; the Bishops of *Winchester, Lincoln, Norwich, Ely, Chichester, Bath and Wells, Peterborough, St. Davids, Gloucester, Landaff and Bristol* (who has also been nam'd as the only one of that Bench, who follow'd the Standard of his Lordship of *London*) and the Lords *Dartmouth, Grifin, Maynard, Brooke, Jermyn, Arundel, Chandos, Leigh*, and *Delaware*; in all thirty-eight.

(*r*) How this Form came to be agreed to, and what Effects it produc'd, we find thus explain'd by the *Historian of his own Times*: "The last Debate was concerning the Oaths that should be taken to the King and Queen. Many Arguments were taken during the Debate from the Oaths in the Form in which the Allegiance was sworn to the Crown, to shew, that in a new Settlement these could not be taken. And to this it was always answer'd, that Care should be taken, when other things were settled, to adjust these Oaths, so that they should agree to the new Settlement. In the Oaths, as they were formerly conceiv'd, a previous Title seem'd to be asserted, when the King was sworn to, as rightful and lawful King. It was therefore said, that these words could not be said of a King who had not a precedent Right, but was set up by the Nation. So it was moved, that the Oaths should be reduced to the ancient Simplicity, of swearing to bear Faith and true Allegiance to the King and Queen. This was agreed to. And upon this began the Notion of a King *de facto*, but not *de jure*. It was said, that according to the common Law, as well as the Statute in King *Henry* the Seventh's Reign, the Subjects might securely obey any King that was in Possession, whether his Title was good, or not. This seem'd to be a Doctrine necessary for the Peace and Quiet of Mankind, that so the Subjects may be safe in every Government, that bringeth them under a superior Force, and that will crush them, if they do not give a Security for the Protection that they enjoy under it. The Lawyers had been always of that Opinion, that the People were not bound to examine the Titles of their Princes, but were to submit to him that was in Possession. It was therefore judged just and reasonable, in the Beginning of a new Government, to make the Oaths as general and comprehensive as might be; for it was thought, that those who once took the Oaths to the Government, would be after that faithful and true to it. This Tenderness which was shewed at this time to a sort of People that had shew'd very little Tenderness to even of weak or ill-inform'd Consciences, was after much abused by a new Explanation, or rather a gloss of Equivocation, as to the Signification of the Words in which the Oath was conceived. The true Meaning of the Words, and the express Sense of the Imposers was, that, whether Men were satisfied or not with the putting the King and Queen on the Throne, yet now they were on it, they would be true to them, and defend them. But the Sense that many put on them was, that they were only to obey them as Usurpers, during their Usurpation, and that therefore, as long as they continued in quiet Possession, they were bound to bear them, and to submit

A.D. 1688-9. do sincerely promise and swear, to bear true Allegiance to their Majesties King *William* and Queen *Mary*." And that of Supremacy consisted of two Parts: The first, an Oath of Abhorrence of that damnable Doctrine, that Princes excommunicated, or depriv'd, by the Pope, might be depos'd or murder'd by their Subjects, or any other whatsoever; and the second a Declaration, That no foreign Prince or Power had, or ought to have, any Jurisdiction here.

And now appear'd, that, forward as the Commons had been to declare the Vacancy, they were not altogether so forward to fill it: A Transfer of the Crown, unaccompany'd with any Conditions in favour of the Subject, in whose Name, and for whose sake it had been pretended, that this great Enterprize had been undertaken and accomplish'd, was what they were asham'd to join in: Partly therefore for Decency's sake, it may be presum'd, and partly to form the Concerts usual on such critical Occasions, they postpon'd the Consideration of the Lords Message, and adjourn'd till the Afternoon: This short Interval did not however prove sufficient to complete those Concerts: When therefore the House met again, the first Business they went upon was, to receive the Report of the Committee appointed to draw up the Clames and Demands of the Subject under the new Settlement. This Report was made by Sir *George Treby*, and by Order was divided into two Branches; one declaratory of ancient Rights, and one introductory of new Laws: All the several Articles of both which were agreed to; with this Addition, That the Crown should never descend to any Person who either was or had been a Papist. The Lords Vote for filling the Throne was then taken into Consideration, and gave rise to a warm, perplex'd, and fruitless Debate: For so many different Notions were started, all were so tenaciously maintain'd, and most of them were so disagreeable to the new Courtiers, that the Question was put to adjourn, and carry'd without a Division.

The Commons demur to the Lords Vote of filling up the Vacancy.

This gave farther time for new Managements: One of King *James*'s prime Advocates is express, that the Prince sent Lord *Wharton* to several Lords, and Mr. *Coulin* to *Seymour*, *Hampden*, *Boscawen*, *Powle*, *Swinfen*, and other Commoners, to let them know, That, if the Houses insisted so much upon Limitations, he would return again, and leave them to the Mercy of King *James*. And another says, "That even those People, who would be thought a free Parliament, were over-aw'd and govern'd by the Prince, and receiv'd Instructions from him and his Creatures, after their Country had chosen them, is evident to all that recollect how little the Country dreamt of making him King, at the time of their Choice." "Those, continued he, who had the most abandon'd their Loyalty, design'd to break thro' their Duty, and our Constitution, no farther than crowning his Princess: But out comes a Pamphlet, written (as he supposes) by *Ferguson*, to persuade the People how much more it was for their Interest to chuse him King; and then the Conventioners soon chang'd their Notes; and those of them that would not comply, were bully'd by the Prince, or by Lord *Delamere*; and, indeed, both Houses by Lord *Lovelace*, with his (*) *Posse mobilitatis*." It is not however to be suppos'd, that this is literally true; nor, on the other hand, can it be disputed, that his Highness was in love with the Crown, and all its Powers. Even Bishop *Burnet* himself, speaking of the *Declaration of Rights*, which was to accompany the Settlement, acknowledges, That some officious People, at that time, study'd to hinder it, by urging, That they had already lost three Weeks in their Debates: That the doing this with the Exactness that was necessary would take up more Time than could be spar'd, or would be dispatch'd in too much Hurry for Matters of so nice a Nature, &c. and by moving that the Affair might be postpon'd till after the Settlement.

A.D. 1688-9. [Great Britain's just Complaint.]

[Short View of the Conversation, Single Half-sheet in L. Som. Collect. p. 35.]

It is moreover certain, that when the House met

---

mit to them; but that it was lawful for them to assist King *James*, if he should come over to recover his Crown, and that they might act and talk all they could, or durst, in his Favour, as being still their King *de jure*. This was contrary to the plain Meaning of the Words, *Faith, and true Allegiance*, and was contrary to the express Declaration in the Act that [afterwards] enjoined them: Yet it became too visible, that many in the Nation, and particularly among the Clergy, took the Oath in this Sense, to the great Reproach of their Profession. The Prevarication of too many in so sacred a Matter, contributed not a little to fortify the growing Atheism of the present Age. The Truth was, the greatest Part of the Clergy had entangled themselves so far with those strange Conceits of the divine Right of Monarchy, and the Unlawfulness of Resistance in any Case: And they had so engaged themselves, by asserting these things so often and so publicly, that they did not know how to disengage themselves in Honour or Conscience.

A Notion was started, which by its Agreement with their other Principles had a great Effect among them, and brought off the greatest Number of those who came in honestly to the new Government. This was chiefly managed by Dr. *Lloyd*, Bishop of *St. Asaph*, now translated to *Worcester*. It was laid thus: The Prince had a just Cause of making War on the King. In that most of them agreed. In a just War, in which an Appeal is made to *God*, Success is consider'd as the Decision of Heaven. So the Princess's Success against King *James* gave him the Right of Conquest over him: And by it all his Rights were transferr'd to the Prince. His Success was indeed no Conquest of the Nation, which had neither wrong'd him nor resisted him: So that, with relation to the People of *England*, the Prince was no Conqueror, but a Preserver, and a Deliverer, well receiv'd and gratefully acknowledg'd. Yet, with Relation to King *James*, and all the Right that was before vested in him, he was, as they thought, a Conqueror. By this Notion they explain'd those Passages of Scripture that speak of *God*'s disposing of Kingdoms, and of pulling down one and setting up another; and also our Saviour's arguing from the Inscription on the Coin, *That they ought to render to* Cæsar *the things that were* Cæsar's; and St. *Paul*'s enjoining the *Romans to obey the Powers that then were*, who were the Emperors that were originally the Invaders of Public Liberty which they had subdu'd, and had forc'd the People and Senate of *Rome* by subsequent Acts to confirm an Authority that was so ill begun. This might have been made use of more justly, if the Prince had claim'd the Kingship to himself, upon King *James*'s withdrawing; but did not seem to belong to the present Case. Yet this had the most universal Effect on the far greater Part of the Clergy.

(*) There is an Entry in the Journals of the Commons, that when their Committee went up to the free Conference with the Lords in the painted Chamber, the Passages and Room itself were so crouded, that it was impossible for them to make their way thro': And an express Order was made for removing all Strangers; upon the Strength of which, the Communication was again open'd between the two Houses.

A.D. 1688-9. met the next Day, *viz.* the 8th, and resum'd the Debate, so much was said to shew the Necessity of expediting the Settlement, and so many Members appear'd to be of Opinion, that Expedition was of more Consequence than any thing else, that, upon the Issue, it was resolv'd, That all such Heads as were introductory of new Laws should be omitted; and that only the Declaratory should be connected with the Instrument of Government; which was, in effect, leaving the Subject as much at the Mercy of the Prerogative as before. As an additional Sweetener to his Highness, they moreover voted, That, tho' the Regal Style should run in the Name of the King and Queen jointly, the Regal Power, and Negative Voice, should be vested in the King only: And, finally, they so far comply'd with his Demands (to the Lords *Halifax*, *Shrewsbury*, *Dorset*, &c. before spoken of,) as to give him Possession for Life, by extending their Grant to the Survivor.

But comply with Alterations.

For the Remainder in the Succession, in case the Queen dy'd without Issue, they were pleas'd to bestow it on the Princess of *Denmark* and her Issue; and, in default of such Issue, to the Issue of the King, in case he should have any by another Venter.

The Method of connecting all these Particulars with the Lords Vote, was by Amendments; and it is remarkable, that the drawing up of those Amendments was referr'd to a new Committee, of which Mr. *Sommers* was chosen Chairman, instead of Sir *George Treby*, who had serv'd in that Capacity before: And so successfully did they perform their Commission, that their Report was agreed to the same Day; and, immediately thereupon, both the Vote and Amendments were deliver'd at a Conference to the Lords. It is further remarkable, that this was no sooner done, than the House was upon the Question adjourn'd, Yeas 185, Noes 94; and that tho' they sat the next Day, they did nothing but decide the Merits of a double Return for *Pool* in *Dorsetshire*. The whole Stream of public Business, and the whole Attention of the Public with it, follow'd the Vote of Succession and Declaration of Rights up to the Lords, where the Amendments were immediately taken into Consideration, and gave Rise to fresh Debates, which lasted till (*t*) *Monday* the 11th following: At which time both were again sent down to the Commons with yet other Amendments, to the Number of Twenty in all; fourteen of which were adopted, and six rejected; two of the last with Reasons, and four without. This spun out the Business one Day longer; for, the drawing up these Reasons was refer'd to the last-mention'd Committee, and they did not make their Report till the next Day; but when they did, their Reasons were adopted as the Reasons of the House; in consequence of which the Settlement, yet again alter'd and amended, was once more submitted, at a Conference, to the Lords: And the Result of all was, that their Lordships, or rather the Majority of them acquiesc'd, on Condition that these last Alterations and Amendments might be inserted as their own: That the Commons, at a free Conference, comply'd with this Condition; and that the Form of the Proclamation of the new King and Queen was agreed upon, at a final Conference between the Committees of the two Houses. But every one of these Steps was travers'd by the opposing Lords. The final Vote, says the *Historian of his own Times*, by which the Prince and Princess of *Orange* were desir'd to accept of the Crown, and declar'd to be King and Queen, went *very hardly*: And we are told by Mr. *Echard*, That it was propos'd by one of those Lords to the rest of his Compeers, to leave the House in a Body, as a kind of perpetual Protest to all that should be done afterwards; and that it was overrul'd by the Lords *Pembroke* and *Nottingham*, who said, That such a Step would be of ill Consequence; that they could never answer it; and that the Government must be supported.

A.D. 1688-9.

Both Houses finally agree.

All was finish'd on the twelfth; and on the same Day the Princess of *Orange* arriv'd at *Whitehall* from *Holland*, (having been met and welcom'd at *Greenwich* by the Prince and Princess of *Denmark*) and took Possession of that Palace, as we are told, with such an Air of Levity and Unconcern, as expos'd her to much Censure. The Duchess of *Marlborough* says, "She ran about her Apartment, looking into every Closet and Conveniency, &c. as People do when they come into an Inn, without seeming once to reflect how lately her Father had been driven out of it." And even Bishop *Burnet* insinuates the same thing, with this Addition, "That he took the Liberty to expostulate with her upon it; and that her Answer was, She did as she was directed by the Prince (who thought this Appearance of Gaiety necessary at that time, in order to remove a Notion which had been inculcated, that she was not well pleas'd with the late Transaction) and that possibly her Desire to oblige, had led her to over-act a Part which was not very natural to her."

The Princess of Orange arrives from Holland.

[*Mem. p.* 254.]

[*V. i. p.* 825.]

The next Day the two Houses went in State to make a free Gift of the Crown to their Highnesses; the Marquis of *Halifax*, as Speaker of the House of Lords, leading the way; Mr. *Powle*, as Speaker of the Commons, following next: After whom came the Peers, according to their several Ranks, and then the Commons. The Banquetting-house was the Stage where this memorable Scene was

(*t*) In which Interval, we are told by Sir *John Reresby*, the Marquis of *Halifax*, who had been so active in the new Settlement, had a Meeting at his House with the Lady, who remain'd so staunch a Friend to the abdicated King: at which, his Lordship confess'd there were but small Hopes of a lasting Peace from this Settlement, tho' by far the best that could be form'd at that time of the Day: Adding, that as he was aware of the great Interest she had with the King, he hop'd she would upon Occasion be his Friend, as he would be hers, whenever she might stand in need of him." [*Reresby's Memoirs, p.* 317.

A.D. 1688 was to be play'd. At the upper End of which the Prince and Princeſs under a large Canopy of STATE to receive them. All being admitted and diſpos'd, the Clerk of the Crown, with a loud Voice, read the Declaration of Rights, which there is a Neceſſity to inſert at large as follows:

Declaration of Rights,

Whereas the late King *James* II. by the Aſſiſtance of divers evil Counſellors, Judges, and Miniſters employ'd by him, did endeavour to ſubvert and extirpate the Proteſtant Religion, and the Laws and Liberties of this Kingdom; by aſſuming and exerciſing a Power of diſpenſing with, and ſuſpending of, Laws, and the Execution of Laws, without Conſent of Parliament; by committing and proſecuting divers worthy Prelates, for humbly petitioning to be excus'd from concurring to the ſaid aſſum'd Power; by iſſuing and cauſing to be executed a Commiſſion under the Great Seal, for erecting a Court call'd, *The Court of Commiſſioners for Eccleſiaſtical Cauſes*; by levying Money for, and to the Uſe of, the Crown, by Pretence of Prerogative, for other time, and in other manner, than the ſame was granted by Parliament; by raiſing and keeping a Standing Army within this Kingdom in time of Peace, without Conſent of Parliament; and quartering Soldiers contrary to Law; by cauſing ſeveral good Subjects, being Proteſtants, to be diſarm'd at the ſame time when Papiſts were both arm'd and employ'd contrary to Law; by violating the Freedom of Election of Members to ſerve in Parliament; by Proſecution in the Court of *King's-Bench*, for Matters and Cauſes cognizable only in Parliament, and by divers other illegal and arbitrary Courſes.

And whereas of late Years, partial, corrupt, and unqualify'd Perſons have been return'd, and ſerv'd on Juries in Trials; and particularly divers Jurors in Trials for High-Treaſon, which were not Freeholders: And exceſſive Bail hath been requir'd of Perſons committed in criminal Cauſes, to elude the Benefit of the Laws for the Liberty of the Subject; and expenſive Fines have been impos'd, and illegal and cruel Puniſhments inflicted, and ſeveral Grants and Promiſes made of Fines and Forfeitures, before any Conviction or Judgment againſt whom the ſame was to be levy'd: All which are utterly and directly contrary to the known Laws and Statutes, and Freedom of this Realm.

And whereas the late King *James* II. having abdicated the Government, and the Throne being thereby vacant, his Highneſs the Prince of *Orange* (whom it hath pleas'd *Almighty God* to make the glorious Inſtrument of delivering this Kingdom from Popery and Arbitrary Popery) did, by the Advice of the Lords Spiritual and Temporal, and divers principal Perſons of the Commons, cauſe Letters to be written to the Lords Spiritual and Temporal, being Proteſtants, and other Letters to the ſeveral Counties, Cities, Univerſities, Boroughs and Cinque-Ports, for the chuſing of ſuch Perſons to repreſent them as were of right to be ſent to Parliament, to meet and ſit at *Weſtminſter*, *Jan.* 22, 1689, in order to ſuch an Eſtabliſhment, as that their Religion, Laws, and Liberties might not *again* be in *Danger of being ſubverted*; upon which Letters, Elections have been accordingly made: And thereupon, the ſaid Lords Spiritual and Temporal, and Commons, purſuant to their reſpective Letters and Elections, being now aſſembled in a full and free Repreſentation of this Nation, taking into their moſt ſerious Conſideration the beſt Means for the attaining the Ends aforeſaid, do, in the firſt Place, as their Anceſtors in like Caſes have uſually done, for the vindicating their ancient Rights and Liberties, declare:

That the pretended Power of ſuſpending Laws, or the Execution of Laws by regal Authority, without Conſent of Parliament, is illegal.

That the Pretended Power of (*t*) diſpenſing with Laws, or the executing of Laws by regal Authority, *as it hath been aſſum'd and exercis'd of late*, is illegal.

That the Commiſſion for erecting the late Court of Commiſſioners for Eccleſiaſtical Cauſes, and all other Commiſſions and Courts of the like nature, are illegal and pernicious.

That the levying Money to, or for, the Uſe of the Crown, by Pretence of Prerogative, without Grant of Parliament, for longer Time, or in any other Manner, than the ſame is, or ſhall be granted, is illegal.

That it is the Right of the Subject to petition the King, and all Commitments and Proſecutions for ſuch petitioning are illegal.

That the raiſing and keeping a Standing Army within the Kingdom in time of Peace, unleſs it be by Conſent of Parliament, is againſt Law.

That the Subjects, being Proteſtants, may have Arms for their Defence ſuitable to their Condition, and as allow'd by Law.

That the Election of Members of Parliament ought to be free.

That the Freedom of Speech, or Debates, and Proceedings in Parliament, ought not to be impeach'd or queſtion'd in any Court or Place out of Parliament.

That exceſſive Bail ought not to be requir'd,

(*t*) Upon this Head Biſhop *Burnet* either adopts or falls into a very great Miſtake; for he obſerv'd that, in ſtating the Grievances and Rights of the Subject, the diſpenſing Power came to be diſcuſs'd, and that the Matter was found ſo intricate, that for Diſpatch Sake, it was at that time let fall, he proceeds to ſay, "King *James*'s Party took great Advantage from that, and ſaid, That tho' the many Clamours of the Nation was againſt the Diſpenſing Power, yet when the Convention brought things to a Settlement, that did not appear to be ſo clear a Point as had been pretended: And it was not ſo much as *mention'd* in this Inſtrument of Government; ſo that by the Confeſſion of his Enemies, it appear'd to be no unlawful Power; *nor was it declar'd* contrary to the Liberties of the People of *England*." Whereas its *not* being mention'd then was *only* upon the Oppoſition that was made, that ſo more time might not be loſt, nor the Inſtrument be clogg'd with diſputable Points." In Oppoſition to this, we find it both mention'd and *declar'd* to be illegal; but then it muſt, withal, be conſeſs'd, That the Clauſe of Limitation, *as it has been aſſum'd and exercis'd of late*, does admit that there was a Power of that nature in the Crown.

A.D. 1688-9. quir'd, nor exceſſive Fines impos'd, nor cruel and unuſual Puniſhments inflicted.

That Jurors ought to be duly impannel'd and return'd, and Jurors which paſs upon Men in Trials for *High Treaſon*, ought to be Freeholders.

That all Grants and Promiſes of Fines and Forfeitures of particular Perſons before Conviction, are illegal and void.

And that for Redreſs of all Grievances, and for the amending, ſtrengthening, and preſerving of the Laws, Parliaments ought to be held frequently.

And they do claim, demand, and inſiſt upon all and ſingular the Premiſes, as their undoubted Rights and Privileges; and that no Declarations, Judgments, Doings, or Proceedings, to the Prejudice of the People in any of the ſaid Premiſes, ought in any wiſe to be drawn hereafter in Conſequence or Example.

To which Demand of their Rights they are particularly encourag'd by the Declaration of his Highneſs the Prince of *Orange*, as being the only Means for obtaining a full Redreſs and Remedy therein.

Having therefore an ENTIRE CONFIDENCE, that his ſaid Highneſs the Prince of *Orange* will perfect the Deliverance ſo far advanc'd by him, and will ſtill preſerve them from the Violation of their Rights, which they have here aſſerted, and from all other Attempts upon their *Religion*, *Rights*, and *Liberties*,

The *ſaid Lords* Spiritual and Temporal, and Commons aſſembled at *Weſtminſter*, do reſolve;

That *William* and *Mary*, Prince and Princeſs of *Orange* be, and be declar'd, King and Queen of *England*, *France*, and *Ireland*, and the Dominions thereunto belonging, to hold the Crown and Royal Dignity of the ſaid Kingdoms and Dominions, to them the ſaid Prince and Princeſs during their Lives, and the Life of the Survivor of them; and that the ſole and full Exerciſe of the Royal Power A.D. 1688-9. be only in, and executed by, the ſaid Prince of *Orange*, in the Names of the Prince and Princeſs during their Lives; and after their Deceaſes, the ſaid Crown and Royal Dignity of the ſaid Kingdoms and Dominions to the Heirs of the Body of the ſaid Princeſs; and for Default of ſuch Iſſue, to the Princeſs *Anne* of *Denmark*, and the Heirs of her Body; and for Default of ſuch Iſſue, to the Heirs of the Body of the ſaid Prince of *Orange*.

And the ſaid Lords Spiritual and Temporal, and Commons, do pray the ſaid Prince and Princeſs of *Orange* to accept the ſame accordingly.

And that the Oaths hereafter mention'd, be taken by all Perſons of whom the Oaths of Allegiance and Supremacy might be requir'd by Law, inſtead of them; and that the ſaid Oaths of Allegiance and Supremacy be abrogated."

[Here follow'd the Oaths to the Effect already ſpecify'd.]

Thus, in the very Inſtrument which is call'd the *New* MAGNA CHARTA of the Subjects Liberty, we have the Mortification to find *entire Confidence* take place of *expreſs Contract*; and we ſearch in vain for thoſe other (*u*) Conditions and Limitations which ſhould have render'd our Conſtitution unchangeable and immortal.

and Tender of the Crown.

To conclude: When the Clerk had finiſh'd his Legend, it is ſaid the Marquis of *Halifax* made a Tender of the Crown to their Highneſſes; but in what Words is not ſpecify'd; and as to the new King's Compliment of Thanks, in return for ſo illuſtrious a Donation, in a Manuſcript Copy of the Journals of the Commons, we find an Entry of it to this Effect: "That he thank'd them heartily for their great Kindneſs to him, and Confidence in him: That he accepted of the Crown, on the Conditions mention'd in their Declaration: And that, as

---

(*u*) Diſcourſing of which Omiſſions, another Writer on the King's Side, writes as follows: "The Faults of Omiſſion are theſe: They have made a King, but have not made it impoſſible for that King to be like the Kings that went before him, he having the ſame Power over the Rights of the People, and they lying as open to the Mercy and Stroke of Ambition and Arbitrary Power as before, which is only changing of Hands, and not Things, Men, and not Meaſures and Securities. That this is the Caſe, let it be conſider'd he is unaccountable, which contradicts their Principles they chuſe him upon; he has the ſame Power over Parliaments that his Predeceſſors had, which are accounted the true Conſervators of the Peoples Freedoms; their Elections are as inſecure as ever; their Meetings as uncertain, being neither yearly, triennially, nor triennially; neither are they Maſters of their own Seſſions to adjourn and prorogue as they pleaſe; and if they have prepar'd the moſt uſeful or neceſſary Law in the World, as the Caſe now ſtands, he may refuſe to paſs it, by proroguing or diſſolving them, which renders the whole Conſtitution of Parliaments precarious, and at his Will and Pleaſure. Much leſs does the Parliament nominate his Council, or is he oblig'd to act in the Intervals of Parliaments by the Advice and Approbation of a Council, but on the contrary to theſe Rights and Securities, he can call, prorogue, and diſſolve Parliaments at Pleaſure, whoſe very Elections lie as open to Fraud and Violence as ever; Charters and Corporations being in no better Condition than they were. He picks and chuſes his Council; he names all the great Officers of the State, Navy, Army, and Church, as well as of his Houſhold; and he abſolutely commands the Militia as yet; which is having the whole in his Power, for thereby he has a Mortgage upon every Man, the Gain or Honour of his Office being a Bribe to bias him to the Pleaſure of the Prince, that already they have not been able to keep themſelves from the Diſtinction of Court and Country Party, who the other Day objected it to their Enemies as a Vice in Government. This has ſomething in it very abſurd, and it reproaches the Honeſty or Underſtanding of ſome People, that when they ſay they can make Kings, they either cannot or will not take care to limit and regulate them to our Safety; by which Means the King, that is made by the People, may rule without them, inſtead of ruling for them, and govern *jure divino*, though he be created *jure humano*, which renders his Execution independent of his Commiſſion, and himſelf in all things impunible. We have herein left the Principles that lead us to leave King *James*, and changed the very Meaſures upon which we changed the Government. We make uſe of Republican Reaſons for our Alteration, and for ought I ſee, we go upon Tory Methods to eſtabliſh it, which renders our Caſe much worſe than it was in the time of King *Charles* and King *James*, in that then we had but few that were ſuſpected, to be ſure not below'd, and they ſtill not feared from his Humour, and the laſt, at laſt as terrible apprehended from his Intereſt: But this Gentleman enters upon the Reputation of Proteſtancy, and has our own Choice and Religion both to blind us. Being then moſt popular, and not more limited, we are not more ſafe, but our Liberties muſt be expos'd; and unleſs ſuch a King has irreſiſtible Grace, or ſtronger Tyes upon him, the Reaſons of our preferring him may be the Inſtances of our Danger. [*Engliſhman's Complaint*, *L. Somers's Collection*, *Vol.* 35.

A.D. 1688. as he came hither for the Defence of the Proteſtant Religion; ſo he would ever ſtudy to preſerve it, together with the Laws of the Land, and the Liberties and Properties of the People."

But there is Reaſon to think, that this was inſerted rather for what ſhould have been his Anſwer, than what was: For in the ſame Journal, *February* 14, we find the Speaker complaining the Houſe, That he ſhould have no Copy of the Prince's Speech, as he there call'd it, againſt To-morrow, when he would report it to the Houſe: And accordingly, in the next Day's Journal, we find him repeating it in theſe Words:

The Prince's Acknowledgment,

"My Lords and Gentlemen,

This is certainly the greateſt Proof of the Truſt you have in me that can be given; which is the thing that makes us value it the more: And as I had no other Intention in coming hither, than to preſerve your Religion, Laws, and Liberties; ſo you may be ſure, that I ſhall endeavour to ſupport them; and ſhall be willing to concur in any thing that ſhall be for the Good of the Kingdom, and to do all that is in my Power to advance the Welfare and Glory of the Nation."

A.D. 1688.

The proclaiming the new King and Queen was all that remain'd; which was perform'd with unuſual Ceremonies (ω), for both Houſes aſſiſted in it, on the ſame Day that the Tender was made, and was celebrated, according to Cuſtom, with all the Appearances of general Joy.

And Proclamation.

(ω) After the following Form: "Whereas it hath pleaſed Almighty *God* in his great Mercy to this Kingdom, to vouchſafe us a Miraculous Deliverance from Popery and arbitrary Power; and that our Preſervation is due, next under *God*, to the Reſolution and Conduct of his Highneſs the Prince of *Orange*, whom *God* hath choſen to be the glorious Inſtrument of ſuch an ineſtimable Happineſs to us and our Poſterity: And being highly ſenſible and fully perſuaded of the great and eminent Virtue of her Highneſs the Princeſs of *Orange*, whoſe Zeal for the Proteſtant Religion will no doubt bring a Bleſſing along with her upon this Nation. And whereas the Lords and Commons now aſſembled at *Weſtminſter*, have made a Declaration, and preſented the ſame to the ſaid Prince and Princeſs of *Orange*, and therein deſired them to accept the Crown, who have accepted the ſame accordingly: We therefore, the Lords Spiritual and Temporal and Commons, together with the Lord Mayor and Citizens of *London*, and others of the Commons of this Realm, do with full Conſent publiſh and proclaim, according to the ſaid Declaration, *William* and *Mary*, Prince and Princeſs of *Orange*, to be King and Queen of *England*, *France*, and *Ireland*, with all the Dominions and Territories thereto belonging; who are accordingly ſo to be own'd, deem'd, and taken by all the People of the aforeſaid Realms and Dominions, who are from henceforth bound to acknowledge and pay unto them all Faith and true Allegiance, beſeeching *God*, by whom Kings reign, to bleſs King *William* and Queen *Mary* with long and happy Years to reign over us."

THE

THE HISTORY OF ENGLAND: DURING THE REIGN OF King WILLIAM and Queen MARY.

A.D. 1688-9. THUS ended the INTER-REGNUM: And as the Throne was now fill'd with a Prince, who had made it his Glory to be thought a Deliverer; who had been plac'd in it as an expreſs Conſervator of thoſe Rights and Privileges, which he had been the Inſtrument of reſtoring; who had no other Title to it than the Good-will of the People he was to govern; and who had for his ſworn Friends and Servants, the very Party who had ſo obſtinately wreſtled with his late Predeceſſors; it was reaſonable to conclude, from the Outſide of Things at leaſt, that mutual Amity and mutual Acknowledgments would have been the Fruit of mutual Obligations; that Abuſe of Power would no more render Government a Grievance; nor Abuſe of Liberty furniſh Pretences to take it away.

The firſt Act of the new Reign. The firſt public Act of the new Reign was a Proclamation, which began with theſe Words: *Foraſmuch as it hath pleas'd* GOD *to call us to the Throne*; and which ſignify'd his Majeſty's *Royal Pleaſure* to be, That all Proteſtants, who were in Office on the firſt of *December* laſt, ſhould continue therein, till his *farther Pleaſure* was known.

The new Privy-Council. As no mention is made of a Privy-Council in this Inſtrument, which is dated *February* 17; it muſt be preſum'd, his Majeſty had not as yet completed his Liſt: But, on the fourth Day after, the ſaid Liſt was made public, and conſiſted of the following Perſons: The Prince of *Denmark*, the Archbiſhop of *Canterbury*, the Duke of *Norfolk*, the Marquiſſes of *Hallifax* and *Winchester*; the Earls of *Danby*, *Lindſey*, *Devonſhire*, *Dorſet* and *Middleſex*, *Oxford*, *Shrewſbury*, *Bedford*, *Bath*, *Macclesfield*, and *Nottingham*; the Viſcounts *Falconberge*, *Mordaunt*, *Newport*, and *Lumley*; the Biſhop of *London*; the Lords *Wharton*, *Montagu*, *Delamere*, and *Churchill*; Mr. *Bentinck*, Mr. *Sydney*, Sir *Robert Howard*, Sir *Henry Capel*, Mr. *Powle*, Mr. *Ruſſel*, Mr. *Hampden*, and Mr. *Boſcawen*. A.D. 1688-9.

The Majority, it is eaſy to ſee, were of thoſe who had ventur'd fartheſt in the Cauſe of Liberty: And, as to the Archbiſhop and the Earl of *Nottingham*, they were nam'd by way of Sweetener to the Church; for, ſays Biſhop *Burnet*, it was thought adviſable [*P.* ii. *p.* 3.] not to provoke ſo great a Body too much. In the Diviſion of Power, the ſame Maxim was alſo purſued: For, as the Earl of *Shrewſbury* was appointed one of the Secretaries of State, the Earl of *Nottingham* was appointed the other; but not till after an Attempt had been made to gratify him at a cheaper Rate. It had been early foreſeen, that all thoſe who had been inſtrumental in ſetting the Crown on the King's Head would expect to be Gainers by the Service; and theſe were ſo many, that the Paſture was not large enough for

A.D. 1688-9. the Flock: To make as much Room as poſſible, therefore, it was reſolv'd to put all the great Offices, ſuch as the Treaſury, Admiralty, nay the very Chancery, into Commiſſion: To be at the (*x*) Head of the laſt was the Compliment firſt made to Lord *Nottingham*; and, when it was found he ſet a higher Value upon himſelf, it was thought advisable to go up to his Price, by giving him the Seals.

A Mixture, which produc'd an immediate Ferment.

But the very Expedient, which was adopted to keep the Peace without-doors, bred Diſcontents and Diſorders within: Thoſe who thought they had a Right to have their *own King* in their own Hands only, could not bear to ſee ſo conſiderable a Province beſtow'd on one who had been ſo active in oppoſing him; and, what was worſe, who was by Profeſſion ſo much more a Friend to the Prerogative than they.

The ſame Perſons were alike diſguſted, that the Privy-Seal was once more given to the Marquis of *Hallifax*; for though they gladly embrac'd his Services, while the Settlement ſtood in need of his Aſſiſtance, they were for retaining him no longer than he was neceſſary: His deſerting his firſt Friends, in the Reign of King *Charles*; his oppoſing the *Excluſion-Bill* with ſuch Zeal and Succeſs; the Advice he had given in relation to the *Quo Warranto's*, particularly in that againſt the City of *London*; and the Eagerneſs he had ſhewn in procuring the Surrender of Charters; were ſtill freſh in their Remembrance: And, as they could not look back on his paſt Behaviour without Reſentment, ſo neither could they look forward on what was ſtill to be expected from him, without Apprehenſion; for, if his Abilities were vaſt, his Genius daring, and his Addreſs matchleſs, his Ambition was inſatiable; and there was a Neceſſity for thoſe that ſerv'd with him to ſerve under him.

The Earl of *Danby*, who, more out of regard to his Credit and Experience than his late or former Services, had been made Lord Preſident, was equally obnoxious to the Majority of his new Collegues: Many of them were his ancient Enemies, and for that Reaſon would rather have reviv'd his Impeachment, than given way to his being reinſtated in Favour and Power: They knew Stateſmen never forgave, and they did not care to ſee him in a Capacity to take his Revenge: Tho' he had made free with his Allegiance, he was beſides for ſtretching the Prerogative to its full Extent; and, tho' he had given up the Doctrine of paſſive Obedience, he was ſtill for maintaining the ancient Alliance between the Crown and the Church, as the only ſure Method of providing for the Security of both.

What is ſtill more remarkable, tho' theſe three great Men could not be ignorant of the Jealouſies that were conceiv'd of them, and the Animoſities that were propagated againſt them, they never once entertain'd a Thought of ſtrengthening themſelves by the Aſſiſtance of each other; on the Contrary, they made their Court at each other's Expence, and ſeem'd to have nothing more at Heart than the meditating each other's Downfall. In Point of Strength, the Earl of *Nottingham* had a whole Party for his Support, who, diſguſted as they were with the late Tranſactions, were more pleas'd to have a Friend and Patron to have recourſe to, in ſuch a Poſt, than diſpleas'd that he had yielded ſo far to the Times, as to ſerve at all. The Marquis of *Hallifax*, without the Doors of the Cabinet, had ſcarce any Intereſt at all; for, as he was hated by one Party for having been ſo inſtrumental to their Sufferings, ſo he was hated equally by the other, for having gone ſuch Lengths in forwarding and completing the preſent Eſtabliſhment. But then the King himſelf ſeem'd to have a high Opinion of his Parts, and to place a great Degree of Confidence in his Councils. The Earl of *Danby* had both an Intereſt in his Majeſty, and a Degree of Credit among the Partizans of the Church; but then the Earl of *Nottingham* was more conſider'd by the laſt, and the Marquis of *Hallifax* by the firſt; which induc'd him (*Danby*) to think they were both in his way, and that his Buſineſs was to ſupplant both if poſſible. He was moreover diſcontented upon another Account: He had aſſur'd himſelf of being once more Lord High Treaſurer; but upon his applying for that Poſt had been told, He could not be gratify'd with it, becauſe it was more for his Majeſty's Service to put the Office in Commiſſion: And as to the Place of Preſident, he was ſo little pleas'd with it, that he told Sir *John Rereſby*, the King had forc'd it upon him, againſt his Will, ſaying, It could be by no Means for his (the King's) Intereſt, for him to be out of all Buſineſs.

A.D. 1688-9.

The Diſpoſition of Places and Preferments.

To proceed: The Earl of *Devonſhire* was made Lord Steward of the Houſhold; the Earl of *Dorſet*, Lord Chamberlain; Lord *Newport*, Treaſurer of the Houſhold; Mr. *Wharton*, Comptroller; Sir *John Lowther*, Vicechamberlain; Lord *Montagu*, Maſter of the Wardrobe; the Biſhop of *London*, Dean of the Chapel; the Lord *Lovelace*, Captain of the Band of Penſioners; the Duke of *Ormond*, the Earl of *Oxford*, the Lords *Mordaunt*, *Lumley*, *Churchill*, and Mr. *Sidney*, Gentlemen of the Bed-Chamber, and Lord *Willoughby* of *Ereſby*, Chancellor of the Duchy. As to the great Favourite, *Bentinck*, he was not only the firſt Commoner on the Liſt of Privy Counſellors, but with thoſe very honourable and advantageous Appendages to his Name, of being Groom of the Stole, and Privy Purſe. Mr. *d'Auverquerque*, another of his Majeſty's *Dutch* Servants, was appointed Maſter of the Horſe; Mr. *Zuylſtein*, Maſter of the Robes; and Mr. *Schomberg*, Maſter of the Ordnance. The Earl of *Wiltſhire*, Son to the Marquis of *Winchester*, was made Lord Chamberlain to the

(*x*) According to the Author of the *Life of King* William, the Seals were offer'd to him firſt, and afterwards to Lord *Hallifax*: But there is more Reaſon to follow *Burnet*, who is expreſs, that he was only offer'd to be the firſt Commiſſioner, and who makes no mention of Lord *Hallifax* at all.

A.D. 1688-9. the Queen; Mr. *How*, Vicechamberlain; Mr. *Villiers*, Maſter of the Horſe; and the Counteſs of *Derby*, Siſter to the Duke of *Ormond*, Groom of the Stole.

The Commiſſioners of the great Seal, were Serjeant *Maynard*, Sir *Anthony Keck*, and Sir *William Rawlinſon*. Admiral *Herbert* was put at the Head of the Admiralty, and for his Aſſiſtants, *Vaughan*, Earl of *Carberry*, Sir *Michael Warton*, Sir *Thomas Lee*, Sir *John Lowther*, and Mr. *Sacheverel*.

At the Head of the Treaſury was plac'd the Lord *Mordaunt*; and the reſt of the joint Commiſſioners were, Lord *Delamere*, who was alſo Chancellor of the Exchequer, Lord *Godolphin*, Sir *Henry Capel*, and Mr. *Hampden*. Lord *Godolphin*, it muſt be remember'd, had enter'd into this Commiſſion firſt, under the Earl of *Eſſex* in 1679, on the Removal of Lord *Danby*, had been firſt Commiſſioner in *Auguſt*, 1684, and had ſerv'd with the Popiſh Lords *Bellaſis* and *Dover* in 1686; ſo that under all Diſpenſations, his Accompliſhments were equally conſider'd by, and at the Devotion of, the Crown. Biſhop *Burnet*, ſpeaking of this laſt Promotion, ſays, He was brought in to the great Grief of the Lords *Mordaunt* and *Delamere*, who ſoon ſaw that the King conſider'd him more than them both: But then he adds, that thoſe two Lords, though both violent Whigs, became as violent Enemies, becauſe, according to him, the firſt gave the inferior Places freely, and the other ſold every thing that was in his Power.

Nothing, ſays *the Hiſtorian of his own Times*, gave a more general Satisfaction than the naming of the Judges. The King order'd every Privy-Counſellor to bring in a Liſt of twelve; and out of theſe, continues he, twelve very learned and worthy Judges were choſen. He names Sir *John Holt* of the *King's Bench* with a particular Compliment; but no more. To complete the Liſt, therefore, it is neceſſary to add, That *Holt* had for his Aſſiſtants Sir *William Dolben*, Sir *William Gregory*, and *Gyles Eyre*, Eſq; That Sir *Henry Pollexfen* was made Lord Chief Juſtice of the *Common Pleas*: That the Puiſnes under him, were Sir *John Powel*, Sir *Thomas Rokeby*, and *Peyton Ventris*, Eſq; And that Sir *Robert Atkins* as Lord Chief Baron, Sir *Edward Nevil*, *Nicholas Lechmere*, Eſq; and Sir *John Tourton*, fill'd the *Exchequer*-Bench. Sir *John Trenchard* was made Chief Juſtice of *Cheſter*, Sir *George Treby* Attorney-General, Mr. *Sommers* Sollicitor-General, and Mr. *Powle*, the Speaker, Maſter of the Rolls.

The Cuſtoms were put under the Direction of Mr. *Booth*, Sir *Richard Temple*, Sir *Robert Southwell*, Mr. *Pelham*, Sir *Robert Clayton*, and Sir *Patience Ward*: And the Exciſe under that of Sir *Henry Vane*, Sir *Henry Aſſhurſt*, Sir *Humphrey Edwin*, *Thomas Frankland*, *John Danvers*, *Francis Perry*, and *John Willcocks*, Eſqrs;

In the Church but one Vacancy had fallen, *viz.* the Dioceſe of *Saliſbury*, which, by the Death of Dr. *Ward*, was beſtow'd by his Majeſty on Dr. *Burnet*, of his own Motion, as the Doctor himſelf writes, and in Terms more obliging than uſually fell from him. But tho' the Dean and Chapter were as prompt to elect as the King to nominate, Archbiſhop *Sancroft* refus'd to conſecrate him, whether with or without Reaſons, is not ſpecify'd. Loth, however, to incur the Penalties of a *Premunire*, which he had reaſon to be ſure would follow, he at laſt ſo far gave way to his Majeſty's Pleaſure, as to commiſſion the Biſhop of *London*, with any three of the other Biſhops of his Province, to do what he himſelf thought (*y*) unlawful. And thus our Hiſtorian, in Acknowledgment of his many Services, became a Lord of Parliament.

A.D. 1688-9.

The very Names of the ſeveral Perſon thus promoted under the new Eſtabliſhment, are ſufficient to ſhew in what Channel the main Current of Favour ran; and it may be reaſonably ſuppos'd, that ſo manifeſt a Declaration in favour of one Party, did not a little contribute to exaſperate the other: Both, at firſt, had appear'd temperate alike; there was no Wind as long as there was no Tide; but when the Latter began to ſhew itſelf, the Former began to riſe; This grew fierce as That grew ſtrong; and as Diſappointment begat Oppoſition, it became the Buſineſs of Oppoſition to propagate Confuſion.

In plain *Engliſh*, thoſe who had one while been the Advocates for implicit Obedience, and then the Champions in Arms for their Religion and Liberty, now affected to feel the Qualms of Loyalty again, and endeavour'd with all their Might to embarraſs a Settlement, which they were not likely to find their Account in; while, on the other hand, a great Part of thoſe, who had hitherto plac'd the Sum of Patriotiſm in avoiding the Snares of a Court, in turning a deaf Ear to the Charms of Power, and in keeping perpetual watch and ward to ſecure the Conſtitution againſt the Encroachments of the Prerogative, now ſuffer'd the Rigours they had glory'd in, to melt in the Sunſhine, which had withſtood the Storm.

Expedient to turn the Convention into a Parliament.

This Diſpoſition of Power, though here thrown all together for the ſake of Method, did not, however, immediately follow the Proclamation of the new King, but gradually, as Pretenſions could be ſettled, and as his Majeſty's Service requir'd. What came firſt under Deliberation was the Expediency of turning the preſent Convention into a Parliament. This, we may fairly ſuppoſe, was in the Cabinet rather a Reſolution than a Queſtion: But when it came to be diſcuſs'd by the new Privy-Council, ſuch among them as were for ſhuffling the Cards a-new, not only made it one, but maintain'd the Negative; urging plauſible enough, That a legal Parliament alone could make the Settlement legal,

(*y*) This was ſo mean, ſays Biſhop *Burnet*, that he himſelf was aſham'd of it afterwards: But he took an odd Way, continues he, to overthrow it: For he ſent for his original Warrant, and ſo took it out of the Office, and got it out of his own Hands. *Vol.* ii. *p.* 8.

A.D. 1688-9. legal, which this Assembly could never be made, for want of the King's Writ of Summons, without which no Parliament could legally be held. The Majority were, however, of Opinion, That Forms ought to give place to Essentials; and that the Experiment of a new Election was too dangerous to be try'd: Upon which it was resolv'd, that the King should go with the usual State to the House of Peers, and by the usual Method of Speech from the Throne to both Houses, should open a way to make them a Parliament, as they had made him a King.

While this Matter was yet in suspense, both Houses had adjourn'd, at his Majesty's Desire, till the 18th; and then it was that, having taken possession of the Throne, he order'd the Commons to attend him, and spoke to the following Effect: "That he was come there to assure them, that he should never do any thing that might lessen their good Opinion of him: That he thought it necessary to acquaint them, the Condition of Affairs abroad, and particularly that of *Holland*, was such, that, unless some speedy Care were taken of them, they would run a greater hazard than the Convention would have them expos'd to: That they themselves must be sensible, that the Posture of Affairs here would require their serious Consideration; and that a good Settlement was necessary, not only for the Peace at home, but for the Support of the Protestant Interest both here and abroad: And particularly, that the State of *Ireland* was such, that the Dangers were grown too great to be obviated by any slow Method. Therefore he must leave it to them to consider of the most effectual Ways of preventing the Inconveniences that might arise by *Delays*; and to judge what *Forms* might be proper to bring those things to pass, which were for the Good of the Nation," *&c.*

This Speech, we are told, was receiv'd with a Murmur of Applause, by those who had follow'd the Speaker to the Lords Bar upon this Occasion; and who, on all such Occasions, are taken for the Commons of *England*; and, when reported to the House, produc'd a solemn Vote of Thanks, which pass'd *nemine contradicente*. After which, they made an Order to take it into Consideration the next Day, and adjourn'd.

Parliament-Craft is a Term very well understood by those who are vers'd in parliamentary Affairs: And it must be own'd, that those who had now the Direction of the House of Commons were no Strangers to it. Tho' the opposing Lords had not formally left the House in a Body, as one of them had advis'd, so many chose to absent themselves, after the final Vote of Vacancy, that the new Courtiers had the House in a manner to themselves, and resolv'd to make the most of the Opportunity: Accordingly the King was scarce withdrawn, before a Bill was brought in (says one, simply enough, by the *Directions* of the Privy-Council) to remove and prevent all Questions and Disputes concerning the Assembling and Sitting of this *present Parliament*; which was read twice the same Day, and a third time the next, and sent down to the Commons for their Concurrence: The Commons had, however, first resolv'd themselves into a Committee of the whole House; and had this Question under Debate (which was put by Mr. *Hampden*, their Chairman,) *viz.* "Whether a King, *elected* and declar'd by the Lords Spiritual and Temporal and Commons assembled at *Westminster*, *January* 22, 1688-9, coming to and consulting with the said Lords and Commons, did not make as complete a Parliament, and legislative Power and Authority, to all Intents and Purposes, as if the said King should cause new Summons to be given, and new Elections to be made by Writ?" As no Man is fond of the Trouble and Charge of an Election, it was obviously the particular Interest of every particular Member to vote in the Affirmative: But, in many, Zeal and Resentment got the better of all personal Considerations. Thus, *Seymour*, *Clarges*, *Finch*, *Musgrove*, &c. thinking it the last great popular Point they had to manage, warmly insisted, that the King's Writ was as necessary to the Being of a legal Parliament, as the King's Presence: And, consequently, that the Convention, not having been assembled by such a Writ, could never, by any Management, be converted into such a Parliament. The new Courtiers reply'd, That if, as all agreed, the Essence of a Parliament consisted in the solemn Meeting and co-operating of King, Lords and Commons, the present Convention was essentially a Parliament: That the Difference of the Lords and Commons being called by Writ, or by Letter, was nothing material; since both Writ and Letter were to the same Effect; and that, in some ancient Records, it is mentioned, That Parliaments should be summon'd by Letters; particularly in King *John*'s Great Charter, in the Seventeenth of his Reign, he promises to summon the Bishops, Abbots, Earls, *&c.* by his Letters: That the Prince of *Orange* not being King at the time of his sending forth his Letters matter'd not; for he was the Person to whom the Administration of the Government was then committed: That it was evident, that, in many Parliaments, it was not so material how the King, Lords, and Commons came together, as that they were together: That the manner of calling together the three Estates of the Realm by the Prince of *Orange*'s Letters was a much fairer Proceeding, considering the State of Affairs as to the calling of them together, than was in several Cases wherein they were never doubted to be a Parliament when join'd with a King: That *Edward* II. being imprison'd by his Queen, Son, and Nobles, they issued forth Writs, in the imprisoned King's Name, to summon the Lords, and to chuse Knights, Citizens, and Burgesses to meet at *Westminster* (16th of *January*, 1325). That this, one would think, was pretty hard, and an absolute Force upon the King, by making use of his Name against his Will, so that it could not be said to be his Act; yet, the Lords and Commons being met, they deposed

A.D. 1688-9.

[*Life of King William*, v. ii. p. 5.]

A.D. 1688-9. depoſed *Edward* II, and declared his Son, *Edward* III, King; and this new King, and the Lords and Commons, ſo irregularly convened together, made ſeveral Acts of Parliament, and have been ever ſince adjudged a good Parliament to all Intents and Purpoſes, without any ſubſequent Act of Confirmation. That, in like manner, *Richard* II. being taken Priſoner by *Henry* duke of *Lancaſter*, the Duke iſſued forth Writs in the King's Name (the King then in Priſon) to ſummon the Lords, and to elect Repreſentatives for the People, to meet at *Weſtminſter* the 13th of *September*, 1399. That thoſe being met by this irregular Summons, they depoſed *Richard* II, and declared the Duke of *Lancaſter* King; and that new King, and the Lords and Commons, ſo irregularly convened, being join'd together, were alſo, and are to this Day, adjudged a good Parliament to all Intents and Purpoſes. Laſtly, That the Lords and Commons aſſembled at *Weſtminſter* the 15th of *April*, 1660, were conven'd by Writs in the Name of the Keepers of the Liberties of *England*, who were Uſurpers; yet, when King *Charles* II. came to them, and they receiv'd him as King, he and they together were adjudg'd a Parliament, and they enacted that they ſhould be ſo taken, and they made many Laws, which were put in Execution; and they continued as a Parliament until the 29th of *December following*; and though moſt or all thoſe Acts were afterwards confirm'd by a ſubſequent Parliament conven'd by the King's Writs in *May*, 1661, yet that Confirmation, according to many good Judgments, was rather to ſatisfy ſome Scrupulofity, than out of Neceſſity; moſt of the ſaid Acts having, in a great meaſure, had their Effects before the ſubſequent Parliament began: Therefore, that if, upon the Prince of *Orange*'s being declar'd and proclam'd King, he came to the Convention of Lords and Commons aſſembled at *Weſtminſter*; if the ſame Number of Lords was ſummon'd, that of right ought to be ſummon'd to Parliament, and the ſame Number of Knights, Citizens, and Burgeſſes duly choſen, as ought to be choſen to repreſent the Commons in Parliament, then conſequently there were all the ſubſtantial and eſſential Parts of a Parliament met together: And being ſo, where was the Neceſſity, Advantage, or Prudence to diſſolve theſe, and thereby give new Trouble of new Summons and new Elections, loſe a great deal of Time, ſuffer irrecoverable Loſs and Damage to *Ireland*, and the Allies abroad; and after all, at the next Meeting, be but where they now were, as to the eſſential Parts of a Parliament; there being nothing more to be had at any other time, but what they had already?"

Before this Debate was brought to an Iſſue, Sir *Robert Atkins*, and Sir *William Dolben* brought down the Bill before-mention'd from the Lords: Upon which the Committee broke up; the Speaker reſum'd the Chair; the ſaid Bill was immediately read for the firſt time; and was order'd, *Nemine Contradicente*, to be ready a ſecond time the next Day; at which time, certain Amendments were offer'd, were receiv'd; and referr'd to a Committee to draw up: Upon the 22d this Committee made their Report; on the ſame Day, the Bill having paſs'd through all the Forms, was ſent up to the Lords; and on the next it receiv'd the Royal Aſſent. A.D. 1688-9.

And thus, to uſe an Expreſſion of Biſhop *Burnet*, thoſe who had ſubmitted to a King *de facto*, were obliged to ſubmit to a Parliament *de facto* likewiſe. The enacting Clauſes of it are in Subſtance theſe, *viz.* 1. That the Lords and Commons conven'd at *Weſtminſter*, *January* 22, and there ſitting *February* 13, are the two Houſes of Parliament, to all Intents and Purpoſes, notwithſtanding any want of Writ or Writs of Summons, or any other Defect or Default whatſoever. 2. That the preſent Act, and all other Acts to which the Royal Aſſent ſhould be given, before the next Prorogation ſhould be underſtood, and adjudg'd in Law to begin on the ſaid 13th of *February*. 3. That inſtead of the old Oaths of Allegiance and Supremacy, the Members ſhould take the new, before recited; and in this Act incorporated, under the ſame Penalty. And laſtly, there was a Proviſo, That the preſent Parliament might be diſſolv'd after the uſual manner, as if the ſame had been ſummon'd by Writ.

When this Meaſure was firſt talk'd of, and while it was in Agitation, the Malcontent-Party among the Commons publicly gave out, that, in caſe it ſhould paſs, they would no longer countenance the Proceedings of ſuch a Parliament, by continuing to ſit in it. Accordingly, it was no ſooner paſt, and a Day appointed for a Call of each Houſe, than, as well to keep their Words, as to avoid taking the Oaths, ſeveral of them retir'd to their Country Seats; ſome with the Leave of the Houſe, and ſome without. But that this occaſion'd the dilatory Proceedings of the ſubſequent Part of the Seſſion, as ſome Authors have inculcated, is neither reaſonable to be ſuppoſed, nor poſſible to be prov'd: On the contrary, we ſhall find that the Dilatorineſs thus complain'd of, aroſe from the Diſſenſions which broke out among the new Courtiers themſelves, and not from the Seceſſion of their Adverſaries. *Many Members retire.* [*Life of K.* William, Kennet, Oldmixon.]

Theſe new Courtiers were, it ſeems, of two ſorts; the one, moderate Churchmen, who were only for changing the Perſon of the King, in order to get rid of the Danger of Popery, and withal to enlarge the Circle of their own Intereſt and Importance: The other were ſaid to be of a republican Caſt, both in Church and State; poſſibly, becauſe they were for bridling the Prerogative effectually for the time to come, and for reducing the Power of the Clergy, which had ſo often been collegu'd with that of the Crown, to the Oppreſſion of the Subject.

As the Hopes of both reſted ſolely on the Prince's Succeſs, they had co-operated with a good Degree of Cordiality, as long as any Degree of Danger appear'd of their being out-

A.D. 1688-9. out-voted by the Common Enemy: But, when that Enemy quitted, or rather ſeem'd to quit, the Field, and the Breach between the King and the Church was underſtood to be in a fair way of becoming perpetual, as well thro' the Oppoſition which they had given to the Vote of Vacancy, as the Reluctance they ſtill ſhew'd to ſubmit to the new Settlement, the two Parties immediately ſeparated; the former becoming thorough Courtiers, and making it their whole Buſineſs to undertake for the Cabinet; and the latter, whether upon Principle or Diſguſt, is hard to determine, as induſtriouſly labouring to carry all thoſe popular Points, which ſhould have been made the Condition of beſtowing the Crown.

A Diviſion among the new Courtiers.

This appear'd the very next Day after the Bill for declaring the Convention a Parliament receiv'd the Royal Aſſent; for it being then propos'd in the Houſe of Commons, to take his Majeſty's Speech into immediate Conſideration, a Diſpoſition was ſhewn to enter on the Conſideration of Grievances firſt. This produc'd a ſhort Debate, which ended in a Reſolution to go upon the Speech the next Day; and in the mean while Leave was given to bring in two Bills, one for altering the Oaths, and another for repealing the Act of 25 *Car.* II. for regulating Corporations; which latter Bill, as we ſhall find, was to prepare the way to put the Elections, all over the Kingdom, into the Hands of the preſent Majority.

On the Morrow, the Houſe, according to Order, reſolv'd itſelf into a general Committee, in which the Affair of the Revenue was warmly and freely diſcuſs'd: The Courtiers ſuggeſted, that, together with the Crown, it was devolv'd on their preſent Majeſties, at leaſt during the Life of King *James*, for which Term the far greater Part of it had been granted: But their Antagoniſts would not admit, that the Grants, which had been made for the Life of one Prince, were leviable for the Uſe of another; on the contrary, they urg'd, That when the Throne was vacated thoſe Grants were vacated likewiſe; and that the Public had as good a Right to make a new Diſpoſition of the Revenue, as of the Crown, &c. Upon the Whole, it was reſolv'd, that the Revenue was expir'd: And a Complaint being made, that certain Strangers were in the Gallery, the Committee broke up abruptly, to avoid (*x*) perhaps any further Concluſions on ſo tender a Point: For the Courtiers were ſo uneaſy in their preſent naked and deſtitute Condition, that the Houſe was no ſooner reſum'd, than they made a Motion for ſettling a Revenue upon the King and Queen; and it was reſolv'd, that the ſame ſhould be taken into Conſideration the next Morning: Thoſe, however, who had the King once more within their Circle, were not for letting him looſe again, without exacting Securities for his good Behaviour: Inſtead, therefore, of gratifying the Impatience of the Courtiers, or

The Commons vote the Revenue expir'd.

ſhewing an Over-concern for the Agonies of A.D. 1689.
the Cabinet, they ſtudiouſly endeavour'd to ſpin the Matter into Length, and reſolv'd not to proceed but on due Information, and with all the Precaution and Circumſpection imaginable. Thus, all that this ſecond Day produc'd was, in the Committee, an Order to Sir *Robert Howard*, Auditor of the Exchequer, to bring in a State of the Revenue; and a Reſolution to ſit again on the Morrow: And even when the King, by Meſſage, the ſame Day, gave the Houſe to underſtand, That the late King had ſet ſail from *Breſt*, with *French* Troops, in order to land in *Ireland*, tho' they unanimouſly reſolv'd to aſſiſt his Majeſty with their Lives and Fortunes, in ſupport of his Alliances, in reducing of *Ireland*, and defending their Religion and Laws; they accompany'd that Reſolution only with a temporary Aid of 420,000 *l.* to be levy'd by a monthly Aſſeſſment; and took yet farther Time to deliberate on what was farther to be done to make good their Vote.

A Meſſage from the King, importing, that K. James had ſet ſail for Ireland.

Biſhop *Burnet* ſuppoſes this Behaviour of theirs to have been the Reſult of long Oppoſition, and habitual Jealouſy of thoſe in Power: But, if it was, ſurely, in a limited Monarchy like this, nothing is more laudable than ſuch a Jealouſy, nor more conſiſtent with the Elements of the Conſtitution, nor the Truſt thereby repos'd in the Houſe of Commons.

Determin'd however as they appear'd, not to ſacrifice all Regards to King *William*, they did not forget that they were to ſecure the Nation againſt the Return of King *James*. Thus, to render the Offer of their Lives and Fortunes, juſt mention'd, more ſolemn and more important, they gave it the Form of an Addreſs, call'd upon the Lords to concur in it, and, when their Lordſhips had accordingly concurred, both Houſes waited upon the King, in a Body, with it. On the Receipt of another Meſſage from his Majeſty by Mr. *Hampden* (ſignifying, That he had cauſ'd ſeveral Perſons to be apprehended and ſecur'd, on credible Information that they were conſpiring againſt the Government, in favour of the late King *James*; that his Majeſty was under great Difficulties how to behave in the Caſe, ſince he was unwilling to do any thing unwarrantable by Law, or that ſhould be inconſiſtent with the Safety of the Government, which he apprehended the allowing them the Privilege of the *Habeas Corpus* Act would be; and that he thought fit to aſk their Advice therein;) they moreover departed ſo far from the Intractability they are accus'd of, as to ſuffer a Bill to be brought in to ſuſpend that Favourite-Act; which under the late King, when both *Monmouth* and *Argyle* were actually in Arms againſt him, had never been attempted, nor ſo much as thought of: Indeed, ſome of them mov'd upon that Occaſion, That it might never be drawn into

Both Houſes wait on his Majeſty with an Offer of their Lives and Fortunes.

Habeas Corpus *Act ſuſpended for the firſt time.*

Precedent

(*x*) The Serjeant was, however, immediately order'd to take any Stranger into his Cuſtody, who ſhould be ſeen either in the Houſe, or the general Committee.

A.D. 1688-9

Precedent or Example hereafter; as alſo, that the Expences and Fees of all Perſons ſo committed might be defray'd by the Public: But both theſe Motions were over-rul'd; and the only Mitigations that could be procur'd were, a Proviſo that the ſaid Act of Suſpenſion ſhould not any way affect the Privilege of Parliament; and that the Act itſelf ſhould be no longer in force than till the 17th of *April* next enſuing.

The Lords ſuſpending it without the Ceremonial of an Act.

The Lords, in the mean time, to whom the like Meſſage was alſo ſent, by the Lord *Mordaunt*, went a great deal farther; for they immediately appointed a Committee to prepare an Addreſs, "Expreſſing their moſt humble Thanks for his Majeſty's great Care of their Liberties, and for his gracious Communication of this Matter; and humbly adviſing and deſiring his Majeſty to take ſuch *extraordinary* Care of the Government in this Conjuncture, by ſecuring *all diſaffected* Perſons, as might prevent any Diſturbance of the public Peace; and that ſuch Perſons as were, or ſhould be, ſo committed, might be retain'd till the firſt Day of next Term, if his Majeſty ſhould ſee Cauſe." They alſo, by Meſſage, deſir'd the Concurrence of the Commons to the ſaid Addreſs: But there this extraordinary Strain of entire Confidence came to a full Stop: The Commons were juſtly aſham'd to authorize, after ſuch a Manner, a diſpenſing Power in the Crown, which they had ſo recently and expreſly condemn'd: And it muſt be acknowledg'd, that the Method taken by them, to arm the Government with ſufficient Powers for its own Preſervation, was more agreeable to the Dignity of the Legiſlature, and leſs detrimental to the Clames and Rights of the Subject.

The Perſons at this time ſecur'd were, the Earl of *Arran*, Sir *Robert Hamilton*, and two other *Scotſmen*: But whether they were ſecur'd on poſitive Evidence, or only on Suſpicion, is not ſufficiently clear'd: They were known to be diſaffected: They had their private Meetings and Cabals, as had been hinted in his Majeſty's Meſſage: And it is inſinuated elſewhere, that the Government was furniſh'd with Matter againſt them out of certain intercepted Letters from *France*: The Earl had, beſides, render'd himſelf perſonally obnoxious to the new King: For having been aſſaulted in his Chair, ſome few Days before, by certain Ruffians unknown, he had been raſh enough to place it to his Majeſty's Account; and to ſurmiſe, that he had give Direction to have him aſſaſſinated, for his inviolable Fidelity to his old Maſter. All were committed to the *Tower*; and ſeveral more of the *Scotiſh* Nobility and Gentry, who were on the Point of ſetting forward to aſſiſt at the approaching Convention for that Kingdom, were detain'd,

[*Life of King William*, v. ii. p. 13.]

Lord Arran, &c. committed to the Tower. [Hereby.]

A.D. 1688-9.

The Truth is, that the new King already found his Throne ſhake under him: By loſing the Biſhops, he had loſt the whole Herd of their Followers and Admirers, who had once ſo warmly eſpous'd his Pretenſions, and who, on the contrary, appeared now as warm for a new Revolution. His very Friends, who had hitherto labour'd with as much Earneſtneſs to place him on the Throne, as if the Salvation of the World depended on it, now embarraſs'd him as much with their Broils, as they had before oblig'd him with their Services. His Enemies were every where hard at work to make a Diverſion in *England* and *Scotland*, while King *James* made uſe of his *French* Auxiliaries for the Service of *France*, in labouring to extirpate the Proteſtant Intereſt in *Ireland*. Even his Cabinet partook of the Ferment of the Times; and thoſe who enjoy'd the higheſt Places in it, either confeſs'd they were uneaſy in them, or thought it neceſſary to take Precautions for their Security in caſe of a Change. There are many Paſſages in Sir *John Rereſby*, which ſerve to exemplify the general Diſpoſition of Things, as well as his own particular Diſcontent. Speaking of Lord *Danby*, he ſays, he found him extremely cool'd with regard to Affairs, as now manag'd. And this Obſervation he founds on the Expreſſions which dropt from his own Mouth, to the following Effect: "That being embark'd with his All, he was ſorry to ſee things no better conducted: That *Ireland* was in a manner become invincible by our Neglect of ſending Forces thither before now: That with regard to this, and other material Points, equally unheeded, he had been preſſing with the King to a Degree even of Incivility: That he had told his Majeſty, He plainly ſaw he did all he could to encourage the Preſbyterians, and to diſhearten the Church, which could not but be abſolutely prejudicial both to himſelf and the Government; tho' he at the ſame time obſerv'd that his Majeſty interſer'd but little in Councils, being prevented therefrom partly by Inclination, and partly by want of Health: That he was doubtful of the Continuance of Affairs as they now ſtood: That if King *James* would but quit his *Papiſts*, he might ſtill retrieve all: That the Diſcontents of the People grew daily greater and greater; and that King *William*, Lord *Hallifax*, and all the reſt of the new Court were moſt ſtrangely infatuated with a Perſuaſion of their own Security (*a*)."

The new Settlement already in danger.

Sir *John* is, moreover, communicative enough to acknowledge, that on the firſt of *March*, which was the very Day that King *William*

(*a*) "He particularly animadverted (proceeds Sir *John*) on the laſt mentioned Lords, for inſiſting with ſuch Violence, in a Speech of his, That the Prince ſhould be intituled *legal and rightful* King of this Realm, ſaying it was mere Nonſenſe; for that had the Prince of *Wales* been made King, he could never have been deem'd our lawful Sovereign, while his Father liv'd. But his Lordſhip nevertheleſs appear'd very ſerious and urgent about the Legality of taking the new Oaths; and condemn'd the Biſhops for their Squeamiſhneſs in that reſpect, tho' they themſelves had had ſo large a Hand in bringing about this great and extraordinary Change; and thereupon quoted Lord *Nottingham*'s Speech, when, in the Houſe of Lords, had obſerv'd, That tho' he had never in the leaſt conſented to this Revolution, but had with all his Might oppos'd the Prince's Acceſſion, as contrary to Law; yet ſince his Highneſs was here, and we muſt owe our *Protection* to him as King *de facto*, he thought it but juſt and legal to ſwear Allegiance to him."

A.D. 1688-9 *William* apply'd to the two Houſes to remove his Difficulties in relation to the *Habeas Corpus* Act, he had another Interview with the Lady, who was ſo deep in the Confidence of King *James*; that ſhe told him, "His Majeſty had ſent for certain Jewels "which he had left in her Hands." That ſhe ſhew'd him his Letter, which was dated *February* 17, N. S. That by the ſaid Letter it appear'd he was to ſail for *Ireland* the next Day; and that he depended upon his old Friends to aſſiſt his Cauſe: That ſhe farther told him, "That the *French* King had "ſupply'd his Majeſty with a great Treaſure "of Money, and 6000 *Swiſs* PROTESTANTS: "That he intended to go thro' *Ireland* for "*Scotland*, there to call a Parliament inſtead "of the propos'd Convention: That from "thence he would march into *England*, and "put himſelf entirely into the Hands of the "Proteſtant Intereſt; and that as ſhe had a "Friendſhip for the Lord-Privy-Seal, ſhe "had a mind to diſcloſe herſelf to him, if "with any Safety ſhe might do ſo." That he (Sir *John*) undertook to bring them together: That the very ſame Evening he aprriv'd to his Lordſhip accordingly: Tho' I muſt own, continues he, the Topic being of ſo nice and tender a ſort, I did it with great Caution. However, I gave him plainly to underſtand, That the chief Motion which induc'd the Lady to deſire a Meeting with him, was to impart to him what might be for his own Good, and the Service of the Public. Hereupon he began to be more free and open with me than he had hitherto been, on this Chapter; and I told him, in (*b*) general, that great Deſigns were on foot; he ſaid, he believ'd it, and that though Men ſeem'd to be for the preſent Intereſt, as moſt prevalent, it was not altogether diſcreet to venture too far; that if Matters really were as I had ſaid, it was but ſafe to carry it fair with thoſe in the Oppoſition, and to let ſome People know he ſpoke always with great Reſpect of King *James*; that if it came to Blows, it was uncertain who would ſtrike hardeſt; and that he ſhould be glad to meet the Lady at my Houſe, whenever ſhe pleas'd."

Sir *John* afterwards acquaints us, That they met accordingly, *March* the 3d: That ſhe dealt very frankly with him, but durſt not tell him all ſhe knew: And that his Lordſhip renew'd his former Requeſt, That ſhe would be his Friend in caſe any Alteration of Affairs ſhould by any Means be brought to paſs. And again in another Paſſage, That his Lordſhip begg'd of him to endeavour a Reconciliation between him and a Lady whom he had formerly brought to him about ſome Buſineſs, wherein ſhe thought herſelf ill us'd; FOR that ſhe had a good Intereſt with King *James*." He alſo adds, "There ſeem'd now to be great Diſcontents among all ſorts of Men; Affairs look'd ſomewhat embroil'd; and I heard A.D. 1688-9 Lord Privy-Seal ſay, That in the Poſture the Nation now ſtood, the King (*James*) if but a Proteſtant, could not be kept out four Months: Nay, Lord *Danby* went farther, and averr'd, That if he would but give us Satisfaction as to our Religion, as he eaſily might, it would be very hard to make Head againſt him: Sayings which I thought very extraordinary to fall from ſuch great Men, and of the Times too."

The Truth is, theſe great Men, like moſt other Men, had their own private Views ever uppermoſt in their Thoughts. And if Lord *Halifax* by one Means endeavoured to ſecure a Retreat, there is reaſon to think, that Lord *Danby* did the ſame by another; for about this time, when he thought the new Settlement in ſuch imminent Danger, he procur'd a Grant of the Government of *Hull*; as a Place of Retreat, in the Opinion of the Lord Privy-Seal, and his Friend *Re-reſby*, where he might make his own Terms, in caſe of a Change of the Times.

There is yet another Circumſtance to be mention'd, which farther illuſtrates the Condition of the new King's Affairs. In proportion as the Bulk of the Nation grew diſcontented, the Diſcontents of the Army grew more violent and more formidable. In order, therefore, to eject this evil Spirit, before it became too mighty to be maſter'd, and withal to replace the *Dutch* Troops which the *States* pretended to ſtand in need of, and which his Majeſty could not part with, it was propoſed to ſend over the moſt refractory of the *Britiſh* Troops into *Holland*: Of theſe (*c*) *Dumbarton*'s Regiment, which the Duke of *Monmouth* had once commanded, and which he had ſo high an Opinion of, that he thought with them alone he might have carry'd his Point at *Sedgmoor*, were the moſt apprehended, and therefore, were order'd to be ſhipp'd off firſt: But, inſtead of obeying thoſe Orders, they mutiny'd at *Ipſwich*, ſeiz'd on the Money appointed for their Pay, diſarm'd ſuch of their Officers as refus'd to join with them, declar'd for King *James*; and with four Pieces of Cannon march'd off towards *Scotland*: And ſo alarming or ſo perplexing was the News of this Incident, that the King caus'd it to be communicated to the two Houſes, who in Concurrence immediately addreſs'd him upon it, call'd it a Rebellion, and deſir'd his Majeſty to declare by Proclamation, That the ſaid Soldiers, and all that adher'd to them, were Rebels and Traitors. But his Majeſty had already caus'd three Regiments of *Dutch* Dragoons to purſue them, under the Command of *Ginckle*; and might have ſet forth ſuch a Proclamation by virtue of his Prerogative, had they been his own Subjects: But they were *Scots* (which Kingdom had not yet ſubmitted in form to the new Government); and if they themſelves had ſubmitted

A dangerous Mutiny in the Army.

(*b*) And afterwards more circumſtantially, "That ſome who were outwardly great Friends to the preſent Government were treating for Terms on the other Side; which I communicated (ſays he) to his Lordſhip, and particularly made mention of ſome he little ſuſpected."

(*c*) Then Marſhal *Schomberg*'s

A.D. 1688-9. mitted, it was rather the Effect of Neceſſity than Inclination. The King, however, thus warranted by his Parliament, did accordingly ſet forth ſuch a Proclamation, which, after ſtrictly charging and commanding all and every of his Officers and People to aid and aſſiſt in ſuppreſſing the ſaid Rebellion, and ſeizing the ſaid Rebels, concludes in theſe Words, "We, reſolving to make the ſaid Criminals ſevere Examples of our juſt Indignation, to the Intent that all Perſons hereafter may be left without Excuſe, if they ſhould be found offending in ſuch manner."

It ſeems a Train of Communication had been laid between this and ſuch other Corps as were to follow them to *Holland*; but either thro' Cowardice or Treachery, it did not take; which ſtruck ſuch a Damp into thoſe Heroes, that, tho' they were thirteen hundred ſtrong, inſtead of making a deſperate Stand, as their Condition ſeem'd to require they ſhould, and as their Officers importun'd them to do, they threw down their Arms, ſurrender'd at Diſcretion, and were diſpatch'd on their former Errand, by way of Puniſhment. Such a Dread, however, did this abortive Attempt leave upon the Minds of thoſe in Power, that Advantage was taken to bring in a Bill for the puniſhing Mutiny and Deſertion; which found an eaſy Paſſage thorough both Houſes; where, till now, an Army was conſider'd as the mere Creature of the Throne, and *conſequently* a riotous Aſſembly, which rather deſerv'd the Cenſure, than the Acknowledgement of our Laws.

Suppoſe the

But gives riſe to the Mutiny-Bill.

While theſe things were paſſing, his Majeſty endeavour'd to moliify the eager Spirit which occaſionally broke forth among the Patriots in the Houſe of Commons, by a ſolemn Meſſage, ſignifying his Readineſs to acquieſce in any Meaſure they ſhould think fit to take in relation to the Hearth-Money Duty, either by a new Regulation of it, or the taking it totally (*a*) away; becauſe he had been inform'd, it was very grievous to the People; and in return was complimented with an Addreſs of Thanks, which paſs'd *Nemine Contradicente*; and in which they call'd it, an unprecedented Offer for the Eaſe of his People; and aſſur'd him, they would make ſuch Returns, and be ſo careful of the Support of the Crown, as ſhould make it evident to the World, to the Diſcouragement of his Enemies, and the Satisfaction of all good Men, that his Majeſty reign'd in the Hearts of his People.

The King offers to relinquiſh the Hearth-money Duty.

His Majeſty had alſo, in Anſwer to the Addreſs of both Houſes, which contain'd the Tender of their Lives and Fortunes, expreſs'd himſelf in the following plauſible manner:

His Majeſty's Anſwer to the Offers of Lives and Fortunes.

"*My Lords and Gentlemen,*

"If any thing could add to the Eſteem and Affection I have for Parliaments, and particularly for this, they would be much increas'd by the Kindneſs you ſhew to me, and the Zeal you expreſs for the Publick Good in the Addreſs you have made; which in the Matter, as well as the Manner, hath every thing in it that ought to recommend it to me.

A.D. 1688-9.

I aſſure you I will never abuſe the Confidence that you ſhall put in me; being fully perſuaded that there is no ſure Foundation of a good Agreement between a King and his People but a mutual Truſt: When that is once broken, a Government is half diſſolv'd: It ſhall therefore be my chief Care never to give any Parliament Cauſe to diſtruſt me; and the beſt Method I can chuſe for that Purpoſe, is never to expect any thing from them, but that which ſhall be their own Intereſt to grant.

I came hither for the Good of the Kingdom, and, ſince it is your Deſire that I am in this Station, I ſhall purſue the ſame Ends that brought me.

God hath been pleaſed to make me inſtrumental to redeem you from the Ills you fear'd, and it is ſtill my Deſire, as well as my Duty to preſerve your Religion, Laws and Liberties; which were the only Inducements that brought me into *England*, and to theſe I aſcribe the Bleſſings that have attended this Undertaking.

When I ſpoke laſt to you, I told you of the Neceſſity of aſſiſting our Allies, and more eſpecially the *States* of *Holland*, whoſe Readineſs to relieve you, at their too great Hazard and Expence, from the Extremities you lay under, needs no other Argument to move you to the Conſideration of it.

As I was then a Witneſs of their Zeal and Affection to promote the Expedition, and ſecond my Endeavours, even with a Neglect of their own Safety; ſo I am now ſenſible of the inevitable Ruin they have drawn upon themſelves, by giving you this Aſſiſtance, if you ſhould not return it to them.

They have really exhauſted themſelves to ſuch a Degree, both as to Men and Money, that it is not eaſily to be imagin'd; and I am confident your Generoſity will have as little Bounds towards them, as theirs had towards you; and that you will not only enable me to make good *the Treaty* with them, and repay what they have actually laid out upon this Occaſion, of which an Account ſhall be given to you. But that you will farther ſupport them to the *utmoſt of your Ability* againſt the Power of their Enemies, who muſt be yours too, by their Intereſt and their Religion, and do certainly deſign the Ruin of *Holland* to be a Step to your Deſtruction.

I need not take pains to tell you the deplorable Condition of *Ireland*, which by the Zeal and Violence of the Popiſh Party there, and by the Aſſiſtance and Encouragement they

(*a*) The Commons chuſe the Latter, as the moſt effectual Way to eaſe the People; and it was accordingly repeal'd, but not without Oppoſition in the Houſe of Lords: where it paſſed a very unuſual Debate: The King's Miniſters and Servants contending for the Repeal; and the oppoſing Lords for the Continuance of it, under the Preſence, That it was the only ſure Fund for raiſing Money: but, in reality, that the King might not have the Credit of it.

A.D. 1688-9. they have from *France*, is brought to that Pass, that it is not advisable to attempt the reducing it, otherwise than by a very considerable Force, which I think ought not to be less than 20000 Horse and Foot; which, by the Blessing of *God*, will make the Work shorter, and in Consequence, the Charge easier, tho' the first Expence must, of Necessity, be great.

You must consider that, towards the more speedy and effectual Success in relation to *Ireland*, as well as with a regard to *France*, there must be such a Fleet, as may, in conjunction with that of the *States*, make us entirely Masters of the Sea, that nothing can be sent from *France* either to *Ireland* or any where else, that may give Disturbances to us, or our Allies.

I must also recommend the Consideration of the Revenue to you, that it may be so settled, as that it may be collected without Dispute.

My Lords and Gentlemen, These things will amount to a great Sum, and must of Consequence be a present Weight upon the People; but, considering that neither your Religion, nor your Safety, can probably be secur'd without these Means, I conclude you will think nothing can be too great a Price for their Preservation: And I will engage my foreword to you, that whatever you shall give in order to these public Ends, shall be strictly apply'd to them; and that as you so freely offer to hazard all that is dear to you, so I shall as freely expose myself for the Support of the Protestant Religion, and the Safety and Honour of the Nation."

March the eighth, this Answer was reported to the House of Commons by the Speaker, and the next Day Leave was given to bring in a Bill, for collecting the several Branches of the Revenue, which were due and payable by Law in the Reigns of *Charles* II. and King *James* II. to the Use and Service of the Crown, till *June* 29, 1689, with a Clause of Indemnification to such as had already collected the said Revenues.

On the fourteenth, the *Dutch* Bill of Charges came also before them; the Sum Total of which was upwards of seven Millions of Guilders, or about 686,500 *l.* Sterl. according to a late Computation. The next Day it was resolv'd, *nemine Contradicente*, that a Sum not exceeding 600,000 *l.* should be given to his Majesty to discharge it: And that so considerable an Abatement as 86,500 *l.* was made, seems to indicate, that some Items were either unreasonable in themselves, or unreasonably inflam'd.

The Dutch Bill of Charges provided for. [Timberl.]

On the twenty-first, an Estimate of the Charge of six Regiments of Horse, two of Dragoons, and twenty of Foot (sixteen of which were to be rais'd, making in all 22330 Men, besides Officers, to be employ'd in *Ireland*) which, for one Year, amounted to 714,117 *l.* 6 *s.* 4 *d.* was given in, and was allow'd by the House: But when the Supply for that Service came to be debated, instead of providing for the whole Year's Service, they provided but for Half. They acknowledg'd, however, that the like Provision for the Remainder would be necessary, in case the War should last so long: And by proceeding in this manner, they propos'd at once to gratify the King, and continue themselves necessary to his Service: But as this did not come up to the Trust and Confidence which his Majesty expected from, and had demanded of, them, he appear'd more sensible of the Affront than of the Obligation. They, nevertheless, adher'd to this Maxim; and when the Estimate for the Navy came under Consideration, instead of 1,128,140 *l.* (which was the Sum demanded for fifty Men of War of the 2d, 3d, and 4th Rates, fifteen small Ships, and eight Fireships, to be mann'd with 17,155 Men, and to be employ'd in the narrow Seas and the *Mediterranean*; and also one 3d, nineteen 4th, two 5th, Rates, and two Fireships for the Plantations and Convoys, to be manned with 4,540) they gave but 700,000 *l.*

as also the Army and the Navy for half the Year only.

It is observable, that many of those who have bestow'd the highest Praise on the opposing Members in the Reign of King *Charles* the Second, are the most angry with the Opposition given to King *William*: And it is, at this Day, generally believ'd, that disappointed Churchmen, and deserting Loyalists, were the only Persons who join'd in it; whereas nothing is more certain, than that the very Men who have been censur'd for being thus cautious in the Management of the Supplies, were most of them *Revolutionists* and *Revolutioners*, and who thought they could no otherwise be consistent with themselves.

The Opposition at this Period was, in Truth, of two different Kinds, and was carry'd on by two different Parties, who were irreconcilable Enemies to one another. While these Money Matters were under Consideration, the Debate was carry'd on by Whig against Whig (to adopt Party Reproaches (while the Tories contented themselves with looking on, in Expectation of making their own Advantage: But when the King endeavour'd to open a Gap in the Law for admitting the Dissenters into the Government (whether in Consequence of former Engagements, or whether to open an easier Passage for the Money Bills at the same time, is hard to determine) then the Tories interpos'd in behalf of the Church, and endeavour'd to possess the Nation with a Belief, That they had as much to apprehend from Presbyterians now, as from Papists before.

From several Opinions in this Parliament.

It has been already observ'd, that many of this Party absented themselves, as soon as the Vote was carry'd, for turning the Convention into a Parliament; and their Adversaries immediately resolv'd to prevent their Return, if possible: But the Method they took operated in a manner quite contrary to their Expectations: The Call they caus'd to be made in each House, for the Members to take the Oaths, was made in a Persuasion, that those who had so openly oppos'd the new Establishment, would never submit to it; in which case, they concluded, the whole Game would be in their own Hands, and they might play it as they pleas'd: But, aware of this, the Absentees, of the lower House at least, thought it more advisable to yield to the Time, than

to

A.D. 1688-9. to ruin their Cause by adhering to their Principles: Accordingly, they return'd in Swarms; and, under the Umbrage of the famous Statute of *Henry* VII. which provides, that no Person that should assist, in Arms or otherwise, the King for the Time being, should therefore be impeach'd or attainted, swore Allegiance to the King in Possession, while they acknowledg'd the Right to be in another; and to maintain that Government, which in Conscience they thought themselves oblig'd to subvert: "Which, says the elegant Author before-quoted, was to remove the Boundaries of *Right* and *Wrong*, and, as far as in them lay, to teach Mankind to call *Good evil*, and *Evil good*.

[*Dissert. on Parties*, p. 72.]

The Commons in general take the new Oaths:

Of the whole House of Commons, not above two Persons, *viz.* Sir *Henry Monson* and Lord *Fenshaw*, are mention'd for having declin'd the Oaths, and these were expelled for not complying: But, among the Lords, no less than eight Bishops, namely, *Sancroft* the Metropolitan, *Thomas* of *Worcester*, *Lake* of *Chichester*, *Turner* of *Ely*, *Lloyd* of *Norwich*, *Ken* of *Bath* and *Wells*, *Frampton* of *Gloucester*, and *White* of *Peterborough* (*e*), and several temporal Peers, refus'd to swear; and notwithstanding they were often summon'd to attend the House, neglected coming: Though even the Archbishop himself condescended to make some frivolous Excuses by Letter, which was directed, not to the Speaker of the House of Lords, or the Lord Privy-Seal, but to the Marquis of *Halifax*, and which was voted unsatisfactory.

But many Lords, both Spiritual and Temporal, decline it.

"*Upon* the Bishops refusing the Oaths, [*Vol. ii. p. 7.*] says the *Historian of his own Times*, a Bill was brought into the House of Commons, requiring all Persons to take them by a prefixed Day, under several Forfeitures and Penalties. The Clergy that took them not, were to fall under Suspension for six Months, and at the End of those they were to be deprived. This was follow'd with a particular Eagerness by *some*, who were known Enemies to the Church: And it was then generally believ'd, that a great Part of the Clergy would refuse the Oaths. So they hop'd to have an Advantage against the Church by this means."

Pretences to favour the Dissenters.

But these *known* Enemies of the Church were not the only Persons who lay in wait for the Advantage; for the King himself, when he came to the House *March* 16, to pass the Act for suspending the *Habeas Corpus* Act, thought himself authoris'd, by the intractable Behaviour of the Clergy and their Followers, to become the avow'd Advocate for the Dissenters, and to urge the Necessity of admitting all Protestants into the public Service. His Words were these:

A.D. 1688-9.

"*My Lords and Gentlemen,*

Exhorts'd by the King.

"Now I have the Occasion of coming hither to pass these (*f*) Bills, I shall put you in mind of one thing, which will conduce as much to our Settlement, as a Settlement will to the Disappointment of our Enemies. I am, with all the Expedition I can, filling up the Vacancies that are in Offices and Places of Trust, by this Revolution. I hope you are sensible there is a Necessity of some Law to settle the Oaths to be taken by all Persons to be admitted to such Places. I recommend it to your Care to make a speedy Provision for it: And as I doubt not but you will sufficiently provide against Papists, so I hope you will leave room for the Admission of *all* Protestants that are willing and able to serve. This Conjunction in my Service, will tend to the better uniting you among yourselves, and the strengthening you against your common Adversaries."

Our Historian himself mentions this Circumstance; but erroneously states it as an additional Period to a Speech of the King's, concerning the Affairs of *Ireland*: "The other affects, that it was by Mr. *Hampden*'s Perswasion, that his Majesty took so impolitick a Step, and that it was done without the Participation of his Ministry; which will scarce seem credible to those who consider the entir'd Stare of his Affairs at that time, and how sensible he must needs be, that so capital a Point could never be carry'd without the joint Assistance of them all. The Bishop adds, "That what was understood by it, was the taking off the Sacramental Test, which was necessary by Law to qualify Men for Employment, and which was look'd upon as the chief Security the Church of *England* had, by excluding all Dissenters from all Employments." And again, "It was try'd, *if a Bargain* could be made for excusing the Clergy from that, provided the Dissenters might be excused from the Sacrament." As also, "That the Measure itself had a very ill Effect: That it was rejected by a great Majority in both Houses: That it very much heightened the Prejudices against the King, as bearing no great Affection to the Church, when he propos'd the opening such a Door, which they believ'd would be fatal to them; and that the

(*e*) *Smith* of *Carlisle*, and *Watson* of *St. David's*, also stood out for some time, but submitted at last: Of the Latter, Sir *John Reresby* writes as follows:

"It happen'd this Day, (*March* 28.) that I met with the Bishop of *St. David's*, who told, if I thought he might safely take the Oaths of Allegiance and Supremacy, he being one of the Prelates that had hitherto stood out, and were now cited to appear before the House of Lords? I told him, it were fittest for me to be advis'd by him in such a Case, and that certainly his own Conscience could not but dictate to him right: But I found he was already resolv'd; and accordingly he went the next Day and comply'd." [*Mem. c. 1. p. 519.*

"These Bishops (says Bishop *Burnet*) did one thing very inconsistent with their other Actions, and that could not be easily reconcil'd to the Rules of good Conscience. All Prelations are directed to Bishops, or to their Chancellors. But by a general Agreement, in the Year 1660, the Bishops resolv'd to except out of the Patents that they gave their Chancellors, the Power of giving Institution into Cures, which, before that, the Chancellors were impower'd to give in the Bishop's Absence. Now the Bishops were bound to see that the Clergy, before they gave them Institution, took the Oaths to the Government. In order therefore to decline the doing this, and yet avoid the Actions of *Quare Impedit*, that they would be liable to, if they did not admit the Clerks presented to them, they gave new Patents to their Chancellors, empowering them to give Institution; which they knew could not be done, but by tendring the Oaths. So they gave Authority to Laymen to admit Men to Benefices, and to do that which they thought unlawful, as was the swearing to an Usurper against the lawful King. Thus it appear'd, how far the Engagement of Interest and Parties can run Men into Contradictions." [*Vol. ii. p. 7.*]

(*f*) The second was, to reverse the Attainder of Lord *Russel*; and in the Preamble calls his Execution a Murder.

A.D. 1688-9 the rejecting this, made the Act imposing the Oaths, to be driven on with the more Zeal."

But the Truth is, that we find other Ministers, besides Mr. *Hampden*, deeply engag'd in this Measure, particularly, Lord *Halifax* (*g*); and that more than one Effort was made in each House to bring it to bear; which seems to argue, that it was concerted in the Cabinet at least; and demonstrates, that Mr. *Hampden* was not the King's only Adviser in it. Some Authors are express, That it was according to his Majesty's Desire *signify'd in Council*, that a Bill was offer'd in the House of Lords, on the 14th of *March* for abrogating the former Oaths of Allegiance and Supremacy, and appointing other Oaths in their stead.

Progress of the Oath-Bill in both Houses.

But if it should be taken for granted, that the King did advise upon this Matter in Council, before he propos'd it in Parliament, it is, on the other hand, scarce supposable, that this Bill in the House of Lords should be the Consequence of his Majesty's Desire so signify'd: For the Court Bill was the severe one already mention'd, which was brought up from the Commons to the Lords by Mr. *Hampden* in Person: And this is rather to be consider'd as a Counter-bill, to screen the Clergy from the Penalties of the former. It is moreover certain, that when the Lords *Mordaunt*, *Delamere*, and certain other ministerial Lords, endeavour'd to graft a Clause upon it, to remove the Necessity of taking the Sacrament as a Qualification for an Office, it was rejected by a great Majority; as was also another Clause, which partook of the nature of a Compromise; for as no Man was thereby to be admitted into an Office, who had not taken the Sacrament after the Mode of the establish'd Church, so it was provided, that the producing a Certificate under the Hand of a Minister, and two other credible Witnesses, that the Party therein specify'd, had so receiv'd the Sacrament, was to be deem'd a sufficient Qualification. As a farther Proof, that this was, in the main, an Anti-Court Bill, the said Lords enter'd their (*b*) Protests against the rejecting the said Clauses;

(*g*) Which the new Courtiers at first depended so much upon as a Step, that the Form of an Act was actually drawn up, and ready to be laid before each House, in the following Words:

"Whereas the Statute made in the 25th Year of the Reign of King *Charles* the second, intituled, *An Act for preventing Dangers which may happen from Popish Recusants*, was devised and made to prevent Papists from being put into Places and Offices of Trust, by the Means or Power of the late King *James*, then Duke of *York*, and a professed or known Papist; but by reason of some things therein is found to exclude divers Protestants who are able and willing to serve their present Majesties faithfully: And whereas there is now no Danger to be feared of the present King and Queen's employing or entrusting of Papists, but special and great Cause, in that Juncture of Affairs, that their Majesties should have the entire and unanimous Assistance of all their Protestant Subjects, for the common Defence of themselves, their Government, and their Kingdoms: To the End therefore, that their Majesties may not be deprived of the Service of any who are faithful unto them, and well affected to their Government; especially when there is so great Occasion, by reason both of secret Conspiracies of Persons ill affected at home, and of open Invasion threatened by the potent and active Enemies abroad:

"Be it enacted by the King and Queen's Majesty, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for such persons as Justices, during their Reign, to grant Commissions, or otherwise to authorize any Person or Persons, whom they shall think fit, not being Popish Recusants, to hold and execute any Office or Employment under them, without receiving the Sacrament, or having any Certificate thereof, as by the said Act is required; and that all Persons so commissioned or authorized, to hold or execute any Office or Employment under their Majesties, shall and may hold and execute the same, according to their several respective Commissions, &c. wherein they shall not receive the Sacrament, or have any Certificate thereof, as by the said Act is required, without being subject to any Disability, Forfeiture, or Penalty for so doing: Any thing in the said Act, or any other Act, to the contrary thereof in any wise notwithstanding."

Provided nevertheless, and be it enacted by the Authority aforesaid, That if any Person, being in truth a Popish Recusant, though he be not then convicted or so reputed, shall accept of any Commission, Office or Place under their said Majesties, and shall exercise the same contrary to the said Act, and shall afterwards be thereof convicted, every such Person, being thereof convicted, shall be subject to all the Disabilities, Forfeitures, and Penalties expressed in the said Act, any thing in the Act to the contrary thereof in any wise notwithstanding. [*Coll. of Land. Southern's Collection, Vol. I. part. 2. pag. 518.*

(*b*) *Viz.* To the First:

"That a hearty Union among Protestants was a greater Security to the Church and State than any Test that could be invented: That this Obligation to receive the Sacrament was a Test on the Protestants rather than on the Papists: That, as long as it was continued, there could not be that hearty and thorough Union among Protestants, as had always been wish'd, and was at this time indispensibly necessary. And, lastly, that a greater Caution ought not to be required, than such as were admitted into Offices, when from the Members of the two Houses of Parliament, who are not oblig'd to receive the Sacrament, to enable them to sit in either House.

Delamere, Stamford, North and Grey, Coventry, Wharton, Lovelace, Vaughan."

To the Second:

"That it gives great Part of the Protestant Freemen of *England* Reason to complain of Inequality and hard Usage, when they are excluded from public Employments by a Law; and also, that it grieves the King and Kingdom of divers Men fit and capable to serve the Public in several Cases; and that for a mere Scruple of Conscience, which could by no means render them suspected, much less disaffected to the Government: That his Majesty, as the common indulgent Father of his People, having expressed an earnest Desire of Liberty to tender Consciences, and of his Protestant Subjects; and the Bishops having, divers of them, on several Occasions, profess'd an Inclination to, and declar'd the Reasonableness of, such a Christian Temper; they apprehended it would raise Jealousies in Mens Minds, of something disagreeable from the Case of Religion, or the Public, or a Design to heal our Breaches, when they should find that, by continuing secular Employments to ecclesiastical Conformity, those were drawn out from civil Affairs, whose Doctrine and Worship might be tolerated by Authority of Parliament, there being a Bill before them, by Order of the House, to that Purpose; especially when, without this exclusive Vigour, the Church is secured in all its Privileges and Preferments, no body being hereby let into them who is not strictly conformable: That to set Marks of Distinction and Humiliation on any Sorts of Men who have not render'd themselves justly suspected to the Government, as it is at all times to be avoided, by the making full and equitable Laws; so might it be of so ill effect to the reformed Interest at home and abroad in this present Conjuncture, which stood in need of the united Hands and Hearts of all Protestants, against the open Attempts and secret Endeavours of a restless Party, and a potent Neighbour, who was more zealous than *Rome* itself to plant Popery in their Kingdoms; and labour'd with his utmost Power to settle his Tyranny upon the Ruins of the Reformation all through *Europe*: That it turn'd the Edge of a Law (they knew not by what Fate) upon *Protestants*, and Friends to the Government, which was intended against Papists, to exclude them from Places of Trust, as Men avowedly dangerous to our Religion and Government; and the taking the Sacrament, which was ordain'd only as a Means to discover Papists, and now made a distinguishing Duty amongst Protestants, to weaken the Whole by casting out a Part of them: That Mysteries of Religion and divine Worship are of a sacred Ground, and of a Nature so wholly distant from the [illegible] Affairs of politic Society, that they cannot be [illegible] those Parts; and therefore the Church, by the Law and the Gospel, as well as common Prudence, ought to [illegible] to suffer either tender Consciences within [illegible] Offence to those without, by making their [illegible]

A.D. 1688-9. Clauses; and if the new Bishop of *Salisbury (Burnet)* divided with, or undertook for, the Majority, possibly it was either to ingratiate himself with his Brethren, with whom he was on very ill Terms, or for want of better Instructions. He had but just taken his Seat upon the Bench; he was not yet consecrated; and while the Cabinet was split into such a variety of Factions, it was no easy Matter to know which had the Lead. But what is still more convincing than all, at the same time that the Party which supported this Bill, rejected the Clause for repealing the Sacramental Test, in Opposition to the King's Desire, they took all possible care to excuse the Clergy from taking those very Oaths which the Bill pretended to establish.

Indeed, the Historian-Bishop, in giving an Abstract of the Debate, has put such Arguments into the Mouths of those he cooperated with, as seem to indicate, that they had nothing in view, but the Establishment and Security of the new Settlement: But, to say nothing of the Arts made use of on such Occasions, before he quits the Subject, he authorises a Suspicion, that he was impos'd upon by them, and in a manner insinuates, that he therefore gave up the Cause (*i*).

In fine, this Indulgence to the Clergy was the other Part of the *Bargain* abovemention'd; and it was *thought* so unreasonable in the Undertakers on that Side, to *insist on* carrying their own Point, after they had refus'd, to vouchsafe an Equivalent to those on the other, that the Contention between them was carry'd to a higher Pitch than ever. It is true, the severe Bill which the Commons had prepar'd to compel the Clergy to come in, was sent up to the Lords on the eighteenth, and, possibly, help'd to bespeak the Negatives abovementioned: But then the ill Reception given to the King's Speech, serv'd to quicken the Bill: And, in short, when two Parties are thoroughly exasperated against each other, both are so ready to strike, that it becomes hard to pronounce who gave the first Blow. A.D. 1688-9.

It was the twenty-fifth when the Bill was sent down to the Commons; and, as the Lords had soften'd it, under the Pretence of complimenting the King with a discretionary Power, to cause the Tender of the Oaths to be made, to whom, and when he pleas'd) the Clergy were either set free from the Snare, or his Majesty was to incur the Odium of hunting them into it: When, therefore, it was read a second time and committed, which was on the twenty-ninth, the Managers of the former Bill made use of all their Eloquence, and all their Interest to graft upon it, by way of Amendment, the penal Clauses which had been before explan'd away by the Lords, and made a shift to succeed. Upon the 15th of *April*, the Bill, so amended, was again sent up to the Lords, who, having amended those Amendments to their own Mind, a second time, return'd it to the Commons, who rejected most of them; and, at a Conference, on the twentieth, offer'd their (*k*) Reasons, which had been drawn up by Sir *George Treby*, for so doing. On the A.D. 1689.

twenty-

---

with secular Interests. That they could not see how it could consist with the Law of *God*, common Equity, or the Right of any free-born Subject, that any one be punish'd without a Crime: That if it be a Crime not to take the Sacrament according to the Usage of the Church of *England*, every one ought to be punish'd for it, which no body affirms: And if it be no Crime, those who were capable, and judg'd fit for the King's Service, ought not to be punish'd with a Law of Exclusion, for not doing that which is no Crime to forbear: And lastly, That if it be urg'd still, as an effectual Test, to discover and keep out Papists, the taking of the Sacrament in those Protestant Congregations, where they are Members, and Known, would be at least as effectual to that Purpose.

Oxford, Mordaunt, Lovelace, Montagu, Wharton, Paget."

(*i*) As he tells the Story, indeed, Posterity would be wholly at a Loss to know in what Channel the Affair ran: He utterly forgets, that there were two Bills; that Mr. *Hampden*'s was dropt by the Lords, who proceeded upon their own; and tho' he mentions Conferences with the Commons, leaves his Readers to explore how they began, and how they ended: Witness the Story itself, which is *verbatim* as follows:

"That which was long insisted on in the House of Lords was, That instead of the Clause positively enacting that the Clergy should be oblig'd to take the Oaths, the King might be empower'd to tender them, and then the Refusal was to be punish'd according to the Clause as it stood in the Act. It was thought, such a Power would oblige them to their good Behaviour, and be an effectual Restraint upon them: They would be kept quiet at least by it: Whereas, if they came under *Deprivation*, or the apprehensions of it, that would make them desperate, and set them on to undermine the Government. It was said, that the Clergy, by the Offices of the Church, did solemnly own their Allegiance to *God*, in the Sight of all their People; that no Oath could lay deeper Engagements on them, than those Acts of religious Worship did: And if they should either put over those Offices, or perform them otherwise than as the Law required, there was a clear Method, pursuant to the Act of Uniformity, to proceed severely against them. It was also said, that in many different Changes of Government, Oaths had not prov'd so effectual a Security as was imagin'd: Distinctions were found out, and Senses were put on Words, by which they were interpreted so as to signify but little, when a Government came to need Strength from them: And *it till became those, who had formerly complained of those Impositions, to urge this with so much Vehemence.* On the other hand, it was urg'd, That no Man ought to be trusted by a Government, chiefly in so feared a Concern, who would not give Security to it; especially, since the Oath was brought to such low and general Terms. The Expedient that was proposed would put a Hardship upon the King, which was always to be carefully avoided. The Day prefixed [*August* the 1*st.*] was at the Distance of some Months: So that Men had Time sufficient given them to study the Point: And, if in that time they could not satisfy themselves, as to the Lawfulness of acknowledging the Government, it was not fit that they should continue in the highest Posts of the Church. An Exception of Twelve was proposed, who should be subject to the Law, upon refusing the Oaths, when requir'd to it by the King: but that was rejected: And all the Mitigation that was obtained was, a Power to the King to reserve a third Part of the Profits of any twelve Benefices he should name, to the Incumbents who should be deprived by virtue of this Act: And so it pass'd. It was the *chief Manager* of the Debate, in favour of the Clergy, both in the House of Lords, and at the *Conferences* with the Commons. But, seeing it could not be carried, *I acquiesced the more easily,* BECAUSE, tho' in the *Beginning* of these Debates I was *assured*, that those who seem'd resolved not to take the Oaths yet pray'd for the King in their Chapels; yet I *found afterwards, this was not true,* for they named no King nor Queen: and so it was easy to guess, when they meant by such an indefinite Designation. *I also heard many things, that made me conclude they were endeavouring to raise all the Opposition to the Government possible.*" [Vol. II. p. 9, 10.

(*k*) *Viz.* 1. That it has been the Policy of the Common-Law, and Statute Law, to oblige Men to swear Allegiance to the King.

2. Allegiance is the common and necessary Duty of all Subjects, and is most strictly to be required of Archbishops, Bishops, and those who have ecclesiastical Dignities, Benefices, or Promotions, in regard they are highly entrusted in the Administration of the Government, draw great Depen-

A. D. 1689. twenty-second, the Lords insisted on their former Amendments: And at another Conference, which, if the Journals do not lye, was managed by the Lord *Nottingham*, not the Bishop of *Salisbury*, deliver'd in their (*l*) Counter Reasons, which were over-rul'd on the Report by the Commons, without a Division. This produc'd a free Conference, at the Desire of the Latter; who adhering to their Clauses, the Lords, at last, receded from theirs, A. D. 1689.

dencies, and are exemplary to the rest of the People: And several of them are, by Law, to administer the Oath of Allegiance to other Persons.

Allegiance is also strictly to be requir'd of all Governors, Professors and Fellows in Universities, and School-masters, because to them the Education of the Youth of the Kingdom is committed; and therefore, they ought to be known Persons of Loyalty and Affection to the Government.

5. The taking the Oaths publicly in open Court will better manifest Allegiance than the taking them privately before Persons appointed by Order in Council, and will be much more for the Ease of the Persons who are oblig'd to take the Oaths.

6. The best and most certain Means to have the Oaths taken, is to impose it upon Persons concern'd to render themselves to take the said Oaths under Penalties. But, if the Oaths are not to be requir'd, unless tender'd, the said Persons might by Absence, and otherwise, avoid the taking them with Impunity.

7. The Clause which the Commons sent to your Lordships allows much more Favour to the Archbishop, or Bishops, and those that have ecclesiastical Dignities, Benefices, or Promotions, than to any Lay Peers, or other Persons having Offices and Employments, and is more gentle in the Penalty than the Statutes heretofore made in like Case.

8. It is unreasonable and unsafe to distinguish the Archbishops, Bishops, and Persons having ecclesiastical Dignities, Benefices, or Promotions, and such as are entrusted with the Education of Youth, from the rest of the Subjects in the Declaration of their Allegiance, and may tend to make a Division in the Kingdom, and may raise and countenance Factions both in Church and State.

9. It may tend to expose the King's Person and Government to Hatred and Danger, and occasion a general Discontent.

(*l*) As follow: "In answer to the first and second Reasons alledg'd by the House of Commons, 'tis agreed that the Policy of the Law requires Men to swear Allegiance, and that it is the common and necessary Duty of all Subjects, and especially of the Clergy. But the Lords do not exempt them from taking these Oaths, but only differ with the House of Commons about the Method by which they should be tender'd.

To the third Reason, if the Lords should agree that it is better to tender the Oaths in open Court than privately, yet that is not a sufficient Reason against the tendering them by Persons appointed by the King in Council, because the Officers and Judges of the Court may be so appointed by virtue of the Clause offer'd by the Lords; or if it is not clearly enough express'd, it may be express'd more explicitly.

To the fourth, the Clergy will be requir'd to take the Oaths by both Order in Council as is propos'd by the Lords, and their not appearing when so summon'd, will amount to a Refusal; or if it should not, the Lords would agree to any such Addition as would make it so.

As to the other Reasons, the Clergy and the Members of the Universities are not distinguish'd from the Laity, because upon all Promotions to any Degree of Preferment, they will be, equally with others, oblig'd to take the said Oaths; and even those that are already in such Stations, will be oblig'd to take the Oaths when requir'd by Order in Council; and it seems to conduce more to the Settlement and Safety of the Government, that the King should be empower'd to put the Fidelity of the Clergy to a Trial immediately, than to leave any, who are ill-affected, to such time as to the first of *August*, to be all that while undermin'd.

The Clergy are oblig'd by the Prayers which they must read in the daily Service, to make such express and solemn Declarations of their Fidelity to the King and Queen by Name, that the putting them to the taking the Oaths is not so necessary to the public Safety, as in other Persons who are not bound to make such frequent Declarations of their Fidelity.

In so critical a time as the present, it is not to be doubted, but upon any Case of apprehending their ill Affections to the Government, the tendering the Oaths by Order in Council, will not only take off all Imputation of Hardships from his Majesty, but justify, and even require a more rigorous way of Proceeding against those that shall give any Cause of Offence.

Since, during Queen *Elizabeth*'s long and glorious Reign, in which she had both the pretended Title to the Queen of *Scots*, and the deposing Power assum'd by the Pope to apprehend, this was found to be the safest way for the public Quiet; and the ill Effects of leaving the tendering of Oaths to the Queen's Discretion, not having appear'd in all that time of so much Danger, and so many Conspiracies against her Person; the following a Pattern taken from the best Part of our History, seems more suitable to the present time, than the following other Methods; which the Lords think a sufficient Answer to the last Reason given by the House of Commons."

Thirty-six Lords adopted these Reasons, and thirty-two rejected them; among whom were the Lords *Mattlesfield* and *Mordaunt*, who enter'd their joint Dissent, for the following Reasons:

1st, Because by the same Reason that any Part of the Subjects might be excused from giving Assurance of their Allegiance and Fidelity, all might, and the Government be left precarious.

2dly, Because the Clergy, and especially the Bishops, receiving their Benefices, Dignities and Preferments from the Public, ought to be the first and forwardest, both by their Doctrine and Example, to teach others their Obligations, to be zealous in preserving the Government as well as Religion establish'd by Law.

3dly, Because the Pretence of Scruple and Tenderness of Conscience could have no other Foundation in the present Case, but the Supposition of some former Obligations: No one ever scrupling to give all manner of Pledges of his Allegiance where he thought it due: Those therefore that scrupled ought the *more* to be *press'd*, and the *sooner* to be brought to the Test, unless any one could think it reasonable that the Government should favour, increase and indulge those that would not give the usual Security that they were not Enemies to it.

4thly, Because, however the King might, that Part of the People who had sworn Allegiance to him could not, have Reason to be satisfy'd, when they saw another Part of the Nation under looser Obligations to the Government than they; nothing being so apt to raise Fears, Jealousies and Disorders in a State, as unnecessary Distinctions, or any Cause of Suspicion of want of Unanimity or Fidelity amongst themselves, in the greatest Concernments of the Kingdom, especially in the Titles of the Crown, and at such time as this, when they were entering into War with a potent Enemy, who openly owned and supported a contrary Title.

5thly, Because it would discourage the Allies, and give them a lower Opinion of our King's Interest in his People, or Authority over them, than was for the Advantage of this Kingdom in particular, or the Protestant Religion through *Europe*; when they should understand that those who were look'd on to be the Directors of other Mens Consciences, could not bring their own to acknowledge him in the first and fundamental Act of Obedience; and what must they conclude, when they heard the Parliament had dispensed with such an exemplary Part of the Nation in a Business of such Moment?

6thly, Because it might be of ill Consequence, if the Parliament should set any thing like a Mark of Distinction on that sacred Order, by allowing them now a Dispensation from taking a very moderate Oath of Allegiance, when, in a late Reign, *were too forward and zealous by Addresses, preaching and promoting new Oaths to carry Loyalty and Obedience to Monarchy, to a Pitch unknown to our ancient Laws, or former Ages.*

7thly, Because there being no other Assurance of any one owning himself subject to any Government, but either acting under it, or swearing to it, it was very necessary, that those who forbear to act, should, of all others, be most strictly required to take the Oaths, that the Public might have that Security of their Allegiance from those that refuse the Oaths.

8thly, Because it was unreasonable, that, for a Part of the Clergy, the Nation should be exposed to the Inconveniencies of the Want of Justice, and the Danger of Disorders for want of settling the Militia; the Renewing of all Commissions being delay'd, to the great Prejudice of the Government and the People, till this Act were past; and therefore they did not see why that House should not comply with the Commons in the present Necessity, tho' their Vote should be hard on a Part of the Subjects; whereas the utmost could be pretended in this Case was, only contending for an extraordinary Favour, and an unheard-of Allowance to inconsiderate Men.

9thly, Because it was neither what History could produce, nor any Policy justify, to allow any Part of the People, who claim Protection from the Government, to be excused from giving the common and necessary Assurance of Allegiance and Fidelity to it; and it was hard to think how any one that intended to be faithful to it should come to scruple renouncing the Government, so as to desire to be excused from being under the same Tie with other of their Fellow-Subjects."

A. D. 1689. theirs, under the following Proviſo (which they nevertheleſs acknowledg'd was contrary to the Courſe or Practice of Parliaments) *viz.* That it ſhould be left to the King to allow any twelve of the Clergy who ſhould refuſe the Oaths preſcrib'd by this Act that he pleas'd to name, one third of the Profits of their Benefices for their Subſiſtence, during his Majeſty's Pleaſure.

In this Interval the Commons had a Bill before them for ſettling the Coronation Oath: King *James* had made free with it; and it was apprehended other Kings might do the ſame: Care was, therefore, taken by thoſe who manag'd for the Church, after the Words, "Will you, to the utmoſt of your Power, maintain the Laws of *God*, the true Profeſſion of the Goſpel, and the Proteſtant, reformed Religion," to add, ESTABLISHED BY LAW. This not a little diſconcerted the other Party, and perhaps gave ſome Umbrage to the (*m*) King himſelf, who was, at that time, deep in the Project of a *Comprehenſion*, and who could not but foreſee, that theſe Words would throw an additional Obſtacle in his way. When therefore the Bill had been read twice, an engroſs'd Proviſo was offer'd by way of Rider; by which it was to be declar'd and enacted, That no Clauſe in the ſaid Act ſhould be underſtood to bind the Kings and Queens of this Realm, ſo as to prevent their giving their Royal Aſſent to any Bill which ſhould at any time be offer'd by the *Lords* and *Commons* in *Parliament*, for the taking away or altering any Form or Ceremony in the eſtabliſhed Church, ſo as the Doctrines of the ſaid Church, a public Liturgy, and the epiſcopal Government of it be preſerv'd. This gave riſe to a warm and fierce Debate; in the Middle of which, the Lords, by Meſſage, deſiring a *preſent* Conference on another Bill then depending, for removing Papiſts from *London*, &c. Advantage was not only taken to comply with the Deſire of the Lords, but to move the Houſe to proceed on the Report of the Managers thereon: This Motion was made by thoſe who had propos'd the Rider, and who, by this time, finding themſelves out-number'd, had a mind to poſtpone the Debate, till they were better prepar'd for the Deciſion: But this their Antagoniſts would not agree to, and the Houſe dividing, it appear'd the Church was ſtrongeſt by (*n*) twenty Voices. Some more Time was then ſpent in Altercations; but without Effect. The Majority would not even permit the Rider to be read a ſecond time; and on the contrary, purſuing their own Point, while it was in their Power to carry it, diſpatch'd the Bill at once, to the Houſe of Lords.

Proviſo offer'd to the Coronation-Oath-Bill,

and rejected.

This was done on the 29th of *March*: On the ninth of the next Month (*April*) it receiv'd the (*o*) Royal Aſſent (together with an Act to naturalize Prince *George* of *Denmark*; and another to beſtow the ſame Favour on Mr. *Schomberg*, Mr. *Bentinck*, &c.) And on the eleventh the (*p*) Ceremony itſelf was perform'd in the *Abbey* after the uſual Forms; the far greater Number of the diſaffected Peers, and among the reſt Dr. *Lamplugh*, who had been made Archbiſhop of *York* by King *James*, for running away from *Exeter*, on the Prince of *Orange*'s Approach, waving their Scruples, for the ſake of ſeeing the Shew. By a Clauſe in the Coronation-Act, it was left in the King's Breaſt to be crown'd either by an Archbiſhop or Biſhop; and *Sancroft* perſevering in his Reſolution not to acknowledge a Settlement which he had no hand in making, his Majeſty choſe the Biſhop of *London* to officiate in his Room.

A. D. 1689.

Prince George naturaliz'd.

The King and Queen crown'd.

It is remarkable, that the Commons, who had given his Majeſty the Crown, were not permitted to aſſiſt in putting it on; the Speaker on the fifth giving the Houſe to underſtand, "That his Majeſty had appointed a Gallery for their Reception in the *Abbey*, and another in *Weſtminſter-hall*, and a Dinner to be provided for them in the Court of *Exchequer*; but that his Majeſty did not think it altogether convenient for the Houſe to bear any Part in the Proceſſion." On the next Day after the Coronation, they had however a Proceſſion of their own; for the whole Houſe, in a full Body, walk'd from *Weſtminſter-hall* to the *Banqueting-houſe*, to congratulate their Majeſties on that happy Occaſion, and were moſt graciouſly receiv'd; for as their Orator overflow'd with Prayers and Praiſes, his Majeſty did the ſame with Promiſes and Acknowledgements.

The Commons not permitted to aſſiſt at the Solemnity, but complimented with a Gallery and a Dinner.

To purſue the Current of Buſineſs: The Comprehenſion Project, juſt mention'd, had the faireſt Face of any that ever was produc'd in Parliament, and ſeem'd to bid the faireſt for Succeſs. The People were told it was to put an End to all Diſtinctions among Proteſtants, and conſequently all the Feuds and Broils which thoſe Diſtinctions gave riſe to, by uniting Prelatiſt and Preſbyterian

The Bill of Union, or Comprehenſion,

(*m*) The Author of the *Caveat againſt the Whigs* charges him, in ſo many Words, with diſcovering an Unwillingneſs to ſwear at his Coronation to maintain the Church of *England* as by Law eſtabliſhed.

(*n*) Yeas 118. Noes 158.

(*o*) Having lain before the Lords till the ſeventh; which ſeems to indicate, that it was not reliſh'd at Court, and that it was ſuffer'd to hang ſo long in ſuſpence, in hope of an Opportunity to ſlide in ſome Amendment: And this ſeems ſo much the more probable, becauſe the Day appointed for the Ceremony was ſo near at hand; and becauſe the King went to the Houſe on the third to paſs the Mutiny-Bill, and the Act to revive Actions and Proceſſes in *Weſtminſter-hall*, which had all this time been diſcontinued.

(*p*) Preparatory to which, Prince *George* of *Denmark* was created Baron of *Okingham*, Earl of *Kendal*, and Duke of *Cumberland*; the Marquis of *Winchester*, Duke of *Bolton*; the Earl of *Danby*, Marquis of *Carmarthen*; M. *Ruvigny*, Baron *Cornwallis*, Viſcount *Woodſtock*, and Earl of *Portland*; Viſcount *Fauconberg*, Earl of *Fauconberg*; Viſcount *Mordaunt*, Earl of *Monmouth*; the Lord *Montagu*, Viſcount *Mount-Hermer*, and Earl of *Montagu*; the Lord *Churchill*, Earl of *Marlborough*; *Henry Sidney*, Eſq; Baron of *Milton*, and Viſcount *Sidney of Sheppey* in the County of *Kent*; Viſcount *Lumley of Waterford* in *Ireland*, Viſcount *Lumley of Lumley Caſtle*, in the County Palatine of *Durham*, and Earl of *Scarborough*; the Viſcount *Cholmondley of Kells* in *Ireland*, Baron *Cholmondley of Wirchmalbanck*, or *Namptwich* in *Cheſhire*; *Thomas Pilkington*, Eſq; Lord Mayor of *London*, was knighted; and Marſhal *Schomberg* (who with the Earl of *Devonſhire* had already been elected Knight Companion of the moſt Noble Order of the Garter) was created a Duke.

A.D. 1689. terian in one Opinion, one Form, and one Intereſt. To the Latter this ſeem'd a Matter of Grace and Favour; and the Former affected to come into it with all the Readineſs imaginable: Even ſuch of the Biſhops as forſook their Seats in Parliament to avoid taking the Oaths, recommended it, before they did ſo. The Earl of *Nottingham*, who brought the Bill into the Houſe of Lords, had the Thanks of the Houſe for ſo doing: When the like Bill was propos'd in the Houſe of Commons, it was receiv'd, *Nemine Contradicente*: And as to the King, we have ſeen ſufficient Cauſe to conclude, that he was ſincerely diſpos'd to give it all the Aſſiſtance in his Power.

But however cordial his Majeſty's Endeavours ought to be eſteem'd, the two Parties accuſe each other mutually of Inſincerity. It was ſaid on one Side, "The Diſſenters deſir'd no ſuch Favour, if they could but get rid of the Teſt, whereby they hop'd to be put into a Condition of diſputing thoſe Points in another manner." And on the other, [Burnet, *vol. ii. p.* 11.] "That thoſe who mov'd for the Bill, and afterwards brought it into the Houſe, acted a very diſingenuous Part; for while they ſtudy'd to recommend themſelves by this Show of Moderation, they ſet on their Friends to oppoſe it; and ſuch as were ſincerely and cordially for it, were repreſented as the Enemies of the Church, who intended to ſubvert it." And again, "The Clergy [*Burnet, Part ii. p.* 38.] began now to ſhew an implacable Hatred to the Nonconformiſts, and ſeem'd to wiſh an Occaſion to renew old Severities againſt them." To ballance which, the Advocates A.D. 16 for the Clergy alledg'd, "That the Nonconformiſt Miniſters (and among the reſt their Mufti *Baxter*) as ſilent as they were all the Reign of King *James*, in relation to the Church of *Rome*, were pleas'd now to waſte their Ink in belpattering the Church of *England*. So little thought they of an Accommodation, which they render'd yet more deſperate, by ordaining at this very Juncture, near fifty young Students into their Miniſtry, altho' the Point of Ordination was the moſt difficult to be adjuſted of the Matters in diſpute." And yet the Religion they both taught was Self-denial, Humility, Brotherly-Love and Charity. To the Diſgrace of that Religion, indeed, they were Rivals for (*q*) Power and Dominion: Theſe had an Opportunity to aſpire, which they were reſolv'd to uſe; and Thoſe had Poſſeſſion, and the Laws to protect them in it; which they were reſolv'd never to part with. It is no wonder, therefore, that the Laity labour'd in vain to join them, and that every Attempt of that kind ſhould only make the Breach wider than ever.

As to the Bill itſelf, we are told by the *Hiſtorian of his own Times*, in the Name of the Earl of *Nottingham*, that it was the ſame which that Lord had prepar'd for the Houſe of Commons, in the Reign of King *Charles* the Second, to allay the Heats of both Parties, during the Debates of the Excluſion: But whatever Authority is deriv'd from that Circumſtance, or the Recommendation of the ſucceeding Biſhops, or the Acknowledg-

ments

(*q*) Agreeable to this plain but true Remark, we find the Caſe ſtated in a Paper called, *The Danger of a Comprehenſion*; which was ſet forth while the Bill was depending, and of which the Contents are as follow:

"Many Reaſons lead me to oppoſe a *Comprehenſion*; and the Firſt of them is the very Reaſon I perceive which others have given for it. *That it fortifies the Church of* England *againſt Diſſenters*; for ſince our Fear was of Popery, to tranſlate it ſo early againſt Proteſtants of other Communions is to tell them, that having rid ourſelves of Papiſts we are making new Levies againſt them, and that we only haſten while to recruit our Numbers, and when in a Poſture to attack them, they ſhall not fail to feel the Weight of our Power and Comprehenſion. By this means, of very good Friends againſt Popery, we ſhall grow Parties and Enemies; and if this be not to be moſt carefully avoided in our preſent Condition, I am miſtaken both in my Religion and Politics.

II. But ſecondly, What need is there of a Comprehenſion, which carries in it a Variation of the old and ſettled Methods of the Church, only to *let in* ſo many Men to Church Benefices; for, when all is done, that muſt be the Mark they aim at, that preſs it on the Side of the Preſbyterian, ſince an *Act of Indulgence* would elſe anſwer that Gentleman as well. And if it were a conſcientious Deſire on the other Side to *enlarge* the Church, it would become a Duty with her to fling off all the reſt that others ſcruple, upon as good Grounds, and which cannot be ſaid to be eſſential to Faith or Worſhip, and ſo make but one Work of it for this Age. Since Conſcience therefore does not ſeem to be the Ground of this Comprehenſion on either Side, it muſt needs have but an ill Bottom to ſtand upon.

III. We are not, nor cannot be, aſſured, That the Alteration this brings to the Church of *England* will ſtop here; for more Knowledge or Deluſion prevailing among themſelves or others, will call for the Uſe of the ſame Prudence; and ſo ſhe can never be certain and ſtable, but ſubject to change with the Paſſions and Motions of Opinion or State.

IV. It has ſomething in it of Irreverence and Levity, for two Churches to bargain about Faith and Worſhip, to take or leave, add or diminiſh, and both Parties to ſhew themſelves ſtiff or careleſs about the ſame things, as Humour or Intereſt govern them; which, in Men pretending to Religion, cannot fail to ſcandalize thoſe that are not ſo believing or zealous as they ought to be.

V. I conſider the very differing Temper of the two Parties, whether it flow from Succeſſion of Education given by the Authors or Founders of them, or the Influence of their Principles, or that one has been uſed to Rule and Dominion, and the other to want the firſt and feel the laſt, or from all of them; but 'tis certain, there is a Latitude and an Hoſpitality, a Paſſion and Reverence to Majeſty, almoſt to an implicit Obedience, in the Church of *England*, and in the Preſbyterian Communion, a Stiffneſs, a Meddling, a Conſcientiouſneſs not ſparing their Superiors; naturally indeed inclined to Kings, but loving them no further than their Pope, to whip them. And it is this Diſpoſition that has ever made that Society troubleſome both to Church and State. Now as Men that are not of a like Temper, live beſt with one another at ſome Diſtance, ſo the Church of *England* will be leſs perplexed, and the Preſbyterian leſs controuled, in an *Act of Indulgence*, than in one of Comprehenſion.

VI. If the Comprehenſion be not ſtated upon an Unity of Practice, it can never endure. For look how many different Practices there are, ſo many Parties in a ſhort time there will be; and ſuch a Comprehenſion can only ſerve to break and diſſolve, inſtead of ſtrengthening, the preſent Church. Common Senſe teaches us, That one Enemy within-doors is ſtronger than ten without-doors; and ſuch every Perſon comprehended muſt render himſelf after a while, upon a differing Practice from the Old-ſtanders of the Communion. If I ſaw more Piety and Charity in both Parties than formerly, I would forbid myſelf this Liberty; but when I find Paſſions as ſtrong, and Intereſt as prevalent on each ſide, as ever, I muſt beg their Pardon, if I ſay I cannot think their Notion of a Comprehenſion reaſonable.

Laſtly, No body has ever yet ſucceeded upon this Deſign. It has been endeavour'd by great Men of ſeveral Perſuaſions, at ſeveral times; as *Cheſſeter*, *Cotton*, *Bradſhaw*, *Whitlock*, *Thurloe*, *Pilkington*, *Grotius*, *Salmaſius*, *Dowzy*, and others, as well between Papiſts and Proteſtants, as *Lutherans* and *Calviniſts*, but ever to no purpoſe: And though the Moderate ſhould come in, their People would, in all Probability, ſtand to their Share that are left out by this Act of Comprehenſion. Wherefore I conclude, It is an Attempt that ſhews, in ſome Men, more of Fancy than Judgment, and Intereſt than Religion; and that Iron and Clay will as ſoon cement, as an Epiſcopacy and Preſbytery will or can join to conſtitute one national Church in *England*." [*Out of Lord Sommers's Collection, Vol.* XXXV. *Tract.* 17.

A. D. 1689. ments of the House to the Lords who brought it in, it had not been long committed before many of those Peers, who had so warmly espous'd the Notion, appear'd as averse to the bringing it into Use; and excus'd themselves for so doing, on account of what they call'd the manifest Partiality shewn by certain of the Court-Lords to the Dissenters and their Cause. Even the Author last quoted acknowledges some Progress was made in it.

Burnet's Account of it. "But, continues he, a Proviso was offer'd, that, in Imitation of the Acts passed in King *Henry* the Eighth and King *Edward* the Sixth's time, a number of Persons, both of the Clergy and Laity, might be impowered to prepare such a Reformation of things, relating to the Church, as might be offered to King and Parliament, in order to the healing our Divisions, and the correcting what might be amiss or defective in our Constitution. This was pressed with great Earnestness by many of the temporal Lords. I at that time did imagine, that the Clergy would have come into such a Design with Zeal and Unanimity: And I feared this would be looked on by them, as taking the Matter out of their Hands: And for that reason I argued so warmly against this, that it was carry'd by a *small Majority* to let it fall. But I was convinced soon after, that I had taken wrong Measures; and that the Method propos'd *by these Lords, was the only one like to prove effectual*: But this did not so recommend me to the Clergy, as to balance the Censure I came under, for moving, in another Proviso of that Bill, that the Subscription, instead of Assent and Consent, should only be to submit with a Promise of Conformity. There was a Proviso likewise in the Bill for dispensing with kneeling at the Sacrament, and being baptized with the Sign of the Cross, to such as, after Conference upon those Heads, should solemnly protest, they were not satisfied as to the Lawfulness of them. That concerning kneeling, occasion'd a vehement Debate; for, the Posture being the chief Exception that the Dissenters had, the giving up this was thought to be the opening a way for them to come into Employments. Yet it was carry'd in the House of Lords; and I declared myself zealous for it; for since it was acknowledg'd, that the Posture was not essential in itself, and that Scruples, how ill grounded soever, were raised upon it, it seem'd reasonable to leave the Matter as indifferent in its Practice, as it was in its Nature." A. D. 1689.

In Deference to the Authority of this great Prelate, it was perhaps necessary to insert his Words; but having done so, it may be more necessary to add, 1. That he has inverted the Order of the Clauses he speaks to; for, according to the Report, that relating to the Posture of receiving the Sacrament, which is allow'd to be so extremely favourable to the Views, as well as the Scruples, of the Dissenters, was debated, before the Proviso for admitting Laymen into the Commission was heard. 2. That, important, as he represents himself in the whole Course of the Proceeding, it was, notwithstanding, carry'd in the Committee, for continuing the old Posture of kneeling: That is to say, they rejected the Clause, which left it as a Matter indifferent to the Communicant: And when it was restor'd by the House on the Question, to agree with the Committee therein, it was because the Numbers on the Division were equal; in which Case, according to an ancient Rule of the House, the Decision was to be in the Negative. And, 3. Tho' his Lordship is pleas'd to ascribe the turning of the Scale in favour of the Clergy, in the Affair of the Commission, to the Warmth of his own Arguments, the Point was (r) carry'd exactly in the same manner with the former. defective.

(r). On which Occasion the following very sensible Protest was enter'd by the Lords *Winchester*, *Mordaunt*, and *Lovelace*:

1*st*, Because the Act itself being, as the Preamble sets forth, design'd for the Peace of the State, the putting the Clergy into the Commission, with a total Exclusion of the Laity, lays this Humiliation on the Laity, as if the Clergy of the Church of *England* were alone Friends to the Peace of the State, and the Laity less able, or less concerned to provide for it.

2*dly*, Because the Matters to be considered being barely of human Constitution, viz. the Liturgy and Ceremonies of the Church of *England*, which had their Establishment from the King, Lords Spiritual and Temporal, and Commons, assembled in Parliament, there can be no Reason why the Commissioners for altering any thing in the Civil Constitution should consist only of Men of one sort of them, unless it be suppos'd that human Reason is to be quitted in this Affair, and the Inspiration of Spiritual Men to be alone depended on.

3*dly*, Because, tho' upon *Remish* Principles, the Clergymen have a Title alone to meddle in Matters of Religion, yet with us they cannot, where the Church is acknowledg'd and declar'd to consist of Clergy and Laity; and so those Matters of Religion which fall under human Determination, being properly the Business of the Church, belong equally to both; for in what is of divine Institution, neither Clergy nor Laity can make any Alteration at all.

4*thly*, Because the pretending that Differences and Delays may arise by mixing Lay-men with Ecclesiastics, to the frustrating the Design of the Commission, is vain and out of doors; unless those that make use of this Pretence suppose the Clergy-part of the Church have distinct Interests or Designs from the Lay-part of the same Church; and this will be a Reason, if good, why one or other of them should quit the House for fear of obstructing the Business of it.

5*thly*, Because the Commission being intended for the Satisfaction of Dissenters, it would be convenient that Laymen of different Ranks, may, perhaps of different Opinions too, should be mixed in it, the better to find Expedients for that End, rather than Clergymen alone of our Church, who are generally observ'd to have very much the same way of reasoning and thinking.

6*thly*, Because it is the most ready way to facilitate the passing the Alterations into a Law, that Lay-Lords and Commons should be join'd in the Commission, who may be able to satisfy both Houses of the Reasons upon which they were made, and thereby remove all Fears and Jealousies ill Men may raise against the Clergy, of their endeavouring to keep up, without Grounds, a distinct Interest from that of the Laity, whom they so carefully exclude from being join'd with them in Consultations of common Concernment, that they will not have those have any Part in the Declaration, who must have the greatest in determining.

7*thly*, Because such a restrained Commission lies liable to this great Objection, that it might be made use of to elude repeated Promises and the present general Expectation of Compliance with tender Consciences, when the providing for it is taken out of the ordinary Course of Parliament, to be put into the Hands of those alone, who were latest in admitting any need of it, and who may be thought the more unfit to be the sole Composers of our Differences, when they are looked upon by some as Parties.

8*thly*, Because, after all, this carries a dangerous Supposition with it, as if the Laity were not a Part of the Church, nor had any Power to meddle in Matters of Religion; a Supposition directly opposite to the Constitution both of Church and State, which will make all Alterations utterly impossible, unless the Clergy alone be allow'd to have Power to

A. D. 1689. mer. There was no *ſmall Majority*; for the Numbers were equal as before.

The Alarm was by this time taken in the Houſe of Commons; and ſo much did the ſuppos'd Danger of the Church weigh with thoſe who had ſeceded, in utter Deſpair of the State, that they crowded again to their Seats, and in Conjunction with thoſe, who, either thro' Principle or Diſappointment, had turn'd their Backs on the new Court, not only made a ſhift to keep the miniſterial Party at bay, but, occaſionally, became Maſters. Thus, while the Comprehenſion-Bill was yet depending in the Houſe of Lords, and before the Commons had appointed a Committee to prepare one of their own, the Bill to *reſtore Corporations* having been read and committed, they made a Motion, That it be an Inſtruction to the Committee, that none ſhould be admitted to any Place of Magiſtracy, unleſs he had, within a Twelvemonth before, receiv'd the Sacrament, according to the Church of *England*; and after a ſmart Debate, carry'd it by two Voices, Yeas 116, Noes 114: Encourag'd with which Succeſs, a few Days after, they collected their whole Party together, and, by Surprize it muſt be ſuppos'd, (unleſs there was a flying Squadron, which ſometimes charg'd with one Party, and ſometimes with the other; for the Bill of Oaths which bore ſo hard on the Clergy, was carried thro' afterwards) obtain'd an Addreſs to his Majeſty, ſetting forth, "That they did, with the utmoſt Duty and Affection, render to his Majeſty their moſt humble and hearty Thanks for his gracious Declaration and repeated Aſſurances, that he would maintain the Church of *England* eſtabliſh'd by Law, which his Majeſty had been pleas'd to recover from the dangerous Conſpiracy that was laid for its Deſtruction, with the Hazard of his Royal Perſon: That the Doctrine and Practice of the Church of *England* had evinc'd their Loyalty beyond the Contradiction of her moſt malicious Enemies; and that the Misfortunes of former Princes could be attributed to nothing more than their Endeavours to ſubvert and diſable the Members thereof, for contributing to their Support and Defence: That they therefore pray'd his Majeſty to continue his Care for the Preſervation of the ſame, whereby he would effectually eſtabliſh his Throne, by ſecuring the Hearts of his Majeſty's Subjects, within theſe his Realms, who could no way better ſhew their Zeal for his Service, than by a firm Adherence to that Church, whoſe Conſtitution is beſt ſuited to the Support of this Monarchy: That they likewiſe humbly pray'd, that, according to the ancient Uſage and Practice of the Kingdom in time of Parliament, his Majeſty would be graciouſly pleas'd to iſſue forth his Writs for calling a Convocation of the Clergy, to be *advis'd* in Eccleſiaſtical Matters; and aſſuring his Majeſty, that it was their Intention, forthwith, to proceed to the Conſideration of giving Eaſe to Proteſtant Diſſenters."

A Promiſe added to the Corporation-Bill.

An Addreſs from both Houſes to call a Convocation.

A. D. 1689.

That the ſaid Addreſs might alſo challenge the more Regard from his Majeſty, they ſent it up to the Lords for their Concurrence, which, in ſpite of all Oppoſition, it receiv'd; and thus, under the joint Sanction of both Houſes, it came before the Throne.

It is ſaid, an Affair of this nature was ſo little expected at Court, that the King was unprepar'd with an Anſwer, and did not return any till the next Day: But nothing is more frequent than ſuch Delays, and nothing more reaſonable than that Kings ſhould allow themſelves a proper time to take Advice in Caſes of this critical Nature. The ſaid Anſwer was in Subſtance as follows: "That tho' his Majeſty had many Occaſions of aſſuring them, he would maintain the Church of *England* as by Law eſtabliſh'd; yet he was well pleas'd with repeating thoſe Promiſes which he was reſolv'd to perform, by ſupporting that Church, whoſe Loyalty, he doubted not, would make him able to anſwer their juſt Expectations: That as his Deſign of coming over was to reſcue them from the Miſeries they labour'd under, ſo it was a great Satisfaction to him, that by the Succeſs *God* had given him, he was in a Station of defending that Church, which had effectually ſhewn her Zeal againſt Popery, and ſhould be always his peculiar Care: And he hop'd the Eaſe they deſign'd to Diſſenters, would contribute very much to the Eſtabliſhment of the Church; and, therefore, he earneſtly recommended to them, that the *Occaſions* of *Differences*, and *mutual Animoſities* might be *remov'd*; and, that *as ſoon as might be*, he would ſummon a Convocation."

(Conn. Part iii. p. 11.)

His Majeſty's Anſwer

But neither his Majeſty's Recommendations, nor Upbraidings, had any Effect: The Sacramental Teſt they underſtood to be the *Occaſion of Difference*, which they were ſtill call'd upon to remove, in order to make room for the Admiſſion of Diſſenters into Employments: And they were ſtill as determin'd as ever to keep the Door ſhut againſt them; which, according to Court-Interpretation, was an unreaſonable Stiffneſs, and what juſtly expos'd the Church to the Indignation of thoſe that were uppermoſt. Thus the Lord Privy-Seal, *Halifax*, diſcourſing with his Friend, Sir *John Rereſby*, was free enough to ſay, That if the Church was a Sufferer, ſhe might thank herſelf for it; her Pretences being too large. And we find a farther Comment on the Criſis in general, in a ſubſequent Conference between the ſaid Lord and the Biſhop of *Saliſbury* (*Burnet*)

---

make Laws in Matters of Religion, ſince what is eſtabliſhed by Law cannot be taken away or changed, but by Conſent of Laymen in Parliament, the Clergy themſelves having no Authority to meddle in this very Caſe, in which the Laity are excluded by this Vote, but what they derive from Laymen.

Winchester, Mordaunt, J. Lovelace.".

Under which the Earl of *Stamford* wrote as follows:

"I diſſent for this and other Reaſons: Becauſe it is contrary to the three Statutes made in the Reign of *Henry* VIII. and one in *Edward* VI. which empowers thirty-two Commiſſioners to alter the canon and eccleſiaſtical Laws, of whereof ſixteen to be of the Laity and ſixteen of the Clergy.

A. D. 1689. (*Burnet*) the Substance of which is thus given by Sir *John*, who was also present at it. "The Bishop complain'd heavily of the slow Proceedings of the House of Commons, saying, The *Dutch* would clap up a Peace with *France* if they did not mend their pace; observ'd, that the Church of *England* was in the Fault, and express'd himself, as if he thought they meant a Kindness to King *James*, by their Method of Procedure. Lord Privy Seal agreed with him in his Sentiments, and added, that the Church-People hated the *Dutch*, and had rather turn Papists than receive the Presbyterians among them; but that on the other hand these were to the full as rank and inveterate against those, and would mar all their Business, by their Inadvertence with regard to the Bill of Comprehension, and their ill-timing of other Bills; in short, that they would disgust those from whom they looked for Indulgence. They were both angry with the Commons Address to the King the Day before, desiring him to support and defend the Church of *England* according to his former Declaration, and to call a Convocation of the Clergy, which the Bishop said would be the utter Ruin of the Comprehension Scheme. In fine, the Marquis took notice, that, at the rate we proceeded, the Government could not but be very short-lived."

A. D. 1689.

To close on this perplexed Pursuit thro' the double Maze of two thwarting and interfering Factions, the Comprehension Scheme was indeed ruin'd; and after all this Struggle in their Favour, the Dissenters were forc'd to compound for a bare (*s*) Toleration, which

Ease given to the Dissenters by a Bill of Toleration.

(*s*) What they aspir'd to was, an Act for *Comprehension* and *Indulgence* (or Toleration) jointly; and they reprinted the Draught of such an Act while these Matters were under Debate, which was first set forth in a Book call'd the *Samaritan*, 1682, and which we are told, was the Result of much Agitation in the House of Commons, so long ago, for the Base of Dissenters; having been put together by Consent of such who best knew their Grievances, and laid by till a proper Crisis should offer for bringing it once more into play.

The said Draught was as follows:

The Bill for Comprehension and Indulgence.

"Whereas the Peace of the State is highly concern'd in the Peace of the Church; therefore, at all times, but especially in this Conjuncture, it is most necessary to be preserv'd. In order therefore to remove Differences, and Dissatisfactions, which may arise among Protestants; Be it enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person shall (without making any Interpretation of his own, unless it be such as shall be allow'd by his Diocesan, which if it be Orthodox he shall do) subscribe and declare his Assent, and Consent unto, and Approbation of, the Articles of Religion, mention'd in the Statute made in the 13th Year of the late Queen *Elizabeth*, except only the 34th, 35th and 36th Articles; and also, except these Words in the 20th Article, viz. The Church hath Power to decree Rites and Ceremonies, and Authority in Controversies of Faith; in like manner, as he is already oblig'd to subscribe and declare his Assent and Consent unto, and Approbation of, all the said thirty-nine Articles. Every such Person shall be as capable of taking any Degree, in either University, or being ordained Priest or Deacon, or of being collated, admitted, or put into, and to hold and enjoy any ecclesiastical Benefice, or Promotion, as if the said Person had subscribed and declared his Assent and Consent unto, and Approbation of, all the said Articles of Religion.

And be it further enacted, by the Authority aforesaid, That every Person ordained, between the Year of our Lord 1644, and the first of *May*, in the Year 1660, according to the Form of Ordination, used by laying on of Hands by the Presbytery, shall be as capable of any ecclesiastical Benefice or Promotion, as if he had been ordained, according to the Form of making and ordaining Priests and Deacons in the Church of *England*. And that every Person ordained only by Presbyters, since the Year of our Lord 1660, shall not be admitted to any Benefice, unless he receive a second Imposition of Hands from some Bishop, to recommend him to the Grace of *God*, for the Work or Exercise of his Office, in the Place or Charge unto which he is called; and the Bishop shall frame his Words accordingly.

And whereas, by a Statute made in the 13th and 14th Year of his late Majesty's Reign, entitled, *An Act for the Uniformity of the Public Prayer, and Administration of the Sacraments, and other Rites and Ceremonies; and for establishing the Form of ordaining and consecrating Bishops, Priests, and Deacons in the Church of* England, there are two Declarations impos'd upon several Persons, and in such manner as is there specify'd.

Be it further enacted, by the Authority aforesaid, That no Person, that shall hereafter be presented, or collated, or put into any ecclesiastical Benefice or Promotion, shall declare his unfeigned Assent or Consent to the use of all things contained and prescribed in the Book of Common Prayer, nor make and subscribe the other Declaration or Acknowledgment, viz. (*I. A. B.* do declare, That it is not lawful to take up Arms against the King, &c.) according to the Forms in the said Act, in the 13th, and 14th Year of his Majesty's Reign, directed and appointed: But that both the said Declarations shall be wholly omitted; any thing in the aforesaid Statute to the contrary, notwithstanding.

And be it further enacted, by the Authority aforesaid, That no Person shall hereafter be capable of being collated, admitted, or put into any ecclesiastical Benefice, or Promotion, before such time as the said Person shall have taken the Oaths of Supremacy and Allegiance before the Bishop of the Diocese (who is hereby impower'd to administer the same) and shall also make and subscribe the Declaration mention'd in an Act of Parliament, made in the 30th Year of the Reign of King *Charles* the Second, entitled, *An Act to prevent Papists from sitting in either House of Parliament.* And the Name of every Person, so taking the Oath, and making and subscribing the Declaration aforesaid, shall be enrolled, with the Day and Time of his taking the same, in Rolls to be kept by the respective Bishops of each Diocese, for that purpose.

And be it further enacted, by the Authority aforesaid, That no Person shall hereafter be oblig'd to take the Oath of Canonical Obedience, or to make the Subscription requir'd by the Canons, or to go to the Bishops for a Licence to preach, being already lawfully ordained; any Statute or Custom to the contrary, notwithstanding.

And be it further enacted, by the Authority aforesaid, That from henceforth, no Person wear a Surplice, during the time of reading Common Prayer, or preaching, or performing any Religious Worship, in any Church or Chapel whatsoever; except only in the Chapel of the King's Majesty, and all Cathedral Churches of this Realm of *England*, and Dominion of *Wales*.

And be it further enacted, by the Authority aforesaid, That from henceforth no Minister, or other ecclesiastical Person, shall be oblig'd or compell'd to use the Sign of the Cross in Baptism; or any Parent oblig'd to have his Children christen'd by the Minister of the Parish, if the said Minister will not use or omit the sign of the Cross, according to the Desire of the Parents, who in that Case may procure some other Minister to do it: Nor shall the Child of any Person be refused Baptism for want of any Godfathers and Godmothers, so long as the Parent is present to fill their place.

And be it further enacted, by the Authority aforesaid, That no Minister or ecclesiastical Person, that shall officiate in the Administration of the Sacrament of the Lord's Supper, shall refuse it to any Person that desires to be admitted to the same, although such Person shall not use the Gesture of kneeling in the Act of receiving, nor come up to the Communion-Table, but shall go to such convenient Place of the Church, where such Person is, and there give it him in some other decent Gesture of ordinary use in the reformed Churches. Nor shall any Minister be troubled for the with-holding his own Act, in delivery of the Sacrament, from any whom he judges notoriously unworthy or unfit for it; nor for suspending his reading the Sentence of Excommunication, against any of his Parish, until he be satisfy'd in the Case, that his Crime deserves it.

And to the Intent, that Uniformity may (so far as it is needful, and so far as it can) be still maintain'd; be it enacted moreover, by the Authority aforesaid, That every Parson, Vicar, and Lecturer, shall conform to the Liturgy of the Church, in the ordinary Lord's-Day-Service, reading the same by himself, or Assistant, as by Law it is established; reserving a necessary and just Liberty for his Conscience in any

A. D. 1689. which they at last obtain'd by the Act for exempting their Majesties Protestant Subjects from the Penalties of certain Laws; and which provided, That none of the said Laws should be construed to extend to any Person or Persons dissenting from the Church of *England* that should take the Oaths to the present Government, and subscribe the Declaration of 30 *Car.* II. provided that no Assembly of Persons, so dissenting, should be in any Place for religious Worship, with barr'd or bolted Doors, &c.

"This Bill (says Bishop *Burnet*) gave the King great Content: He, in his own Opinion, always thought, that Conscience was *God*'s Province, and that it ought not to be imposed on: And his Experience in *Holland* made him look on Toleration, as one of the wisest Measures of *Government*: He was much troubled to see so much ill Humour spreading among the Clergy, and by their Means over a great Part of the Nation. He was so true to his Principle herein, that he restrained the Heat of some, who were proposing severe Acts against Papists. He made them apprehend the Advantage, which that would give the *French*, to alienate all the Papists of *Europe* from us; who from thence might hope to set on foot a new Catholic League, and make the War a Quarrel of Religion; which might have very bad Effects. Nor could he pretend to protect the Protestants in many Places of *Germany*, and in *Hungary*, unless he could cover the Papists in *England* from all Severities on account of their Religion. This was so carefully infused into many, and so well understood by them, that the Papists have enjoy'd the real Effects of the Toleration, tho' they were not comprehended within the Statute that enacted it."

But the Fruits of his Majesty's Forbearance were not confin'd to the Papists and Dissenters only; on the contrary, he was Politician enough to court all Parties in Turn, on a Presumption, that he should thereby concenter all their Affections in himself.

According to his first Declaration, the wicked Counsellors and wicked Instruments of King *James*, were the only Persons against whom he made war, and on whom the Weight of his Indignation was to fall. When, therefore, he had dispossess'd that Prince, against whom he profess'd to have no Designs, the Party who had help'd him to break thro' one Half of his Engagements, call'd upon him to fulfil the other; and, making use of the Ascendancy they at first had in the House of Commons, appointed a Committee of Grievances, to prepare the way; who, so early as the fifth of *March*, made the following Report: A. D. 1689.

"Resolv'd, That it is the Opinion of this Committee, that the Rights of the City of *London* in the Election of Sheriffs in the Year 1682, were invaded, and that such Invasion was illegal and a Grievance.

2. Resolv'd, *Nemine Contradicente*, That the Judgment given upon the *Quo Warranto* against the said City, is a Grievance.

3. Resolv'd, *Nemine Contradicente*, That the late Prosecutions of *Quo Warranto's* against the other Cities, the two Universities, *&c. &c.* and the Judgments thereon, and the Surrender of the Charters, to the Violation of their antient Rights, are illegal, and Grievances.

4. Resolv'd, That the Commissions and Instructions for regulating Corporations, and putting Tests, in order to electing Members of Parliament, are illegal, and a Grievance.

5. That the promising of Votes to take off the Penal Laws and Tests, is a Violation of the Rights of Parliament, and a Grievance.

6. That the collecting the Customs, and Part of the Excise, between the Death of King *Charles* II. when those Duties were determin'd, and the Parliament that was call'd afterwards, was illegal, and a Grievance.

7. That the levying Money otherwise than as the Law allows, and the disarming of Protestants, the quartering of Soldiers, and the pressing of Horses and Carriages, contrary to Law, are Grievances.

8. That the House be mov'd to appoint a particular Committee to examine into the Matters aforesaid, and who were the Authors and Advisers thereof."

To all which several Articles, the House agreed, and a Committee was appointed accordingly.

Sir

---

any Matter or Words, which himself esteems unlawful (and to to him it is Sin) and also for Prudence, in the whole Management, to act with respect to Time, Place, and Circumstances, so as appears most conducive to Edification. And as long as the main Body of the Service appointed is there read, and the Substance of the Offices be there performed, he shall not be punishable for any Breach otherwise of the Acts of Uniformity: any thing in the said Statutes to the contrary notwithstanding.

And forasmuch as there are some Ministers of a good Life, that cannot, according to their Judgments, allow of our Parochial Churches, nor the Book of Liturgy; but do choose to Worship *God*, and *Jesus Christ*, in the way of their gathered and separate Congregations, and crave the Protection and Clemency of the King upon their Allegiance as other Subjects,

Be it enacted furthermore, by the Authority aforesaid, That for the Happiness and Quiet of the Realm, and the Reduction of these Men by other Means than those that have hitherto proved unsuccessful, all Prosecutions of the Penal Laws against the Nonconformists, or every sort that profess the Protestant Religion, be suspended, until, by a further Act of Parliament, those that are fit to be tolerated, and the intolerable shall be distinguish'd; and such Order to be taken as is necessary to the settling a firm and lasting Union in the Nation." See a Tract call'd *Toleration Explain'd*, in which we also find an Historical Account of the said Draught in the following Words:

"Be it known therefore, or remember'd, That there being two Bills in the House of Commons upon the Anvil, in *Charles* the Second's time; the one of them for Comprehension, the other for Indulgence (the Titles were otherwise worded, but the Intent such). The Bill for Indulgence was so well attended by an Industrious Member of the House, that nothing was wanting to the compleating of it; but the Bill for Comprehension being drawn up by Gentlemen that did not, and could not, fully understand the Scruples of the Nonconformists, was both imperfect and neglected; only one Person without-doors, having procur'd a Copy, and finding it so, did, by applying himself to several Members about it get something to be changed, or put into it, at the Committee; and afterwards, with Consent and Assistance of some of his Brethren, improved and perfect it against the sitting of the Parliament at Oxford; but they sitting not, it was thought good to put it as a Memorial into that Book (the *Samaritan*), and for that End, as it mention'd.

A. D. 1689. *Different Accounts of the Motives for eſtabliſhing this Committee.*

Sir *Joſeph Tredenham* was Chairman of this Committee; and, if there was any Truth in the Pretenſions of the Party who ſet it on foot, the Deſign of it was, firſt, to vindicate his Majeſty's Honour (*t*). "He had called *God* to witneſs, ſay they, That he came to execute Juſtice upon thoſe evil Miniſters of the late King, who had ſubverted the Government in order to introduce Popery and Slavery. 2. That the Nation might have the Benefit of the Juſtice ſo ſolemnly promis'd them; ſeeing the Terror of exemplary Puniſhments was likely to be their greateſt Security againſt the like Offenders. And, 3. That the worſt Inſtruments of the two former Reigns might not be in a Capacity to inſinuate themſelves into the King's Councils, and to miſlead him into the ſame Exceſſes, under Pretence of being experienc'd in Government, and zealous by Principle for Monarchy." But Mr. *North*, who, for Family Reaſons, has contriv'd to ſlide a Scene or two of this Reign into his *Examen*, is poſitive, that the Scheme was, That the Appointment of the Sheriffs in 1682 ſhould be voted illegal; and the Fines of the *Rioters*, as alſo the Damages given for the Arreſt of the Lord-Mayor, arbitrary and unjuſt; and that an Enquiry ſhould be made, by whoſe means theſe arbitrary Doings were compaſs'd, in order to make way for a Courſe of Petitions, from the Sufferers, for a Bill, in conſequence of *thoſe Petitions*, to reimburſe them for their ſaid Fines, Damages, and Charges, out of *the Eſtates of the Delinquents*.

[*P.* 622, 623.]

But if it ſhould be allow'd, that in Party-Purſuits the Words *Honour*, *Juſtice* and *public Good*, are rarely made uſe of for any other Purpoſe, than to gild over their Cauſe; and that this little, narrow, dirty Proſpect of gratifying the Malice, and ſerving the Intereſt, of one Set of Men at the Expence of another, was really one Motive of the Enquiry, it was certainly that which weigh'd the leaſt with thoſe who were at the Bottom of it: And it is abundantly more reaſonable to conclude, that they were chiefly directed by the laſt of their own Suggeſtions, above recited; which indicates plainly enough, that they were ſenſible the new King was as fond of Power as the old; that they fear'd he would therefore chuſe to be ſerv'd by thoſe who were the beſt Friends to the Prerogative; and that they found they could no otherwiſe maintain their Poſts, than by the utter Ruin of thoſe who lay in wait to ſupplant them.

Biſhop *Burnet* is expreſs, that angry Men about this time gave out, That the King intended to make uſe of a Set of Prerogative-men, as ſoon as he legally could: He names the Earls of *Monmouth* and *Warrington* upon this Occaſion; and adds, that they were in- A. D. 1689. fuſing Jealouſies of the King into their Party, with as much Induſtry, as the Earl of *Nottingham* was infuſing Jealouſies into the King of them.

It is certain, that Lord *Nottingham*'s dextrous Hint, That thoſe who had ſcrupled to to make the Prince King would make none to ſerve him on his own Terms, had ſunk deep into his Majeſty: And no ſooner did he become ſenſible, that the *entire Confidence* of his *Makers* was at an end, than he grew weary of their Tuition, and labour'd to balance their Aſcendancy in the Houſe of Commons, by making Friends with the contrary Party. He wanted Theſe now to ſecure to him all the Prerogatives of the Crown, as he had wanted Thoſe to put him in poſſeſſion of the Crown itſelf; and made it appear, that, tho' he came profeſſedly to ſcourge paſt Abuſes, and prevent future, he could not bear any one of the Meaſures that was neceſſary for thoſe Ends.

The Prerogative-men had already made Advances to him, under the Umbrage of Lord *Nottingham*; and, according to Lord *Warrington*, in his *Impartial Enquiry*, when they could not prevent the Settlement of the Crown upon him, would have heap'd all Powers upon him confuſedly, without mention of, or regard to, the Kingdom's Rights, or the ancient Form or Contract between King and People, upon Oath: "They boaſted themſelves, continues his Lordſhip, to be the only Men for Monarchy, who always defended the Prerogative": And again, "They made deceitful Offers of their Services at Court, but withal complain'd, that they were diſabled for want of Indemnity: That they were in continual Danger of being proſecuted for their Lives and Eſtates, by Men that would admit of no Moderation: That ſome Members durſt not diſpleaſe the Houſe in arguing for the Crown, as they would be glad to do, while ſuch Rods hung over their Heads: That they endeavour'd to blaſt and ſcandalize the other Party, as Men that would come to no Settlement; that would tear all they had done to pieces, only to gratify their Revenge; and as ſetting up a Faction, and keeping the Nation in a Flame, in order to keep thoſe out of Power who were deſirous, above all things, of demonſtrating their Attachment to his Majeſty's Intereſt and Service: And, finally, That their great Deſign was, to get Poſſeſſion of the Cabinet, in order to be once more Lords of thoſe they had formerly oppreſs'd, and to render the preſent Reign as arbitrary as the laſt."

At the ſame time alſo that theſe Practices were carry'd on within-doors (*u*), Papers were

(*t*) Theſe are Lord *Warrington*'s Words in a Tract of his, called, *An impartial Enquiry into the Cauſes of the preſent Fears and Dangers of the Government*. Printed in the Year 1692.

(*u*) Of which the following is a Specimen:

A Letter to a Member of Parliament on the Account of ſome preſent Tranſactions.

Honour'd Sir,

"The Experience I have had of your impartial Dealings,

encouraged me to make this Addreſs to you; and however aſſuming it may be thought, yet I am ſure 'tis no unſeaſonable Application: How unhappy ſoever the ſeveral late Turns of our Affairs have been, I am ſenſible you have had no Share in them, and therefore when any of thoſe Tranſactions are brought upon the Stage, I dare in every thing appeal to you as an unprejudiced Spectator.

What you have hitherto done, I doubt not is the Effect of a moſt deliberate Conſideration; and tho' ſome Objections are made, yet I hope that evident Neceſſity, which is

A. D. 1689. were distributed without, setting forth the Imprudence and Impolicy, and even the Danger of proceeding to Extremities with a whole Party: And so much Regard did his Majesty affect to pay to these several Remonstrances, that, on the 25th of *March*, which was the 9th Day after he had made his Speech in favour of the Dissenters, he sent the following Message to the House by Mr. *Hampden*, viz.

A. D. 1689. *Recommends a Bill of general Indemnity.*

" WILLIAM R.

His Majesty, out of an earnest Desire to deliver his People from the Guilt, Reproach and Penalties, which many of them may be liable to, and to put an end to all Controversies arising between his Subjects, by reason of any Disorders in the late Times, and to take away all Distinctions, and Occasions of Discord, among them; to the end that they,

always able to over-rule Forms, will easily justify the Integrity of your Actions.

Most Men are by this time satisfy'd that Popery and Slavery are vanquish'd, and that nothing is wanting but a healing Cordial to settle the Constitution, after the Strains of a violent Purgation: but in some Men the Humours are so floating, that when one angry Part is relieved, another immediately becomes uneasy; and this Unhappiness of Temper is so afflicting, that there can never be a perfect State of Health, when by all the Lenitives you apply, you cannot make the Pain leave the Man, but only change its Station.

I was in Hopes that our present good Fortune would have made all the Protestants so loving, that Memory of former Injuries could never sower their Good-nature; since Men of all Divisions among them have been unwarily injurious to each other; this should facilitate their Reconciliation, and instead of ripping up old Sores, should rather hide those, which perhaps may appear of a greener Complexion. 'Tis too much like the common Artifice of scolding, to be quick in throwing Calumnies; and 'twas only the Thief that never entered into Paradise, who could upbraid when he himself was in the same Condemnation.

I must confess there are some Dealings that are enough to ferment even the Blood of a *Stoic*: To hear a Regulator cant against surrendering of Charters; to find a Man accus'd of holding Correspondence with Papists, by one that sat at Meat with the Pope's Nuncio; to see a late Addresser (who in spite of all Laws, would allow of the Dispensing Power) furious for some disputable Customs in particular Corporations: I say, to see Men under these Circumstances prosecuting some few Miscarriages, which are so old, that nothing but Malice could remember, must tempt a Man to believe, that either they have no Sense of their own Faults, or else that they are afraid to be call'd to account, and so by putting others first, would willingly postpone their Punishment.

I am told that Sir *John Moor*, Sir *William Pritchard*, and some others, are accused for Mal-Administration in their Offices seven or eight Years since: So stale a Resentment is not worthy of your Consideration; and since their Accusers are so good at recollecting of Crimes, I wonder they had not run back to Original Sin, and prosecuted them for being the Progeny of *Adam*; this Fault is much more demonstrable; and if Regeneration be an Excuse, they can in the other Case too produce Variety of Pardons.

But when the Matter comes before you, I do not doubt but you will transfer such trivial Grievances to their proper Place, and not suffer private Piques to disturb the Settlement of three Kingdoms. This Business is become the Discourse of the whole Town, and, doubtless, shortly will be that of the Country too; some rejoice at the Gentlemens Misfortune, others, and perhaps the more considerate, are exceeding sorry; such Contrariety of Passions must needs be very clashing, and not fit Ingredients for that happy Union, which his Majesty has graciously designed.

And indeed such unhappy Recollections must needs breed ill Blood; for these Gentlemens Actions for which they are accused, have been countenanced by many, and approv'd of by most; so that the Censures you pass upon them, will vertually reach all the rest, and upon a fair Poll they will be found too numerous to be disobliged.

If several of those Men to whom this Passage may be very pleasing, should, perhaps since the Date of these Miscarriages, be found themselves criminal in a higher Degree, these provoking Accusations may tempt Men to bring on further Complaints, and when you are once beset with Indictments, besides the Loss of your Time, you must either lie under the Censure of being partial, or extend your Animadversions perhaps further than you at first intended.

The great Objection against these Gentlemen is, That what they did, was to serve a Popish Interest: I must confess that I think the Papists have been a long time undermining us, but I believe when these Gentlemen were in Office, they lay deeper under Ground than they have done some time since, when others became the Favourites; and when the Design began visibly to appear, they worthily refus'd their Assistance; so that how foul soever you may fall upon their Mistakes, their Integrity is spotless; and though Excess of Loyalty might induce them to be influenced by the King, 'tis plain they had nothing to do with the Papist.

If these Gentlemen consented to some things which were fatal in their Consequence, 'tis plain that others received what they had done, and improv'd them to greater Inconveniencies. They are accus'd for an undue Choice of two Sheriffs. Others had consented to put upon us four Parliament Men by illegal Elections. Now after a due Consideration of Circumstances, that which appears to be the most dangerous Mistake, ought in Reason to be the Subject of your first Enquiry; and then in common Conviction, which do you think is most to blame, he that unwarily sets a House on Fire, or another who feeds the Flame when he sees it kindled?

Perhaps those Persons who would have you censure these Gentlemen, may think their Crimes to be notorious, and that there is nothing to be found on their own Side but Innocence: Whereas 'tis difficult to imagine, that Men in such great Heats always kept within their due Compass; and if Men of all Sides have been faulty, this unreasonable Prosecution will oblige these Gentlemen to discover for their Defence what they are willing to conceal out of Charity; so that the natural Consequence of this Contest, will be the reviving of old Quarrels, the very Thoughts of which to an honest Man must be but a very uncomfortable Prospect.

To prosecute old Grudges at a time when we have Criminals of so high a nature to encounter, will be both a Scandal to ourselves, and a Comfort to our Enemies; it will shew that Revenge with us is not so much a Passion as a Principle, and that we can at any time let Popery gather Strength, so that we can but humble one another. Indeed these Gentlemens Accusers may think it too early to call to account the late Instruments of our Miseries; and since Crimes are to be punished according to their Antiquity, ten Years hence may be the proper time of their reckoning: But wise and indifferent Men will think that Crimes are to be consider'd, more according to their Bulk than standing; for an old Fault has lost its Malignity, Time has wiped off the Stain, and the Man is become innocent by Prescription; so that to pursue a Man with Anger, after a long Truce and a tacit Reconciliation, is neither just nor generous; 'tis too much like *French* Faith to fall upon the Allies as soon as the common Enemy is vanquish'd.

Neither can it be for the Interest of their Majesties to have their Subjects picquering one with another; their Affairs are not yet so well settled as to bear the Effects of private Animosities; and if their Enemies may expect Tenderness from the Mildness of their Reign, 'tis a little too preposterous to bring, perhaps, their best Friends immediately into Trouble. You are now upon a noble Project of *uniting Protestants*, and therefore I hope you will not think that Anger is a convenient Preparative to Love, and that the best Expedient to make them Friends, is to divide them into Factions.

That this will be the probable Consequence of so ungrateful a Review of former Proceedings, seems very evident; for, first, a great Part of the Nation have not so terrible an Idea of the Matter in Question, and then to be severe upon Persons for a moot Fault, will found very harsh, especially when their late worthy Behaviour had sufficiently atton'd for greater Miscarriages; and, secondly, a great many considerable Men of the same, and other Corporations, are in the same Instances culpable; so that if you extend your Punishments only to these Gentlemen, and your Pardon to the rest, yet you involve them too in the same Guilt, which, to a generous Mind is equally afflicting; and tho' you do not punish, yet you will be thought to insult and expose them to the Reproaches of every insolent Reflector.

And therefore I hope for the Safety of the Nation, for the Sake of their Majesties, and the Interest of Religion, you will not countenance every angry Spirit, which by its long Continuance seems to be stiffened into Malice and Revenge; that your glorious Endeavours may not be frustrated by the Remembrance of former Misunderstandings, which I am afraid on all Sides are easier forgot than justify'd: that we may henceforth avoid the Contrivance of the *Jesuits*, which is always active and working: for he who hath not Strength to conquer, may yet have the Cunning to divide.

March the 14th, 1689. *I am, Sir, Your much obliged Servant.*

[*Lord* Sommers's *Collection, Vol.* XIV. *Tract* 94.

A.D. 1689. they, having an *entire Confidence* in his Majeſty, and perfect Union among themſelves, may be encourag'd in their Duty to his Government, and more fully and ſecurely enjoy the Benefit of it: And his Majeſty judging, that the beſt Way to render this his gracious Purpoſe moſt extenſive and effectual is, to paſs an Act of free and general Pardon, Indemnity and Oblivion: His Majeſty doth earneſtly recommend the Conſideration thereof to both Houſes of Parliament, that, with all the Expedition a Matter of this kind will admit, they may prepare a Bill for that Purpoſe, for the Royal Aſſent, with ſuch Exceptions only as to them ſhall ſeem neceſſary for the Vindication of public Juſtice, the Safeties of their Majeſties, and the Settlement and Welfare of the Nation for the future."

And receives the Thanks of the Houſe, nem. con.

The Reſult of this Meſſage was, an immediate Vote of Thanks; which paſs'd *nemine contradicente*, and which was afterwards drawn up into the Form of an Addreſs, and ſo preſented to the Throne: One Party joining in it for their own ſakes, and the other in compliment to his Majeſty: Both, indeed, were at this Criſis artfully drawn into a State of Dependance and Expectation; for, while the firſt was amus'd with the Proſpect of a general Indemnity, the laſt was kept in humour with the Hope of a Comprehenſion for the Diſſenting-Paſtors, and of Admiſſion into the Magiſtracy and Government for their Flocks: And when, with a View to interrupt this ſhort Interval of Tranquillity, ſome Perſons mov'd, That a Proviſion ſhould be made for the Princeſs *Anne* of *Denmark*; it was without Succeſs: For, inſtead of complying with the Queſtion, it was poſtpon'd till the Conſideration of the Revenue ſhould come before the Houſe: And when the great Court-Point of entering into a War with *France* came to be diſcuſs'd, which was on the 16th of *April*, it was reſolv'd, *nemine contradicente*, (three hundred and fifty Members being preſent) that, in caſe his Majeſty thought fit to engage in the ſaid War, the Houſe would give him all ſuch Aſſiſtance, in a parliamentary Way, as ſhould enable him to ſupport and go thro' with the ſame.

Reſolution to ſupport his Majeſty in a War againſt France.

Certain remarkable Circumſtances relating thereto.

It is obſervable, that, tho' the Houſe reſolv'd itſelf into a general Committee, to conſider of the State of the Kingdom with reſpect to *France* and our *Alliances* abroad; that tho' the King, in his Anſwer to the Addreſs of Lives and Fortunes, had requir'd to be enabled to make good *the Treaty* with the *States*, and that they would farther ſupport their high and mighty Lordſhips to the *utmoſt of their Ability*; and that tho' the *Hiſtorian of his own Times* is pleas'd to ſay, that his Majeſty caus'd *all his Alliances, old and new*, to be laid before the Parliament; the Houſe had only an *Extract* of the defenſive Treaty between *England* and *Holland*, concluded at *Weſtminſter*, *March* 9, 1677-8, laid before them; by which, in caſe of an Attack, the King of *Great Britain* was oblig'd to furniſh the Republic with 10,000 Men, and the Republic his Majeſty with 6000; and both Parties reciprocally twenty Men of War, well equipped and provided. A.D. 1689.

It is farther obſervable, that while this Clauſe lay yet upon the Table, and it might be reaſonably preſum'd that the Houſe would make it the Ground of their Proceedings, a new Treaty was ſign'd between his (*x*) Majeſty and the *States*, by which it is provided, that *Great Britain* ſhould furniſh fifty Men of War, fifteen Frigates, and eight Fireſhips, and 17,505 Seamen, according to the Eſtimate already mention'd; and *Holland* but thirty Men of War, nine Frigates, four Fireſhips, and 10,572 Men; for which Alteration, no other Cauſe is aſſign'd in the Preamble of the ſaid Treaty, but the three following, *viz.* That the King had been requir'd above two Months before to fulfil the former Treaty. 2. That his Majeſty found it to be juſt to execute the ſaid Treaty: And 3. That his Majeſty was willing to give their Lordſhips yet greater Marks of his unfeigned Friendſhip, and deſirous to help them ſo much the ſooner to a good Peace. Now it does not appear that any Mention was ever made in Parliament of this Treaty till the ſecond of *July* following: And then by way of Anſwer to an Addreſs of the Commons, requiring to be inform'd what Number of Men of War, and of what Force, the *States* HAD ſet forth, an Extract of this Treaty was given, which ſpecify'd what Number they STOOD ENGAG'D to ſet forth. And to cloſe on this Head, it is equally obſervable, that when the Houſe, at the ſame time, apply'd to his Majeſty by Addreſs, to cauſe an Article to be inſerted in all his Treaties with his Allies for carrying on the War with *France*, to prohibit all Commerce with that Kingdom, he was pleas'd to anſwer, "That he had already taken care of that Particular in his Treaty with the *Dutch*." Whereas not the leaſt Hint of any ſuch Clauſe is to be found in the ſaid Treaty, as it ſtands in our Collections: And it was not till the twenty-ſecond of *Auguſt* next enſuing, that a Convention to that Purpoſe was made between his Majeſty and the *States*. His Majeſty was indeed as good a *Dutchman* as ever, tho' no better Republican. When he was on the Point of taking Poſſeſſion of the *Engliſh* Throne, he had communicated the glad Tidings by Letter to his good Friends the *States*, aſſuring them withal, That his new Dignity, inſtead of diminiſhing his Affection for the Republic, or his Concern for its Preſervation and Proſperity, would enable him to diſcharge his Office of *Stadtholder* with more Weight and Succeſs than before; and that he would make it the Buſineſs of his Reign to eſtabliſh and maintain a perfect Intelligence between the two States. Poſſibly, there was a ſecret Stipulation, that in caſe he ſucceeded in his Deſigns in *England*, he ſhould

(*x*) The *Engliſh* Commiſſioners were the Earl of *Nottingham*, *Vaughan* Earl of *Carberry*, Admiral *Herbert*, (who did not ſign it) and *Ruſſel* Treaſurer of the Navy.

A. D. 1689. should forego the Stadtholdership; and possibly it was in this Expectation that the *Louvestein*-Faction, his antient Enemies, had co-operated in the Expedition with as much Zeal as his own. It is certain, that this Dispatch was no sooner receiv'd in *Holland*, than his Enemies there, spoke of him with more Bitterness than ever; giving out, (*u*) "That he had stript the Republic of its Money, Ships, and Troops, not only to make himself Master of *England*, but to reduce his own Country also to a blind Submission to his Sovereign Will and Pleasure: And hence he lay under a sort of Necessity to expedite the Payment of the *Dutch* Demands, and even to admit them into a Share of the Profit of his Voyage, to maintain his Credit at home.

Mr. Hampden's Address. To return to the Commons: Mr. *Hampden*, who had made the first Motion for taking the War into Consideration, was plac'd at the Head of the Committee appointed to draw up the Address, on the Vote of the House. On the nineteenth the said Address was reported, and prov'd one of the most outrageous Invectives that had ever been set forth against a crown'd Head. It began with a Detail of the Mischiefs brought upon *Christendom* for many Years back, by the *French* King, together with a Charge against him of aspiring to arbitrary and universal Monarchy; to compass which, 'tis said, he had been guilty of all kinds of Violence and Treachery: Witness his groundless Declaration of War against the *States*, 1672, and his manifold Infractions of the Treaty of *Aix la Chapelle*; his Surprize of *Strasbourg*; his building the Fort of *Hunningben*; his Invasion of *Flanders* and *Holland* since the last Truce of 1684; his attacking the Fort of *Philipsburg* without any Declaration of War; his wasting the *Palatinate*, and murdering an infinite Number of People there; his unjust and violent seizing the Principality of *Orange*; his Treacheries by his Embassadors resident in foreign Courts; his bombarding *Genoa*, and obliging the Doge to make his Submission to him in Person at *Versailles*; his Practices against *England*; his refusing to accede to any just Treaty of Commerce; his corrupt Influence on our Kings, *Charles* and *James*; his Enmity to our Parliaments; his seizing on Part of *Hudson's* Bay; his commencing the War in *Ireland*; and, above all, his Declaration of War against the Crown of *Spain*, which was wholly grounded on the Catholic King's Friendship to his Majesty's Person, and his Resolution to favour him; and in which his Majesty was most injuriously term'd, THE USURPER OF ENGLAND: An Insolence never to be enough resented and detested by his Majesty's Subjects, *&c.*

Recommitted. In short, the Poignances which were so relishing to the Palate of the Court, disgusted the Commons; and the said Address being recommitted, the following more temperate one was presented by Sir *Henry Goodrick*, and agreed to, on the 24th, *viz.* A. D. 1689. *and another more temperate one received.*

"We your Majesty's most loyal and dutiful Subjects, the Commons, *&c.* most humbly lay before your Majesty our earnest Desire, that your Majesty will be pleased to take into your serious Consideration the destructive Methods taken of late Years by the *French* King against the Trade, Quiet, and Interest of this your Kingdom, and particularly the present Invasion of the Kingdom of *Ireland*, and supporting your Majesty's rebellious Subjects there; not doubting in the least, but that through your Majesty's Wisdom, the Alliances already made, with such as may hereafter be concluded on this Occasion by your Majesty, may be effectual to reduce the *French* King to such a Condition, that it may not be in his Power hereafter to violate the Peace of *Christendom*, nor prejudice the Trade and Prosperity of this your Majesty's Kingdom.

To this End we most humbly beseech your Majesty to rest assur'd upon this our solemn and hearty Promise and Engagement, That when your Majesty shall think fit to enter into a War against the *French* King, we will give your Majesty such Assistance, *&c.*" according to the Words of the Vote.

To which his Majesty was pleas'd to send an Answer by the *Speaker*, in these Words, *viz.*

"*W. R.*

The King's Answer. I receive this Address as a Mark of the Confidence you have in me; which I take very kindly, and shall endeavour by all my Actions to confirm you in it: I assure you that my *Ambition* shall never be any Argument to incline me to engage in a War, that may expose the Nation either to Danger or Expence. But, in the present Case, I look upon the War to be so much already declar'd by *France* against *England*, that it is not so properly an Act of Choice, as an inevitable Necessity in our Defence.

I shall only tell you, that as I have ventur'd myself, and all that is dear to me, to secure this Nation from what it suffer'd, I am ready still to do the same, in order to the preserving it from all its Enemies; and as I cannot doubt of such Assistance from you, as shall be suitable to your Advice to me to declare War against a powerful Enemy, so you may rely upon me, that no Part of that which you shall give for the carrying it on with Success, shall be diverted by me to any other Use."

Thus the splendid Notions, which the Bearer of this Message had, some time before, suggested in one of his Speeches, to dazzle the Public, were tacitly given up by the King; and, instead of chusing to put so great an Adventure, as the entering into a War with *France*, on the Foot of making new Conquests, or recovering the Provinces we had lost, his Majesty chose to state it as a de-

(*u*) *Neuville*, from whom this Passage is taken, would have us believe, that he sent back the *Dutch* Troops as soon as he was made King; and that they arriv'd in the *Dutch* Ports while these Murmurs were yet circulating: But, tho' this was true of their Ships and some of their Troops, it was not true of all; for the greatest Part of them continued here long after.

A. D. 1689. a defensive War, and to apologise for the Inconveniences it was like to produce, even tho' he would have it thought, that those Inconveniencies were unavoidable.

And now we are on the Point of embarking in the Troubles of the Continent, it is fit to look round and take a slight Survey of the Prospect.

Towards the Close of the preceding Reign, we left the *French* laying waste the Electorates of *Palatine*, *Mentz* and *Triers*, and insisting on the Admission of the Cardinal of *Fierstemburg* into that of *Cologne*, as the only Expedient of Peace. In the Beginning of This, Mention was made of their declaring War against the *States*, for taking Part with the Emperor against the said Cardinal, and in Support of the Prince of *Bavaria*. We have recently heard of their doing the same against *Spain* [*April* the 15th, N. S.]: And, as if all this was not Business enough, of their furnishing King *James* with Ships, Men, and Money to complete the Reduction of *Ireland*.

Declaration of the Empire against France. We are now to observe, on the other hand, that, the Princes of *Germany* being convinc'd, that they were at last likely to have their Quarrel supported by the whole Strength and Wealth of *England*, the Dyet solemnly call'd upon the Emperor, to make Peace with the *Turks*, (who had already offer'd, by their Embassadors, to give up all the Towns which had been reduc'd by the Imperial Forces in the Course of the War, as a Consideration for it) and to enter the Lists against *France*; resolving, in such case, to second his Imperial Majesty in the most effectual manner, on the behalf of the whole Empire; and to declare the said Crown together with it's Adherents and Favourers, Enemies of the holy *Roman* Empire, (FOR that they had, by innumerable Contraventions and Infractions of the Treaties of *Munster*, *Osnabrug*, *Nimeguen*, and the Truce, as well in ecclesiastical as temporal Affairs, and by their Invasion of the Empire, without any just Cause, and by committing all sort of (*x*) Hostilities, in a most unchristian Manner, forfeited the Right and Benefit accruing to them by the said Treaties, and made themselves Enemies of the Empire:) And that this War should be deemed, and look'd upon, and publish'd, as a common War of the Empire against them.

Of the States. This Resolution was taken *February* the 2d, N. S; and, on the 12th of *March* following, the States-General also set forth their Defiance against the common Enemy, in effect, for the following Reasons, *viz.* 1. That his *most Christian* Majesty had committed manifold Infractions on the Treaty of Commerce between the two Powers; and had slighted, with the utmost Contempt, all the Instances made by the States on occasion thereof. 2. That the said King had involved the Subjects of the Republic in the terrible Persecution which he had rais'd against those of the reformed Religion. 3. That the said King had farther shew'd his ill Designs against this State, by the continual Motion of his Troops towards their Frontiers, thereby to oblige them to make extraordinary Preparations by Land and Sea, to the exhausting of their Revenues. 4. That he had sometimes, with fair Words and solemn Assurances, and even by Overtures of an Alliance, endeavour'd to amuse them; but that, whenever they went about to provide for their own Security, and the farther strengthening of the Treaty of *Nimeguen*, by making defensive Alliances with any of the Princes their Neighbours, he had always oppos'd them, and even threaten'd them with a War on account thereof. And, lastly, That the said King had, in full Peace, caus'd the Ships, Goods, and Persons of the Subjects of the State, who were residing in *France* upon the public Faith of the Treaties, to be seized, and the Masters and Seamen of the said Ships to be imprisoned, and most barbarously treated, to force them to change their Religion; and the said Ships, Goods, and Effects, to be sold; altho' it is expressly stipulated by the Treaty of Commerce, that, in case of a War, the Subjects on both Sides shall be allow'd six Months time to retire with their Goods, or otherwise to sell or dispose of them: Which was follow'd with the plundering and burning of divers Villages within the Territories of this State; and afterwards with a Declaration of War, for which no other Reason was given, than that the States had made extraordinary Preparations by Land and Sea; altho' they had assured the said King, that they were only intended for their own necessary Defence, and that they would not concern themselves with the Election of *Cologne*.

A. D. 1689.

Of the Elector of Brandenburgh. On the 13th of *April*, the Elector of *Brandenburgh*, who of all the Princes of *Europe* was the most closely united with King *William*, declar'd himself oblig'd to make use of the Power which *God* and Nature had put into his Hands, and to take up Arms in defence of his Subjects, and for opposing the perfidious and cruel Attempts of *France*; which were such, as had never before been heard of among *Christians*.

May the 3d, the Marquis *de Castanaga*, *of* Spain. Governor of the *Spanish Netherlands*, set forth a Counter-Declaration to that of *France*, in the Name of the King his Master. His *most Christian* Majesty had charg'd his *Catholic* Brother, with entering into Alliances that were scandalous in themselves, and injurious to their Holy Mother the Church: The Marquis on the contrary alledg'd, That those Alliances had no other Aim or End than the Security and Repose of *Christendom*, and the reciprocal Interest of the Powers concern'd in them; while *France* not only laid waste the Empire, without the least Regard to

(*x*) Among which, particular Mention is made of the disturbing their Imperial Chamber of Justice at *Spire*, and carrying away the public Records, and Money deposited there.

A. D. 1689. to the Obligations of Religion and Humanity, the Laws of War, or the sacred Ties of solemn Treaties, but of the most shocking Oppressions and Cruelties; and, withal, of intriguing with the *Turks* themselves, to continue the War in *Hungary*, with the whole Force of the *Ottoman* Empire.

An Alliance offensive and defensive between the Emperor and States-general.

All this while, an Alliance offensive and defensive was negociating at *Vienna* between the Emperor and the States-general; by which it was provided, That they should co-operate with all their Forces against *France* and its Allies; that they should never engage in a separate Treaty with that Crown, under any Pretence whatsoever; that no Peace should be admitted, till those of *Westphalia*, *Osnabrug*, *Munster*, and the *Pyrenees*, had been vindicated: That, in case any Negociation of Peace or Truce should be enter'd into, by common Consent, the Transactions on both Sides should be communicated *bona fide*: That the Crown of *Spain* should be invited to accede to this Treaty by his Imperial Majesty, and the Crown of *England* by the *States-general*, &c. There was also a separate Article, in which it was agreed, that, in case the King of *Spain* dy'd without Issue, the *States-general* should assist the Emperor, with all their Forces, to take possession of the *Spanish* Monarchy, and to use their friendly Endeavours with the Electors their Allies, that his eldest Son *Joseph* should be speedily chosen King of the *Romans*; and their utmost Force, if *France* should by Threats or Arms oppose it.

King William *declares War against* France.

This was sign'd on the 12th of *May* N. S. and on the 17th, or 7th O. S. *England* enter'd also into the Lists against the common Enemy of the Christian World, as we find him call'd on that Occasion, on the following Grounds, *viz.* 1. For the Welfare of the People; which could never be effectually secur'd, but by *preventing* the Miseries which threaten'd them from abroad. 2. In resentment of the unjust Methods taken by the *French* King to gratify his Ambition, by invading the Territories of the Emperor, and declaring War against the Allies of *England*, without any Provocation receiv'd, and in manifest Violation of the Treaties confirm'd by the Guaranty of the *English* Crown. 3. The many Injuries done by him to his Majesty and his Subjects, without any Reparation; such as the Encroachments made on the *Newfoundland* Fishery [where, till of late, the *French* never us'd to fish, without Licences from the *English* Governor of that Province; for which they paid Tribute, in acknowledgment of the sole Right of the Crown of *England* to that Island]; the invading the *Caribbee* Islands; the taking forcible Possession of his Majesty's Territories of the Province of *New York*, and of *Hudson's Bay*; the countenancing the Seizure of *English* Ships by *French* Privateers, the forbidding the Importation of a great Part of the Manufactures of *England*, and imposing exorbitant Customs on the rest; the disputing, by his Orders, the Right of the Flag, in violation of his Majesty's Sovereignty of the narrow Seas; the unchristian Prosecution of many *English* Subjects for Matters of Religion, contrary to the Law of Nations, and express Treaties; " and lastly, (to use the very Words of the (*) Declaration) as he (the *French* King) has, for some Years last past, endeavour'd, by Insinuations and Promises of Assistance, [*not by express Treaty, it seems,*] to overthrow the Government of *England*; so now, by open and violent Methods, and the actual Invasion of our Kingdom of *Ireland*, in support of our Subjects in Arms, and in Rebellion against us, he is promoting the utter Extirpation of our good and loyal Subjects in that our Kingdom."

A. D. 1689.

Reflections thereon.

Thus, from being the Preserver of *Holland* and the Deliverer of *England*, we find his Majesty aspiring to be the Avenger of *Europe*: Many of the Causes here alledg'd had no immediate Relation to *England*; many more had taken place under the Reign of King *James*, and, as far as appears, had never been complain'd of by him; and whatever might be said of the Perfidies of the *French* with respect to *Spain*, and of their Cruelties with respect to *Germany*, it was, at least, as lawful for them to act as Auxiliaries to that unfortunate Prince, as for the *States* to lend their Forces to his Highness of *Orange*: The *most Christian* King was moreover under all the Ties that could either oblige a Man or a Prince to receive him into his Protection, and to espouse his Cause: For, if his Bigotry to the Superstitions of the *Romish* Church was the great Mark at which all the Batteries of his Enemies seem'd to be levell'd, his Attachment to the Court of *France* was the real Cause of his Ruin; as we find it in effect (*a*) acknowledg'd under the Emperor's own Hand, in answer to a Letter of the King's, requesting his Imperial Majesty's Aid to re-instate him in his Throne: And, in point of Policy, *France* could no way so effectually deprive the Confederacy against her, of the powerful Assistance of *England*, as by causing a Diversion in *Ireland*: But a War with *France* was a favourite Measure, both within-doors and without; and we are easily induc'd to swallow what is palatable: The People had then no Notion of the Difficulty, Danger, and Cost of the Experiment; and had been artfully work'd into an Impatience to make it: The two Nations were ancient, hereditary Enemies; and of course look'd with Malignity on each other's Acquisitions: We were too rich and too happy in their Eyes; they too great and too successful in ours. Thus, mutual Malevolence answer'd the End of mutual Provocations; and, with or without a Cause, they were ready for a Quarrel on both Sides: The Stories which were told of their growing Greatness, to frighten us into a Rupture by way of Precaution, had their Effect,

(*) Which we are told, was drawn up by Mr. Solicitor-General *Somers*.

(*a*) In Words to this effect: That if his Majesty had put a stop, by Force, or by his Authority, to the many Infractions of the Treaty of *Nimeguen*, his Subjects would have been satisfy'd, and the Peace of his Kingdoms preserved.

A. D. 1689. Effect, 'tis true; but, on the Principle they were founded, they excited Anger rather than Fear: They alarm'd our Pride, they rous'd our Emulation, and produc'd such a Disposition, that, for the sake of ruining them, we did not care if we ruin'd ourselves.

The Reduction of *Ireland* should have been the great national Object at this Crisis, and as such had been over and over again recommended to his Majesty's Consideration, tho' without Success. When the ill Effects of consiling in *Hamilton's* Negociations with *Tyrconnel* appear'd, a Declaration was set forth, requiring all the *Irish* to lay down their Arms, and submit to the new Government, by a certain Day in *April*. This bears Date *February* 22, and on the 27th his Majesty put thirty Ships into Commission for the *Irish* Service, and gave the Command of them to Admiral *Herbert*; but such were either the Perplexities of the Cabinet, or so much greater was the Regard paid to the Affairs of the Continent, that the Admiral was not in a Condition to sail, with a Part of his Fleet only, till the Beginning of *April* following.

King James's Expedition to Ireland.

But the *French*, in the mean while, were as diligent as we were remiss, tho' Bishop *Burnet* affirms the contrary; their Fleet was ready to put to Sea by the latter End of *Febr.* N. S. consisting of fourteen Men of War, seven Frigates, and three Firethips, besides Transports, *&c.* King *James* himself set out from *St. Germains* on the last Day of that Month, arriv'd at *Brest* the fifth of *March*, and on the seventh embark'd in order to set sail, but was detain'd in Port by contrary Winds, and a vain Fear of the *English* and *Dutch* Fleets, till the 17th, and met with so unfavourable a Passage, that he did not land at *Kinsale* till the 22d.

As to the Strength he brought with him, A. D. 1689. there are various Accounts of it: Sir *John Reresby*, it may be presum'd, speaks extravagantly of it, when he says, That besides the Fleet, before-mention'd, the *French* King assisted King *James* with a Sum of 200,000*l.* in ready Money, and 50000 Pistoles as a Present for his Pocket, together with Plate, Tents, and a most royal and splendid Equipage, as also with eight experienced Field Officers, one hundred of inferior Note, a Guard of one hundred *Swiss*, a Band of skilful Pioneers, 15,000 of his own natural Subjects, Arms for 40,000 more, Cannon and Ammunition in great Abundance: And that, over and above all this, he made him an Offer of 15,000 *French*, which the King refus'd, saying, *He would succeed by the Help of his own Subjects, or perish in the Attempt.* Sir *John* had, before, talk'd of 5000 *Swiss Protestants*, though he overlooks them now: And Bishop *Burnet* asserts, That, notwithstanding the (*b*) Opposition of Mr. *de Louvois* to all his Measures, *he got about* 5000 *Frenchmen to be sent over with him*: But, according to other Authors, though his Officers were of that Nation, the Soldiers that accompany'd him were *British*, and did not exceed fifteen hundred in all: And, according to a very circumstantial Journal of King *James's* Expedition, which pass'd the Licence Office *March* 22, we are to believe he had but twelve hundred, with Arms for as many more, and about four hundred thousand Crowns in Money.

A certain anonymous Writer has been so cruel as to suggest, That, in Consideration of this slender Aid, King *James* oblig'd himself by (*c*) Treaty, to make over the Kingdom of *Ireland* to his *most Christian* Majesty, after his full Restoration to those of *England*

Falsly accus'd of having made over that Kingdom to France by Treaty.

(*b*) Which Opposition is thus accounted for by his Lordship:

"The *French* Ministry was at this time much divided. *Louvois* had the greatest Credit, and was very successful in all his Counsels: So that he was most consider'd. But *Seignelay* was believ'd to have more personal Favour, and to be more entirely united to Madam *Maintenon*. These two were in a high Competition for Favour, and hated one another. *Seignelay* had the Marine, to the other had the Army for his Province. So King *James*, having the most Dependance on the Marine, and looking on the Secretary for that Post as the most powerful Favourite, made his chief Application to him; which set *Louvois* to cross and retard every thing that was propos'd for his Service. So that Matters for him went on slowly, and very defectively. There was another Circumstance in King *James's* Affairs, that did him much Hurt. *Lauzun*, whose Adventures will be found in the *French* History, had come over to King *James*, and offer'd him his Service, and had attended on the Queen, when she went over to *France*. He had obtain'd a Promise of King *James*, that he should have the Command of such Forces as the King of *France* would affist him with. *Louvois* hated *Lauzun*; nor did the King of *France* like to employ him: So *Louvois* sent to King *James*, desiring him to ask of the King of *France*, *Soubeyras*, a Son of his, whom he was breeding to serve in War, to command the *French* Troops. But King *James* had so engaged himself to *Lauzun*, that he thought he could not in honour depart from it. And ever after that, we were told, that *Louvois* study'd, by all the Ways he could think of, to disparage him, and all the Propositions he made."

(*c*) In the following Words:

"Before King *James* went for *Ireland*, the *French* King oblig'd him to enter into a Treaty; an Extract of which I saw in Manuscript, as it was given to a Gentleman by a Person of Quality, who had it from an Acquaintance of his, that came from the Court of *St. Germains*, and told him 'was communicated to him by a Relation of the Marquis *de Louvois*, who found it among the Marquis's Papers. Whether it was only a rough Draught of an intended Treaty, or a Copy of a Treaty actually concluded, I shall not pretend to decide; but leave the Reader to judge of the Genuineness of it, by the Actions of King *James* and his Accomplices, before and after he was King.

The Articles of the private Treaty, between the French *King and the late King* James: *upon the latter's going to* Ireland, *in the Year* 1688-9.

Imprimis, King *James*, in consideration of the Assistance given and to be given him, by his *most Christian* Majesty, conformable to Articles made by that King on his Part, for the Recovery of his *Britannic* Majesty's Dominions; has agreed, as soon as he shall be restor'd, and fully resettled in his Kingdoms, and not before, that he may not give any Umbrage to the *English* Nation, to quit all Manner of Claim to the Title or Arms of *France*, and take effectual Care to put the same out of the Royal Escutcheon of *England*.

II. That he shall resign and quit the Sovereignty of the narrow Seas to his *most Christian* Majesty; and to that Purpose shall give Orders to Ships of War to strike to the *French* Flag.

III. That he shall be oblig'd to assist his *most Christian* Majesty with thirty capital Ships of War, and twenty thousand Land-men, in any War he shall be engaged in, and this shall be at his own proper Cost and Charge.

IV. That he shall make or enter into no Alliance against *France*; nor, with any other Prince or State, without the Privity or Consent of his *most Christian* Majesty; but faithfully observe a perpetual League, offensive and defensive, with the Crown of *France*.

V. That he shall admit into his standing Forces, whose Number and Strength shall from time to time be regulated and limited by him, in concert with his *most Christian* Majesty, a constant Body of ten thousand *French*, and five thousand Catholic *Switzers*, more or less, in proportion to the Troops of his own Subjects: And shall deliver up *Dover* Castle, *Plymouth* and *Portsmouth*, to be garrison'd by *French* Soldiers, as cautionary Towns, for the Security of the Performance of this Treaty.

VI.

A. D. 1689. *England* and *Scotland*, and to submit to a Variety of other scandalous Impositions, which cannot be read without Indignation: And a (*d*) Cotemporary of our own has been rash enough to give this wicked and improbable Fiction more Countenance than it deserves. Mr. *de Avaux*, so often mention'd, did, indeed, accompany the King to *Ireland*, in quality of Embassador Extraordinary from the *most Christian* King, and together with the Junto of *French* Officers, was allow'd a far greater Ascendancy in his Counsels, than was consistent either with his Honour or his Interest. But this arose from the Necessity of that King's Affairs, and was the natural Consequence of his Dependence on *France*. He that was before a Brother, was now a Master; and what was call'd his Opinion or Advice, was, in Effect, a Law.

The principal Persons that attended him, besides Mr. *d'Avaux*, were the Duke of *Berwick*, and Mr. *Fitz James*, Grand Prior; the Duke of *Powis*; the Earls of *Dover*, *Melfort*, *Abercorn*, and *Seaforth*; the Lords *Henry* and *Thomas Howard*; the Lords *Drummond*, *Dungan*, *Trendraught*, *Buchan*, *Hunsdon*, and *Brittas*; the Bishops of *Chester*, and *Galway*; the late Lord Chief Justice *Herbert*; the Marquis *d'Estrades*; Mr. *de Rozen*, Mareschal de Camp; the Lieutenant Generals *Maxwo*, *Pusignan*, and *Lori*; *Pountee*, Engineer-General; the Marquis *d'Albeville*; Sir *John Sparrow*, Sir *Roger Strickland*, Sir *William Jennings*, Sir *Henry Bond*, Sir *Charles Carney*, Sir *Edward Vaudrey*, Sir *Charles Murray*, Sir *Robert Parker*, Sir *Alphonso Mosolo*, Sir *Samuel Foxon*, and Sir *William Wallis*; the Colonels *Porter*, *Sarsfield*, *Anthony* and *John Hamilton*, *Simon* and *Henry Lutterel*, *Ramsey*, *Dorrington*, *Sutherland*, *Clifford*, *Parker*, *Purcel*, *Cannon*, and *Fielding*; the Lieutenant-Colonels *Skelton*, *Hunsdate*, *Byrne*, *Scot*, *Trapps*, and *Leonard*; the Majors *Arthur*, *Gordon*, *Ennis*, *Douglas*, *Connock*, *Fountain*, *Regan*, *Frayne*, *O'Bogherne*, *Ingram*, *Pendergast*, *Gifford*, *Bourk*, *Dempsey*, *Cunningham*, and *Hillersden*.

With regard to the State of *Ireland*, at the King's landing, it was almost as favourable to him, as he could have wish'd; the Coast was wholly open; not an *English* or *Dutch* Man of War was station'd upon it: His Lieutenant *Tyrconnel* was more absolutely Master than ever: He had caus'd all the Protestants in all the Provinces and Towns which profess'd Obedience to him, to be disarm'd in one Day: He had form'd an Army of thirty thousand Foot, and eight thousand Horse, which were enough to have swallow'd up those in the *North* who had taken to Arms, and declar'd for the new Government; and his Majesty's Reception at *Kinsale*, at *Cork*, and yet more remarkably at *Dublin*, was such, as seem'd to argue, that the Lives and Fortunes of the People in general were at his Devotion. A. D. 1689.

He made his Entrance into *Dublin*, *March* the 16th, O. S. and, if we are rightly inform'd, was met at the Castle Gate by a whole Train of Popish Bishops and Priests in their Pontificals, bearing the Host, which, as if he was more infatuated than ever, he publicly ador'd. After which he assisted at a solemn *Te Deum*, and not only manifested on all Occasions, as usual, an extravagant Zeal for the Popish Religion, but a settled Purpose to make it the chief, if not the sole, Religion of his Government. In the first Council he held, he dismiss'd the Lord *Grenard*, and Judge *Keating*, who had advis'd the Lord Lieutenant to an Accommodation with the new Government, and other Protestants from the Board, to make Room for Mr. *d'Avaux*, the Bishop of *Chester*, and Colonel *Dorrington*; to whom were, by Degrees, added, the Dukes of *Powis*, and *Berwick*, the Earls of *Abercorn*, *Melfort*, *Dover*, *Carlingford*, and *Clanrickard*, Lord *Tho. Howard*, and the Lords *Kilmallock*, *Merrion*, *Kenmure*, and *Clare*, Lord Chief Justice *Herbert*, Marquis *d'Albeville*, and Colonel *Sarsfield*: And when the Bishop of *Meath*, at the Head of the Protestant Clergy, implor'd his Royal Protection, and Leave to lay before him their just Complaints of the Injuries they receiv'd, his Answer was, "I will protect all Men in their Religion and Properties; and as for the Wrongs that have lately been suffer'd by several, it is impossible, in these Times of Commotion, but such will

Makes his Entrance into Dublin, and is attended by French and Popish Councils only.

VI. That he shall permit his *most Christian* Majesty, at all Times, and upon all Occasions, the free Use of his Ports, for the Retreat of his Ships; and shall supply him with able Workmen, to repair or build Ships, as he shall require it.

VII. That in regard of the Situation of the *Irish* Ports, and their Conveniency for the *French* Fleets; as also in consideration of the Agreement of the *Irish* with the People of *France* in Religion, he shall, after his full Restoration to the Kingdoms of *England* and *Scotland*, be oblig'd to assign *Ireland* over to his *most Christian* Majesty; in compensation of all the Money he has already expended, or shall further expend, in recovering the said Kingdoms of *England* and *Scotland*. And because of the Situation of the Islands of *Sicily* and *Sardinia*, in the *Mediterranean Sea*, for the Commerce of the *English* Navigation and Trade into the *Levant*; his *most Christian* Majesty obliges himself to conquer those Kingdoms for his *Britannic* Majesty, at his own proper Expence, and with his own Troops; and to give them up entirely, in lieu of the said Kingdom of *Ireland*.

VIII. That, towards the further[ing] a stricter Friendship and Alliance between the two Nations of *France* and *England*, and for perpetuating a mutual and sincere Correspondence, (in case of a violent or natural Death of either the Prince of *Orange* or Prince of *Denmark*) one or both of the Princesses Royal shall become Widows, and that their Persons shall be seiz'd: That then they shall be convey'd, with all Expedition and Secrecy, into *France*, and put into the Power of his *most Christian* Majesty, to be marry'd to such a Prince, or Princes, as he shall think fit.

IX. That the eldest or surviving Issue of such Marriage shall succeed to the Crown of *Scotland*; to which, in such Case, his *most Christian* Majesty shall assert *Ireland*; and *England*, and the *American* Dominions, remain to the Prince of *Wales*.

Additional Articles.

That all landed Men in *Ireland*, of the Protestant Religion, shall be oblig'd to turn Catholics, or sell their Estates, at a set Price, to the *Irish* Catholics, or others, as his *most Christian* Majesty shall appoint.

All Protestants shall have Leave to depart freely, with their Effects.

Lastly, All such Protestants as will stay shall have Liberty of Conscience for the Space of twenty Years, till the Kingdom is better peopled with *French*, and other, Catholics." [*Memoirs of* Ireland.

(*d*) "This Treaty appear'd so improbable, that the Reality of it was doubted by many: But it must be own'd, that King *James*'s Conduct in *Ireland* confirm'd the Suspicions of others, that he had actually enter'd into such an Engagement." [Tindal's *Continuation of* Rapin, p. 80.

1

A.D. 1689. will happen: But I ſhall, as far as I can, prevent and redreſs them. However, if I am invaded in this Kingdom, as I have been in *England*, I muſt ſecure myſelf as well as I can." It is obſerv'd, that theſe Men had all the Merit of Paſſive Obedience to plead, as having continu'd irreproachably loyal, under the moſt ſenſible Provocations: And, it muſt be acknowledg'd, that ſuch a Reception, after ſuch Uſage, was enough to bring the Doctrine into Diſgrace for ever. This was beſides ſo much the more remarkable, becauſe he gave the moſt favourable Ear to the Remonſtrances of the Popiſh Biſhops (which were alſo enforc'd by Mr. *D'Avaux* at his firſt public Audience) in favour of his Catholic Subjects, and againſt the Oppreſſions of the *Engliſh*: And becauſe that of five Proclamations which were iſſu'd the ſecond Day after he came to *Dublin*, all the Subjects of *Ireland* who had lately abandon'd that Kingdom, were requir'd by the firſt to return home, *under Aſſurance of Protection*, and on pain of Outlawry, and Confiſcation; and all, of what Degree or Perſuaſion ſoever, were farther requir'd to join with him againſt the Prince of *Orange*. In ſhort, he ſeem'd to act in all things, as a Prieſt ſhould act, with an almoſt total Diſregard to his temporal Intereſt; for how much ſoever this Partiality might contribute to the Eaſe of his Affairs in *Ireland*, it could not but ſerve to ruin all Hopes of his Return to *England*, where the Catholics had gain'd no Ground, notwithſtanding the freſh Broil which had broke out between the Churchmen and Preſbyterians. As to the four other Proclamations, the ſecond was full of Acknowledgments to the *Roman* Catholics, for having, with ſuch Vigilance and Chearfulneſs put themſelves in Arms; but withal requir'd ſuch as were not in actual Pay, and under regular Command, not to ſurrender their Arms, but to lay them up in their ſeveral Abodes; becauſe it was acknowledg'd, that even this meritorious arming, had given riſe to ſeveral Robberies. By a third, the Country was invited to ſupply his Army in the *North* with Proviſions; and the Soldiery were forbid to take any from them without Payment for the ſame. By the fourth, the value of the ſeveral Coins at that time current in *Ireland*, was rais'd after the Rate of 10*d*; in twenty-one Shillings; no doubt, that the *French* Aids might go the farther. And by the fifth, a Parliament was ſummon'd to meet his Majeſty at *Dublin* on the ſeventh of *May*, for regulating Matters Eccleſiaſtical, *&c.*

Biſhop *Burnet* pronounces, That the *Iriſh* were as inſolent as they were undiſciplin'd; and leaves us to conclude, that this Inſolence of theirs conſiſted in *thinking they were now to be Maſters of the King's Councils*; and in diſputing that Point with the *French*. But ſurely no Thought could be more natural, no Diſpute could be more reaſonable than this: They had ventur'd their All in his Support; they ſtood more nearly related to him in the Capacity of Subjects than the *French* as Allies; and they had no ſeparate Intereſt to ſerve. His Lordſhip adds, "That they were ſoon on very bad Terms, and ſcarce ever agreed in their Advices:" As alſo, "That King *James*'s whole Party in *Britain* preſs'd his ſettling the Affairs of *Ireland* the beſt he could, and his bringing over the *French* and ſuch of the *Iriſh* as he could beſt govern and depend upon, to the *North* of *England*, or the *Weſt* of *Scotland*." But if he was really thus preſs'd, it was to no manner of Effect: He choſe rather to linger in *Ireland*, where he was ſtrongeſt, than expoſe himſelf, where he was ſure to be weakeſt, to Dangers and Difficulties, which he thought inſurmountable. His Party in *Scotland* had made their Applications both to him and the *French* Court, before he left *St. Germains*, and had offer'd to do Wonders in his Behalf, in caſe they might have the neceſſary Countenance and Encouragement to put them in Motion. But good Words, fair Promiſes, and about ſix thouſand Pounds in Money, we are told, was all the Encouragement and Countenance they met with. *Lindſay* their Agent, not only took *London* in his way back, but made his Application to Biſhop *Burnet*; and to procure a Ray of his Favour, let him into the Secret of King *James*'s intended Expedition to *Ireland*; with ſuch Succeſs, that his Lordſhip ſent him to the Secretary's Office, not, as it appears to make farther Diſcoveries, but to be furniſh'd with a Paſs; for that was the Reſult, it ſeems, of his Attendance; and his Lordſhip has the Grace to take Shame to himſelf for having been ſo egregiouſly impos'd upon, and for having contributed by his Credulity to the Deſigns of the Malcontents to ſubvert the new Eſtabliſhment.

A.D. 1689. *He is ſummon'd by his Party to come over into* England *or* Scotland.

He gives us farther to underſtand, that when it was reſolv'd, that the King ſhould continue in *Ireland*, and ſhould undertake the Reduction of *Londonderry*, which had held out againſt the Lord Lieutenant, ever ſince the firſt Alarm of a general Maſſacre in the *December* before, two different Advices were offer'd, *viz.* one to march againſt it with ſuch a Force as ſhould be irreſiſtible; and the to cauſe it to be ſo block'd up on all Sides, as to ſtarve them into a Surrender: And that both, by a ſort of Fatality, which hung over that King, were rejected for the ſake of a third, which, we are aſſur'd by the ſame Authority, was the only bad one that could be propos'd. This was to preſs the Town by a ſlow Siege; which was given out, would bring the *Iriſh* into the Methods of War, and would accuſtom them to Fatigue and Diſcipline.

But inſtead of complying, reſolves to reduce Londonderry.

It is acknowledg'd on all Hands, that the Inhabitants of *Londonderry* had no ſooner taken a Reſolution to ſhut their Gates againſt the Earl of *Antrim*'s Regiment, and to defend themſelves in caſe of an Attack againſt the Lord Lieutenant and all his Force, than they appriz'd the Government here of that Reſolution, of the Hazard they ran by ſo doing, and of the Neceſſity of ſending them Supplies of all ſorts: Notwithſtanding which early Application, they were left to ſhift for themſelves till the Middle of *April*, having all that time receiv'd only a Supply of Arms

The Siege of Derry.

A.D. 1689. Two Regiments arrive from England to their Assistance.

and Ammunition by one Captain *James Hamilton*. Two Regiments were at last sent them under the Command of their respective Colonels, *Cunningham* and *Richards*. These were embark'd at *Liverpool* on the third of that Month, and arriv'd in *Lough-Foyl* on the fifteenth; by which time King *James*, with his whole Army, having taken *Colerain* in his March, and invested *Killmore*, was almost in Sight. One *Lundy* had been appointed Governor of the Place by King *William*, who, it seems, was either Coward, or Traitor, or both. The *Historian of his own Times* is express, That he had undertaken to betray it to King *James*; but if he had, it appears he had neither Address enough to serve one King, nor Courage enough to serve the other. Mr. *Walker*, Rector of *Donalmore* in the County of *Tyrone*, and Colonel of a Regiment of his own raising, had brought the Intelligence to *Derry* of King *James*'s Approach, and would have persuaded *Lundy* to take the Field, which he was of Opinion might have been done with Success, before King *James*'s Army was fully form'd; there being in that Place between 5 and 6000 fighting Men; and Lord *Kingston*, and Sir *Arthur Rawden* having 2500 Foot, and about 1300 Horse in Readiness to join him. Instead, however, of hearkening to this Advice, *Lundy* held a Council of War, at which assisted the Colonels *Cunningham* and *Richards*, and in which it was concluded, That for want of Provisions, the Place was not tenable; that therefore the two Regiments should not be landed; and that the principal Officers should privately withdraw themselves, as well for their own Preservation, as to give the Inhabitants an Opportunity to make the better Terms. The next Step was to send a Person to the King to receive his Proposals, and withal, to desire that his Majesty would cause his Army to halt within three Miles of the Place, till the Treaty should be perfected: But his Majesty, in Contempt of that Preliminary, came before the Town with his Forces that very Day, the 18th, and was so roughly receiv'd by the Inhabitants, that both he and they thought it adviseable to retire to *St. John's Town*. By this time the Populace were so enrag'd against *Lundy* and his Accomplices, that they were glad to make their Escapes as well as they could, and were (*e*) follow'd by *Cunningham* and *Richards*, who refus'd to take the Command of the Place, under Pretence that their Orders were to obey *Lundy*.

But return with their Officers without debarking.

The Townsmen had now the Mortification to see the very Forces they had so long look'd for, desert them, without making the least Attempt in their Favour, or even supplying them with the Stores and Provisions which they had brought for their Relief. But tho' thus abandon'd and sacrific'd, instead of desponding, they grew more resolute than ever, receiv'd *Walker* for their Governor, and one *Baker* for his Assistant, and prepar'd to sell their Lives as dear as possible; for having determin'd not to surrender, and being convinc'd how little they were to depend on being reliev'd, this seem'd to be all they had left to do.

A.D. 1689.

And this Resolution of theirs appears so much the more astonishing, because they had not above twenty great Guns in all; Scarce one of those was well mounted; they had no Engineers, and not above ten Days Provision; at least according to the Estimation of *Lundy*, their late Governor. King *James* was no Stranger to all these Circumstances; and therefore attended the Siege himself till the 29th, in daily Expectation of taking possession: But growing weary at last of daily Disappointments, he then return'd to *Dublin*, having first express'd his Displeasure with so dilatory a Proceeding, as we are told, by saying, *That, if his Army had been* English, *they would, by that time, have brought him the Town, Stone by Stone.*

Two Days after, *Cunningham* and *Richards* sail'd for *Liverpool*. Admiral *Herbert* did the same from *Spithead*, with a Squadron of twelve Men of War, one Fireship, two Yachts, and two Smacks; which was all the Strength that in all this time could be got ready for this important Service, and which was far from being equal to it. His Commission was, to go in quest of the *French* Fleet, which was then preparing to make a (*f*) second Trip to *Ireland*, by way of Convoy to certain Transports, laden with Arms and Ammunition, and a large Sum of Money, and which was considerably reinforc'd, in expectation of a Rencounter with the *English*, tho' the War had not as yet been declar'd in form. Other Ships were indeed appointed to follow the Admiral, as fast as they could be equipp'd: But, not to insist that he might have fallen into the Hands of the Enemy he sought, before those Ships came up; even when they did come up, he found himself greatly over-match'd, and had like to have paid dear for his Experiment. He was at first driven by Stress of Weather into *Milford-Haven*; and, having refitted, purpos'd to stand over to *France*, in order to intercept the Enemy as they came out of *Brest*; but the Wind coming Easterly, and he concluding that they would take advantage of it to put to Sea, he stood away for *Kinsale* on the 24th of *April*, in hope to fall in with them as they came upon the Coast: And

Admiral Herbert's Expedition.

(*e*) Bishop *Burnet* says, they all went off together: But, according to other Authors, *Lundy* went off first, in disguise, with a Load of March at his Back; and, having made the best of his Way to *Scotland*, was there seiz'd, and sent Prisoner to *England*.

(*f*) According to Mr. *Tindal*, "Admiral *Herbert*, having receiv'd Notice that King *James* was landed in *Ireland*, hasten'd to that Coast with all the Strength which could be possibly collected, *in hopes to intercept the Ships of War which were his Convoy, in their Return.*" But this is contrary to all Authorities, *French* and *English*. He made no such Haste: Those Ships of War return'd immediately: This second Fleet was out but twelve Days in all: And if Mr. *Tindal* had attended to a Quotation of his own, from Father *Daniel*, in his next Column but one, he would have understood, that the Fleet here spoken of came as Convoy to the Transports above-mention'd.

A. D. 1689. And ſo right was the Judgment he made, that on the 29th his Scouts made ſignal that they diſcover'd a Fleet, keeping their Wind. This induc'd the Admiral to do the ſame, to prevent their getting into the Port laſt-mention'd; and ſo far this Working of his had its Effect: But then he could not hinder them getting into *Bantry-Bay* the next Day; nor did he ever come in ſight of them at all, till he ſtood in to engage them; which was on the firſt of *May*, at Day-break. The *French* were at Anchor; but no ſooner did they ſee the *Engliſh* Sails appear, than they weigh'd, form'd their Line, bore down with a full Sail, and when within Muſket-ſhot of the *Defiance*, the headmoſt Ship of our Fleet, gave the Signal of Battle, and follow'd it with an immediate Diſcharge of great and ſmall Shot; which was return'd with equal Fury, but not with equal Succeſs. The *French* had the Wind; and Admiral *Herbert* thought, that, if he could deprive them of that Advantage, he ſhould have nothing to apprehend from the Odds they had of Strength and Number. On this Preſumption he made ſeveral Tacks, in order to weather them, if poſſible, or at leaſt oblige them to fight him Broad-ſide and Broad-ſide: But as they would not gratify him in the laſt of theſe Points, ſo neither could he carry the firſt. The *French* were already, it ſeems, as good Sailors as we, if not better, (for their Line was form'd from the Beginning, and ours was never form'd at all,) and maintain'd their Poſt ſo well, that *Herbert*, after two Hours warm Engagement, thought fit to alter his Steerage, and ſtand off to Sea; ſtill, however, with a Hope of ſome Opportunity to gain the Wind of the Enemy, and to make good his Line (for ſo runs his own Account of the Action); but ſtill without the deſir'd Succeſs: The Enemy gave him no Opening, but on the contrary oblig'd him to keep a running Fight to Leeward, till five in the Afternoon, when the *French* Admiral, (Mr. *Chateau-Renault*) contented with the Honour of the Day, tack'd about, and ſtood farther up into the Bay; And, ſays the *Gazette*, "Admiral *Herbert*'s Ship, and ſome of the reſt, being diſabled in their Rigging, we could not follow them: But we continued ſome time after, before the Bay, and our Admiral gave them a Gun at parting." But this is only to be eſteem'd the Colouring of a Defeat; which, in ſuch Times as theſe, was not only excuſable but neceſſary: And, as an additional Softening, the Public was farther told, that the Enemy wanted neither Courage nor Skill, to make uſe of all Advantages, of the Place, the Wind, their Fireſhips, and their being, at leaſt, doubly as ſtrong as the *Engliſh*; they having (*g*) twenty-eight Ships, of which eighteen are ſaid to have been as large as *Herbert*'s own Ship, the *Elizabeth*, and five Fire-ſhips; whereas he had but eight Third-rates, ten Fourth-rates, one Fifth-rate, and two Tenders.

He is overſpread by the French at Bantry-Bay.

As to the Loſs, it was inſignificant on both Sides: For the *Engliſh*, who were worſted, acknowledge but one Captain, (*Aylmer*, of the *Portland*), one Lieutenant, and ninety-four Seamen, kill'd, and about two hundred and fifty wounded: And, on the other hand, that of the *French* is ſumm'd up in the ſetting fire to one Ship, the *Diamond*, and the damaging two others ſo far, as to oblige them to quit the Line. But then, as to the Conſequences of the Engagement, by which alone the Importance of it is to be eſtimated, the *French* accompliſh'd all they propos'd; they debark'd their Stores ſafely, they defended themſelves bravely, and they had the Seas left open to them to return triumphantly; while the *Engliſh* could neither prevent their Debarkation, which was what they undertook, nor impede their Return, which was manifeſtly their Intereſt; but, on the contrary, retreated towards *Scilly*, which was the Place of general Rendezvous for the Fleet; and tho' it was given out in the *London Gazette*, that they would ſoon make a ſecond Attempt on the Enemy, no ſuch ſecond Attempt was made. *Herbert* was brave even to Raſhneſs, as the Action we have juſt treated of, is ſufficient to demonſtrate; for which Reaſon no doubt can be made, that he burnt with Impatience to engage again: And that he did not engage again, ſeems to argue, that either he had ſuffer'd more in the late Action than he car'd to own, or that he was diſappointed of the Reinforcements which he expected to find at the Place of Rendezvous: The laſt of theſe Concluſions is perhaps the Truth; for, over-and-above all the other Difficulties that embarraſs'd every Branch of the public Service, the Seamen had ſhewn a Backwardneſs to engage in it; and almoſt every Article from the Sea-ports, in the *Gazettes* of theſe Times, as well as the Proclamations for their Encouragement, evinces what Artifices the Government was forc'd to make uſe of, to reconcile them to it: When, therefore, the Admiral came into *Portſmouth*, as he did in a few Days after the Fight, it may be ſuppos'd, that he came in doubly enflam'd with his Defeat and his Diſappointment; that his Officers of all Ranks, and their ſeveral Crews, partook of the ſame Ill-humour; and that the Murmurs and Complaints, which probably broke out on every Side, made it neceſſary for his Majeſty to go thither in perſon to appeaſe them: It is true we are told by ſome, *That he went to haſten the refitting of the Fleet:* But the *Gazette* aſſures us, that he ſtaid there no longer than while he din'd with Admiral *Herbert*, on board the *Elizabeth*, and while he rode round the Fortifications; for he return'd the ſame Day to Colonel *Norton*'s, where he had lain the Night before; and that, in this ſhort Interval, he declar'd his Royal Intention of conferring on the Admiral the Title and Dignity of an Earl of this Kingdom, as a Mark of his great Satisfaction in his Conduct and good

The King dines on board the Elizabeth at Portſmouth.

(*g*) The *French* acknowledge but twenty-four, viz. Fifteen Third-rates, and nine Fourth-rates.

A. D. 1689. good Services; that he knighted the Captains, *Aſhby* of the *Defiance*, and *Shovel* of the *Edgar*, and that he order'd a Donative of ten Shillings to every private Man.

Affairs of Scotland.

It is now Time to turn to the Affairs of *Scotland*.

The 14th of *March* was the Day appointed for the Meeting of the Convention there; and tho' it was to be form'd at the Requiſition of King *William*, there is a Paſſage in Lord *Belcarres*'s Memoirs, which ſignifies, that King *James* alſo *allow'd* his Partiſans to make all the Intereſt they could, that Members might be rightly choſen. In the ſame Paſſage it is alſo ſaid, That all thoſe Partiſans of his did accordingly reſolve to act accordingly: But then he adds, That it was ſo long before this Reſolution was taken, that many loyal Gentlemen refus'd to co-operate when call'd upon; which, continues he, gave the Prince of *Orange*'s Party, and the Fanatics, great Advantage; and he concludes, notwithſtanding, That if Forces had not been ſent down, and if thoſe Fanatics had not been admitted to vote (which, however unprecedented, according to his Lordſhip's State of the Caſe, had been agreed to by the *Scotiſh* Lords and *Gentlemen* at *Whitehall*) the Elections would have gone in King *James*'s Favour.

The Duke of *Gordon* was ſtill Maſter of *Edinburgh* Caſtle, and ſtill adher'd to his old Maſter; which would have been a terrifying Circumſtance to the Friends of the new Government, if he had taken care to have ſtor'd it with Proviſions; but having neglected that important Service, he ſtood at the Courteſy of the Citizens for the Neceſſaries of Life, and, for that Reaſon, durſt not make uſe of his great Guns to keep them to their good Behaviour.

Yet farther to counterpoiſe the Dread of the Caſtle, as alſo to keep up the Spirits of their own, and to intimidate the contrary, Party, the Duke of *Hamilton* and other *Weſtern* Lords and Gentlemen, we are told, brought publicly into *Edinburgh* ſeveral Companies of Foot and quarter'd them in the City, beſides great Numbers which they kept hid in Cellars and other obſcure Places to be ready in caſe of need.

The Earl of *Belcarres*, and the Viſcount *Dundee* undertook for the contrary Party, and were altogether as active on their Side, though in a different way; for, being the weaker, their Buſineſs was to lye on the Defenſive; to keep as cloſely united as poſſible; to lye in wait for ſuch Advantages as might be drawn from a dextrous Management of the Seſſion; and above all things, to keep the Duke of *Gordon* firm to their Intereſt, who had been highly tempted, had already betray'd ſome Irreſolution, and wanted Firmneſs in his Compoſition. A. D. 1689.

The Convention meets at Edinburgh.

This was the Aſpect of things on both Sides, when the Day of meeting came; and the Lords and Commons being met accordingly in one Houſe, agreeable to the Cuſtom of that Kingdom; the Biſhop of *Edinburgh* officiated as Chaplain, and made uſe of the Opportunity to pray, that *God* would have Compaſſion on King *James*, and that he would reſtore him. After Prayers, the firſt great Point to be ſettled, was the Choice of a Preſident: The Marquis of (*b*) *Athole* was ſet up by one Party; not becauſe they had any Confidence in his Parts or Honeſty, ſays Lord *Belcarres*, but becauſe he was the only Man fit to be oppos'd to the Duke of *Hamilton*, who was ſet up by the other. Both attended the Deciſion with the utmoſt Anxiety; for upon this ſingle Queſtion, the Fate of the Seſſion was ſuppos'd to lye; not only from the Influence of the Chair, in the Courſe of their Proceedings, but as from thence the Temper of the Houſe would become manifeſt. The Event was favourable to the new Courtiers; contrary, ſays the Author laſt quoted, to their own Expectations; and the Duke carry'd it by forty Voices: Upon which, "above twenty more, continues his Lordſhip, who had engag'd to us, and voted for us, ſeeing we were the weakeſt Party, and that the other had both Forces and the Shew of Authority on their Side, left us."

The Duke of Hamilton choſen Preſident.

The Matter which came next under Conſideration, was their own (*i*) Security, with reſpect to the Cannon of the Caſtle; and, upon the Reſult, the Earls of *Lothian* and *Tweedale*, were warranted by a formal Act to repair to the ſaid Caſtle, and to require the Duke of *Gordon*, and others of his Perſuaſion, entruſted with the keeping thereof, in the Name of the Eſtates of the Kingdom, to quit the ſame in twenty-four Hours, *as not being qualify'd by Law* to hold that Truſt, and to leave the Charge thereof to the next commanding Officer, being a Proteſtant: And in Conſideration of his and their yielding Obedience, the ſaid Eſtates gave aſſurance, that he and they ſhould ſtand indemnify'd for whatever they had hitherto done contrary to Law as Papiſts. And while theſe two Lords were on this Errand, the Houſe proceeded farther to name a Committee (*k*) of

(*b*) It has been formerly obſerv'd, that in *Belcarres*'s Memoirs, the Names of the Noblemen treated of are ſeldom inſerted at length. Thus, in the Paſſage here quoted, inſtead of ſaying the Marquis of *Athole*, it is ſaid the Marquis of *A——e*: And tho' Mr. *Tindal* has in his Text, inform'd his Readers that the ſaid Marquis was the Man ſet up againſt Duke *Hamilton*, he has yet in his Notes, (where this very Paſſage and many more, from the ſame Author, are inſerted in the Lump) converted *Athole* into *Annandale*.

(*i*) Or rather, according to the Earl of *Belcarres*, to gratify the Earls of *Lothian* and *Leven*, who were Candidates for the Government of it; as alſo to oblige King *William*, who was impatient to have it reduc'd, as it was the only Place of Conſequence in the whole Iſland, which held out for King *James* againſt him.

(*k*) According to the Account publiſh'd in the *London Gazette*, No. 2438, there were not above Twelve diſputed; but the Earl of *Belcarres* writes of that Matter as follows: "Some few Days were taken up in judging of Elections; which would have taken much longer time, if ſeveral, who ſaw there was no manner of Juſtice ſo much as pretended to among them, had not given it over and yielded; which made them grow ſtronger every Day. None concerned in that Affair of Elections behav'd ſo well as Mr. *C——*, *H——e*, (*Hume*, perhaps,) after his Brother the Earl of *H——*'s Death, the Title fell to him; but by reaſon of

A. D. 1689. of Elections to conſiſt of five, to be choſen out of every State. This gave riſe to a Queſtion, Whether the Lords Spiritual were a diſtinct Eſtate, or only a Part of the ſame Eſtate with the Lords Temporal: And the Latter appearing to be the Senſe of the Houſe, the oppoſing Party choſe to wave the Diſpute, without coming to Diviſion. The ſaid Committee was then choſen, and out of fifteen Members, which it was compos'd of, twelve were in the Intereſt of the new Government: And, as the laſt Effort of the Day on the loſing Side, a Motion was made, That, ſeeing the Town was full of People from all Parts of the Kingdom, who were, for the moſt part, in Arms, it might be thought fit, for preventing Diſorders, to command all ſuch to depart, as were not Reſidents, or that did not belong to the Members; which was alſo over-rul'd by the Majority; who declar'd, That the Caſtle ſhould firſt be deliver'd; but withal appointed a Committee to act as Conſervators of the Peace. Under this Head, Lord *Belcarres* obſerves, That the greateſt Error committed by King *James*'s Friends, was their continuing to ſit, after this Motion was ſo over-rul'd: "For in Reaſon, ſays he, they ought all to have left the Convention, and gone and ſitten in ſome other Town by themſelves, which they might have done ſafely."

Lords Spiritual not allow'd to be a diſtinct Eſtate.

Treaty with the Duke of Gordon for the Surrender of the Caſtle.

In this Interval, the two Earls perform'd their Miſſion to the Duke of *Gordon*, who deſir'd twenty-four Hours to conſider of it: So ſays the *London Gazette* at leaſt: But Lord *Belcarres* is expreſs, That he actually promis'd to comply with their Demand by ten the next Morning; and yet farther expatiates on the Effect which this Promiſe had on the Party, as follows: "So ſoon as the Viſcount of *Dundee* and I heard them give this Anſwer to the Convention, we were mightily alarm'd, and ſent up one immediately to remember his Grace of his Engagement to us, and to lay before him the Ruin of your (King *James*'s) Affairs, if once they got the Caſtle into their Hands. As Irreſolution was the Cauſe of his Promiſe to them, ſo what Arguments were us'd to him on the other Side meeting with his Deſire to ſerve you, brought him about again. His greateſt Obſtacle then was, how to come fairly off. The Earl of *T——e* with his flattering, inſinuating way, had got him to go too great a length: For that, it was adviſed, that next Day, when they came to demand the Caſtle, he ſhould tell, he would willingly give it up, but he could not ſee how he could be ſafe himſelf from the Rabble of the Town, and thoſe that were brought into it. But to free them from all Fear, that he ſhould give the Convention any Diſturbance, he ſhould offer Bail for twenty thouſand Pounds to live peaceably in it. But though he was very well ſatisfy'd with this Advice, yet that Night he grew again irreſolute, and ſent to tell us, that except we came to him immediately, he would not keep his Word. This was impoſſible to do, for they having placed the Town-Companies of *Edinburgh* upon the Caſtle Hill, ſuffer'd none they ſuſpected to go up; yet one ventur'd to him, to know what he had to ſay to us. He ſent us Word, that notwithſtanding of all that was paſt, he would deliver it up, except we Both gave it under our Hands, That it was of abſolute Neceſſity for your Affairs not to yield it up; which we both did that Night; and the next Morning the Viſcount of *Dundee* got into the Caſtle, and confirm'd him abſolutely in his Reſolution of keeping it out, by telling him the Reſolutions which were taken by your Friends of leaving *Edinburgh*, and ſetting up at *Sterling*."

A. D. 1689.

The Reſult of this Intrigue was, that when the two Earls return'd on the Morrow to know the Duke's Purpoſe, he deliver'd to them the following Paper, which is drawn up with ſo much Art, and in a Stile and Manner ſo much ſuperior to thoſe of the Earl of *Belcarres*, as manifeſts very clearly, that if he dictated the Matter, he did not hold the Pen:

"*Edinburgh*-Caſtle, *March* 17, 1689.

I am willing to comply with the Commiſſion I receiv'd by the Earls of *Lothain* and *Tweedale*, as to my Removal from the Caſtle of *Edinburgh*; tho' I cannot do ſo as a Papiſt, that being dangerous, and I not convicted; for, I hope, being in Employment, without taking the Teſt, contrary to an Act of Parliament, is no Conviction of Popery.

I receiv'd not long ago a Letter from the then Prince of *Orange*, deſiring that I would leave the Caſtle, which I promis'd to do, but expected ſome reaſonable things to be firſt granted to myſelf and Garriſon.

I hope I have not merited ſo ill of my Country as that I may not be truſted with the Caſtle, until a Return come to this Letter, which I expect every Hour; but if that cannot be granted barely on my Promiſe not to moleſt or harm any Perſon, eſpecially thoſe of this illuſtrious Aſſembly, I proffer Hoſtages

---

of the Family, he did not take on him the Title, fearing to loſe a conſiderable Intereſt that was left him, with this Proviſion, that if the Eſtate of *H——e* came to him, then that Eſtate ſhould go to his younger Brother. So, not pretending to be a Peer, he was choſen one of the Commiſſioners for the Shire; but when it was brought before the Convention he was caſt, as one they expected would be none of their Friends. So ſoon as the Sentence was pronounc'd, he told the Preſident, ſince they had taken away one Way of his ſitting in that Convention he had a Right to, he ſhould try another, which they could not refuſe him; and ſo went out, and took place as Earl of *H——e*, with the Hazard of loſing the beſt Part of his Eſtate.

There was likewiſe another extraordinary Affair of that kind. One Mr. *B——t* of *Tarwoodhead*, that had pretended ſome Years before to be Lord *Forreſter*, but was ſummon'd before the Council for uſurping a Title he had no Right to, and diſcharged under a conſiderable Penalty never more to pretend to it. But thoſe at *London*, who had the writing of Letters, not knowing his Title, or, more likely, believing he would be of their Intereſt, procur'd him a Letter from the Prince of *Orange* to come to the Convention. So ſoon as he was challeng'd by Sir *George Mackenzie*, then Lord Advocate, he produc'd his Letter, which was voted a ſufficient Right to ſit. Several as unjuſtly as theſe were receiv'd: I only inſtance them to ſhew, how that Convention was conſtituted, moſt of the Commiſſioners having no Right."

A. D. 1689. Hoſtages of Bail to the Value of 20,000*l.* Sterling for my peaceable Deportment.

Otherwiſe I expect before any Removal, 1. A general Indemnity for myſelf and Friends, both Proteſtants and Papiſts; as likewiſe abſolute Security for our Lives and Fortunes in time coming, with Aſſurance the ſame ſhall be ratify'd in the next enſuing Parliament. 2*dly*. Security for all Proteſtants of the Garriſon, who incline to ſtay in it, to continue in their Employments; and for myſelf, and thoſe who ſhall go out with me, either Proteſtants or Papiſts, to go beyond Seas, or remain within the Kingdom, as our Occaſions ſhall lead us. 3. That the Garriſon be completely paid off all bygone Arrears, and have Liberty to diſpoſe of their Goods within the Caſtle as they pleaſe. Subſcrib'd,

GORDON.

To this, after due Deliberation, it was reply'd by the *States*, That it was not the Senſe of the Convention, that either his officiating as Governor, or his quitting that Office, ſhould import any Acknowledgment or Conviction, That he, or any under him, were Papiſts.

That they would not allow the ſaid Duke to hold the Caſtle, till he had an Anſwer to his Letter from the then Prince of *Orange*.

That the Indemnity he deſir'd ſhould extend only to the Garriſon and their Servants, whether Proteſtants or Papiſts: That the Perſons to be indemnify'd, ſhould be expreſsly nam'd, if the Duke deſir'd it: That there ſhould be a Clauſe to authoriſe him and them to clame a Ratification of the ſaid Indemnity in the next Parliament: That thoſe who retir'd with the Duke, and thoſe to leave the Kingdom, ſhould have ſafe Conduct for their Perſons, and Liberty to diſpoſe of their Effects; with an Exception to Arms, Ammunition and Stores; and that the Officers and Soldiers ſhould have their Arrears, but without Aſſurance of their being continu'd in Employment.

The Duke's Anſwer to this was, That he deſir'd twelve Days more to conſider of it. This produc'd new Meſſages, and new Anſwers; which ended in an open Rupture on both Sides; the Duke declaring in ſo many Words, That he would not deliver up the Caſtle at all; and the Convention in return ordering the Heralds at Arms, in all their Formalities, to ſummon him in the Name, and by the Authority of, the Convention, to ſurrender the Caſtle immediately, upon Pain of Treaſon. He refus'd, and in Conſequence, was proclam'd a Traitor and Rebel at the Market-Croſs the ſame Day; as were alſo all ſuch, as ſhould aid, abet, ſuccour, or correſpond, with him: And the Caſtle was block'd up on all Sides.

fruitleſs.

Thus ended this important Negotiation: And the next Day the Party being inform'd, that an Expreſs was arriv'd from *London* with King *William*'s Letter to the Eſtates, they firſt introduc'd one Mr. *Crane*, an *Engliſhman*, and one of the abdicated Queen's Domeſtics, with a Letter from King *James*, and demanded to have it read; but the Preſident telling them, there was likewiſe a Letter from the King of *England*, a warm Debate enſued; which the Earl of *Lothain* had the Honour to finiſh, by moving, That ſince they met by the King of *England*'s Deſire, they might pay him the Compliment of reading his Letter firſt; for, upon the Queſtion it was carry'd in the Affirmative; and the ſaid Letter was read accordingly, as follows:

Debate whether King William or King James's Letter ſhould be read firſt.

A. D. 1689.

Carry'd for the former.

"*To the Meeting of the Eſtates of* Scotland.

My Lords and Gentlemen,

We are very ſenſible of the Kindneſs and Concern that many of your Nation have evidenced towards us and our Undertaking, for the Preſervation of Religion and Liberty, which were in ſuch imminent Danger; neither can we in the leaſt doubt of your Confidence in us, after having ſeen how far ſo many of your Nobility and Gentry have owned our Declaration, countenancing and concurring with us in our Endeavours, and deſiring that we ſhould take upon us the Adminiſtration of Affairs, civil and military, and to call a Meeting of the Eſtates for ſecuring the Proteſtant Religion, the ancient Laws and Liberties of that Kingdom, which, accordingly, we have done.

Now it lies on you to enter upon ſuch Conſultations as are moſt probable to ſettle you on ſure and laſting Foundations, which we hope you will ſet about with all convenient Speed, with regard to the Public Good, and to the general Intereſt and Inclinations of the People, that after ſo much Trouble and great Sufferings, they may live happily and in Peace, and that you may lay aſide all Animoſities and Factions that may impede ſo good a Work.

We were glad to find that ſo many of the Nobility and Gentry, when here at *London*, were ſo much inclin'd to an *Union* of both Kingdoms, and that they did look upon it as one of the beſt Means for procuring the Happineſs of thoſe Nations, and ſettling of a laſting Peace among them, which would be advantageous to both, they living in the ſame Iſland, having the ſame Language, and the ſame common Intereſt of Religion and Liberty, *eſpecially at this Juncture*, when the Enemies of both are ſo reſtleſs, endeavouring to make and encreaſe Jealouſies and Diviſions, which they will be ready to improve to their own Advantage, and the Ruin of *Britain*. We, being of the ſame Opinion as to the Uſefulneſs of this Union, and having nothing ſo much before our Eyes as the Glory of *God*, the eſtabliſhing of the Reformed Religion, and the Peace and Happineſs of theſe Nations, are reſolv'd to uſe our utmoſt Endeavours in advancing every thing which may conduce to the effectuating the ſame. So we bid you heartily farewell. From our Court at *Hampton*, the ſeventh Day of *March*, 1689.

WILLIAM R.

King *William*'s Letter being thus read, and a Committee appointed to draw up a reſpect-

ful

A. D. 1689. ful Answer, it was next debated, whether King *James*'s should be shewn the like Favour? And the great Reason urg'd against it being drawn from a Notion, that it might contain some authoritative Clause to dissolve the Assembly, or annul their Proceedings, the same Lord who made the last Motion farther propounded, That, before the Reading of it, they should pass the following Act; and that the Members should sign it:

"Forasmuch as there is a Letter from King *James* the Seventh presented to the Meeting of the Estates, that they, before opening thereof, declare and enact, That, notwithstanding of any thing that may be contain'd in that Letter, for dissolving them, or impeding their Procedure, yet that they are a free and lawful Meeting of the Estates, and will continue undissolv'd, until they settle and secure the Protestant Religion, the Government, Laws, and Liberties of the Kingdom."

This was accordingly agreed to; and having been sign'd almost unanimously by those present, the Letter brought by *Crane* was read, in these Words:

"JAMES R.

King James's Letter. My Lords and Gentlemen, Whereas we have been inform'd, that you the Peers and Representatives of Shires and Boroughs of that our ancient Kingdom, who are to meet together at our good Town of *Edinburgh*, some time in this Instant *March*, by the usurp'd Authority of the Prince of *Orange*; we think fit to let you know, that we have at all times rely'd upon the Faithfulness and Affection of you our ancient People, so much, that in our greatest Misfortunes heretofore, we had recourse to your Assistance, and that with good Success to our Affairs; so now again we require of you to support our Royal Interest; expecting from you what becomes loyal and faithful Subjects, generous and honest Men, that will neither suffer yourselves to be *cajol'd* nor *frighted* into any Action misbecoming true-hearted *Scotchmen*; and that, to support the Honour of the Nation, you will contemn the *base Example* of *disloyal Men*, and eternize your Names by a Loyalty suitable to the many Professions you have made to us, in doing whereof you will chuse the *safest* Part, since thereby you will evite the Danger you must needs undergo; the Infamy and Disgrace you must bring upon yourselves in this World, and the Condemnations due to the *Rebellious* in the next; and you will likewise have the Opportunity to secure to yourselves and your Posterity the gracious Promises we have so oft made, of securing your Religion, Laws, Properties, Liberties and Rights, which we are still resolv'd to perform as soon as it is possible to us to meet you safely in a Parliament of our ancient Kingdom: In the mean time fear not to declare for us your lawful Sovereign, who will not fail on our part to give you such speedy and powerful Assistance, as shall not only enable you to defend yourselves from any foreign Attempt, but put you in a Condition to assert our Right against our Enemies, who have depressed the same by the blackest of Usurpations, the most unjust as well as most unnatural of all Attempts, which the *Almighty God* may for a time permit, and let the Wicked prosper, yet then must bring Confusion upon such Workers of Iniquity. We farther let you know that we will pardon all such as shall return to their Duty before the last Day of this Month inclusive; and that we will punish with the Rigor of our Law all such as shall stand out in Rebellion against us or our Authority: So not doubting that you will declare for us, and suppress whatever may oppose our Interest; and that you will send some of your Number to us, with an Account of your Diligence, and the Posture of our Affairs, we bid you heartily farewell.

Given on board the St. Michael, *the first of* March, 1689.

By his Majesty's Command.

MELFORT.

A. D. 1689.

It is somewhat strange that Lord *Belcarres* makes no mention in his Book of this Letter; and stranger, that Bishop *Burnet* should not only affirm, it was deliver'd by *Lindsey*, instead of *Crane*, but that *the Convention would not receive or read it*, when he might have learn'd the contrary from the very *Gazette*.

As to its Effects; it produc'd none favourable to King *James*: On the contrary, as if more provok'd with the Menaces than mov'd with the Admonitions contain'd in it, they first order'd *Crane* to be taken into Custody, and, after some time, dismiss'd him with a Pass instead of an Answer. [*Life of King William, v. II. p. 40. Gazette.*]

His Partisans empowered to hold a Counter-Convention at Stirling:

But his Partisans had still, it seems, another Card to play: By an Instrument, dated in *Ireland*, he had authoris'd the Archbishop of *Glasgow*, the Earl of *Belcarres*, and Lord *Dundee*, to call a Convention of Estates at *Stirling*, in case his Interests and Pretensions should meet with no Consideration in the present; and those Lords now resolv'd to make use of it, in hope to divide and distract the Kingdom, at least; which was all that remain'd to be done, for the Support of their sinking Cause. Some Reference has been already made to this Resolution of theirs, in the Discourse which pass'd between the Duke of *Gordon* and Lord *Dundee*, when the Treaty for surrendring the Castle was in agitation: And something still remain'd to be done, before they could put it in practice. "It was of absolute Necessity, says Lord *Belcarres*, to be secure of the Earl of *M--r* (*Marr*) and Marquis of *A--r*, (*Athole*) the one having Command of *Stirling* Castle, and the other, that he might bring us Highlanders to be a Guard to the Town. The Earl of *M---r*, continues he, had all along appear'd one of the firmest in your (King *James's*) Interest from the time he came to *London*; for he gave us all the Assurances imaginable, that he would do according as the major Part thought fit. The Marquis of *A--e* also consented to leave *Edinburgh*, and go strait to *Stirling*; but he never continued six Hours in one Resolution, which broke all our Design; for his Wavering made our Departure be put off, still expecting he would be

A. D. 1689. be brought about to do it. At last a positive Hour was condescended on, and several made themselves ready, whom we hardly expected. After it was resolv'd to be gone, it was thought fit by all your Friends, that one should be sent to let you know the Reason of our leaving the Convention, and receive your Commands, which the Laird of *Cullin* undertook.

Before we were to go off, just as the Convention was sitting down, there came one to the Viscount of *Dundee*, telling him, that there were six or seven Men in a House intended to murder him and Sir *G---e M---ie*; *(Mackenzie)* and that, if he would get a Warrant, he might instantly carry them to the House where they were. So soon as the Convention met, he told this to the Duke of *Hamilton*, who propos'd it to the Convention; but they absolutely refus'd to meddle in it, but went to other Affairs. This made the Viscount of *Dundee* press yet the more to be gone, than before, so evident a Piece of Justice being refus'd him, though he offer'd to prove it at the Bar. Neither was there any of your Friends who could think themselves longer safe; which certainly the other Party was extremely glad to see; for all they desir'd was to have the House alone. It is not to be doubted but they made several such things to pass, purposely to frighten us; but it was hard trusting Men, who had the Power in their Hands, that they would stop to put in execution, what so many of them have professed, and at least were not condemned by the most moderate of the Party, when their Interest or Revenge was concerned. But, after all of us were fully determin'd to make the best of our way the next Morning, to *Stirling*, the Marquis of *A---e*'s Heart fail'd. So some went down to him, thinking to get him to go along, he desir'd we might go to the Place we ordinarily met in, and stay yet another Day; which we all consented to; and that we might the better cover our Design of going away, we resolv'd to go for that Day to the Convention. Just as we were almost dispers'd and gone to the House, the Viscount of *Dundee* came in, who knew nothing of the Marquis of *A---e*'s Delay, nor of your Friends Resolution to stay a little longer for him, but expected all were just a going. He was mightily surpriz'd at their Resolution, and told me, notwithstanding of that, he would go before; and if any got out of Town, he would wait for them. It was very evident his going away would give the Alarm, which made me extremely earnest, that he might stay one Day longer; but he had before made an Appointment with some to go with him; so he went strait away with about fifty Horse. As he was riding near the Castle of *Edinburgh*, the Duke of *Gordon* made a Sign to speak with him at the West Side of the Castle, where, tho' it be extremely steep, yet he told the Duke all that was resolv'd upon, and begg'd he might hold out the Castle till your Friends might get him reliev'd; which he positively promis'd to do. Whilst they were speaking, some of those who were set to blockade the Castle perceiv'd them, and came running into the Convention, and told them, that there was a great Number of Horse gathering together, and that the Viscount of *Dundee* was talking with Duke *Gordon*, which they look'd on as a horrid Crime, after they had outlaw'd him. Their Fears also increas'd, believing it was a general Design against them; and that which augmented their Fright the more was, that several Messengers brought word after each other, that they were still increasing. At last the Duke of *Hamilton* in a mighty Fury told the Convention, That now it was time to look to their own Safety, since the Papists and Enemies to the settling the Government were so bold as to gather together. That he doubted not but there were several there among them who were on the Design. Therefore was it his Opinion, that the Door should be immediately bolted, and the Keys laid on the Table: That some of their Number should be sent out to beat the Drums, to gather together all those well-affected to Religion and Liberty: And that he had brought some Foot from the West-country, fearing the Designs of their Enemies, to defend them. What he said was approv'd of by all their Party; several of them also bragg'd of the Numbers they had brought, and call'd them thrice as many as they were. The Earl of *L---n (Leven)* was pitch'd upon to go out and gather them together; which when he had done, there was never so miserable a Parcel seen; nor is it to be doubted, if your Friends had known their own Strength, and not believ'd your Enemies to be far stronger than they really were, they might, with all the Ease imaginable, that Day have effectually vindicated your Right, and defeated your Enemies. A. D. 1689.

Such of your Friends as were lock'd within the House, and guarded likewise without, look'd on themselves as undone; and the thing that sav'd them was, that they could come to no Resolution among themselves. But I cannot say much of their Intentions, having it from some, that chang'd Parties so often, that I can assert nothing on their Credit. The Fear being a little over, they seeing they had most of your Friends in their Power, and that there was no Tumult in Town, nor that the Viscount of *Dundee* grew any stronger, but was marching away; they order'd Major *B---n* to gather all he could together, and follow him; which he did, but never came within sight of him.

After that they had secur'd the Town, and thought themselves out of Hazard, Duke *Hamilton* dismiss'd *(adjourn'd)* the Convention, to the great Satisfaction of all your Friends, little expecting they would come off so easily; and all this Noise ended in nothing. But with that also ended all Hopes of setting up another Convention at *Stirling*; for the Marquis of *A----e* gave it quite over; the Earl of *M--r* made a Feint to get out of the Town, but went by the only Post that was guarded, and was stopp'd there, and brought back, and gave his Parole not to stir out of *Edinburgh* without Leave of the Convention. These two giving it over, every body that *But are not able to effect it.*

A. D. 1689. was apprehenſive ſhifted for themſelves, and lurked in *Edinburgh*. Next Day there was a mighty Change; for ſeveral, either out of Fear or Intereſt, left us: Thoſe of Note were, the Earl of *M--r*, and *A-----e*, who chang'd thoroughly, and went along with every thing that could be propos'd. Several alſo both of Barons and Burgeſſes did the like: So that by ſuch of their Friends as left the Houſe, which did likewiſe ſome of the Biſhops, they got their Meeting almoſt unanimous."

Meaſures taken by the States to ſtrengthen themſelves.

Thus far the Earl. And while theſe were the Machinations on one Side, nothing which had a Tendency to eſtabliſh their Authority and ſtrengthen their Hands, was omitted on the other: They approv'd and recogniz'd what the Nobility and Gentry had done at *Whitehall*, in praying his Majeſty of *England* to take upon him the Adminiſtration by a ſolemn Act; in which they thankfully acknowledg'd the great Benefit done to their Nation by the Prince of *Orange*, in delivering them from the eminent Encroachments on their Laws and fundamental Conſtitution, and from the near Dangers which threatned an overturning of the Proteſtant Religion; and alſo deſir'd his Highneſs to accept the Adminiſtration of the Government of that Kingdom. They requir'd by Proclamation all Perſons from 16 to 60 to be in Readineſs to take Arms when the Houſe ſhould call upon them. They gave the Command of the *Horſe Militia* to Sir *Patrick Hume*, notwithſtanding his Attainder for being concern'd with the late Earl of *Argyle*. They rais'd 800 Men for a Town-Guard, and gave the Command of them to the Earl of *Lewen*, who came over with King *William*. They put the Militia all over the Kingdom into ſuch Hands as they could rely on moſt. They ſent the Earl of *Mar* to take Poſſeſſion of the Caſtle of *Stirling*. They receiv'd a Reinforcement of four Regiments of Foot, and one of Dragoons, from *England*, under the Command of General *Mackay*, whom they appointed to be their Commander in Chief. They ſent their Macers to require the (*l*) Attendance of ſuch as had left the Houſe. They ſet forth a Proclamation for ſecuring all diſaffected Perſons; and they diſpatch'd the following Reply by Lord *Roſs* to the Letter of his Majeſty of *England*, viz.

The Anſwer of the States to King William's Letter.

" *May it pleaſe your Majeſty,*

As Religion, Liberty, and Law, are the deareſt Concerns of Mankind, ſo the deep Senſe of the extreme Hazards theſe were expos'd to, muſt produce ſuitable Returns from the Kingdom of *Scotland* to your Majeſty, whom in all Sincerity and Gratitude, we acknowledge to be, under *God*, our great and ſeaſonable Deliverer. And we heartily congratulate, that as *God* has honour'd your A. D. 1689. Majeſty to be an eminent Inſtrument for the Preſervation of his Truth, ſo he has rewarded your Undertakings with Succeſs, in the conſiderable Progreſs which you have made in delivering us, and in preſerving to us the Proteſtant Religion.

We return our moſt dutiful Thanks to your Majeſty, for your accepting the Adminiſtration of public Affairs, and convening the Eſtates of this Kingdom; and we ſhall, with all convenient Diligence, take your gracious Letter into our Conſideration, hoping ſhortly, by the Bleſſing of *God*, to fall upon ſuch Reſolutions as may be acceptable to your Majeſty, ſecure the Proteſtant Religion, and eſtabliſh the Government, Laws, and Liberties of this Kingdom upon ſolid Foundations, moſt agreeable to the general Good, and Inclinations of the People.

As to the Propoſal of the Union, we doubt not your Majeſty will ſo diſpoſe that Matter, that there may be an equal Readineſs in the Kingdom of *England* to accompliſh it, as one of the beſt Means for ſecuring the Happineſs of theſe Nations, and ſettling a laſting Peace.

We have hitherto, and ſtill ſhall endeavour to avoid Animoſities or Prejudice, which might diſturb our Councils; that as we deſign the Public Good, ſo it may be done with the general Concurrence and Approbation of the Nation. In the mean time, we deſire the Continuance of your Majeſty's Care and Protection towards us in all our Concerns, whereof the kind Expreſſions in your Gracious Letter have given us full Aſſurance.

Sign'd in the Name of us the Eſtates of the Kingdom of *Scotland*, by our Preſident,

May it pleaſe your Majeſty,
Your Majeſty's moſt Humble,
moſt Faithful and Obedient Servant.
HAMILTON.

Edinburgh, March 23, 1689.

Lord *Belcarres*, ſpeaking of this Letter, is pleas'd to ſay, That the Convention ſent it up, for fear the Prince of *Orange* ſhould think they went ſlowly on; and that it contain'd the Reaſon of their Delay, *viz.* The Oppoſition they had met with from thoſe who had oppos'd the ſettling the Nation: Whereas no ſuch Clauſe appears in the Letter; but, on the contrary, they ſeem to glory in the Unanimity wherewith all their Proceedings had been conducted.

On the third Day after Lord *Roſs* ſet out for *London*, the Lord Preſident mov'd, That a Committee might be nam'd to ſettle the Government; which, notwithſtanding the Seceſſion of ſo many (*m*) Members, met with

(*l*) A Motion was alſo made, to expel all ſuch as had refuſ'd to ſign the Act aſſerting the Lawfulneſs of their Aſſembly; but let fall, as having a Tendency to do more Miſchief than Good.

(*m*) About fifty, according to ſome Authors; and, according to others, thoſe that remain'd look'd more like a Committee, than the Repreſentative of a Nation.—— But this laſt Aſſertion expoſes itſelf.— For, if they were ſo few, why were they not out-voted? And, if they were the Majority, with what Juſtice can the ſame Perſons call them *the Rump and Fag-end of a Convention, as we find they do?*

A.D. 1689. with some Opposition; for the Archbishop of *Glasgow*, Sir *George Mackenzie*, and a few more, stood their Ground, and resolv'd to trouble the Stream, at least, if they could not direct it their own Way: The Lord President's Motion was however carry'd without any Difficulty; and a Committee was immediately appointed, consisting of eight out of each State; that is to say, eight Lords, eight Knights, and eight Burgesses, to prepare and digest the Plan of a new Settlement.

A Committee appointed to prepare a Plan of Settlement.

This was done the 26th, and not before, tho' Bishop *Burnet* seems desirous to have it thought, that it was almost the first Business they went upon: And whereas he farther supposes, that the Division of the House into three Parties, one of which was compos'd of all the Bishops, and some of the Nobility, arose upon this Occasion, nothing is more certain, than that all the Bishops, except the Archbishop of *Glasgow*, and the Bishop of *Edinburgh* had left the House before this great Point came to be discuss'd. As for the two other Parties that he speaks of, namely those who were for making the Settlement before they treated of the Union, and those who were for adjusting the Union before they made the Settlement, they were both one as to civil Matters; for both were equally averse to King *James*, and equally resolv'd to place the Crown on the Head of King *William*. To blast the Latter, indeed, the said Prelate is pleas'd to say, That all who favour'd King *James* join'd with them; whereas Lord *Belcarres* is express, that they refus'd to join with them, tho' earnestly importun'd under the most plausible Pretences, as well knowing, says he, in effect, that those were as deep in the Interest of the Prince of *Orange* who espous'd the Union, as those who oppos'd it.

We cannot besides, forget, that King *William*, himself, in his Letter to the *States*, not only recommended the Union in express Terms, as equally beneficial to both Kingdoms, but more *especially at this Juncture*; so that those alone were the thorough Courtiers, who undertook for the Union and Settlement jointly; and those who were for proceeding on the last first, resolv'd only to graft the Court-Interest upon their own: The Truth is, K. *William* was desirous to preserve Episcopacy in *Scotland*, tho' not out of any Love to the Thing, perhaps, but for the sake of his own peculiar Service. We learn from Bishop *Burnet*, that soon after his coming to *St. James's*, the Episcopal Party of *Scotland* sent up the Dean of *Glasgow* to him, to know what his Intentions were with relation to them; that he, the Bishop, introduc'd them to his then Highness; and that he promis'd them to do all he could for their Preservation, provided a full Toleration was granted to the Presbyterians; and they concurr'd in the new Settlement of that Kingdom: For if they oppos'd that, and if by a great Majority in Parliament, Resolutions should be taken against them, he could not make a War for them, &c. It was also of Importance to him to render his Measures in *Scotland* as palatable as he could to the reigning Taste in *England*, which was known to be for Episcopacy; and his Letter, as we have seen, was calculated accordingly. A.D. 1689.

Now the *Scots* could settle the Government by themselves, but there was no prosecuting any Scheme of Union without a Concurrence of both Nations; and it was foreseen that *England* would never agree that the abolishing of Episcopacy in *Scotland* should be one of the Articles; as therefore the Majority of the *Scotish* Convention were as much bent on effecting that, as of settling their Crown on King *William*; they thought it their wisest Course, so to proceed in the one as should most effectually enable them to do the other: And as they were headed by the Duke of *Hamilton*, who found his own Account in doing so, the contrary Party could make no Figure against them.

Thus the Union-Project soon fell to the Ground; and that of the Settlement was prosecuted with all imaginable Diligence, at once to oblige the new Court and serve themselves. But even that, we are told by the Earl of *Belcarres*, had its Difficulties; for though the Committee were all of one Mind, as to the Vacancy of the Throne; they differ'd as to the Manner of accounting for that Vacancy. "Some, says the Earl of *Belcarres*, were for Abdication, as had been done in *England*; but that could not pass among the most violent of them; for it could not be imagin'd that your Majesty had left *Scotland*. Others were for making use of an old obsolete Word, (*forefaulting*) used for a Bird's forsaking her Nest. But Sir *John Dalrymple* ended the Debate, by such Reasons against both, that they agreed to his new Proposition, which was, That your Majesty, by committing such Acts as he named, forefaulted your Right to the Crown; making this childish Distinction, That they intended not to forefault you as a Traitor, but only declare you forefaulted; which would make the Affair clear, and take off any Pretensions the Prince of *Wales* might afterwards have."

Not to lose Time in pointing out the Exceptions which this Passage is liable to, in a very few Days after the Committee had sat, they agreed in the following Vote, *viz.*

"The Estates of the Kingdom of *Scotland* find and declare, that King *James* VII. being a professed Papist, did assume the Royal Power, and acted as a King, without ever taking the Oath requir'd by Law, and had, by the Advice of evil and wicked Counsellors, invaded the fundamental Constitution of this Kingdom, and altered it from a legal and limited Monarchy to an arbitrary despotic Power; and had govern'd the same to the Subversion of the Protestant Religion, and Violation of the Laws and Liberties of the Nation, inverting all the Ends of Government; whereby he had forefaulted the Right

They resolve that King James had forefaulted the Government.

A.D. 1689. RIGHT (*u*) of the Crown, and the Throne was become vacant."

This being reported to the House, together with the Reasons upon which it was founded, the Remains of King *James*'s Party, who still attended, tho' in the last Agonies of Despair, made use of all the Arguments they could devise to confute the one and expose the other. The Bishop of *Edinburgh*, in particular, we are told, alledg'd, That the Vote prepar'd by the Committee related many unlawful Acts of which the King was innocent, and which were wholly to be charg'd on his Ministers: That supposing him to be guilty, they were not competent Judges of his Misdemeanours, being illegally conven'd; and that, therefore, the best Means the Convention could follow for the good of the Nation, was to desire and favour his Majesty's Return into his Dominions, who, out of Gratitude, would not fail to redress all their Grievances. We are also told, that these Allegations of the Bishop were boldly and smartly (*o*) confuted. And it A.D. 1689.

[*Life of King* William. *Vol. Edinburgh*, II. *p.* 51.]

(*u*) These remarkable Words are omitted by the Author of the Life of King *William*, and by *Mr. Tindal*, who copies him Word for Word: And, in the Recapitulation of this Vote inserted in the *Instrument of Rights*, where these Words again occur, instead of saying the *Right of the Crown*, they both say the RIGHTS *of the Crown*; which do not convey the same Idea. And there is so much the more Necessity to be particular in this Circumstance, because it shews, that the *Scotch* Nation thereby renounced this Family *Root and Branch*, tho' some of them have so often since endeavour'd to restore them.

(*o*) This refers to a Speech in Print, in which are the following Passages:

"I. They (the Advocates for Slavery and King *James*) will endeavour to persuade us, that Kings are eximed from Punishments here on Earth, and nothing they do can be quarrelled with by their Subjects; which indeed might with some Reason be urged among the *Turks*, who reserve nothing from the Power of their Sultans, and where 'tis Death to dispute their Commands, tho' never so arbitrary and tyrannical: But with what Impudence can such Stuff be impos'd on us, who never admit our Kings to the Government, till they swear to rule us according to Law, and no otherwise? The Laws are the only Security we have for our Lives and Properties, which if our Sovereign subverts, Subjects cannot be blam'd for making use of the ordinary Means to preserve them; and since this cannot be done without withdrawing Obedience from such a Magistrate as goes about to destroy them, such an Act cannot properly be laid to punish him, because we take nothing from him to which he has a just Claim, but only shun the Occasion of making ourselves miserable. The speculative Doctrine of passive Obedience has done too much Mischief among us, and what has befallen the King may be justly imputed to it; for the believing that without Opposition he might do what he pleas'd encourag'd him to take such Measures as have drawn all these Misfortunes on him.

II. Others are so fond as to believe, that we may be secure in calling the King back, provided they to limit him, that it will not be in his Power to hurt us. These Men do not consider how small a Compliment this is to a Man of the King's Temper, from an absolute Prince, as he was pleas'd to stile himself, to content himself with the bare Title of a King: and how insupportable the Change must be, if from being Master of all, he must force himself to comply with a thousand Matters, and see his Throne become his Prison. But how airy it is to fancy, that any Restrictions of our Contrivance can bind the King? For 'tis most certain they can never be voluntary; and what is constrain'd and done by Force is by Law declar'd to be void and null; to whose Assistance the Pope's dispensing Power being join'd, would quickly blow off these *Samson* Cords, and the Royal Power would again revive all its Vigor and Lustre.

III. The King is of a Religion that has in a famous Council decreed, That no Faith is to be kept with Heretics, much less with Subjects whom he looks upon as so many Rebels, and will not miss to treat them as such, whenever they give him the Opportunity of doing it. For his greatest Admirers do no wrong to that Height of Idolatry, to imagine him so much Angel, as not to take all Methods to revenge so great an Affront, and secure himself at our Cost from such a Resentment for the future; the Apprehensions of which Resentment will frame such Terms in Men's Minds, that nothing will be capable to divert them from entring All for an Ace-ount, and Popery and Slavery will be thought a good Bargain, if they can but save their Lives. Then we may lament our Miseries, but it will not be in our Power to help them: for a Prince of *Orange* is not always ready to rescue us, with such well Resolve and so great Hazard to his Person; and if our Misfortunes hurry us so far, we deserve rather his Pity than his Resentment.

IV. What Arguments has the King given since he left us, to persuade us he will be more faithful in observing his Words and Oaths, than hitherto he has been? Does he not, in a Letter lately printed here, expressly say, he has ruled so, as to give no Occasion of Complaint to any of his Subjects? Is not the same Letter sign'd by one who stretch'd both Conscience and Honour to Interest; whose pernicious and headstrong Counsels have pushed him on his Ruin, tho' all that has been done cannot make him sensible of it? Serve the reducing Heretics to the See of *Rome* is not less meritorious than before; nor King *James* the Seventh, by breathing the *French* Air, become less Bigot? It were a Dream to fancy it. For so long as the *Vatican* thunders Excommunications against all such as do not use their utmost Endeavours to extirpate Heresy, a *Roman Catholic* must have no Religion at all, if that be not terrible to him.

The fourth Argument they made use of to perswade such as are and shall be chosen Members of the Convention, That the Peace and Happiness of the Nation cannot be otherwise secured, nor Factions or Divisions extinguish'd. But what Factions do you observe, but such as they themselves do foment, on purpose to disturb our Harmony? All which would immediately die, if the Government were once settled on those who deserve it best: for then, if these Fogs continued still food of Popery and Tyranny, they would be chastis'd as Disturbers of the public Peace. The Argument may very justly be retorted; for, if the King return, we will burst out into a Flame; and *England*, which has already declar'd, will quickly be on our Top, as Enemy too potent and too numerous for us, tho' we were all united. Besides the Danger to which such a Procedure will expose us, we cut off all Hopes of an Union with that Nation, and thereby deprive ourselves of an unspeakable Advantage, which would redound to all Sorts of People, and would be the only Means to support an impoverish'd and sinking Nation. Neither is this the only Inconvenience, tho' it be a very great one; for if we unite ourselves in opposition to *England*, by restoring the King whom they rejected, it is not to be doubted but he will use his utmost Endeavour to recover that Kingdom, the Loss of which is so considerable. Now, seeing it were vain to suppose that the *Scots* alone were able to second his Designs, he must needs have recourse to the *French* and *Irish*, whose Religion will procure a more entire Confidence than his Majesty can repose in any others. These therefore must be receiv'd into our Bosom; and because *Scotland* is the most proper Place for invading *England*, it must be the Scene of all the Blood and Confusion that this melancholy Thought gives us a Prospect of. And what Treatment can such Sham-Protestants expect from these, who otherwise would have become their Friends and Allies? And what Figure will they pretend to make, when they set up for a separate Interest from all the confederate Protestants in the World besides?

The happy Success the Prince's Enterprize has met with has made a considerable Alteration in the Affairs of *Europe*; for the great Enemy of the Protestants, and even of Christianity itself, who had prepar'd nothing less to himself than an universal Monarchy, whom the strictest Leagues and Contracts cannot bind, but without Regard to God or Man, threatens all his Neighbours with utter Destruction; by the Scene's being changed among us, is so far humbled, that from a proud and insulting Enemy, he is become a Supplicant for Peace; well foreseeing, that, if *Britain* join with those other Princes, whom his Insolence, Cruelty and Avarice has so justly arm'd against him, his *Ruin* is inevitable. So that if we have not Soul enough to enjoy this great Blessing, and can easily part with the Glory of being once more the Arbiters of *Europe*, let us at least have so much Christian Love and Charity for the neighbouring Nations of our own Perswasion, as not to expose them to a necessary Participation of these Plagues, which our common Enemies are preparing for us, and which will certainly terminate in our Destruction.

Lastly, I beseech you to consider what Persons they are who would instil this Fallacy in you, and you will find them of three Kinds: *First*, Those who, postponing the common Good of the Nation, are wholly acted by Self-Interest, considering that in a Government where Justice and Mercy equally flourish, Virtue and Merit, not Villany, will be rewarded. *Secondly*, They who are ignorant of the Nature of Government, and never were at the Pains to inform themselves what Measures the Law of Nature and Nations have set to Men's Obedience, but are angry at every thing that thwarts their wild Notions, and will admit of nothing, tho'

never

A. D. 1689. [Gazette, Num. 2443.] *The Estates adopt their Vote and fill the Throne with King* William *and Queen* Mary.

it is certain, that the whole House, except twelve, says the *London Gazette*, except five, says Lord *Belcarres*, confirm'd the Vote of their Committee; and not only pass'd it into an Act the same Day, but order'd the said Committee to prepare another Act for settling the Crown upon King *William* and Queen *Mary*, to consider the Terms of the Destination of the Heirs of the Crown; and likewise to prepare and bring in an Instrument of Government, to be offer'd with the Crown for the securing of the People from the Grievances which they labour'd under. The Lord President himself, tho' not oblig'd to vote, was both the first to declare the Throne vacant, and the first to propose, that it might be filled with the King and Queen of *England*, or, according to the Words of the Nobleman just quoted, to make an humble Offer thereof to the Prince and Princess of *Orange*.

They are proclam'd at Edinburgh.

On the eleventh of *April*, which was the Coronation Day of their Majesties in *England*, the Act, Terms, and Instrument, abovemention'd, were reported to the *States* by the said Committee; and after having been distinctly read and consider'd, were unanimously approv'd. Even the Duke of *Queensberry*, and Marquis of *Athole*, who had excepted to the Vote of Vacancy, attending that Day; and taking Occasion to declare, in Imitation of some of their Neighbours, That tho' they were not satisfy'd with the said Vote, they now acquiesc'd in it, and agreed that none were so worthy to fill the Throne as King *William* and Queen *Mary*.

The great Point being thus carry'd, the next Step was to make it public by a solemn Proclamation of their new Sovereigns; which was done the same Day at the Market Cross of *Edinburgh*, by the Lord President in (*p*) Person, assisted by the Lord Provost, and all the Magistracy of *Edinburgh*, the Duke of *Queensberry*, the Marquises of *Athole* and *Douglas*, *&c.* A. D. 1689.

This Ceremony was follow'd by another Proclamation, " to certify the *Leiges*, That none should presume to acknowledge the late King *James* for their King or obey him, nor accept of, nor assist any Commissions from him, nor hold any Correspondence with him; and that none, upon their highest Peril, by Word, Writing, Sermon, or any other manner of way impugn or disown the Royal Authority of King *William* and Queen *Mary*, or to misconstrue the Proceeding of the Estates, or to create Jealousies or Misapprehensions of the Actings of the Government, *&c.*

The Estates also made an Order, requiring the Attendance of all their Members by the 22d, on Pain of Imprisonment: But this was rather to strike a Terror into the Absentees, than really oblige them to attend; for, having settled the Coronation Oath, having commission'd one Member out of each Estate, *viz.* The Earl of *Argyle* (who was permitted to take his Seat, notwithstanding the Attainder of his Father) for the Lords, Sir *James Montgomery* for the Knights, and Sir *John Dalrymple* for the Boroughs, to repair to *London*, to invest their Majesties with the Government, and appointed a Committee to take care of the public Peace, they adjourn'd to the 21st of *May*.

The Crown tender'd to the King and Queen at Whitehall.

On the eleventh of *May* the said Commissioners, attended by most of the *Scotish* Nobility and Gentry then resident in and about *London*, who were requir'd by a special Order of the Estates so to do, were solemnly introduc'd to their Majesties, and presented first a Letter from the said States (*q*) preparatory to what was to follow, then the (*r*) Instrument

---

never so reasonable and convincing, if their dull Capacities cannot reach it. The third sort are such as have been instrumental in the enslaving their Country, and are afraid, if they be call'd to an Account, they may be brought to suffer condign Punishment; if such cannot succeed in their Design, they at least hope to be overlook'd in a general Confusion, so they leave nothing unessay'd that may tend to their own Safety; and if Heaven fail them, they summon Hell to their Aid; not Love to their Prince, but mere Ambition and Interest drive these Criminals to such Attempts; neither are they much to blame if they are at such Pains to sow Divisions among us: But no Person of Wit and Judgment, nor any good Man that is truly Protestant, and minds the good of his Country, will suffer himself to be so grossly impos'd on by such Firebrands, who would build their future imaginary Greatness on the Ruin of our Religion, Laws and Country."

(*p*) This, according to the Earl of *Belcarres*, was the meanest Action that a Duke could have stoop'd to: For, says he, he officiated as a Clerk, and read from the Cross, to the People, the Act of Convention.

(*q*) *Viz.* Beseeching their Majesties to sign and swear the Oath which the Law had appointed to be taken by the Kings and Queens at their Accession to the Crown, till such time as Affairs should allow that Kingdom the Happiness of their Presence, in order to their Coronation; declaring, that they were sensible of his Majesty's Kindness and paternal Care in promoting the Union, which they hop'd was reserv'd for him to accomplish; and thanking his Majesty for sending those Troops that might help to preserve them, and assur'd him, that as it was the Interest of *England* to contribute towards the Security of *Scotland*, so they should not be wanting, on their Parts, to give their Assistance for the reducing of *Ireland*."

(*r*) The said Instrument and List of Grievances were as follow:

"That King *James* had invaded the Constitution of that Kingdom, 1. By erecting public Schools and Societies of the *Jesuits*; and not only allowing Mass to be publicly said, but also converting Protestant Chapels and Churches to public Mass-houses, contrary to the express Laws against saying and hearing Mass. 2. By allowing Popish Books to be printed and dispersed by a Patent to a Popish Printer, designing him Printer to his Majesty's Household, College, and Chapel, contrary to Law. 3. By taking the Children of Protestant Noblemen and Gentlemen, sending them abroad to be bred Papists, and bestowing Pensions upon Priests, to pervert Protestants from their Religion by Offers of Places and Preferments. 4. By discharging Protestants, at the same time he employ'd Papists in Places of greatest Trust, both Civil and Military, *&c.* and intrusting the Ports and Magazines in their Hands. 5. By imposing Oaths contrary to Law. 6. By exacting Money without Consent of Parliament or Convention of Estates. 7. By levying and keeping up a standing Army in time of Peace, without Consent of Parliament, and maintaining them upon free Quarter. 8. By employing the Officers of the Army as Judges throughout the Kingdom; by whom the Subjects were put to death without legal Trial, Jury, or Record. 9. By imposing exorbitant Fines to the Value of the Parties Estates, exacting extravagant Bail, and disposing of Fines and Forfeitures before any Process or Conviction. 10. By imprisoning Persons without expressing the Reason, and delaying to bring them to Trial. 11. By causing several Persons to be prosecuted, and their Estates to be forfeited, upon Stretches of old and forfeited Laws, upon weak and frivolous Pretences, and upon lame and defective Proofs; as particularly the late Earl of *Argyle*, to the Scandal of the Justice of the Nation. 12. By subverting the Rights of the Royal Boroughs, the third Estate of Parliament; imposing upon them not only Magistrates, but also the whole Town-council and Clerks, contrary to their Liberties and express Charters, without any Pretence of Sentence, Surrender, or Consent: So that the Commissioners to Parliaments being chosen by the Magistrates and Councils, the King might, in effect, as well nominate the Estate of Parliament.

Besides

A. D. 1689. ment of Government; thirdly, a Paper containing the Grievances, which they desir'd to have redress'd; and lastly, an Address to his Majesty for turning the Convention into a Parliament: All which being successively read, his Majesty reply'd as follows:

His Majesty's Speech to the Commissioners.

"When I engag'd in this Undertaking, I had particular Regard and Consideration for *Scotland*, and therefore I did emit a Declaration in relation to that, as well as to this Kingdom, which I intend to make good and effectual to them. I take it very *kindly* that *Scotland* has express'd so much Confidence in, and Affection to, me: They shall find me willing to assist them in every thing that concerns the well-being and Interest of that Kingdom, by making what *Laws* shall be necessary for the Security of their Religion, Property, and Liberty, and to *ease* them of what may lie justly *grievous* to them."

A. D. 1689.

The Coronation-Oath.

The Coronation-Oath was *then* tender'd to their Majesties by the Earl of *Argyle*, importing in Effect, That they promis'd and swore, in Presence of the eternal *God*, to serve him to the utmost of their Power, according to his revealed Will, during the whole Course of their Lives: That they would maintain the true Religion of *Christ Jesus*, as then receiv'd and preach'd within the Realm of *Scotland*, and would abolish and gain-stand all

---

Besides that many of the Magistrates by him put in were Papists; and the Boroughs were forced to pay Money for the Letters imposing those illegal Magistrates upon them. 13. By sending Letters to the chief Courts of Justice, not only ordering the Judges to stop *sine die*, but also commanding how to proceed in Cases depending before them, contrary to the express Laws; and by changing the Nature of the Judges Patents *ad vitam* or *culpam* into a Commission *de bene placito*, to dispose them to a Compliance with arbitrary Courses, and turning them out of their Offices, if they refus'd to comply. 14. By granting personal Protections for civil debts, contrary to law.

All which were Miscarriages of King *James*, utterly and directly contrary to the known Laws, Freedom, and Statutes of the Realm of *Scotland*.

Upon which Grounds and Reasons the Estates of the Kingdom of *Scotland* did find and declare, that King *James* VII. being a profess'd Papist, did assume the Regal Power, *&c. whereby he had forefaulted the* Right *of the Crown, and the Throne was become vacant*, &c.

Therefore, in regard his Royal Highness, then Prince of *Orange*, since King of *England*, whom it pleased *God* to make the glorious Instrument of delivering these Kingdoms from Popery and arbitrary Power, by Advice of several Lords and Gentlemen of the *Scots* Nation then at *London*, did call the Estates of this Kingdom to meet upon the 14th of *March* last, in order to such an Establishment, as that their Religion, Laws and Liberties might not again be in danger of being subverted; the said Estates being at that time assembled accordingly in a full and free Representative of the Nation, taking into their most serious Consideration the best Means for attaining the Ends aforesaid, did, in the first place, as their Ancestors in like Cases had usually done, for the vindicating and asserting their ancient Rights and Liberties, declare, That, by the Law of *Scotland*, no Papist could be King or Queen of the Realm, nor bear any Office therein; nor that any Protestant Successor could exercise the Regal Power, till they had sworn the Coronation Oath. 2. That all Proclamations asserting an absolute Power to null and dissolve Laws, in order for erecting Schools and Colleges for Jesuits, converting Protestant Churches and Chapels into Mass-houses, and the allowing Mass to be said, and the allowing popish Books to be printed and dispersed, was contrary to Law. 3. That the taking the Children of Noblemen and Gentlemen and others, and keeping them abroad to be bred Papists; the making Funds and Donations to Popish Schools and Colleges; the bestowing Pensions on Priests; and the seducing Protestants from their Religion by Offers of Places and Preferments; was contrary to Law. 4. That the disarming of Protestants, and employing Papists in the greatest Places of Trust, both civil and military, *&c.* was contrary to Law. 5. That the imposing an Oath, without Authority of Parliament, was contrary to Law. 6. That the raising of Money, without Consent of Parliament or Convention, was contrary to Law. 7. That employing the Officers of the Army as Judges, *&c.* was contrary to Law. 8. That the imposing extraordinary Fines, *&c.* was contrary to Law. 9. That the imprisoning of Persons, without expressing the Reasons, *&c.* was the same. 10. That the prosecuting and seizing Mens Estates as forfeited, upon Stretches of old, obsolete Laws, *&c.* was contrary to Law. 11. That the nominating and imposing Magistrates, *&c.* upon Boroughs, contrary to their express Charter, was the same. 12. That the sending Letters to the Courts of Justice, ordaining the Judges to desist from determining Causes, and ordaining them how to proceed in Causes depending before them, *&c.* was contrary to Law. 13. That the granting of personal Protections was the same. 14. That the forcing the Subjects to depose against themselves in capital Causes, however the Punishments were restricted, was contrary to Law. 15. That the using Torture without Evidence, or in ordinary Crimes, was contrary to Law. 16. That the sending of an Army in a warlike manner into any Part of the Kingdom, in time of Peace, and exacting Locality and free Quarters, was the same. 17. That charging the Subjects with Law-boroughs at the King's Instance, and imposing Bonds without Authority of Parliament, and the suspending Advocates for not appearing, when Bonds were offer'd, was contrary to Law. 18. That the putting Garrisons into private Mens Houses, in time of Peace, without Authority of Parliament, was illegal. 19. That the Opinions of the Lords of the Sessions in the two Cases following were illegal, viz. That the concerting the Demand of the Supply of a forefaulted Person, altho' not given, was Treason; that Persons refusing to discover their private Thoughts, in relation to Points of Treason, or other Mens Actions, are guilty of Treason. 20. That the fining Husbands for their Wives withdrawing from Church was illegal. 21. That Prelacy, and Superiority of an Office in the Church above Presbyters, is and has been a great and insupportable Burthen to this Nation, and contrary to the Inclinations of the Generality of the People ever since the Reformation, they having reform'd Popery by Presbytery, and therefore ought to be abolish'd. 22. That it is the Right and Privilege of the Subject to protest for Remedy of Law to the King and Parliament, against Sentences pronounc'd by the Lords of the Sessions; provided the same do not stop Executions of the said Sentences. 23. That it is the Right of the Subject to petition the King; and that all Prosecutions and Imprisonments for such petitioning were contrary to Law.

Therefore, for the Redress of all Grievances, and for the amending, strengthening, and preserving the Laws, they claimed, That Parliaments ought to be frequently called, and allowed to sit, and Freedom of Speech and Debate allowed to the Members.

And then they further claim'd and insisted upon all and sundry the Premises, as their undoubted Rights and Liberties; and that no Declaration or Proceedings to the Prejudice of the People, in any of the said Premises, ought in any wise to be drawn hereafter into Example; but that all Forfeitures, Fines, Loss of Offices in Imprisonments, Banishments, Prosecutions, and rigorous Executions, be considered, and the Parties redress'd.

To which Demand of their Rights, and Redress of their Grievances, they took themselves to be encouraged by the King of *England*'s Declaration for the Kingdom of *Scotland* in *October* last, as being the only Means for obtaining a full Redress and Remedy therein.

Therefore, forasmuch as they had an *entire Confidence*, that his Majesty of *England* would *perfect the Deliverance* so far advanced by him, and would still preserve them from the Violation of the Rights which they had asserted, and from all other Attempts upon their Religion, Laws and Liberties; the said Estates of the Kingdom of *Scotland* had resolved, 'That *William* and *Mary*, King and Queen of '*England*, be declared King and Queen of *Scotland*, to hold 'the Crown and Royal Dignity of the said Kingdom to them 'the said King and Queen during their Lives, and the longest 'Liver of them; and that the sole and full Exercise of the 'Power to be only in and exercised by him the said King, in 'the Names of the said King and Queen during their Lives: 'And, after their Decease, that the said Crown and Royal 'Dignity to be to the Heirs of the Body of the said Queen; 'which failing, to the Princess *Anne* of *Denmark*, and the 'Heirs of her Body; which also failing, to the Heirs of the 'Body of the said *William* King of *England*.'

And then withal they pray'd the said King and Queen to accept the same accordingly.

It was also declar'd by the Instrument, that the following Oath, 'I *A. B.* do sincerely promise and swear, that I will 'be faithful, and bear true Allegiance, to their Majesties 'King *William* and Queen *Mary*. So help me *God*.' should be taken by all Protestants, by whom the Oaths of Allegiance, and all other Oaths and Declarations, should be abrogated.

A. D. 1689. all falſe Religion: That they ſhould rule the People committed to their Charge according to the Will and Command of *God*, and the laudable Laws and Conſtitutions receiv'd in that Realm, not repugnant thereto: That they would procure to the Kirk of *God*, and all Chriſtian People, true and perfect Peace, to the utmoſt of their Power, in all time coming: That they would preſerve and keep inviolated the Rights and Rents, &c. with all juſt Privileges of the Crown of *Scotland*: That they would forbid and repreſs in all Eſtates and Degrees, Oppreſſion and all kind of Wrong: That they would command and procure, that Juſtice and Equity be kept to all Perſons without Exception, as the Lord and Father of all Mercies ſhould be merciful to them; and that they would be careful to root out all Heretics and Enemies to the true Worſhip of *God*, &c.

His Majeſty's Scruple concerning it.

Here the King, to his immortal Honour, took occaſion to declare, *That he did not mean by theſe Words, that he was under any Obligation to be a Perſecutor*; and the Commiſſioners replying, *That neither the Meaning of the Oath, nor the Law of* Scotland *did import it*, his Majeſty rejoin'd, *That he took the Oath in that Senſe*, and call'd upon the Commiſſioners themſelves, and others preſent, to bear witneſs that he did ſo.

Having thus thrown the whole Affair of the Settlement into one View, it is neceſſary to take notice of certain Incidents that happen'd while it was yet depending. Lord *Dundee* and his Followers had no ſooner left *Edinburgh*, than the Eſtates ſent a Herald and a Trumpet to command him to return, on pain of being out-law'd and denounc'd a Rebel; but he refus'd to obey it; and in a Letter to the Lord-Preſident, excus'd that Refuſal, by urging, "That after he had, in full Convention complain'd of Deſigns to murder him, and they had refus'd to take any one Step to do him Juſtice, he thought himſelf oblig'd to take Refuge elſewhere: That he could not think the Aſſembly itſelf free, as long as it was over-aw'd by the Followers of the *Weſtern* Members; and more eſpecially now it was ſurrounded with foreign Troops (alluding to thoſe under *Mackay*) and that he would nevertheleſs return immediately, on Aſſurance of Liberty and Juſtice." This, however, had no other Effect than to enrage the Aſſembly yet farther againſt him; for they immediately paſs'd an Act, declaring him Fugitive, Out-law, Rebel, agreeable to their former Menaces, which was publiſh'd at the Market Croſs at *Edinburgh*: And this, we are to underſtand by the Lord *Belcarres*, was ſo much the more rigid and unjuſt, becauſe he had, as yet, no Intentions to make any Attempt in favour of King *James*, but, on the Contrary, had expreſs Orders to *keep as quiet as he could*, till he could ſend him Aſſiſtance from *Ireland*: Nor, proceeds his Lordſhip, had he ever reſolv'd to meddle, if he had not been oblig'd to ſave himſelf from a Party that came to apprehend him.

Lord Dundee's *Letter to the States.*

But whatever King *James*'s Orders were, or however ſeemingly quiet his Friends thought it adviſeable to remain, they did not give over their Machinations to break the Peace, and throw the Kingdom into Confuſion: For it is acknowledg'd by the Earl of *Belcarres* himſelf, that when the Project blew up, of opening a Counter-Convention at *Stirling*, their next Endeavour for the good of the Cauſe was, to prevail with the Duke of *Gordon* to fire upon the Town of *Edinburgh*, in order to break up That held there; and of which the Members who compos'd it were ſo apprehenſive, that they had already reſolv'd to retire to *Glaſgow*, in caſe any ſuch Attempt ſhould be made. The Counteſs of *Errol*, it ſeems, had kept a ſecret Correſpondence with that Duke ever ſince the Caſtle had been block'd up; and by her was this Piece of Advice convey'd: But however faithful his Grace was to his old Maſter, or zealous for his Service, he had no mind to make his own Caſe deſperate by ſo deſperate a Meaſure: On the contrary, he abſolutely refuſs'd (*s*) to give into it, or to do any thing but defend himſelf, till he had the King's Orders; and ſo ſays the Earl, *our whole Deſigns were broke.*

Which he refuſed.

On the Heels of this Diſappointment, one *Brady*, who had been diſpatch'd from *Ireland* by King *James*, with freſh Inſtructions to his Friends in *Scotland*, fell into the Hands of the Convention. He had been betray'd by one who had borne him Company, on Purpoſe to worm out his Secret. But tho' he had been abundantly too communicative to him, he had nevertheleſs made ſuch a Reſerve, as was ſufficient to barter for his own Indemnity; for, when taken and ſearch'd, nothing was found upon him; all his Papers being conceal'd within a falſe Bottom to his *Valiſe*. That, therefore, he might find Favour in the Sight of the Lord Preſident, and the reſt of the Committee who examin'd him, he ſet them at Eaſe at once, by diſcovering all he knew; producing his Letters, and particularizing from whom he receiv'd them, and to whom they were to be deliver'd: Which laſt Circumſtance was of ſo much the greater Moment, becauſe they were without Superſcriptions. According to Lord *Belcarres*, however, they contain'd no more, in the main, than a Repetition of the King's former Commands, to attempt nothing till they receiv'd farther Orders; except, that he alſo mention'd five hundred Foot, and three hundred Horſe, which he had in Readineſs to embark, and which were to aſſiſt them in making thoſe Orders effectual. But this was ſufficient to ſhew, that King *James* had a Party devoted to his Intereſt, and engag'd to aſſiſt him, as ſoon as call'd upon: And there were beſides yet other Letters from Lord *Melfort*, both to *Dundee* and *Belcarres*, of

One Brady *ſeiz'd with Letters from King* James *and* Melfort.

Their Contents.

(*s*) He was even ſo complaiſant to the Townſmen, that, when he had receiv'd the News of the King's landing in *Ireland*, and thought himſelf oblig'd to teſtify his Joy by a general Diſcharge of his Artillery, he ſent to apprize the Magiſtrates thereof, to prevent even their very Fears of his having any hoſtile Intentions againſt them.

A. D. 1689. of a moſt extraordinary Tendency, and which were, indeed, ſufficient to alarm any Government, and any Nation whatever. In one of theſe, to *Clavering*, *(Dundee)* ſays the Secretary, "You will aſk me, without queſtion, How we intend to pay our Army? But never fear that, ſo long as there are Rebels Eſtates; we will begin with the great ones, and end with the little ones, *&c.* And in another to the Lord *Belcarres*, "The Eſtates of the Rebels will recompenſe us. Experience has taught our illuſtrious Maſter, that there are a good Number of People that muſt be made *Gibeonites*, becauſe they are good for nothing elſe: You know that there are ſeveral Lords that we mark'd out, when we were both together, that deſerve no better.----Theſe will ſerve for Examples to others." It is true, that, by way of Extenuation, Lord *Belcarres* writes,---- "But what the Earl of *Melfort*'s Intentions were in theſe Expreſſions, I cannot determine; but to juſtify him and myſelf, I declare, that he never in his Life made the leaſt Inſinuation to me of any ſuch Propoſitions; but whatever he intended by them, nothing could have been more to the Prejudice of your (King *James*'s) Affairs, nor for my Ruin; which did ſhew, that nothing but Cruelty would be us'd, if ever your Majeſty return'd." He alſo makes the Duke of *Queenſberry*, who undertook to be his Advocate to the States, ſay in his Vindication, "That he doubted not but the Earl of *Melfort* had writ theſe Letters on purpoſe to ruin him *(Belcarres)* and that if Letters writ by another could faſten a Crime on him they were ſent to, it was in every Man's Power to ruin his Enemies, when and how he pleas'd: And immediately after inſinuates, That the Snare was laid for him, becauſe he had been one of thoſe who had made a joint Remonſtrance to King *James*, to lay aſide that Lord *(Melfort)* becauſe he was univerſally obnoxious to both Kingdoms. But whatever Truth there might be in theſe Allegations, they had no Effect: He was known to be an irreconcileable Enemy to the Preſbytery as well as *Dundee*, who is charg'd with having kill'd above a hundred Men in cold Blood, at a Field-Meeting; and it was reſolv'd to make Examples of them both. Accordingly, Parties were ſent to ſeize them: *Belcarres* fell into their Hands, and was thrown into the common Goal: But *Dundee*, who was ſurrounded with a Party of his own Regiment, ſtood upon the Defenſive, and not only made his Eſcape to the *Highlands*, but thought himſelf at Liberty to have recourſe to Arms, without waiting either for the Succours or Orders, which King *James* had promis'd.

Copies of theſe Letters of *Brady*'s were alſo diſpatch'd to King *William*, and by him communicated to the Houſe of Lords, who, thereupon, brought in a Bill to empower his Majeſty to apprehend ſuſpected Perſons; which paſs'd both Houſes, and receiv'd the Royal Aſſent, in one (*f*) Day. A. D. 1689. *Copies of theſe Letters ſent into* England.

It is obſerv'd by Lord *Belcarres*, that till the King *(William)* had got his Buſineſs done, he ſo manag'd both Parties (Epiſcopal, and Preſbyterian Whigs) that each believ'd they had the ſole Poſſeſſion of his Favour, and of courſe ſhould have the ſole Exerciſe of his Power. But no ſooner was his Buſineſs done, than he undeceiv'd them both, and ſhew'd that he would be engroſs'd by neither.

The Duke of *Hamilton* expected to be made the new King's Commiſſioner, when the Convention ſhould be turn'd into a Parliament; and, likewiſe, to have all the Places in the Kingdom at his Diſpoſal: But his Majeſty made him Commiſſioner only, and diſpos'd of all the other Places himſelf; which, ſays *Burnet*, were ſplit into Commiſſions, that many might have a Share; whereby none were ſatisfy'd, and all became contemptible. Sir *James Montgomery*, one of the three Commiſſioners ſent up with the Tender of the Crown, who had been a principal Manager of the Settlement, expected no leſs than the Secretary's Seals for his Reward; which, to his infinite Mortification, were beſtow'd on Lord *Melvil*; one of thoſe who had taken Refuge in *Holland*, from the Violences of the two laſt Reigns, whoſe chief Merit conſiſted in his being a leſs rigid Preſbyterian than *Montgomery*, and his having join'd in adviſing an Expedition, which had anſwer'd ſo well: He is characteris'd by *Burnet*, as a *narrow-hearted* Man, who conſulted his own Intereſt only, without any Regard to that of his King or Country; and, by Others, as one whoſe only Qualifications for ſo conſiderable a Station were, Ductility and Servility; and who ſacrific'd all Conſiderations to his own inſatiable Avarice, and that of his Family. With him was colleagu'd in the King's good Graces, *Dalrymple* Lord *Stair*, (formerly Lord Preſident of the College of Juſtice, and now deſtin'd to the ſame Poſt, the Father of *Dalrymple* the Commiſſioner, now alſo made the King's Advocate) on whom his Majeſty reſolv'd to rely chiefly for Advice, tho' he had heard great Complaints of him, and tho' thoſe Complaints were not without Foundation. It is in this Language the ſame Prelate ſpeaks of him; but, according to Lord *Belcarres*, he was, tho' a Fanatic, generally (*t*) abhorr'd by them; being a Man of neither Religion or Honour; having comply'd in all things with all Governments, for fifty *A Preſbyterian Oppoſition form'd in the Scots Parliament.*

(*f*) *April* the 24th, the former Bill to ſuſpend the *Habeas Corpus* Act being expired.

(*t*) Which is fully verify'd by the following Invective, publiſhed by that Party againſt him in the Year 1689:

"And as *Stair*'s aſſuming the Office of Preſident, upon the illegal Choice of the aforementioned King *(Charles)*, was both an Affronting and Betraying of the known Laws of the Kingdom; ſo his whole Behaviour in that Station was of one Piece and Compleſtion with his entring upon it, being a continued Series of Oppreſſion and Treachery to his Country. For, beſides, that all his Verdicts between Subject and Subject, were more ambiguous than the *Delphic* Oracles, and the Occaſion of the Commencement of innumerable Suits, in place of the determining of any, he was the principal Miniſter of all *Lauderdale*'s Arbitrariouſe, and of King *Charles*'s Uſurpations. Nor was there a Rapine or Murder

A. D. 1689. fifty Years before, and caball'd with all Parties, without being true to any. But though both theſe were Preſbyterians, they did not think it adviſeable to form the whole Regency of *Scotland* of none but ſuch: On the contrary, they admitted ſuch of the Epiſcopal Nobility to the Council-board, as were of the moſt pliant Tempers, that they might humour one Party, while the great Scope of their Endeavours was to ſerve the other: But this trimming Expedient anſwer'd in *Scotland* even worſe than it had done in *England*; for, as, on the one hand, the Preſbyterians would not bear the leaſt Intermixture of the Epiſcopal Leaven among them; ſaying openly, That it was not fit that thoſe ſhould be Counſellors to the King, who withſtood his Admiſſion to the Crown; ſo, on the other, as only the leaſt ſignificant of that Party were thus promoted, and theſe had not Credit or Intereſt enough to carry a ſingle Vote, or Spirit enough to attempt it, the reſt, who had been uſed to have all Power and Importance center'd in themſelves, could neither bear to be overlook'd, nor to be repreſented by Cyphers.

Thus the Settlement was no ſooner made than the Seeds of Diſcord were ſcatter'd all over it; and even in that barren Soil took as deep root, and produc'd Miſchiefs as abundantly, as in the fatteſt and beſt.

Scotiſh *Affairs miſrepreſented by Biſhop* Burnet.

In the Note which contains the *Scotiſh* Inſtrument of Government and Claim of Rights, we have ſeen the following Clauſe: "That Prelacy and Superiority of any Office in the Church, above Preſbyters, is and has been a great and inſupportable Grievance and Trouble to this Nation, and contrary to the Inclinations of the Generality of the People, ever ſince the Reformation, (they having reform'd Popery by Preſbytery) and therefore ought to be aboliſh'd." And upon this Clauſe the *Hiſtorian of his own Times* is pleas'd to comment as follows: "It was an abſurd thing to put this in a Claim of Rights, for which not only they had no Law, but which was contrary to many Laws then in being: So that, tho' they might have offer'd it as a Grievance, there was no Colour for pretending it was a national Right. But they had a *Notion* among them, that every Article that ſhould be put into the Claim of Rights became an unalterable Law, and a Condition upon which the Crown was to be held: Whereas Grievances were ſuch things as were ſubmitted to the King and Parliament, to be redreſs'd or not, as they ſhould ſee Cauſe: But upon the Biſhops, and thoſe who adher'd to them, having left the Convention, the Preſbyterians had a Majority of Voices to carry every thing they pleas'd, *how unreaſonable ſoever*; and, upon this, the aboliſhing Epiſcopacy in *Scotland* was made a neceſſary Article of the new Settlement." Now, not to inſiſt, that the Majority, who had taken this *Notion* into their Heads, and who had it in their Power to do ſuch *unreaſonable* things, were the Founders of the new Settlement, and conſequently knew beſt on what Conditions they made it, the King himſelf ſeems to have had the ſame Notion, at the time of his accepting the Offer they made him, as will appear, by his own Inſtructions to his Commiſſioner, in the proper Place: And whereas the Biſhop is farther pleas'd to inſinuate, That his Majeſty was under no Obligation to comply with their Claims, by ſaying, *That*, WHEN *the Coronation-Oath was taken, they were* NEXT *to offer the* PETITION *for the Redreſs of Grievances*, it appears by the *Gazette*, That he has inverted the Order of the Proceeding, for the ſake of that Inference: For therein we are expreſly informa'd, that the Coronation-Oath was tender'd to their Majeſties, AFTER the *Scotiſh* Commiſſioners had preſented the ſeveral Papers they were charg'd with: And, if his Majeſty had not underſtood thoſe Claims to be Conditions, he would certainly have ſignify'd as much, with the ſame Freedom, that he excepted to the Clauſe in the Oath, in relation to the rooting out of Hereſy.

A. D. 168

The ſaid Author moreover miſrepreſents the Matter of Fact, in ſaying, "Lord *Melvil* hop'd to have gain'd the Preſbyterian Party, by ſending Inſtructions to Duke *Hamilton* to *open the Seſſion* with an Act in favour of Preſbytery. But the Majority reſolv'd to begin with their temporal Concerns." In the *Scotiſh* Remonſtrance of Grievances, the firſt Article was as follows: "The Eſtates of the Kingdom of *Scotland* do repreſent, That the Committee of Parliament, called *The (u) Articles*, is a great Grievance

---

Murder committed in the Kingdom, under the Countenance of Royal Authority, but what he was either the Author of, the Aſſiſter in, or ready to juſtify. And from his having been a military Commander, for aſſerting and vindicating the Laws, Rights, and Liberties of the Kingdom againſt the little, pretended Inventions of *Charles* I. he came to overthrow and trample upon them all, in the Quality of a civil Officer, under *Charles* II. Nor is there a Man in the whole Kingdom of *Scotland*, who hath been more acceſſary to the Robberies and Spoils, and who is more ſtain'd with the bloody Meaſures, of the Times, than this Lord *Stair*, whom his Majeſty hath been impos'd upon, to conſtitute again Preſident of the College of Juſtice. And, as an Aggravation of his Crimes, he hath perpetrated them under the Veil of Religion, and by Forms of Law; which is the bringing the Holy and Righteous *God* to be an Authorizer and Approver of his Villanies, and the making the Shield of our Protection to be the Sword of our Ruin. [*Proceedings in the Scotiſh Parliament vindicated, p.* 36.

(u) "But that we may diſcourſe intelligibly of that Committee called *The Articles*, it will be neceſſal to give ſome brief Account both of what it originally was, and what by degrees it grew up, or rather degenerated into, till it became at laſt an inſupportable Grievance to the Nation, and rendred Parliaments either wholly uſeleſs, or mere Inſtruments for purſuing and executing the King's Will. Now by what appears, either from our Hiſtory, Records, or Statute-books, there was no ſuch thing anciently as a Committee, or Lords of Articles, but every thing was as well originally *moved*, as debated and concluded in full Parliament. For the firſt mention we meet with in our Records of Lords of the Articles is, in the Year 1466, and the Reign of King *James* III: Where we find, that, upon the Convention of the Eſtates of Parliament, they not only choſe ſo many from among themſelves, to be Judges in civil and criminal Cauſes, who are ſtyled *Domini ad Querelas*, there being then no judicial Court, ſave what the Parliament conſtituted from time to time out of their own Body: But that they alſo elected three Perſons for the Clergy, three for the Barons, and three for the Burgeſſes, to conſider of and prepare Matters fit and needful for the Houſe to bring into Debate, and to come to Votes and Reſolutions about. By which it ſeems that this Committee of the Articles had no auſpicious Beginning, having its Riſe under one of the worſt of

A. D. 1689. Grievance to the Nation; and there ought to be no Committee of Parliament, but such as are freely chosen by the Estates to prepare Motions and Overtures that are *first* made in the House." And the second, "That the first Act of Parliament in 1669 (by which, thro' *Lauderdale's* Management, the King's Supremacy was carry'd so high, that it was in his Power to prescribe what Mode of Religion he pleas'd) is inconsistent with the Establishment of the Church Government now desired, and ought to be abrogate." And the King's Instructions to his Grace the Lord Commissioner, preserve the same Order: For, after the fundamental Clause, for turning the Meeting of the Estates into a Parliament, follows immediately that relating to the Articles: And after a third, as necessary as the first, for recognising the King and Queen's Royal Authority, and appointing the Oaths of Allegiance, follows that which permits the Establishment of their Church A. D. 1689.

---

of all our Kings, and who came to the most unhappy and unfortunate End: However, there appears no such thing here, as that the Officers of State were to be supernumerary to those chosen by the Parliament; or that the King, either by himself or by one representing him, chose any of them; but it is evident from the Record, that they were wholly and entirely elected by the States themselves in Parliament assembled. And tho' the being an Officer of State was never esteem'd a Ground disabling and incapacitating a Person from being a Member of the Committee of Articles; yet, upon a Perusal of the Records, I do not find, that any Officers of State made a Part of the Lords of the Articles, until the Year 1567; and their being then of that Number was not *ratione Officii*, but by reason of the Parliament's having elected them into that Station. For whosoever consults the Records of Parliament of the Years 1467, 1475, 1524, 1526, 1528, 1537, 1542, 1543, will find, that the Officers of State were so far from being supernumerary in the Committees of the Articles, that they were not so much as elected into that Trust, nor had any Room or Place allow'd them there; tho' it appears by the Records of all those Parliaments, that there were Members chosen by, and out of, the respective Estates, sometimes in larger and sometimes in lesser Numbers, to make up and constitute such Committees. Yea, I cannot but add, That our not meeting with any Mention of the Lords of Articles of the Parliaments assembled and held 1469, 1471, 1474, 1481, 1483, 1488, 1489, 1491, 1493, 1505, 1515, 1528, 1535, 1540, 1546, 1551, is an undoubted Evidence, that the having Committees of the Articles was not a thing of indispensible Necessity, or to which Parliaments were legally obliged; but that it was a Matter of arbitrary Pleasure; and that they were chosen or omitted, as the House thought to be most useful and convenient for the Management and Dispatch of their Affairs. And though it cannot be deny'd, but that, after the Year 1567, some of the Officers of State were now and then thought worthy, by reason of their moral and intellectual Abilities, to be chosen among others for Lords of the Articles, as in the Parliaments held in the *Years* 1581 and 1593; yet it is most evident, that they were not elected into that Committee by virtue and Reason of their Offices; much less, that there as supernumerary to those chosen by the Estates; forasmuch as in other Parliaments, particularly in those held in the Years 1587, 1592, and 1594, there is no Intelligence, Report, or Remembrance of them, in the Registers and Lists of those of whom the forementioned Committees were made up and constituted. And that which puts it beyond all Possibility of being controuled (save either by ignorant or by impudent and self-condemned Men) that no Officers of State had Right anciently to be of the Committee of Articles, unless positively chosen by the Estates of Parliament, is the 57th Act of Parl. 11 of *James* VI. where, Provision being made by Law about the Number whereof that Committee should be constituted, it is, without the least Mention or Suggestion of those Officers of State, enacted and ordained, 'That the 'Number of the Lords of Articles be equal in each Estate, 'and that the fewest Number of every Estate be fix, and the 'greatest Number ten.' Yea so far were those, called Lords of Articles, from having originally the sole Power of preparing Matters, and of bringing in Motions and Overtures, to be considered and debated in Parliament, exclusive of other Members of the House, who were not of that Committee; that both at first, and for a long Tract of Time afterwards, they were not so much as a Committee of Articles of and to that Parliament by which they were chosen, and of which they were sitting and actual Members; but were only to in reference to the next Parliament that should succeed; against whose Meeting they were to prepare such things as they should judge to be most fit and expedient to be then taken into Consideration; but still with a Right, as well as with a Liberty, reserv'd to that future Parliament, not only to receive or reject what should be thus motivated and offer'd unto them; but to admit whatsoever Overtures they pleas'd, that should be made unto any of the Members of their own House. It was the ancient Custom and Practice of *Scotland*, that the sitting Parliament, antecedently to its Dissolution and separating, elected so many from among themselves, who were, in the Interval betwixt that and the next Parliament, to make Enquiry into the Necessities of the Leiges, and into the State of the Kingdom; and accordingly to draw up and prepare such Overtures, as should carry that Relief and Remedy in them, which might give a Redress unto Grievances, be a Means of preserving the Nation in Safety, and of promoting the Prosperity of the Subjects. Now, from this harmless Beginning of the Committee of Articles, it hath, through the Usurpation of our Kings, especially after their Succession to the Crown of *England*, and the Remove of their Royal Abode thither, and through the Officiousness of public Ministers to the Prince, and Treachery to their Country, grown up at last to that Exorbitancy, that it is not only become burthensome but intolerable. For, by reason of the Parliament's coming at last to commit the Inspection into all Affairs, and preparing all Remedies unto Grievances, into a few Hands, and those to be unchangeable during a whole Session, our late Monarchs obtain'd such a Handle whereby they might encroach upon the Jurisdiction of Parliaments, and the Liberties of the People, that they soon improv'd it to the illuding of all the Good that the Kingdom was to expect from Parliaments, and to the making those who were design'd to be the Means of our Safety, become the Instruments of our Ruin. For the Accomplishment whereof, and the more effectual rendering the Lords of Articles Vassals unto the Monarch's Will, and Tools for executing his Pleasure, *the first* prevail'd to have the Officers of State admitted into that Committee as Supernumeraries; and that, without being nominated and elected by the Estates in Parliament, they should have a Right to sit there *ratione Officii*, by virtue of the Employments they held in the Government. For King *James* the Sixth, being by the Adulation of the *English* Bishops, brought entirely over to their Interest, as well as to their Opinions about Church-discipline and Worship; and having a mind, in requital to the Church of *Scotland* for all the Kindness they had express'd to him both in his Infancy and riper Years, to obtrude upon them the *English* Ceremonies; he did, in order to the more easy effectuating of it, flatter, cajole and bribe, as well as huff and awe the Parliament, *anno* 1621, to allow the Officers of State to sit as Supernumeraries, without being chosen in the Committee of Articles. And thus he forced those Innovations, commonly known by the Name of the five Articles of *Perth*, upon the poor Church of *Scotland*; having, by those Supernumerary Officers, not only so moulded the Committee of Articles as to pass and present them, but thereby laid the Foundation of their being ordained and enacted in the House. And to make the Lords of Articles yet more grievous and intolerable, King *Charles* the First (whose Invasions upon the Rights and Liberties of his People prov'd fatal both to him and them) overthrew the ancient Method of their Elections, and brought the Choice of them into such a Channel, as could issue in no less than Tyranny in the Sovereign, and Slavery in the Subjects. For whereas by Law and Custom, the Lords were to chuse the Lords, and the Barons to chuse the Barons, *&c. Charles* the First did, in his Parliament held *Anno* 1633, when he was in the height of his Greatness, change and innovate this Method; and, having divested the whole respective Estates of chusing severally their respective Commissioners, he assum'd a Power to himself, with a Right of consigning it over to his Commissioner in Parliament, for chusing eight Bishops, consigning to the said eight Bishops a Power of chusing eight Noblemen; and restraining to the said eight Noblemen, together with the aforesaid eight Bishops, a Power of chusing eight Barons and eight Burgesses; and that these, in conjunction with the Officers of State as Supernumeraries, should be the whole and sole Lords of Articles, exclusive of all others. Finally, to render that Committee yet more insupportable, the sole Right as well as Liberty of bringing in Motions, of making Overtures for redressing Wrongs, and of proposing Means and Expedients, either for the Relief or the Safety and Benefit of the Subject, is entirely retain'd unto, and lodg'd wholly in, this Committee: Neither is it by our late Practice lawful for any Member or Members, that are not of that pack'd Club and Society, to make the least Proposal or Motion, either for the repealing of an ill Law, or for the enacting of a good." [*Proceedings of the Scots Parliament vindicated*, p. 23, 26, 27, 28, 29, 30.

35284

A. D. 1689. Church Government to be such as best agreed with the Inclinations of the People, and which directs, the rescinding of the Act above specify'd, and all other Acts inconsistent therewith.

His Lordship is, however, in the right, when he says, The Parliament was open'd with much ill Humour: For the *Scots* did really believe, that they had made the Redress of their Grievances a Matter of Bargain and Contract, as well as of Petition and Desire of Relief; and had set the *Articles* at the Head of the List, as the greatest of all their Grievances. When therefore they saw how narrow the Commissioners Instructions were on that Head, and how far short of their Expectations and Demands, they look'd upon themselves as dup'd, and thought they had the right of the Injur'd to express themselves with a proper Resentment. 'Tis true, the Author just quoted, takes leave to say, "That the King consented to a *proper* Regulation, by allowing that the Number of the Lords should be *enlarg'd*, and *chang'd* as *often* as the Parliament should desire it, *&c.* which answer'd all the *just* Complaints of that *Part of the Constitution.*" But this also is in part a Misrepresentation. The King's *first* Instruction ran in these Words, "You are to pass an Act for regulating the Articles, to consist of twenty-four Persons, *besides the Officers of State*, whereof eight are to be chosen by the Noblemen of their Estate; eight by the Barons, and eight by the Boroughs of their Estate: And in case of the Decease of any of these Persons, that Estate out of which the Person deceas'd, shall supply the same. These are to prepare Matters and Acts for the Parliament, but not to exclude the Parliament to take any Matters into their Consideration, tho' it hath been thrown out, or rejected in the Articles. And all former Acts, especially the first Act, Par. 1st, Cap. 2d, Sess. 3d, inconsistent with this, are to be rescinded." Now all that the Estates gain'd by this Regulation, was the Power to chuse their own Delegates by their own Suffrages; whereas before, eight Bishops chose eight Lords, and those sixteen the rest; and Leave to re-consider any Matter which had been by the said Lords rejected. But they wanted to get rid of the whole Institution, and to have the digesting of their own Business; which the King would not give way to; having been told by his Ministers, *That to part with the Lords of Articles, was to part with the brightest Jewel in his Crown.* When, however, he was appris'd by his Commissioner of the ill Blood which this Matter had created, and the Resolution which appear'd in the Majority to support their Claim, he sent down an additional Instruction; by which the three Estates were farther indulg'd, with the Choice of eleven Delegates each, to be chosen monthly, or oftener, if they thought fit; and in which after the Words, Not excluding the Parliament, *&c.* as in the former, are the following dark Expressions, *Nor to prevent their moving of any thing, and regulating of it to them.* But neither had these Concessions any Effect: The Parliament clearly foresaw, That if the Institution was suffer'd to remain, the Grievance would remain with it; and that, more especially, because the Officers of State were still contended for as before. A. D. 168

"But even the Presbyterians (proceeds the *Historian of his own Times*) began to carry their Demands high: They propos'd to have the King's Supremacy and the Right of Patronage taken away." This alludes to the second of the *Scots* Grievances; in which they demanded the Repeal of an Act, concerning which that Author himself, in his first Volumn, writes as follows: "The first (of two Acts pass'd by *Lauderdale*) explain'd and asserted the King's Supremacy, but carry'd in it such general Words, that it might have been stretch'd to *every thing*. It was declar'd, that the settling all things relating to the external Government of the Church, was a Right of the Crown; and that all things relating to ecclesiastical Meetings, Matters and Persons, were to be order'd according to such *Directions* as the King should send to his Privy-Council; and that *these* should be publish'd by them, and should have the Force of *Laws*. Lord *Lauderdale* very probably knew the Secret of the [*then*] Duke's Religion, and had got into his Favour: So that it was very likely that he intended to establish himself in it, by putting the Church of *Scotland* wholly in his Power." Now, according to this Account of the Act, there was no great Presumption in stipulating for the Repeal of it: But, whether there was or not, it is plain from the said Stipulation, that they did not now *begin* to rise so high in their Demands; that, on the contrary, this Repeal was one of their Fundamentals; that the King himself understood it to be so; and that from the *Beginning* he instructed his Commissioners to comply with it, however he was afterwards influenc'd to dispense with his Obedience. [P. 284]

His Majesty in real Difficulties.

The Truth is, that his Majesty was surrounded with Difficulties almost insuperable. In *Scotland* the Majority were *Presbyterians*, in *England Episcopalians*. He had Points to carry in both Kingdoms, which he was to pay a valuable Consideration for; and it was utterly impossible for him to oblige one Party without disobliging the other. The Abolition of Episcopacy in *Scotland* was the Price of that Crown, and yet he could not pay it without endangering his Establishment in *England*. In order, therefore, to steer as safely as possible between the *Scilla* and *Charybdis* of the two Parties, he consented to dissolve the *Scots* Hierarchy, and seem'd in earnest dispos'd to part with his own Supremacy also; but, nevertheless, connive'd at the Breach of his repeated Instructions on that Head, perhaps, that he might have it in his Power, by the Continuance of that Act, to restore it, if ever he should find himself under a Necessity so to do.

Thus, in the Act, which pass'd the first of *July*, Prelacy, and the Pre-eminence of any Order in the Church above Presbyters, was abolish'd: And it was farther declar'd, "That the King and Queen's Majesties, with the Advice and Consent of the Parliament, then

A.D. 1689. then ſitting, would ſettle by Law that Church Government in the Kingdom which was moſt agreeable to the Inclinations of the People." But, notwithſtanding this ſolemn Engagement, which ſeem'd either to ſecure to the Preſbyterians the uncontrolable Superiority they aſpir'd to, or to render the preſent Parliament immortal, no farther Progreſs was made in the Affair till the Ferment in that Aſſembly grew ſo high, that the *Scotiſh* Miniſters found they had no other way left to appeaſe it.

It has been already obſerv'd, that the Intermixture of certain epiſcopal Lords and others in the Council, *&c.* had given Umbrage to the Majority of the Members, and conjur'd up that fierce and intractable Spirit which now reign'd amongſt them: In order, therefore, to lay the Cabinet under a Neceſſity of making more Room in the Government for themſelves, they brought in a *A Bill to incapacitate obnoxious Perſons from holding Offices.* Bill, providing, "That no Perſon of whatever Rank or Degree, who in the former evil Government had been grievous to the Nation, by acting in the Encroachments, which in the Claim of Rights were declar'd to be contrary to Law, or had ſhew'd Diſaffection to the late happy Change, or had been Retarders and Obſtructers of the good Deſigns of the States, ſhould be allow'd to poſſeſs, or be admitted into any public Truſt, Place, or Employment under their Majeſties." In Recommendation of which they urg'd, That it was neceſſary even for his Majeſty's own Juſtification: For, ſaid they, having charg'd the late King's evil Counſellors, and them only, with the Crimes upon which he grounded both the Righteouſneſs as well as the Neceſſity of his Expedition, ſhould he employ thoſe whom he undertook to remove, it would juſtify the Slanders of his Enemies, who inſiſted, That he quarrell'd with his Father, not to reform his Government, but to deprive him of his Crown. They alſo urg'd, That, if ſuch an Act was not paſs'd, Courtiers would be apt to think, that Integrity was an Ingredient no way neceſſary in a Miniſter of State; and the reſt of the World, That it was held to be a Diſqualification: That it would be impoſſible to inſpire the Vulgar with honourable Thoughts of King *William*, if he choſe to work with King *James*'s Tools; and that whoever advis'd his Majeſty to do ſo, muſt intend to lay him under a Suſpicion, that he had the like Jobbs to do. And ſuch Weight had theſe and the like plauſible Suggeſtions, that the Bill paſs'd through all the Forms of the Houſe, and became ineffectual only for want of the Royal Aſſent; tho' Lord *Belcarres* erroneouſly ſays, it was eſpous'd by no Party, and was laid aſide, becauſe it comprehended ſo many of their own.

Another about naming the Lords of Seſſion. Another Point of Oppoſition, was the naming the Lords of Seſſion, or Judges; which the King ventur'd to do by an Act of his own, in virtue of his Prerogative; tho' the appointing Judges in an unuſual manner, and during Pleaſure, had been one of the Articles which he had alledg'd againſt King *James* in his Declaration for *Scotland*; tho' in Caſe of a total Vacancy, as at the Reſtoration, the King was to nominate, and the Parliament examine, with Power to confirm or reject, as they found Cauſe; tho' in a partial Vacancy, the Perſon or Perſons, nominated by the King as before, were to undergo the like Trial before the other Lords of Seſſion, who might alſo reject them, and had often done ſo; and tho', in both Caſes, the Lord Preſident was by an expreſs Statute to be choſen by the Suffrages of the Bench. A.D. 1685.

The manner in which his Majeſty was [Burnet.] pleas'd to take this bold Step, was by *continuing* ſuch a Number of the late King's Judges as were ſufficient to examine thoſe who were now to be promoted: But according to the Voice of Parliament, and indeed the nature of Things, ſuch a Continuance was in effect a *new Creation*. If the Throne was vacant, all Commiſſions were vacated of courſe, and a new Commiſſion conſtituted a new Judge. As at the Reſtoration, therefore, the Affair came properly before the Parliament, and to convince his Majeſty, it ought ſo to do, the Majority brought in a Bill, in which they aſſerted the total Vacancy of the Bench, as alſo their own Right to examine and approve thoſe who were to fill it; and farther provided, that, agreeable to former Precedents, both now and in all time to come, if any ſuch total Vacancy ſhould occur, the Nomination ſhould be in the King or Queen, or Regent for the time being, and the Approbation in the Parliament; and that all the ſeveral Clauſes in the ſeveral Acts relating to the Admiſſion of the ordinary Lords of Seſſion, and their Qualifications for that Office, ſhould be ratify'd and confirm'd, for perpetual Obſervation.

In treating of this Matter, Biſhop *Burnet* *Miſrepreſented by B. Burnet.* uſes theſe Words: "Thoſe who *oppos'd every thing, pretended*, that the Nomination ought to be made in Parliament; and they had prepar'd Objections againſt every one that was upon the Liſt; intending by this to put a public Affront on one of the firſt and moſt important Actions of the King's Government. Duke *Hamilton* had a poſitive Inſtruction ſent him not to ſuffer this Matter to be brought into Parliament; yet he ſaw the Party was ſo ſet and ſo ſtrong, that they had a clear Majority: Nor did he himſelf very much approve the Nomination, chiefly, that of old *Dalrymple* to be Preſident. So he diſcontinued the Parliament."

But this Prelate ſtands ſelf-confuted, as to the Paſſage which indicates, that this Majority *oppos'd every thing*; for he elſewhere acknowledges, That they granted the Revenue for Life; as alſo, that they paid the Money which was neceſſary for maintaining a ſmall Force: And though his Lordſhip is pleas'd to add, That the greateſt Part of an Army of 6000 Men was paid by *England*, we ſhall find they themſelves telling the King, "That they had provided a ſufficient and certain Fund to maintain *all the Forces*, and ſupport all other incidental Charges of the Government, for ſome Months." Then as to the Inſinuation, that the Right they claim'd, to have the Judges nominated in Parliament

A.D. 1689. Parliament was but a *Pretence*, he might have known, that they made their (*u*) Appeal to the Public, and manifested beyond Contradiction, that the Claim they made was founded on Law and Reason. Lastly, as to the *positive Instruction* sent to Duke *Hamilton*, and his putting an End to the Session upon it, we see the Matter of Fact was otherwise. The Bill, above-mention'd, actually pass'd the House, and nothing was wanting A.D. 1689.

(*u*) Of which, the most material Part is as follows: "It hath been already prov'd, beyond the Possibility of a Reply, That the first Institution of the College of Justice, and the Nomination as well as Approbation of those that were then advanc'd to be Lords of Session was, by the Estates assembled in Parliament. And I do now further affirm, that in the two total Vacancies, (which are all that have since occurred, besides this that hath now fallen out upon the late happy Revolution) the Estates in Parliament were indispensably allow'd the Right of admitting or rejecting those of whom the College of Justice was to be freshly constituted: For, upon the total Vacancy in the Year 1641, which was the first that had been from the Institution of the Lords of the Session, the Parliament not only challenged the approving, but they took upon them the joint Nomination with the King, of all the Persons that were to be admitted into, and created Members of, the College of Justice. But this Example and Precedent I will not insist upon, seeing there was something unjust and illegal in it, as well as something just and legal. For not being satisfy'd with the Right of admitting, to which Law and Reason gave them an unquestionable Title, they usurp'd upon the Crown, and took upon them the Power of nominating, which had been granted by former Laws unto the King. Let us therefore see what was done upon that other total Vacancy, which occurr'd at the Restoration of King *Charles* II. when nothing would have been departed from by the King, that he could have withheld without the highest Injustice; nor any thing either claimed or accepted by the Parliament, that they could have sacrificed or surrender'd without becoming obnoxious to imminent Dangers; and yet even then, the King having nominated those whom he design'd for the Lords of Session, the Approbation of them was submitted unto the Parliament; and the Estates having in full Parliament confider'd them, they admitted and receiv'd them. *It is* true that the Parliament did not bring them single before them, and there try and examine them; not because they might not have done it, but because there was no need of it, being all of them of that Eminency, as to be universally and notoriously known to have all the Qualifications required by the Statutes. Yea, though the Parliament was abundantly officious towards the Crown, and loyal to that Excess to the King, as to be disloyal to their Country, and unfaithful to their Constituents; yet, in the second Act of their first Session, by which they restore to the King what had been wrested from him in the Parliament 1641, they allow him no more, in reference to the Lords of the College of Justice, but the Right of Nomination, as the Crown had enjoy'd it preceding the Year 1637. But I hear there are some, who, finding his Majesty unalterably resolv'd not to depart from the known and just Laws of the Land in the governing of his People, have therefore, to elude the Force of what hath been here represented, and to divert his Majesty from hearkening to the humble Desires of his Parliament in this Matter, been guilty of the Treachery as well as the Impudence to suggest unto his Majesty, That there is not now a total Vacancy, there being, of the fifteen nominated by his Majesty for Lords of the Session, three that were antecedently such; and that it belongeth unto them three to try and approve the others; and that what the Parliament pretends unto, being only in the Case of a total Vacancy, is here wholly superseded; and that for any to insist upon it is an Encroachment upon the Prerogative of the King, and a robbing of the Lords of Session of a Privilege vested in them by Law. Now tho' all that is here insinuated be rather the offering an Affront to our Understandings, than the according us with a reasonable Objection; yet we will so far condescend to the Weakness of those that are ignorant of the Laws and Customs of *Scotland*, as to return such a Reply unto it, which may not only convince all Mankind of the Impertinency of it, but expose those that are the Authors of it, to be either loathed as ill Men, or ridiculed as silly. For first, supposing that *S*———, *N*———, and *M*———, who are all that can be referred unto in the pretended Objection, did still remain Lords of the College of Justice, by reason of their having formerly been so; yet they are too few to constitute a Session, which they ought to be, before they take upon them to try and approve such as are recommended unto them by the King's Nomination. The *Quorum* of which a Session ought to consist, before it can exercise any legal Authority, should be nine, which I think no Arithmetic will make three to be. Nor will my Lord *Stair*, and his Son Sir *J. Dalrymple*, find that Success in their Attempts against the first and self evident Principles of natural Sciences, and of the Mathematics, that they have had in undermining and subverting the Laws of their Country. Secondly, For any Person named by the King, in order to the being receiv'd as a Lord of the Session, to be examin'd and approv'd by three, tho' granted to be actual and sitting Lords of the College of Justice, is expressly repugnant to an Act of the Session itself, confirm'd by the King's Letter, *Anno* 1674: it being provided by that Act, That when any new Lords of Session shall be presented by his Majesty for Trial of their Qualifications, that they shall be present one Day in the Outer house, where they are to inspect a Process that shall be carried to *Interlocutor*, and from thence make report of all the Points therein contained to the whole Lords of Session; and then, for completing their Trial, shall sit another Day in the Inner-house; and after the bringing the Dispute of some Point of Law to a Period, shall give their Opinion about it, in presence of all those Lords of which that House doth then consist. Now as this Order and Rule is appointed to be observ'd constantly in all time coming, about the Trial of Lords nominated by the King, and to be admitted, and hath been accordingly observ'd and practis'd ever since, till the present Vacancy; so it is evident to all who have not renounc'd common Sense, that the Regulation, Order, and Method of Trial, prescrib'd by the foregoing Act, is altogether impracticable, where the Lords that are to be the Triers and Examinants are but three. But then, thirdly, It is the most absurd thing imaginable to fancy, That because three of the Lords, now nominated by the King, were heretofore Lords of Session, that therefore there hath not been a total Vacancy, upon this late and happy Revolution. I am sure that in the parallel Case, *Anno* 1661, the Parliament, in the Preface unto the Statute by which they admitted those to be Lords of the Session whom the King had then named, call it a new and entire Nomination, which they neither could nor would have done, if they had not judg'd the Vacancy to be total; and yet three of the Lords then nominated by King *Charles* the Second, viz. *M*———, *C*———, and *L*———, had been Lords of Session, and had Site in the College of Justice before that Nomination. Fourthly, If *S*———, *N*———, and *M*———'s having been once Lords of Session be enough to hinder the late Vacation of the Session from being total; then I challenge all the World to tell me, What can either make a single or a total Vacancy; yea, if those Gentlemens Places were not voided after what had befallen them, and the placing others for several Years in their room, I do much question whether their Death can make their Places vacant; and whether they may not be as well said to remain Lords of Session when they are resting in their Graves, as to have continued so in the Seats they were, before his Majesty's late Nomination of them. For as they all had their Commissions during Pleasure, to *S*———'s and *N*———'s were recalled and resum'd by King *Charles*, of whom they had receiv'd them. And I take it for an undoubted Axiom, that he who hath Power and Authority to give, and giveth not during Life, may, by the same Authority, take away at Pleasure what he hath given. And as for *M*———, who had his Commission from King *James*, if his Place be not render'd vacant by his Master's having forfaulted the Crown, nothing will or can render it so. Fifthly, If these Gentlemens having been heretofore Lords of the College of Justice, hindreth the late Vacancy from being accounted total; then his Majesty's nominating them afresh was not only superfluous in itself, but an Injury unto them: For it was the bringing them to hold that by a new Title, which they had a Claim unto, and ought to have been accounted possess'd of, by an ancient Right. Nor are they oblig'd for their Places to his Majesty's Grace and Bounty, but to his Justice. Sixthly, The very Form of the Presentation, by which their Nomination is signify'd, shews, that the Vacancy was taken to be total. For it being the constant Custom, in all single Vacancies, that the Name of the Person succeeded unto, as well as his who is to succeed, be equally express'd in the Presentation; and there being no such Form, but the contrary, observ'd in these Gentlemens Case, it is an Argument that his Majesty took the Vacancy to be total, whatsoever his President, Secretary and Advocate do. Seventhly, In all Cases where the Vacancy is not universal, the Prefectation of those named by the King is directed to the College of Justice, or the ye'rnal Lords of Session; as it is our Laws ordain and provide it should be. But the Presentation of those now nam'd to be receiv'd and advanc'd unto the Administration of Justice, or as Lord of most of them, was directed to the Earl of *Crawford*, [President of the Parliament, there being no Lord Chancellor] who never was a Lord of the Session, nor yet is. Which is an Evidence, that the nobling of the late Vacancy not to have been total was not an Opinion they were led into by Truth, but by Necessity; and that they have only espous'd it to justify what hath been illegally done." [*Present. vind.* p. 38, 39, 40, 41, 42.

A. D. 1689. wanting but the Royal Aſſent, to render it a Law. Nay, when it appear'd that the *Scots* Miniſters were deſperately reſolv'd to maintain the King's Nomination, in Defiance both of the Senſe and the Indignation of Parliament, the Parliament proceeded ſo far, in Vindication of their own Rights, as to forbid the Lords ſo nominated to open their Commiſſions, or hold their Seſſion, till the King's farther Pleaſure was known; which ſo intimidated many of them, that they refus'd to act, till by other Menaces from the Privy Council, they were induc'd to alter their Minds again, and to comply with the ſtrongeſt: And ſo high was the Diſpute carry'd on both Sides, and ſuch a Ferment did it create, that when the Day of ſitting came, it was thought adviſeable to hold all the Forces, which were drawn in unuſual Numbers about *Edinburgh*, in Readineſs, to maintain with the Sword, what could be maintain'd no other way.

Parliament adjourn'd.

It was indeed in the midſt of this Confuſion, that his Grace the Commiſſioner adjourn'd the Houſe to the eighth of *October* following; and ſuch a Flame of Reſentment did that Adjournment, and the ſeveral other Matters before-mention'd, produce, that the Majority drew up the following Remonſtrance, which was preſented to his Majeſty at *Hampton-Court*.

Scotiſh Remonſtrance to the King.

"Nothing ſave the great and general Surpriſe of this long diſtreſs'd, and at preſent unſettled, Kingdom, upon the late Adjournment of your moſt loyal Parliament for ſo long a time, and in ſo critical a Seaſon, with the deep Concern of your Royal Intereſt therein, could poſſibly have induc'd us to this ſo neceſſary a Petition. But the viſible Conſternation and Diſcouragement of thouſands of your good Subjects, delay'd in the Relief and Comfort which at this time they aſſuredly expected, with the Advantages that we apprehend your Majeſty's Enemies, both within and without the Kingdom, may think to reap by ſuch an Interruption, being our only Motives, we cannot, we dare not, be ſilent: And therefore to prevent theſe evil Conſequences, we in the A. D. 1689. firſt Place moſt ſolemnly proteſt and declare, in the Preſence of *God* and Men, our conſtant and inviolable Fidelity and Adherence to your Majeſty's Royal Title, Right and Intereſt, ſo frankly and chearfully recogniz'd by us in this current Parliament, wiſhing and praying for nothing more under the Sun than your long and proſperous Reign, as that wherein the Security of all our Lives and Liberties, as alſo of our Holy Religion, more dear to us than both, is infallibly included. It was the Perſuaſion we had of the Juſtice, as well as the Neceſſity of your Majeſty's heroic Undertaking for the Delivery of theſe Kingdoms, with the Conviction of the divine Confirmation that appear'd in its glorious Succeſs, that mov'd moſt, if not all of us, to endeavour and concur moſt heartily in the late Meeting of Eſtates, for the Advancement and Eſtabliſhment of your Majeſty upon the Throne, when ſome diſcover'd their Diſaffection, and were too open Retarders and Obſtructors of that good Deſign. And it is from the ſame true Affection and Zeal, that we do now moſt heartily make the above-mention'd Proteſtation, to obviate all the Miſconſtructions your Enemies may make in this Juncture.

Nor are we leſs aſſur'd of your Majeſty's moſt ſincere and gracious Intentions, to perform for us to the utmoſt, all that the Eſtates of the Kingdom have either demanded or repreſented as neceſſary and expedient for ſecuring the Proteſtant Religion, reſtoring their Laws and Liberties, and redreſſing of their Grievances, according to your Majeſty's Declaration for this Kingdom. Neither can it be imagin'd, that ſo wiſe and juſt a King as your Majeſty will ever be perſuaded, that ſo loyal a Parliament as this, can be induc'd either to wiſh or deſign any Prejudice to, or Diminution of, your true Intereſt and Prerogative; but ſuch as have ſlaviſhly ſerv'd and flatter'd Arbitrary Power and Tyranny will be always ſtudying, for their own ſiniſter Ends, to ſtate a (*w*) SEPARATE INTEREST betwixt

(*w*) To underſtand the full Force of this Expreſſion, 'tis neceſſary to inſert the following Paſſage:

"But foraſmuch as the preſent Embarraſs of his Majeſty with his Parliament of *Scotland* is wholly caus'd by the Advocate's [*Dalrymple*] abuſing his Majeſty in the Account he hath given him, both of the Rights and Juriſdictions of the Eſtates in Parliament aſſembled, and of the Laws and Cuſtoms of the Kingdom; I ſhall therefore, in order to the diſparaging of him with all the wiſe and loyal Part of Mankind, and the debarring him the King's Ear, and attracting upon him the Royal Indignation, publiſh the Principle upon which he builds all the Advices he communicateth to his Maſter, and with which he ſeeks to poiſon and corrupt his Royal Mind. And this is, "That the King hath a ſeparate Intereſt from his People, which he ought to purſue in diſtinction from theirs:" And this we may be ſure he doth not fail of inſinuating, either immediately unto his Majeſty, or at leaſt to thoſe about him; ſeeing he had the Folly, as well as the Impudence, both to aſſert and to ſeek to juſtify it in open and full Parliament. Now whoſoever gives himſelf the Trouble of examining the Tendency of this Principle will find the natural Conſequences of it to be, That the Prince and People muſt not only live in a conſtant Jealouſy and Dread of one another; but muſt always be embark'd in an inteſtine War. Nor is it to be avoided, unleſs either by the King's arriving at the Height of Tyranny, and the People's ſinking into the Abyſs of Slavery; or by the Subjects graſping the whole Power and Authority, and leaving unto the King an empty Name. Yea, it is a deſtroying of the very End for which Government was ordain'd of *God*, and ſubmitted unto by Men; ſeeing that was nothing elſe, but that the whole Society, comprehending Ruler and Ruled, might have but one common political Intereſt; for the Defence and Security whereof each of them were to have their reſpective Duties allotted unto them: "Nay, the very Prerogative, acknowledg'd to belong unto "the King, is nothing ſave a Power truſted with him, in re- "lation to ſome Caſes that may emerge, by which he may "be the better enabled to preſerve the Safety of the Com- "munity, and to provide for the Benefit of the Public." Nor could Sir *J. Dalrymple* take a more effectual Courſe to ſupplant the King in the Hearts of his People, and to poſſeſs them with a Horror of, and an Alienation from, his Government, than by his proclaiming within the Parliament-Walls, That the King hath a ſeparate Intereſt from that of his People, and, by conſequence, that he is to promote and maintain it, with the Neglect if not the Ruin of theirs: Neither is there any thing more probable, than that the Advocate vented it in Treachery to his Majeſty; whom, out of a Love to the late King, and a Deſire to have him reſtor'd, he ſeeks to undermine and betray. For he hath hereby ſo alarm'd the People in reference to his Majeſty's Government, and fill'd them with thoſe diſmal Apprehenſions of what they are to expect, in caſe the King have a ſeparate Intereſt from theirs, that it will be difficult either to allay their Fears, or to recover them to an entire Truſt in his Majeſty's Juſtice and Goodneſs, without removing that Man both from about his Majeſty's Perſon, and out of his Councils, who hath given them that frightful Idea of his enſuing Reign." [*Preſent. and. p.* 12, 13, 14.

A. D. 1689. betwixt King and People; a Practice which we are confident your Majesty abhors.

But that we may clear ourselves upon this present Occasion to your Majesty's full Satisfaction, and the refuting of all Misrepresentations we can incur on any hand, we shall briefly rehearse to your Majesty the Votes pass'd in this present Parliament, to which the Royal Assent is not given, with such short Reflections, as we hope may tend to the better Vindication of all concern'd.

The first Act upon which the Vote of Parliament has pass'd, is that, declaring the Privileges of the Estates of Parliament to nominate and appoint Committees, as they shall think fit; and excluding therefrom the Officers of State, unless they be chosen: And, omitting what the Parliament hath already represented to your Majesty as Reasons of their Vote, it is humbly conceiv'd, that this Act is exactly fram'd to the Extent of that Grievance, which, together with the rest, is desir'd, in the Instrument of Government, to be redress'd unto us in Parliament.

The second was an Act abrogating the Act of Parliament 1669, asserting the King's Supremacy over all Persons, and in all Causes ecclesiastical; and this Act is so exactly conform to the second Article of the abovemention'd Grievances; and the foresaid Act of Supremacy in itself is so dangerous to the Protestant Religion, as well as inconsistent with the Establishment of any Church-Government, that we doubt not your Majesty will ever approve all that voted to it.

The third is an Act anent Persons not to be employ'd in public Trusts: And all the Ruins and Distresses of this Kingdom, have so certainly flow'd from the Persons therein noted, especially such as, by their contriving of, and concurring in, the dispensing Power, have thereby imminently endanger'd our Religion, and overturn'd all the Fences of our Liberties and Properties; which we have good Ground to believe the Parliament would have extended but to few Persons: And your Majesty in your Declaration hath so justly charg'd the same upon evil and wicked Counsellors (the only Persons pointed at in this Act) that we are persuaded that you will find it absolutely necessary for attaining all the Ends of your Majesty's glorious Undertaking for our Relief.

The fourth is an Act concerning the Nomination of the ordinary Lords of Session, and the Election of the President, *to wit*, that in a total Vacation they be try'd, and admitted or rejected by Parliament, and in a particular Vacation they be try'd and admitted, or rejected, by the other Lords; and that the President be chosen by the Lords themselves, conform to our old practice and express Statute: And this Act is so agreeable to practic Laws and Acts of Parliament, and so necessary for the true and equal Administration of Justice (the great Security of all Kingdoms) that your Majesty will unquestionably approve it.

The fifth and last is, an Act ordaining the Presbyterian Ministers yet alive, who were thrust out since the first of *January*, 1661, for not conforming to Prelacy, and not complying with the *Courses of the Time*, to be restor'd. And this Act is in itself so just and so consequential from the Claim of Right, and agreeable to your Majesty's Declaration, that less in common Equity could not be done. And here your Majesty may be pleas'd to consider, That though Prelacy be now by Law abolish'd, yet these few Ministers, not exceeding Sixty (tho' restor'd, as they are not, for want of the Royal Assent to the foresaid Act) would be all the Presbyterian Ministers, legally establish'd and provided for in *Scotland*. A. D. 1689.

It is not unknown to your Majesty what have been the sad Confusions and Disorders of this distress'd Country under Prelacy, and for want of its ancient Presbyterian Government; and now the whole *West*, and many other Parts of *Scotland*, are at present desolate and destitute, having only Ministers called by the People upon the late Liberty, without any Benefice or Living, or convenient Place to preach in. It is also certain, that there are many hundreds of forefaulted or fined Persons who are yet waiting to be restor'd and refounded, according to the Claim of Right, and your Majesty's gracious Instructions thereanent.

It is true, the last thing propos'd by your Majesty's Commissioner in Parliament was, a Supply of Money for Maintenance of the Forces so necessary for our present Defence; and we should have proven ourselves ungrateful to your Majesty, and false to our own Interest and Security, if we had absolutely refus'd it: But there being a sufficient and certain Fund to maintain *all the Forces*, and support all other incident Charges of the Government for some Months; all that we demanded was, that some things visibly necessary for the Satisfaction of the Country, and the better enabling and disposing them to pay the said Supply, might be first expeded. We are confident that the Vote of Parliament, which was only for a short Delay, will not give your Majesty the least Ground of Offence.

And now having presum'd to lay these things before your Majesty with all humble Submission, purely out of Duty, for preventing the evil Constructions of your Majesty's Enemies, and for our own just Vindication, we most humbly beseech your sacred Majesty graciously to consider what is here represented; and in *Prosecution* of your Majesty's *Acceptance* of the Claim of Right, and your Declaration emitted for this Kingdom, to take such Courses as you in your Royal Wisdom shall think it, for passing the foresaid Acts of Parliament, and redressing all our other Grievances: And we, your Majesty's most humble Petitioners and faithful Subjects, shall, as in Duty bound, ever pray for your long and prosperous Reign over us."

Thus *even the Presbyterians*, who had unquestionably set the Crown on the King's Head, could not help upbraiding him in effect, with Breach of Faith, in not fulfilling the Conditions on which it was bestow'd: And so touch'd was his Majesty with their Reproaches,

A. D. 1689. Reproaches, however artfully couch'd under Expreſſions of Zeal, Affection, and Veneration, that he caus'd his Inſtructions to his Commiſſioner to be publiſh'd, by which it appear'd, that his Grace might have gone farther in obliging them than he did, tho' not ſo far as they demanded.

Scotiſh Church left without Government.

To cloſe on this Topic, tho' Epiſcopacy was aboliſh'd, Preſbytery was not eſtabliſh'd in form; and the Church of *Scotland* was in this Interval left without any Government at all, or at leaſt no other than was dictated occaſionally by the Privy-Council, in virtue of that very Act of *Supremacy*, which, in Conformity to the Claim of Rights, ought to have been repeal'd: And of what kind that occaſional Government was, may be gather'd from a Proclamation, bearing Date *Auguſt* the ſixth, by which the Lieges are ſtrictly charg'd and commanded not to offer any Violence or Injury to any of the Miniſters of the Goſpel, preaching in Churches or Meeting-Houſes, or preſume, without legal Sentence, to meddle in that Matter; all ſuch Miniſters as were in Poſſeſſion of the Miniſtry upon the 13th Day of *April*, are allow'd to continue there undiſturb'd; and all ſuch as had been remov'd, diſpoſſeſs'd, or reſtrain'd *without legal Sentence*, ſince the 30th of the ſaid Month, are alſo allow'd to return and reſume the Exerciſe of their Function: Only ſuch Miniſters who had not read the (*x*) Proclamation in relation to the new Government, or pray'd for King *William* and Queen *Mary*, according to the Tenour thereof, might be cited before the Privy Council, in order to their being depriv'd of their Benefices according to Law.

The Caſtle of Edinburgh ſurrender'd by the Duke of Gordon.

During this Interval, the Blockade of *Edinburgh* Caſtle was converted into a regular Siege, under the Command of Sir *John Lanier*, who having advanc'd his Works cloſe to the Ditch, and beginning to make his Diſpoſitions for a Storm, the Duke of *Gordon* beat a Parley; and ſeeing no Probability of being deliver'd either by King *James*, or his Champion, *Dundee*, finally ſurrender'd the Place on the 13th of *June*, on very favourable Conditions for the Garriſon, and thoſe who had correſponded with them, (ſuch as providing for the Security of their Lives, Liberties, and Fortunes) but without making any for himſelf, as appears by the Preamble to the ſaid Conditions, which runs in theſe Terms: "The Duke of *Gordon* hath A. D. 1689. ſo much Reſpect for all the Princes of King *James* the Sixth's Line, as not to make Conditions with any of them for his own particular Intereſt, ſo he renders himſelf entirely to King *William*'s Diſcretion." And which has led Biſhop *Kennet*, Mr. *Tindal*, and others into a ſtrange Miſtake; for they are pleas'd to ſay, "That the Duke ſurrender'd himſelf and his whole Garriſon to King *William*'s DISCRETION, upon CONDITION that their Lives ſhould be ſecur'd;" whereas, the Surrender at Diſcretion, as we have ſeen, was of his own Perſon (*y*), and the Conditions of Capitulation regarded his Garriſon.

This was a ſtunning Blow to King *James*'s Friends, and reduc'd them to a Neceſſity of placing all their Hopes on *Dundee*; who, under pretence of defending himſelf, had retir'd to the Highlands, and ſummon'd the Clans to join him; which they ſent him Aſſurances of doing: Finding, however, by two Expreſſes which fell into his Hands, that *Mackay* had ſent Orders to Colonel *Ramſay* to way-lay him behind, while he attack'd him in front, he made a forc'd March, with about two thouſand *Highlanders* and a few Horſe, to ſurprize the Colonel firſt, who made a ſhift to get out of his way, and then went in ſearch of *Mackay*; to which he was not a little encourag'd, by a Meſſage which he had receiv'd from the Regiment of *Scots* Dragoons under that General's Command, ſignifying their Readineſs to revolt, and declare for King *James*. *Mackay*, in the mean time having receiv'd Intelligence of their Treachery, decamp'd immediately, to prevent the Effects of it, and by long and ſwift Marches avoided any Rencounter, till he was reinforc'd by *Ramſay*'s Dragoons, and another Regiment of *Engliſh* Foot: He then fac'd about once more, and *Dundee* retiring into *Lochabar*, where it was then impoſſible to force him to an Engagement, he found it expedient for the preſent to give over the Purſuit, and to refreſh his Men, who were almoſt ſpent with the Fatigues they had undergone, without the leaſt Interval of Repoſe.

Dundee's Exploits.

[Belcarres.]

Lord *Murray*, Son of the Marquis of *Athole*, about this time repair'd to the Highlands, with a Commiſſion from the Regency, to raiſe his Vaſſals in the Defence of the Government; and, without communicating either

(*x*) Concerning which, Biſhop *Burnet* writes as follows: "The Convention, when they paſs'd the Vote, declaring the King and Queen, order'd a Proclamation to be read the next *Sunday*, in all the Churches of *Edinburgh*; and in all the other Churches of the Kingdom, by a certain preſix'd Day; but which was ſo near at hand, that it was leaſt poſſible to lay Proclamations, all round the Nation, within the time; and it was abſolutely impoſſible for the Clergy to meet together, and come to any Reſolution among themſelves: For the moſt part, the Proclamations were not brought to the Miniſters till the Morning of the *Sunday* in which they were order'd to be read; ſo, this having the Face of a great Change of Principles, many could not on the ſudden reſolve to ſubmit to it: Some had not the Proclamations brought to them till the Day was paſt: Many of thoſe read it the *Sunday* following. Some of thoſe, who did not think fit to read the Proclamation, yet obey'd it; and continued, after that, to pray for the King and Queen. Complaints were brought to the Council of all thoſe who had not read nor obey'd the Proclamation; and they were, in a ſummary Way, depriv'd of their Benefices. In the executing this, Lord *Crawford* [who preſided at the Council-board, as well as in the Parliament] ſhew'd much Eagerneſs and Violence. Thoſe who did not read the Proclamation, on the Day appointed, had no Favour, tho' they did it afterwards: And upon any Word that fell from them, either in their extemporary Prayers or Sermons, that ſhew'd Diſaffection to the Government, they were alſo depriv'd. All theſe things were publiſh'd up and down *England*, and much aggravated; and rais'd the Averſion that the Friends of the Church had to the Preſbyterians, ſo high, that they began to repent their having granted a Toleration to a Party, that, where They prevail'd, ſhew'd ſo much Fury againſt thoſe of the Epiſcopal Perſuaſion. So that ſuch of us as had labour'd to excuſe the Change that the King was forc'd to conſent to, and had promis'd in his Name great Moderation towards our Friends in that Kingdom, were much out of Countenance, when we ſaw the Violence with which Matters were carry'd there." [*Fol.* ii. *p.* 29, 30.

(*y*) His Grace was actually put under Confinement, for Form's ſake; but ſoon obtain'd his Liberty.

A. D. 1689. ther his Authority or his Purpoſe, did accordingly raiſe about twelve hundred Men: But, before he could make any uſe of them, a Gentleman, who had always been a Dependant on his Family, and who was deep in his Confidence, betray'd his Intentions to *Dundee*, ſeiz'd the Caſtle of *Blair*, which belong'd to the *Athole* Family, and, when requir'd by his Patron to deliver it up, reply'd, *That he kept it, by the General's Orders, for the King's Service.* Upon this, *Murray*, who was not ſtrong enough to reduce it, ſent to *Mackay* for Aſſiſtance; and, while that General was collecting his Forces to join him, *Dundee* not only did the ſame by his Clans, but invited *Murray* himſelf to aſſociate with him in the ſame Cauſe, and ſhare with him in the Glory; repreſenting how eaſy it would be for them, in conjunction, to reduce all King *James*'s Enemies in *Scotland*, and what Ignominy he would be liable to, in caſe he let ſlip ſo tempting an Opportunity. But, tho' *Murray* was not to be mov'd, his Men were: They ſaid, if he would join *Dundee*, they would follow him; if not, they would leave him: And when the Laſt appear'd to be his Reſolution, they fill'd their Bonnets with Water, drank King *James*'s Health, and ſeparated immediately.

About this time arriv'd the long-expected Supply from *Ireland*: But, inſtead of five hundred Foot and three hundred Horſe, with Ammunition and Proviſion of all Sorts, as had been promis'd by King *James* and his Secretary *Melfort*, they prov'd to be but three hundred new-rais'd Foot, in want of all things; which mortify'd *Dundee* as much as it diſmay'd his Friends, who had not taſted Bread, Salt, or any Drink but Water, for ſeveral Weeks: And, what almoſt broke their Hearts, the Tranſports, which had a Quantity of Proviſions on board for their Relief, fell into the Hands of the *Engliſh*. But, notwithſtanding all theſe Diſcouragements, *Dundee* reſolv'd to proceed with his Undertaking; and, for his firſt Exploit, to ſuccour the Caſtle of *Blair*, which was a Matter of the firſt Importance; for if that was once reduc'd, all Communication with any Part of the *Highlands* would be cut off, and it would be utterly impoſſible to derive any farther Advantage from the *Athole* Men, in whom he had plac'd his chief Dependence. Accordingly, he march'd with his little Army towards *Athole*; and when he came to the Caſtle, held a Council of War on the Intelligence which he had receiv'd, that *Mackay* was entering by a narrow Paſs into the County of *Killikrankie*. Many of the Clans were of Opinion that they ought to diſpute that Paſs, which would afford time for the reſt of their Friends to come up: But *Dundee* was for giving him Admittance, that they might have an Opportunity of coming to a deciſive Action before the *Engliſh* Dragoons were come up (which Lord *Belcarres* obſerves is the only Enemy that the *Highlanders* are afraid of) *Mackay* having at that time, as he thought, but two Troops with him: His Opinion prevail'd; an Engagement follow'd; and the Account given of it in the *London Gazette* is to this Effect: That *Mackay* coming to *St. Johnſtown*, and underſtanding that a Party of the Enemy had juſt carry'd off certain Stores of Meal, which had been depoſited there for the Uſe of his Majeſty's Forces, and were conveying it to their main Body, which lay about ſeven Miles from thence, went in Purſuit of them, overtook them in a Plain, not far from *St. Johnſtown*, and having routed the Horſe which cover'd their Rear, fell upon their Foot, which were all kill'd or taken Priſoners; and among the Former *Dundee* himſelf. Thus the Tale was told in *England*; but nothing is more unlike the Truth, if any Credit is due to the Account given by Lord *Belcarres*; for, according to that, it was not a meer Skirmiſh between two Parties, but a regular Engagement with the whole Force of each, and under the beſt Diſpoſition that their reſpective Generals had Skill to make. The *Highlanders* receiv'd the Fire of the *Engliſh*, and having given one Diſcharge, fell in with their Swords and Targets, which threw the Latter into ſuch a Conſternation, that they ſcarce made any Reſiſtance. The *Engliſh* Horſe ran without firing a Shot: The Earl of *Dumbarton*, with about ſixteen other Gentlemen-Volunteers, ſeiz'd their Cannon: The *Scots* Horſe, in all about one Hundred, broke through *Mackay*'s own Regiment. Two thouſand were kill'd on the Spot: Five hundred were taken Priſoners. Never was a more entire Victory gain'd: And if the *Highlanders* had not been ſo greedy of the Spoil, that they neglected the Purſuit, *Mackay* himſelf, with the few that accompany'd him in his Flight, had not been able to make their Eſcape.---- Poſſibly, all theſe Circumſtances are exaggerated; but all Authors agree, that *Dundee* had the Advantage, and that if he had ſurviv'd the Day, far greater things might have been expected from him; for, according to the Character given of him, by his Friend, he was the only Man in *Scotland* who was equal to ſuch an Undertaking, being perfectly well acquainted with the Tempers of thoſe he was to manage, and Maſter of his own, provident by Nature, liberal thro' Policy, obliging in his Manner to thoſe whom it was his Intereſt to oblige; with ſuch a happy Mixture of occaſional Rigour, as ſerv'd to give Authority to his Commands: He was, indeed, ſo entirely the Life and Soul of his Party, that their very Hopes dy'd with him, and his Death was never ſpoke of, but as the Death of the Cauſe. One Colonel *Cannon*, who came over with King *James*'s *Iriſh* Troops, ſucceeded to the chief Command, but was either ſo unequal to it, or ſo unfortunate in it, that all his Deſigns miſcarry'd; and in Deſpair of better Fortune, or farther Help, the Clans, by Degrees, took hold of King *William*'s Proclamation of Pardon, and laid down their Arms.

A. D. 1689. [Nam. 2478.]

[Belcarres.]

The Action at Killikrankie.

And now there remains no more to be ſaid of the Affairs of *Scotland* for the preſent, than is to be taken from one remarkable Paſſage to the following Effect, namely, That the next Day after the Action of Killikrankie,

A. D. 1689. *likrankie*, an Officer of King *James's*, riding by the Place where Lord *Dundee* fell, saw lying there a Bundle of Papers and Commissions, which those who stript his Body had left unregarded, as things of no Value: These he took up, and finding them all to be of Moment, communicated them to several of his Friends. Among them was a Letter from Lord *Melfort* to Lord *Dundee*, which accompany'd a Declaration of King *James's*, containing not only an Offer of Indemnity to all such as return'd to their Duty, but of Toleration to all Persuasions. Now this Declaration, the first of these Lords had advis'd and prepar'd, purposely to bridle the Rage of the Last against the Fanatics: And the Letter, we are told, was calculated to sweeten that bitter Pill to him, for it imported, "That notwithstanding the seeming Promises of Indulgence and Indemnity in the Declaration, he had so worded them, that King *James* might break thro' them when he pleas'd: And that his Majesty did not think himself oblig'd to stand to them." It is fit to point out to Posterity, that this Passage is taken from the Account of *Scotish* Affairs which Ld. *Belcarres* himself thought fit to lay before that unfortunate Prince; and that his Lordship observes upon it, That it not only dissatisfy'd *Dundee*, but many of his Majesty's Friends, who thought a more ingenuous way of Dealing would have been more agreeable to his Honour and his Interest: That it did no small Prejudice to his Affairs: And that it would have done more, if it had not been carefully suppress'd.

Affairs of Ireland.

From the Divisions and Troubles of *Scotland*, we must now return to those of *Ireland*. We left the *Irish* Army under the Walls of *Derry*, and King *James* on his Return to *Dublin*, to meet the Parliament, which was to be held there, according to his Proclamation, of *May* the seventh, and which had been return'd in a manner agreeable to the Turbulence of the Times: For, together with the Writs, we are told, either Lord *Tyrconnel*, or the titular Bishop of *Clogher*, his Secretary, issu'd circular Letters, not only nominating the Person or Persons to be chosen, but willing and commanding, that they should be chosen: The Sheriffs, Mayors, and other returning Officers, who were all his Creatures, on the Receipt of these Mandates, assembled such of the Freeholders of a County, or Citizens, or Burgesses of a Corporation, as they knew were of the same Stamp, open'd their Instructions, and requir'd Obedience, which was given without the least Opposition or Demur; for either the Protestants durst not appear, or the Affair was over before they had any Notice of its being begun. And thus it may be said, That never any national Election was carry'd with such Unanimity as this. We are farther told, that by these Means almost the whole House of Commons consisted of the most bigotted Papists, and such as were most deeply interested to destroy the Protestant Religion and extirpate its Professors: That many of them were the Sons and Descendants of the forfeiting Persons in 1641, who had no Freeholds or Estates in the King-

Management of the general Election there.

[King's *State*, p. 151.]

dom: That no less than twenty-nine Boroughs and Counties had no Representatives at all; either because they were in the Enemies Hands, or because the Protestants refused to stand, and the Papists were too few or too remote, to make sure of the Election: That there were but six Protestants among them all, of whom two were for the University of *Dublin*: And that even the House of Lords was under such Disabilities as render'd it wholly uncapable to hold the Balance of the Constitution; for of sixty-nine temporal Protestant Peers, not above four or five gave their Attendance; and of twenty two spiritual, only four: While, on the other hand, King *James*, by removing Outlawries, reversing Attainders, and creating five new Peers, had upwards of forty Papists at his Devotion. And to this Parliament, thus constituted, did his Majesty, on the first Day of the Session, make the following plausible Speech:

A. D. 1689.

State of the House of Lords.

"*My Lords and Gentlemen,*

The exemplary Loyalty which this Nation expressed to me at a time, when others of my Subjects so undutifully misbehav'd themselves to me, or so basely betrayed me; and your seconding my Deputy, as you did, in his bold and resolute asserting my Right, in preserving this Kingdom for me, and putting it in a Posture of Defence, made me resolute to come to you, and to venture my Life with you in Defence of your Liberties, and my own Right; and to my great Satisfaction I have not only found you ready to serve me, but that your *Courage* hath equalled your Zeal.

King James's Speech.

I have always been for Liberty of Conscience, and against invading any Man's Right or Liberty; having still in Mind that Saying of Holy Writ, *Do as you would be done to, for this is the Law and the Prophets.*

It was this Liberty of Conscience I gave, which my Enemies both at home and abroad dreaded to have establish'd by Law in all my Dominions, and made them set themselves up against me, tho' for different Reasons; seeing, that if I had once settled it, my People, in the Opinion of the one, would have been too happy, and in the Opinion of the other, too great.

This Argument was made use of to persuade their own People to join with them, and so many of my Subjects to use me as they have done: But nothing shall ever persuade me to change my Mind as to that; and wheresoever I am the Master, I design, *God* willing, to establish it by Law, and have no other Test or Distinction but that of Loyalty. I expect your Concurrence in so Christian a Work, and in making Laws against Prophaneness, and against all sorts of Debauchery.

I shall most readily consent to the making such good wholesome Laws, as may be for the Good of the Nation, the Improvement of Trade, and relieving such as have been injur'd by the late Acts of Settlement, as far forth as may be consistent with Reason, Justice, and the public good of my People.

A. D. 1689. And as I shall do my Part to make you happy and rich, I make no doubt of your Assistance, by enabling me to oppose the unjust Designs of my Enemies, and to make this Nation flourish.

And to encourage you the more to it, you know with how great Generosity and Kindness the *most Christian* King gave sure Retreat to the Queen, my Son, and myself, when we were forc'd out of *England*, and came to seek for Protection and Safety in his Kingdoms; how he embrac'd my Interest, and gave me such Supplies of all sorts, as enabled me to come to you, which without his obliging Assistance, I could not have done. This he did at a time when he had so many and considerable Enemies to deal with, and you see still continues so to do.

I shall conclude as I have begun, and assure you, I am as sensible as you can desire of the signal Loyalty you have express'd to me, and shall make it my chief Study, as it has always been, to make you and all my Subjects happy."

The [illegible] Sir *Richard Neagle*, the King's Attorney, had been chosen Speaker of the House of Commons; and no sooner was the King withdrawn, than he prompted, or rather enjoin'd them to prepare two Addresses; namely, one to his Majesty, signifying how highly they were oblig'd both to him and his Substitute *Tyrconnel*, for that *glorious Meeting*; and one of Acknowledgments to the *most Christian* King, for his Generosity in receiving and succouring their Sovereign. Both were prepar'd and approv'd accordingly: And to shew the Excess of their Loyalty, the first Business they proceeded upon, was a Bill which contain'd a Recognition of his Majesty's Title, and an Abhorrence of the Prince of *Orange*'s Usurpations, and the Defection of the *English*; to keep Pace with which, King *James*, the next Day, set forth the ensuing Declaration:

"JAMES R.

King James's Declaration. Although the many Calumnies and dismal Stories, by which our Enemies have endeavour'd to render us and our Government odious to the World, do now appear to have been advanced by them, not only without any Ground, but against their own certain Knowledge; as is evident by their not daring to attempt the *proving these Charges* to the World, which we cannot but hope hath open'd the Eyes of our good Subjects, to see how they have been impos'd upon by designing Men; who, to promote their own ambitious Ends, care not what Slavery they reduce our Kingdoms to: Yet we cannot but rejoice that we have had an Opportunity to demonstrate the Falseness and Malice of their Pretences, since our Arrival in this Kingdom of *Ireland*, by making it our chief Concern to satisfy the Minds of our Protestant Subjects, the Defence of their Religion, Privileges and Properties, is equally our Care, with the Recovery of our Rights. To this End, we have preferr'd such of them, of whose Loyalty and Affection we are satisfy'd, to Places both of the highest Honour and Trust about our Person, as well as in our Army. We have, by granting our *Royal Protection* to such whose Minds are shaken by the Arts of our Rebellious Subjects, dispell'd their Apprehensions, and effectually secur'd them against the Attempts of their private Enemies. Our Ear hath been always open to their just Complaints; and so far hath our Royal Mercy been extended to those who were in Arms against us, that we have actually pardon'd several hundreds of them; and most notorious Criminals are kept in an easy Confinement, as they themselves acknowledge. A. D. 1689.

We have taken care that our Subjects of the Church of *England* be not disturb'd in the Exercise of their Religion, *the Possession of their Benefices and other Properties*; and all Protestant Dissenters enjoy the Liberty of their Consciences, without any Molestation: And out of our Royal Care for the Prosperity of our People, we have recommended to our Parliament, as the first thing necessary to be dispatch'd, to settle such a Security and Liberty, both in spiritual and temporal Matters, as may put an End to these Divisions, which have been the Source of all our Miseries; being resolv'd, as much as in us lies, to entail Liberty and Happiness upon our People, so far as to put it out of the Power of our Successors to invade the one, or infringe the other. And this, we take *God* to witness, was always our Design; of which we see our good Subjects here are more and more convinc'd, by the great Numbers of those who, having been seduc'd or frighten'd by the restless Importunities of our Enemies, are return'd to their Country and Habitations, and who assure us daily, more would follow, if the Ports were open: But the *Usurpers* know too well the Sincerity of our Intentions, to permit a free Passage of our said Subjects, fearing nothing more than that their Experience should undeceive the rest, who are restrained more through Ignorance than any ill Intention; and therefore deny them that Liberty which we afford to all, whose Designs, we are satisfy'd, tend not to the Disturbance of the Peace.

By this our Gracious and Royal Care of our Protestant Subjects here (where the greatest Part of our Nation is Catholic) and have, as well as we, receiv'd the *highest Provocation* from their Fellow-Subjects of contrary Persuasions; so that nothing but our own Inclination to Justice, and Desire to see our People flourish, could move us to such a Proceeding; we hope our Subjects in *England* will make a Judgment of what they expected from us: And we do hereby promise and declare, That nothing shall ever alter our Resolutions, to pursue such and no other Methods, as by our said Subjects in Parliament should be found proper for our common Security, Peace and Happiness. And that none may be debarr'd of assisting us in recovering our Rights, and redeeming our People from their present Slavery, out of any Apprehension from past Miscarriages, we do hereby assure all our Subjects, of what Quality soever, let their Crimes

A. D. 1689. againſt us be never ſo great, that, if, in twenty Days after our appearing in Perſon in our Kingdom of *England*, they return to their Obedience, by deſerting our Enemies, and joyning with us, we will grant them our full Pardon, and all paſt Miſcarriages ſhall be forgot; ſo little do we delight in the Blood or Ruin of our People. But if after this our gracious Condeſcention, they ſhall ſtill continue to aſſiſt our Enemies and Rebels, we do, before *God*, charge all the Blood which ſhall be afterwards ſhed, upon them and their Adherents. And, we doubt not, by the Bleſſing of *God* upon our Arms, to force the moſt obſtinate to their Duty; tho, as we have made appear in reducing our rebellious Subjects in this Kingdom, we deſire to uſe no other Methods than Lenity and Mercy.

Given at our Court in Dublin *Caſtle, the* 18*th of* May, 1689, *in the fifth Year of our Reign.*

God ſave the King."

What Degree of Sincerity there was in theſe Profeſſions, or at leaſt how little it was in his Power to make them good, will preſently be made appear: The Aſcendancy of Mr. *d'Avaux* in his Councils has been already mention'd; and, next to the Attention which he was forc'd to pay to his Maſter's immediate Intereſt, his chief Concern was to ruin that of the Proteſtants. By the Act of Settlement, which *the King had repreſented as injurious to his Subjects, all the Lands forfeited in the Rebellion*, after a five Years Examination of the Claims of all Sides, were ſolemnly veſted in ſuch of the then Poſſeſſors, whoſe Titles were allow'd; and even King *James* himſelf had, over and over again, promis'd to maintain it: But thoſe who had the Poſſeſſion were Proteſtants, and thoſe who were outed were Papiſts: Theſe were to a Man zealous Loyaliſts, as having no other Hope but in the King; and if Thoſe were the ſame, they lay under a Suſpicion of being otherwiſe: What was juſt, therefore, was to give way to what was expedient; and, by one great and ſudden Transfer of Property, the Lords were to be made Beggars, and the Beggars Lords. Of this Advice, Mr. *d'Avaux* was ſaid to be the Author; and poſſibly it was not more owing to his Animoſity to the Proteſtant-Cauſe, than a political View of cultivating the Affections of the *Iriſh*, and of inducing them to place their chief Dependance on *France*. On the third Day of the Seſſion, a Bill to repeal this momentous Act, and the Act explanatory thereof, was brought in by Lord Chief-Juſtice *Nugent*, ſay ſome; by Sir *Ulrick Bourke*, ſay (*x*) others; and was receiv'd, according to the Latter, with a Huzza; which, if true, more reſembled the Behaviour of a Crew of Rapparees over a rich Booty, than that of a Senate aſſembled to rectify Abuſes, and reſtore the Rights of their Fellow-ſubjects: It is added,

Bill to repeal the Act of Settlement.

A. D. 1689. That, in order to prevent all Oppoſition to the Repeal, a Motion was made, that whoever ſhould take any Step of that Kind ſhould be voted an Enemy to his King and Country; and that, when this Motion miſcarry'd, as being abhorrent to the very Nature of Parliaments, it was alſo mov'd by another zealous Member, That the Act of Settlement might be burnt by the common Hangman. All, however, were, in the main, of one Mind: The Bill was hurry'd through all the Forms of the Houſe, with all the Expedition imaginable, and ſent up to the Lords: But with them it ſtuck for ſome time; for even the few Proteſtants among them ſaw, it was of the higheſt Importance to withſtand it to the utmoſt of their Power, and to expoſe it to the utmoſt of their Abilities. At the Head of theſe few ſtood forth Dr. *Dopping*, Biſhop of *Meath*, who in an excellent Speech, ſtill extant in the Appendix to Dr. *King's State*, undertook to ſhew, That the Bill was unjuſt in its very Nature; that it was neither for the Honour of the King, nor his Intereſt; that it was injurious to the public Good, and deſtructive of the public Faith; and that even in point of Time it was improper; ſince it was fit to get an entire Poſſeſſion of the promis'd Land, before they proceeded to divide it. In the Courſe of this Speech, he alſo took into Conſideration the Clauſe which was to enable the King, to gratify meriting Perſons, and to order the Commiſſioners to ſet forth Repriſals, and likewiſe to appoint and aſcertain where and what Lands ſhould be ſet out to them; and demonſtrated, that tho' ſuch a thing as a Repriſal or Equivalent was mention'd in the Bill, the Reality was wanting; and that, in particular, no Penalty was inflicted on ſuch as ſhould enter on the Lands they claim'd without an Injunction; that no Conſideration was allow'd for Improvements; that no Saving was made for Remainders; that no Time was given to Tenants or Poſſeſſors to remove their Stock; that no Proviſion was made for Proteſtant-Widows; and that the only Equivalent allow'd was for original Purchaſe-Money, which it was hard to make out, and which it might be preſum'd would not reimburſe the ſecond or third Purchaſers. But however convincing theſe Arguments were, they converted no body; the Fate of the Bill was predetermin'd, and had its Courſe accordingly; nor could thoſe concern'd obtain Leave to be heard at the Lords Bar, in conformity to their humble Prayer, or any other Conſideration of any kind, tho' ever ſo conſonant to Reaſon and Equity. There remain'd, therefore, no more to be done, than for the Perſons concern'd to ſtate their Caſe, and to ſollicit that Juſtice and Mercy from King *James's* Perſon, which his two Houſes, ſuch as they were, had deny'd. They did ſo: Judge *Keating* drew up their (†) Remonſtrance; in which he gave a ſhort

A. D. 1689.

Oppos'd in the House of Lords by the few Proteſtants who ſat there.

in vain.

(*x*) See a ſingle Half Sheet, call'd, *A Journal of the Proceedings of the pretended Parliament in* Dublin, *from the 7th to the 20th of* May, licens'd *May* 21, 1689.

(†) Which, for the ſake of underſtanding the whole of this extraordinary and unprecedented Caſe, is here annex'd, viz.

"This humble Repreſentation made unto your Sacred Majeſty is in the Behalf of many thouſands of your Majeſty's dutiful

A. D. 1689. short Sketch of the Origin of the Act of Settlement, appeal'd to the King's own Promises to maintain it, and beſought his Majeſty to ſuffer the Matter to be argued by Council A. D. 1689.

dutiful and obedient Subjects of all Degrees, Sexes, and Ages. The Deſign and Intention of it, is to prevent the Ruin and Deſolation, which a Bill now under Conſideration, in order to be made a Law, will bring upon them and their Families, in caſe your Majeſty doth not interpoſe; and by your Moderation and Juſtice protect them ſo far as the known Laws of the Kingdom, and Equity and good Conſcience will warrant and require.

It is in the Behalf of Purchaſers, who for great and valuable Conſiderations, have acquir'd Lands and Tenements in this Kingdom, by laying out not only their Fortunes and Proviſions made for them by their Parents, but alſo the whole Product of all their own Induſtry, and the Labour of their Youth; together with what could be ſaved by a frugal Management, in order to make ſome certain Proviſion for old Age and their Families, in purchaſing Lands and Tenements under the Security of divers Acts of Parliament, and public Declarations from the late King: And all theſe accompanied with a Poſſeſſion of twenty-five Years.

Divine Providence hath appointed us our Dwelling in an Iſland; and conſequently, we muſt trade or live in Penury, and at the Mercy of our Neighbours. This neceſſitates a Tranſmutation of Poſſeſſions, by Purchaſe from one hand to another, of mortgaging and pledging Lands for great and conſiderable Sums of Money, by charging them with Judgments; and indeed, gives Name to one of the greateſt Securities made uſe of in this Kingdom, Statutes Merchant, and of the Staple; and very many, eſpecially Widows and Orphans, have their whole Eſtates and Portions ſecured by Mortgages, Bonds of the Staple, and Judgments.

Where or when ſhall a Man purchaſe in this Kingdom; and what Title, or on what Security ſhall he lay out his Money, or ſecure the Portions he deſigns for his Children, if he may not do it under divers Acts of Parliament, the ſolemn and reiterated Declarations of his Prince, and a quiet and uncontroverted Poſſeſſion of twenty Years together? And this is the Caſe of thouſands of Families who are Purchaſers under the Acts of Settlement and Explanation.

It were a hard Taſk to juſtify thoſe Acts in every Particular contain'd in them; I will not undertake it; but if it be conſider'd, that from *October* 23, 1641, until *May* 29, 1660, the time of his Majeſty's Reſtoration, the Kingdom was upon the Matter in one continued Storm: That the Alterations of Poſſeſſions were ſo univerſal, and Properties ſo blended and mix'd by Allotments and Diſpoſitions made by the then uſurping Powers, it may be well concluded, that they muſt be ſomewhat more than Men, that could, or can, frame a Law to take in every particular Caſe, tho' it ſhould have ſwoln to many Volumes; and Laws, which are to be of ſuch univerſal Conſequence as this was, are to have a regard to the Generality of a Kingdom or People, tho', poſſibly, ſome particular Perſon may have ſome Hardſhip in his private Concern.

But if we may judge by general Laws, by the Produce and Effect of them, and at the ſame time have a Proſpect to the Eſtate and Condition of this Kingdom from 1640, and as far backwards as you pleaſe, until the time of his late Majeſty's happy Reſtoration; and at the ſame time take into Conſideration what the Kingdom became in a few Years after the Commiſſion for the Execution of thoſe Acts were at an end; the Buildings and other Improvements; the Trade and Commerce; the vaſt Heads of Cattle and Flocks of Sheep, equal to thoſe of *England*; together with great Sums of Money brought over by our Fellow-Subjects of *England*, who came to purchaſe and plant in this Kingdom, the Manufactures ſet on foot in divers Parts, whereby the meaneſt Inhabitants were at once inrich'd and civiliz'd, it would hardly be believ'd it were the ſame Spot of Earth: Nay, overflown and mooriſh Grounds were reduc'd, to the bettering of the Soil and Air. The Purchaſers who brought the Kingdom to this flouriſhing Condition, fly to your Majeſty for Succour, offering not only their Eſtates and Fortunes, but even their Lives to any legal Trial within this your Majeſty's Kingdom, being ready to ſubmit their Perſons and Eſtates to any eſtabliſhed Judicature; where, if it ſhall be found, that they enjoy any thing without legal Title, or have done any thing that may forfeit what they have purchaſed, they will ſit down, and moſt willingly acquieſce in the Judgments: But to have their Purchaſes made void, their Lands and Improvements taken from them; their Securities and Aſſurances for Money Lent, declar'd null and void by a Law made *ex poſt facto*, is what was never practis'd in any Kingdom or Country.

If the Bill now deſign'd to be made a Law, had been attempted within two, three, four, or five Years after the Court for the Execution of theſe Acts was ended, the Purchaſers would not have laid out their Eſtates in acquiring of Lands, or in building or improving on them: Thouſands who had ſold ſmall Eſtates and Free-holds in *England*, and brought the Price of them to purchaſe or plant here, would have ſtay'd at home; and your Majeſty's Revenue, with that of the Nobility and Gentry, had never come to the height it did. If your Majeſty pleaſe to conſider upon what Grounds and Aſſurances the Purchaſers of Lands and Tenements in this Kingdom proceed, you will ſoon conclude, that never any proceeded upon ſecurer Grounds. The Acts of 17, and 18 of King *Charles* your Father of bleſſed Memory, the firſt, takes notice, that there was a Rebellion begun in this Kingdom on the 23d of *October*, 1641: And ſo doth a Bill once read in the Houſe of Lords. Whoever looks into the Royal Martyr's Diſcourſe upon that Occaſion, will ſee with what an Abhorrence he laments it; and that he had once Thoughts of coming over in Perſon to ſuppreſs it.

Thoſe Acts promiſe Satisfaction out of forfeited Lands to ſuch as would advance Money for reducing theſe Diſturbers of the public Peace unto their Duty. The Invitation was his late Majeſty's, your Royal Brother's Letters from *Breda*, ſome few Weeks before his Reſtoration, which happen'd the 29th of *May*, 1660: And within ſix Months after, came forth his Majeſty's moſt gracious Declaration for the Settlement of this Kingdom. This, may it pleaſe your Majeſty, is the Baſis and Foundation of the Settlement, and was ſome Years after enacted and made a Law by two ſeveral Acts of Parliament.

It is true, that the uſurping Powers in the Year 1653 (having, by the Permiſſion of the Almighty, as a juſt Judgment on us for our Sins, prevailed here) did diſpoſe and ſet out the Eſtates of Catholics unto Adventurers and Soldiers; and in a Year or two afterwards, tranſplanted our Catholic Free-holders for no other Reaſon, but their being ſo, in *Connaught*, where Lands were ſet out unto them under divers Qualifications, which they and their Heirs, or thoſe deriving under them as Purchaſers, enjoy'd, and ſtill do enjoy, under the Security of the before-mention'd Acts of Parliament and Declaration.

His Majeſty's gracious Declaration of the 30th of *November*, 1660, which I call the Foundation of the Settlement, was, before it was concluded on, under the Conſideration of *that great Prince*, and the *Lords of his Council of England*, where all Perſons concern'd for the Proprietors, as well old as new, were heard. Whoever reads, will find the many Difficulties which he and his Council met with from the different and ſeveral Pretenders; what Conſideration was had, and Care taken to reconcile the jarring Intereſts, and to accommodate and ſettle, as well as was poſſible, the Maſs and Body of Subjects here.

It was ſome Years after, before the Act for the Execution of his Majeſty's moſt gracious Declaration became a Law: It was near two Years upon the Anvil. It was not a Law that paſs'd in few Days, or *ſub ſilentio*: It was firſt, according to the then Courſe of paſſing Laws, here framed by the chief Governor and Council of this Kingdom, by the Advice, and with the Aſſiſtance of all the Judges, and of his Majeſty's Council learn'd in the Law, and then tranſmitted into *England* to be further conſider'd of by his Majeſty and Lords of his Council there, where the Council at Law and Agents of all Pretenders to the Propriety of Lands in this Kingdom were heard, and that Act, commonly call'd the Act of Settlement, approv'd of and retranſmitted under the Seal of *England* to receive the Royal Aſſent, which it did, after having paſs'd both Houſes of Parliament.

The innocent Proprietors being reſtor'd purſuant to this Act, and ſome Difficulties appearing as to the further Execution of it, another Act paſſed, commonly called the *Act of Explanation*; which went the ſame Courſe, and under the ſame Scrutiny.

It is confeſs'd, that tho' they are two Acts, it was by the ſame Parliament, who were choſen according to the ancient Courſe of chuſing Parliaments.

But if any Miſcarriage were in bringing that Parliament together, or the procuring the aforeſaid Acts of Parliament to paſs, which we can in no wiſe admit; and the leſs, for that your Majeſty's Revenue was granted and ſettled by the ſame Parliament, and many good and wholſome Laws there-in enacted; yet it is manifeſt, that nothing of that kind ought to affect the plain and honeſt Purchaſer, who for great and valuable Conſiderations acquired Lands under the Security aforeſaid, and expended the Remainder of his Means in building, improving, and planting on them; and that for the following Reaſons.

1. The Purchaſer adviſing with his Council, how to lay out or ſecure his Money that it may not be loſt, not only to his but the public Detriment, tells him, that he is offer'd a Purchaſe of Lands in Fee, or deſired by his Neighbours to accommodate him with Money, upon the Security of Judgment or Statute Staple: and, upon the Enquiry into the Title, he finds a good and ſecure Eſtate, as firm in Law as two Acts of Parliament in force in this Kingdom can make it; and, in many Caſes, Letters Patents upon a Commiſſion of Grace for remedying of defective Titles: he finds Poſſeſſion both of

many

A. D. 1689. Council before him. This was presented by the Earl of *Granard*; and, it may be presum'd, had some Effect upon his Compassion, at least: For, in a Tract, called, *An Account* A. D. 1689.

many Years gone along with his Title several Descents past, and possibly that the Lands have been purchas'd, and pass'd thro' the Hands of divers Purchasers: He resorts to the Records, where he meets with Fines and common Recoveries, the great Assurance known to the Laws of *England*; under which (by the Blessing of *God*) we live; and tells him there is no Scruple, nor Difficulty of purchasing under this Title; since he hath Security under two Acts of Parliament, Certificates and Letters Patent, Fines and Recoveries; and that no Law of force in this Kingdom can stir, much less shake, this Title.

How is it possible to imagine, that the legislative Power should be made use of to void this Man's Estate, who perhaps was never in this Kingdom, until after these Acts were enacted and become Laws; it will be the like Case with all Persons, who, upon the Marriage of their Children, and considerable Marriage-Portions paid and receiv'd, have procur'd Settlements for jointur'd Portions, and Remainders for their Children and Grand-children: And all these are to be laid aside, without any Consideration of Law or Equity in the Case of the Purchasers, or any Misdemeanor or Offence committed by them: Whereby vast Numbers of your Majesty's dutiful Subjects, the present Proprietors and their Lessees, and, in very many Cases, Widows, Orphans, Merchants and Traders, will be at one Stroke outed and remov'd from the Possessions of their Lands and Improvements, which in many Places are more in value than the Township whereon they are made: This, with Submission, without some Fraud, Deceit, or Default of the Purchaser, never was, and it is hop'd never will be, done by a People or Nation professing Christianity: Nor is it for the Honour, Welfare, or Advantage of the King or Kingdom to have it to done: What will Strangers and our Fellow-subjects of *England* and *Scotland* say?——— We sold our Estates in *England*, transported us and our Families into *Ireland*, to purchase, improve and plant there: We acquir'd Lands under as secure Titles as Acts of Parliament (the greatest known Security) could make them. Our Conveyances, both by Deeds and Matters of Record, are allow'd good, firm, and unquestionable by any Law in force at the Time of Purchase. We have had the Possession ten, twelve, or fifteen Years, and are grown old upon them. We have clearly drawn our Effects from *England*, and settled here, not doubting but our Posterity may be so likewise. We have purchas'd Annuities and Rent-charges out of Lands under the same Securities: And now the Old Proprietors (tho' many of them had Satisfaction in *Connaught*) would fain have a new Law to dispossess us of our Estates, and Improvements made as aforesaid. It will not be believ'd, that the chief of those who drew on this Design should in Parliament and elsewhere, which ought to consist of the gravest, wisest, and wealthiest Freeholders of the Kingdom, (for such the Law presumes them) make a noise with that good and wholsome Advice, *Caveat emptor*, in this Case; or can think that Caveat is proper here.

The Purchaser ought to be wary of any Flaw in the Title at the Time of the Purchase made, and purchases at his Peril, if any such there be: But who is that Purchaser that shall beware of a Law to be made twenty, thirty, or forty Years *after his Purchase*, or to destroy his Security for Money lent, or Settlement upon Marriage? This is not a Defect in Title, but (under Favour) is a Precedent which no human Foresight can prevent: and, if once introduc'd, no Purchaser could ever be safe; the worst of Lotteries affording a securer Way of dealing than *Ireland* would.

Can it be your Majesty's Honour or Advantage to have thousands of Families ruin'd by such a Proceeding as this is? What will become of our Credit, and consequently of our Trade abroad? Where will be the Reputation, and public Faith, and Security of the Kingdom, when foreign Merchants shall know from their Correspondents here, that they cannot comply with their Engagements to them, their Estates, Houses, and Improvements, both in Country and City, which they had acquir'd for great and valuable Considerations, and within the Securities of the Laws, are taken from them by a Law made Yesterday, in case this Bill should pass: So that, in effect, we are not only contriving to break and ruin our own Trades and Merchants at home, but even those in foreign Parts; which will infallibly destroy your Majesty's Revenue, and sink that of every Subject.

Surely these Particulars, and the Consequences of them, are worth more than two or three Days Consideration: Which is as much as this Bill could have, since the Parliament was not open'd till the Seventh of this Month.

The very Report of what is design'd by this Bill hath already reduc'd the most improved and improving Spot of Earth in *Europe* (from stately Herds and Flocks; from Plenty of Money at seven or eight *per Cent.* whereby Trade and Industry were encourag'd; and all upon the Security of those Acts of Parliament; from great and convenient Buildings newly erected in Cities and other Corporations;) to that degree, that even the City of *Dublin* is ruin'd. The passing of these Acts, and the Securities and Quiet promis'd from them, enlarg'd double what it was; that the Shipping in divers Ports were five or six times more than ever was known before, to the vast Increase of your Majesty's Revenue; reduced to the saddest and most disconsolate Condition of any Kingdom or Country in *Europe*; infinite Numbers of the Inhabitants having transported themselves and Families, with what remain'd unsix'd in Purchases and Improvements, and was portable, of their Estates, into other Kingdoms, that very many of the Buildings both new and old, in this City, and in the very Heart and finding Part of it, are uninhabited and waste.

It is grievous to see, as you pass through the City, the Houses and Shops shut up; the Herds and Flocks in the Country are utterly destroy'd; in that of necessity the Tenant must break, throw up his Lease, leave the Key under the Door, and the Lands become waste; and from hence will necessarily follow, that the Farm-houses and Improvements must go to Decay, and Beef, Tallow, Hides, Wooll, and Butter, (from whence arise the Wealth of the Country) will fail us.

What is become of the frequent Declarations made by the Earl of *Clarendon*, and the Earl (now Duke) of *Tyrconnel*, of your Majesty's fix'd Resolutions never to by aside the Acts of Settlement and Explanation? Why did the Judges, in their several Circuits, declare in all Places where they sat, unto the Countries there assembled, that your Majesty was resolv'd to preserve the Acts of Settlement and Explanation; and that they were appointed by the then chief Governor here, to declare the same unto them; from whence they took confidence to proceed in their Purchases and Improvements; and (with Submission be it spoken) if this Bill pass, are deluded. Shall Patents on the Commission of Grace signify nothing? The Great Seal of *England* tells them they may proceed upon the public Faith; and here again they become Purchasers, paying considerable Fines to the King, to whom Rents were reserved where none were due before, and many Places the Rent increas'd; as in case of Fairs and Markets granted, together with the Lands on them, Patents of Liberties of free Warren, and to enclose and empale for Park; surely some Consideration ought to be had of those whose Money was paid on this account.

It would be farther considered, That your Majesty before your Access to the Crown, had passed several Lands and Tenements in this Kingdom in Certificate and Patent, pursuant to these Acts of Settlement; and that you made Leases of them, on which many and great Improvements have been made. It is likewise true, that your Majesty sold and exchanged some small Proportions of the same Lands, and received in Money twelve Years Purchase; some of which your Majesty conveyed by Fines and other Assurances in Law; and tho' your Majesty may, if it seem meet unto you, part with all that Estate, yet it is humbly conceiv'd, it ought to be with Reservation to the Lessees and those few Purchasers, as it was done by *Mary* Queen of *England*, who tho' zealous in the highest Degree to the Religion she profess'd, and that the restored such Parts of Lands belonging unto Monasteries as remained in her Hands undispos'd, did, nevertheless, permit the Grantees and Purchasers quietly and peaceably to retain such Part of them as they were possessed of by Grant or Purchase, and which, for aught appearing, is enjoyed by them, and those deriving under them to this Day, tho' the came to the Crown within few Years after passing the Act for dissolving Monasteries; for if no Consideration be had of them, your Majesty gives away the Terms of Years and Improvements from your Lessees, and the Land from him to whom your Majesty sold it, without restoring the Purchase-Money, than which, no Case can be harder; and without your Royal Assent neither of these can be done.

For the Objections commonly made against the Acts of Settlement and Explanation, which are usually, that many Innocents were never heard, and that there was not time sufficient for hearing of them: but how this should affect those who purchased after the Acts pass'd, and Certificates and Letters Patent passed on them, is not demonstrable from any Rule of Law or Equity.

The Person designing to purchase, enquires whether the Title of the Land or Tenement to be sold be good in Law and Equity; and being assur'd in that he forbears further Inquiry, being assur'd that never any Purchaser in Possession having Law and Equity on his Side, was dispossessed by any Person whatsoever upon Ground of Equity; and the Purchaser here hath the Law with him by the Acts of Settlement, and the Equity by the Payment of his Money.

It is to be wish'd, that if Widows, Orphans, or any other Persons have fallen under Hardship by the general Settlement of the Kingdom, that some way may be devised to make them Reparation; but the way prescrib'd by this Bill, is to rob the Innocent Purchasers, Creditors and Orphans of their

A. D. 1689. *Account of the present State of* Ireland, *by a Person who, with great Difficulty, left* Dublin June the 8th, 1689, *as it was presented to Lord* Shrewsbury, we find the following Passage: "He (Mr. *d' Avaux*) has influenc'd the passing the Bill for destroying the Act of Settlement; insomuch that he has said, *That he would go again to* France, *if it were not done.*"— Which seems to argue, that the King's Heart was not set on the Jobb, and that some Violence was necessary to get the better of his Scruples: And it is besides acknowledg'd, that he gave up ten thousand Pounds a Year of his own, to be employ'd in making the Reprisals appointed by the Act as beneficial as possible. But whatever his Inclinations were, they were over-rul'd, the Repeal took (*a*) place, and was put in execution, *Pass'd, and put in force* A. D. 1689.

their Estates, to do it contrary to the public Faith, Laws of the Land, and Precept of Holy Writ, which forbids doing of Evil, that Good may come thereof.

'Tis manifeſt by what has been ſaid, that if this Bill proceed, as is now contrived, that all the Proteſtants in the Kingdom are undoubtedly and without Reſerve ruined, ſince the Rapparees, that is, the armed Multitude, have taken away all their moveable Eſtates: And this Deſign is to take away all the Lands and Tenements purchaſed by them.

The thriving Catholics who were Purchaſers (as moſt of the Province of *Connaught* are) are likewiſe to be turn'd out of their Eſtates and Poſſeſſions, and their own and the Improvements of thoſe who hold under them utterly loſt.

As to the politic Part which theſe great Statesmen who drive on this Bill make mention of, that will be worthy of Conſideration. It is ſaid, that this will unite your Majeſty's Subjects in this Kingdom, that is too groſs to paſs: Since the firſt mentioning thereof, hath it not made a Diviſion and a Breach betwixt them? nay, where there was none before? and doth it not grow daily wider? It was never heard that Accommodation between Parties that were all in Conteſt could ſtand, unleſs the Terms were continued; for if what was given to one of the Parties be taken away, it makes the whole Award void and of none Effect; and admitting the old Proprietor had Right, it is not enough except he have it againſt the Purchaſer: And if the Deſign be what is pretended, to reſtore this Kingdom to the Peace and Plenty which it flouriſh'd in ſome Years ſince, to unite your Majeſty's Subjects, whereby they may be enabled according to their Duty and Allegiance, to reſtore your Majeſty to the Exerciſe of your Royal Dignity in all your Kingdoms; this can never be effected, except all Pretenders recede in ſome Degree from the full of their Pretenſions for the Accommodation of the whole, and the public Quiet and Safety.

Would it not be an unreaſonable thing in a Cargo where divers Merchants are concern'd, and have Goods and Merchandizes in a Storm, to throw out by Conſent the Goods of any one Merchant, tho' in the Bottom of the Hold and hardeſt to come by, for the Safety of all concern'd, without Satisfaction given him, by a Contribution from thoſe who had the Advantage of it; or if it could be done, or had time for it, were it not much more juſt that the Loſs ſhould be equally divided among them, by throwing out a juſt Proportion from all concern'd, than to ſingle out one Part of the People, and by their Ruin to advance the other. This is not, in my Judgment, the readieſt way of uniting them.

Suffer us to make one Step more, and Query, whether the Catholic Purchaſers now to be turn'd out of Poſſeſſion, will join heartily with thoſe that enter upon them? Farewell Trade and Commerce where Acts of Parliament ſhall be made to deſtroy Securities that were good when made; farewell all Improvements in *Ireland*, where no Man ſhall ever know what Eſtate he hath, if the Foundation of the general Settlement ſhould now be overturn'd.

I cannot foreſee what the Conſequences may be of having it publiſh'd, and made known in your Majeſty's other Kingdoms and Dominions, and elſewhere where the Proteſtant Religion is profeſs'd, that ſuch a Propoſal as this (in relation to ſuch of your Proteſtant Subjects as have made no Defection) hath been prepar'd for your Majeſty's Conſideration in order to be paſs'd into a Law, and this, when they were ſecure of the Laws of the Land; and not ſo much as common Equity to queſtion the Title by which they held: That nevertheleſs uſe ſhould be made of the Legiſlative Power to enact a new Law, after ſo many Aſſurances given them to the country, and after ſo many Years quiet Poſſeſſion to turn them out of their Eſtates altogether.

'Tis much to be fear'd that thoſe who firſt adviſ'd this Method of Proceedings, have conſider'd their own particular Advantage, and that of their Friends and Relations, without the leaſt Thoughts of your Majeſty's Service; for ſurely this can never be thought ſo, nor the way to ſettle this Kingdom whereby it may be ſerviceable to your Majeſty: Nor can it be imagin'd, but that Men thus deſpoil'd, will as often as Parliaments ſhall be call'd, make Application for Redreſs and Repeal, as in the Caſe of the *Spencers* to repeal a Repeal, and they and their Poſterity will be always ſoliciting your Majeſty and your Succeſſors to give them Relief in a Caſe of ſo great Moment and general Concern as this is.

As for the general Reprizal mention'd to be made them out of the Rebels Eſtate (which muſt not be conceiv'd to give any Colour to this manner of Proceeding, and ought to be equal to the Eſtate which the Proprietors ſhall be outed of) that will be very uncertain, for it muſt be known who the Rebels are, and what their Lands amount to, ſince it may be probably concluded, that there are many of your Subjects now in *England* no way concern'd in the Rebellion, and would have, e're this, attended your Majeſty here, if they had not been hinder'd from coming by Dureſs and Embargo, and many other legal and juſtifiable Excuſes, too long for this preſent Paper; and withal, that where any of them are ſeiz'd of any new Eſtates, ſo much muſt be reſtored to the old Proprietors, and what is alſo ſubject to their Settlements and other Incumbrances.

After all this, it is in the Power of your Majeſty to prevent the total Ruin of ſo many of your Subjects as have been Purchaſers and Improvers in this Kingdom, by preſcribing more moderate ways than depriving them of the whole of what they have legally and induſtriouſly acquir'd; and that Committees of both Houſes may hear and enquire whether any Medium may be found out betwixt the Extremes for the accommodating as near as may be the Purchaſer and the old Proprietor, ſo that if there be cauſe of Complaint, it may not ariſe from a total Diſappointment of either Party. This is a little of what may be ſaid on this Occaſion, but the Haſte of thoſe who drew on this Bill will allow no further time at preſent.

It is propos'd that his Majeſty will hear Council on this Occaſion."

(*a*) Under the following Pretences, which ſerve as a Preamble to it:

" Whereas the Ambition and Avarice of the Lords Juſtices, ruling over this your Kingdom in 1641, did engage them to gather a malignant Party and Cabal of the then Privy-Council, contrary to their ſworn Faith and natural Allegiance, in a ſecret Intelligence and traiterous Combination with the *Puritan* Sectaries in the Realm of *Great Britain*, againſt their lawful and undoubted Sovereign, his Peace, Crown and Dignity; the Malice of which made it ſoon manifeſt in the Nature and Tendency of their Proceedings, their untimely Prorogations of a loyal, unanimous Parliament, and thereby making void and diſappointing the Effects of many reaſonable Votes, Bills and Addreſſes, which paſs'd into Laws, had certainly ſecur'd the Peace and Tranquility of this Kingdom; by binding to his Majeſty the Hearts of his *Iriſh* Subjects, as well by the Ties of Affection and Gratitude, as Duty and Allegiance there. The ſaid Lords Juſtices traiterouſly diſbanding his Majeſty's well-affected *Catholic* Forces, when his Perſon and Monarchy were expos'd to the ſaid Rebel Sectaries, then marching in hoſtile Arms to deſpoil him of his Power, Dominions, and Life; their immediate calling into the Place and Stead of thoſe his Majeſty's faithful diſbanded Forces, a formidable Body of diſciplin'd Troops, aly'd and confederated in Cauſe, Nation, and Principles, with thoſe Rebel-Sectaries: Their unwarrantable Entertainment of thoſe Troops in this Kingdom, to the draining of his Majeſty's Treaſury, and Terror of his *Catholic* Subjects, then openly menac'd by them the aforeſaid Lords Juſtices with a Maſſacre and total Extirpation; their bloody Proſecution of that Menace, in the Slaughter of many innocent Perſons; thereby affrighting and compelling others (in deſpair of Protection from their Government) to unite, and take Arms for their neceſſary Defence, and Preſervation of their Lives; their unpardonable Prevarication from his Majeſty's Orders to them, in retrenching the Time by him graciouſly given to his Subjects, ſo compell'd into Arms, of returning to their Duty; confining the general Pardon to ſuch only as had no Freehold Eſtates to make Forfeitures of; their pernicious Arts in way-laying, exchanging, and wickedly depriving all Intercourſe by Letters, Expreſſes, and other Communication and Privity, betwixt your ſaid Royal Father and his much abuſed People," *&c.*

Then the Act ſets forth, how they torture'd Sir *John Read*; and how the Duke of *Ormond* follow'd the Steps of thoſe Lords Juſtices, in procuring the Acts of Settlement and Explanation.

After which it proceeds:

" Which laſt Act was paſs'd in a Seſſion of the ſaid Parliament held in this Kingdom, in the ſeventeenth and eighteenth Years of his Reign; moſt of the Members thereof being ſuch as forcibly poſſeſs'd themſelves of the Eſtates of your *Catholic* Subjects in this Kingdom, and were convey'd toge-

ther

A. D. 1689. *by Horſe and Dragoons.*

execution, without any regard either to Juſtice or Mercy; as appears by the (*b*) Orders for giving Poſſeſſion, which were iſſu'd by the Lords Lieutenants of Counties, and executed by Horſe and Dragoons.

Thoſe ejected to be puniſh'd for Waſte.

As a farther Aggravation of the Calamities, which the Act was calculated to bring on thoſe who were to be ejected in this Summary way, an additional Bill was brought in and paſs'd, under the Title of *An Act for Puniſhment of Waſte committed on Lands reſtorable to the Proprietors*; by which it was provided, That thoſe who had pull'd down old Houſes, or who had fell'd Trees, tho' for maintaining or improving the Premiſſes, ſhould be accountable for it: And many of them were actually ſued for pretended Treſpaſſes of that kind, and compell'd by all the Severities of the Law to ſatisfy the Demands ſo injuriouſly made upon them. There was alſo a Clauſe in the firſt of theſe two Acts, by which it was enacted, That all Mannors, Lands, *&c.* and all Eſtates and Intereſts whatſoever, in Law or Equity, which on the firſt of *Auguſt* 1688, or at any time after, belong'd to any in Rebellion in *England*, *Scotland*, or *Ireland*, or who *correſponded* or kept *Intelligence*, or went contrary to their Allegiance to *dwell* or *ſtay* among the ſaid Rebels, or was any way aiding or abetting them, were forfeited from the ſaid firſt of *Auguſt*, and freed from all Eſtates, Tails, Remainders, and Reverſions.

The Lands and Goods of Abſentees, &c. forfeited.

There was, moreover, an expreſs Act for veſting in his Majeſty the Goods of Abſentees, and to impower his Commiſſioners of the Revenue to ſeize the ſame. According to Dr. *King*, this Bill extended only to ſuch Abſentees as were declar'd forfeiting Perſons by the Bill of Attainder, of which we are preſently to ſpeak, or who abetted or aſſiſted the Prince of *Orange*: But the Author of the *Memoirs of Ireland* makes mention of no ſuch Limitation; and adds, That by this Bill it was penal for any to have the Goods of Abſentees in their Hands without making Diſcovery thereof.

But all theſe, and all the other Severities that were never yet put in Practice, under the Form of Laws, or even Proſcriptions, fell far ſhort of the Act of Attainder, juſt mention'd, which was deſign'd to complete what the *Repeal* had ſo notably begun. It was indeed notorious, that many of the *Iriſh* Nobility, Gentry, and Clergy, and many of the *Engliſh* holding large Eſtates and Poſſeſſions in *Ireland*, had join'd with the Prince of *Orange* againſt King *James*, and had been inſtrumental in accompliſhing the Revolution, and in forming the new Government. But, if we are rightly inform'd, theſe mercileſs Avengers did not ſo much conſider the Crime, as the Perſon, nor the Weight of the Evidence as the Value of the Forfeiture. It is even aſſerted, that the Method they took to make the Act as extenſive as poſſible, was as inexcuſable as the Act itſelf; for every Member return'd the Names of ſuch Proteſtant Gentlemen as liv'd near him, or in the County or Borough for which he ſerv'd: And in Caſe any Member was a Stranger to the Place he repreſented, he ſent thither for Information. And on the Reports that were thus collected and thus deliver'd by themſelves, they proceeded to attaint of Rebellion, 1. All Perſons who did not ſurrender themſelves in order to take their Trials, by the 10th of *Auguſt*, and who were in the Kingdom and amenable to the Law, at the time of paſſing the Act (for in caſe any of thoſe rang'd under this Head were not ſo, they were attainted abſolutely.) The Numbers comprehended under this Head, were one Archbiſhop, one Duke, fourteen Earls, ſeventeen Viſcounts, and one Viſcounteſs, two Biſhops, twelve Barons, twenty-ſix Baronets, twenty-two Knights, fifty-ſix Clergymen, and eleven hundred and fifty three Eſquires, Gentlemen, *&c.* 2. All Perſons who were Abſentees before the fifth of *November*, and who ſhould not return, according to the Proclamation of *November* 25, by the firſt of *September*. One Lord, ſeven Knights, eight Clergymen, ſixty-five Eſquires and Gentlemen

A. D. 1689. *An Act of Attainder*

---

ther for the ſole Purpoſe of creating and granting to themſelves, and their Heirs, the Eſtates and Inheritances of this your Kingdom of *Ireland*, upon a ſcandalous, falſe Hypotheſis, imputing the traiterous Deſign of ſome deſperate, indigent Perſons, to ſeize your Majeſty's Caſtle of *Dublin*, on the 23d of *October* 1641, to an univerſal Conſpiracy of your *Catholic* Subjects," *&c.*

'Thus, (ſays the Author of the *Iriſh* Memoirs) did King '*James*, by this Act, juſtify the Grand *Iriſh* Rebellion, 'wherein thoſe inhuman Butchers ſlaughter'd two hundred 'thouſand Men, Women, and Children.'

(*b*) A Specimen of which we find in Dr. *King*'s Appendix, as follows:

" Com. Kildare. } *By the Lord Lieutenant of the County of* Kildare, *and one of his Majeſty's moſt Honourable Privy Council.*

[*Note*, The Copy of the firſt Order for garriſoning the Houſe of *Ballyſannan* could not be gotten.]

Whereas I have been inform'd, that *Ballyſannan*, now belonging to *Mr. Annesley*, was a Houſe of Strength, and therefore fit to have a Garriſon; and now being convinc'd of the contrary; theſe are therefore, in his Majeſty's Name, to require you forthwith to remove your Men to their former Garriſon, out of the ſaid Houſe. Given under my Hand this firſt Day of *April*, 1690.

CHARLES WHITE.

For Captain Patrick Nugent, *or the Officer in Chief, commanding the Troop at* Kildare.

SIR,

This is to let you underſtand, that I am authoris'd to give the Proprietor poſſeſſion of the Lands of *Ballyſannan*, *&c.* according to the Act of Parliament; and that you may not be ſurpriz'd therein, I give you this Notice, from, Sir,

Your loving Friend and Servant,

Nass, *the* 8th *of* April, 1690. CHARLES WHITE.

For John Anneſley, *Eſq; or, in his Abſence, to* Francis Anneſley, *Eſq; Theſe.*

Second Order for Ballyſannan.

Whereas *Luke Fitzgerald*, Eſq; has prov'd himſelf before me to be the ancient Proprietor of the Town and Lands of *Ballyſannan*, and that his Anceſtors were poſſeſs'd of their Manſion-houſe there, in the Year 1641; I do therefore, in purſuance of his Majeſty's Orders unto me, appoint the under-nam'd Perſons to give poſſeſſion of the Manſion-houſe there to *Luke Fitzgerald*, Eſq; And for ſo doing this ſhall be your Warrant. Given under my Hand and Seal this 6th Day of *May*, 1690.

CHARLES WHITE.

I do hereby appoint Captain *Walter Archbold*, or Captain *John Dillon*, of *Athy*, to give poſſeſſion of the Manſion-houſe of *Ballyſannan* to *Luke Fitzgerald*, Eſq;".

A.D. 1689. men were nominated under this Clause. 3. All Persons, who were Absentees before the fifth of *November*, 1688, not returning according to the said Proclamation, if they did not appear by the first of *October*, 1689. In which Predicament were involv'd one Archbishop, one Earl, one Viscount, five Bishops, seven Baronets, eight Knights, nineteen Clergymen, four hundred and thirteen Esquires, Gentlemen, *&c.* And, 4. All Persons, usually resident in *England*, who did not manifest their Loyalty by the first of *October*, in case the King went thither by that time: By which one Earl, fifteen Viscounts and Lords, fourteen Knights, five hundred and ninety-two Esquires, *&c.* were proscrib'd.

What is still more cruel than all the rest, the Estates real and personal of such as were absent thro' Sickness or Nonage, were vested in the King, till they should give sufficient Proof of their Loyalty: And, in case they did so before the last Day of the first Term after their Return, they were allow'd to *sue for their Estates*, before the Commissioners for executing the Acts of Repeal or Attainder, if sitting, or the Courts of *Chancery* or *Exchequer*. One Earl, seven Countesses, one Viscountess, thirteen Ladies, one Baronet, and fifty-nine Gentlemen, *&c.* were stript of their Property by this Clause. And by the whole Act above two thousand four hundred Persons were pointed out by *Name*, to suffer all the Mischiefs that the Avarice or Malignity of an enrag'd and all-powerful Enemy could inflict upon them. Care was moreover taken to lay a Restraint on the very Prerogative, which these Men affected to be so zealous for, in the Apprehension that some use might be made of it on the merciful Side. Thus it was provided, that, in case a Pardon was issu'd to any of the Persons specify'd in that Act, if it was not enroll'd before the last Day of *November*, 1689, it should be absolutely null and void: And as to the seeming Indulgence of allowing the said Persons a certain time to come in, before the Penalties took place, Bishop *King* affirms, it was a *mere Nothing*; the Embargo in both Kingdoms being so strict that neither could those in *Ireland* correspond with their Friends abroad, nor those abroad return home, on any Consideration whatsoever; nor indeed durst any body in *Ireland* have sent any such Advices, had the Ports been open; for by the Clause in the Act of Repeal, which made it Treason to correspond with any Rebel, they would have been liable to such Prosecutions as might have ruin'd them, only for endeavouring to prevent the Ruin of others. Nay, the very Act itself was so carefully (*d*) conceal'd, that no Protestant was permitted to see it, much less to take a Copy of it, till the time limited for Pardons had been elaps'd, at least four Months. And, to crown all, that it might be out of the Power of any *English* Parliament, as well as the King himself, to interpose in Behalf of the Sufferers, they pass'd another Act, by which it was declar'd, That the Parliament of *England* had no Power or Authority over *Ireland*; and a Provision was made against all Writs of Error and Appeal from *Ireland* to *England*.

A.D. 1689.

against upwards of 2400 Persons.

To draw towards a Conclusion on this Head: When Sir *Richard Neagle* presented this terrible Act to King *James* for his Royal Assent,

---

(*d*) We had from the beginning, says Dr. *King*, labour'd to get it, and offer'd largely for a Copy, but could not by any Means prevail, Chancellor *Fitton* keeping the Rolls lock'd up in his Closet, till at last a Gentleman procur'd it by a Stratagem, which was thus: Sir *Thomas Southwell* had been condemn'd for High Treason against King *James*, among other Gentlemen at *Galloway*, in *March* 1688, and attainted in the Act of Attainder also; he continued a Prisoner till my Lord *Seaforth* became acquainted with him; my Lord undertook to reconcile him to the King, and to get his Pardon. King *James* promis'd it on the Earl's Application, and order was given to draw up a Warrant for it. The Gentleman I mention'd being a Lawyer and an Acquaintance of Sir *Thomas's*, was employ'd to draw it up; he immediately apprehended this to be a good Opportunity to get a Copy of the Act of Attainder, which he had labour'd for in vain before, and which was kept from us by so much Injustice. He told the Earl therefore, and Sir *Thomas* (what was the real Truth) that he could not draw up an effectual Pardon, except he saw the Act that attainted him. Hereupon the Earl obtain'd an express Order from the King, to have a Copy deliver'd to him. This I believe was the only Copy taken of it after it was inroll'd. It was taken for the use of a Papist, and was lent to the Earl, who was permitted to shew it to his Lawyer; and accordingly left it with him only for one Day, who immediately imploy'd several Persons to copy it, and the Copy was sent by the first Opportunity into *England*. The List of the Names of those that were attainted, had been obtain'd the *January* before with Difficulty; the Commissioners in the Custom-house, who seiz'd Absentees Goods, and set their Estates, could not do their Work without such a List: And that which was printed in *England*, with some of the Acts of our *Irish* Parliament, was copy'd from thence; but the Act itself could not then be procur'd, and therefore was not printed with them. When the Lawyer had drawn up the Warrant for Sir *Thomas's* Pardon, with a full *Non obstante* to the Act of Attainder, the Earl brought it to the Attorney-General, Sir *Richard Neagle*, to have a *Fiat* Drawn; the Attorney read it, and with Indignation threw it aside: The Earl began to expostulate with him for using the King's Warrant at that rate: The Attorney told him, That the King did not know what he had done; that he had attempted to do a thing that was not in his Power to do, that if the Earl understood our Laws, or had seen the Act of Attainder, he would be satisfy'd that the King could not dispense with it: My Lord answer'd, That he understood Sense and Reason, and that he was not a Stranger to the Act of Attainder. Sir *Richard* would not believe him till he shew'd the Copy, which much surpriz'd Sir *Richard*: He began to enquire how his Lordship came by it, and intimated that the Keepers of the Rolls were treacherous, in letting any one see it, much more in letting a Copy of it go abroad. His Lordship, with good Reason, express'd his Admiration, that an Act of Parliament should be made a Secret; and the Laws, upon the Observation of which the Lives and Fortunes of so many Men depended, should be conceal'd with so much Care from them. At last the Attorney told him, That he himself would draw up a Warrant for Sir *Thomas Southwell's* Pardon, that should do his Business, and get the King to sign it; but the Earl refus'd to accept his Offer, unless his Lawyer might first peruse it; which being granted, the Lawyer, upon Perusal, found it to be such as would not hold in Law, and intended only to delude him. The Earl made new Application to King *James*, and Sir *Richard* being sent for, the King ask'd him why he did not prepare a *Fiat* for Sir *Thomas Southwell's* Pardon, according to the Warrant sent to him? he answer'd, That his Majesty could not grant such a Pardon; that his Majesty was only a Trustee for forfeited Estates, and could not dispense with the Act: That by an express Clause in it, all Pardons that should be granted were declar'd void: The King in some Passion told him, That he hop'd they did not intend to retrench his Prerogative: Sir *Richard* reply'd, That his Majesty had read the Act before he pass'd it: The King answer'd, *He had betray'd him*; that he depended on him for drawing the Act; and if he had drawn it so that there was no Room for dispensing and pardoning, he had been false to him, or Words to that Effect. Thus the Matter ended, and Sir *Thomas* went into *Scotland* with my Lord *Seaforth*, without being able to obtain his Pardon for Estate or Life."

A. D. 1689. Assent, we are told, he made no Difficulty to acknowledge, that many of the Persons attainted by it, were attainted on such Evidence as was satisfactory to the House of Commons, and the rest, upon *Common Fame*. Even in the Preamble to the Act itself, it is only said, in general, that the Persons therein after nam'd had *notoriously* join'd in the Rebellion of his Majesty's Subjects, and the Invasion of the Prince of *Orange*; and, more particularly, that some of them had been condemn'd on Indictments, some executed for High Treason, some kill'd in open Rebellion (with King *James*'s (*e*) Protections in their Pockets) some were actually in the Service of the Prince of *Orange*, and that the rest either ran away or absconded. In the Course of both these Acts, namely, of Attainder, and Repeal, the few sitting Lords that were Protestants desir'd leave to enter their Dissents, agreeable to the Privilege of the Peerage; but were told by the King himself, That Protestations were only us'd in rebellious Times. Persisting, however, in their Demand, it was at last agreed to by the House, but as far as appears, without any Effect; for the Clerk of the House, who was a Nephew of Chancellor *Fitton*'s, found such a Variety of Pretences to elude their Importunities, that they were forc'd in the End to give them over. It is farther observable, according to Dr. *King*, that all the Acts of this pretended Parliament are said to be, *by the Advice, and with the Consent, of the Lords Spiritual and Temporal*; whereas, to many of them not one Spiritual Lord gave his Consent; on the contrary, those that attended, unanimously protested against them; and, in particular, at the final passing the Bill of Attainder, they were not so much as present: It was in vain, however, that they made their Complaint of this Trespass; Redress was refus'd: Possibly the Example of the *English* Convention was quoted against them, which had even dispos'd of the Crown, in the Name of the Lords Spiritual, tho' but one or two of them had join'd in the Vote; and it was thought advisable to adhere, as they had done, to the usual Forms. A. D. 1689.

Having made these mighty Strides towards the Establishment they had so long desir'd, these Catholic Patriots, in the next place, took it into their Consideration, to bestow a suitable Reward on Lord *Tyrconnel*, who, for upwards of twenty Years together, had labour'd to procure them the Opportunity then before them: And this Reward was no less than Twenty thousand Pounds *per Ann.* out of the forfeited Estates; which was bestow'd on him by an express Act, and in express Acknowledgment of his signal Services. They, moreover, complimented King *James* with a Tax of twenty thousand Pounds *per* Month, for thirteen Months: And that their Mother-Church might also have Reason to pour out her Benedictions upon them, they proceeded first, to pass an Act for Liberty of Conscience, and for repealing all such Acts, or Clauses of Acts, as were inconsistent with the same: And, having thus put all the several Sects of Religion on a seeming Level, their next Effort was, to make a proper Provision for their own; which they did, by enacting, That all Tythes which were payable by Papists should be paid to their own Priests; with an additional Clause, which allow'd the said Priests to bring their Actions at common Law, to make the Recovery of them so much the more

Lord Tyrconnel's Services rewarded with twenty thousand Pounds a Year.

A Tax of twenty thousand Pounds a Month given to the King for thirteen Months.

Tythes of the Papists given to the popish Priests.

(*e*) Which is thus accounted for by Dr. *King*: "The Protestants had reason to fear their Lives, when they saw that they were in the Hands of such, as not only broke all Articles and Conditions with them, but likewise violated the King's Protections granted to poor innocent People that had no ways offended him. This was the Case of many in the County of *Down*, tho' they had Protections granted them, and lived quietly; yet not only their Goods were taken from them, but likewise their Wives and Daughters were ravish'd by the Soldiers. They were most sensible and impatient of this Injury, and yet proceeded no farther than to complain of it to the chief Officers, and to demand Redress from them. The Answer they had was, That these Robbers and Ravishers had no Authority from the King for what they did; and therefore they advis'd the Complainants to fall on them and oppose them if they made any further Attempts on the Country. The poor People were satisfy'd with the Answer, and resolv'd to do as they were directed; and accordingly fell upon the next Party of Soldiers they found plundering and committing Outrages on the Country People, and they kill'd some of them. This instead of being approved, as they were made to believe it would be, was counted a Rebellion; and immediately Major General *Boham* was sent among them with a Party, who massacred about five or six hundred of them in cold Blood for several Days together. Many of those who were killed were poor, old, impotent People; many were kill'd at their Work, and while they were busy about their own Affairs and suspected no such Matter. King *James* was so far from resenting the barbarous Usage of these poor People, that he rail'd on this Occasion against Protestants in general, representing them as false and perfidious; for, said he, *Many were kill'd with my Protections in their Pockets*; not considering the Reflection was on his own Party, against whom his Protection, as appear'd by his own Confession, was no Security. And when Men were thus slaughter'd with his Approbation, notwithstanding his Protections in their Pockets, it was but reasonable for such as survive'd to think of some other way of protecting their Lives. If he had design'd in earnest to have secur'd his Subjects Lives, or to prevent their Destruction, he would have made Examples of those who robb'd or kill'd such as had been at the Charges of taking out four or five Protections, and yet were never the safer or securer of their Fortunes or Lives."

Again, in another Place:

"His Protections were in every Place alike insignificant: many Protestants lost the Value of three, many of four, and some of ten thousand Pounds Sterling, notwithstanding their repeated Protections, and their approv'd and peaceable demeaning themselves; of which Captain *Barton*, in the County of *Monaghan*, was a signal Example: He had a Protection for his House, at *Carrick Mac Rory*, and Arms, and had left his Servants in his House, to preserve it and his Goods, he himself staying in *Dublin*, as a Hostage to the Government, that they might not suspect him to have any Design to withdraw to the North, or join with such Protestants as were in Arms there; yet, in his Absence, a Party of Colonel *Mac Mahon*'s Regiment, about *February* 1688, came and demanded the House; the Servants shew'd their Protection, and told him who commanded the Soldiers, that they had Orders from the Government to keep the House: The Commander assur'd them, that he would not disturb them, and that he only design'd to lodge some of his Men in it, to secure it more effectually for the King and the Owner; upon which Promise the Servants let him and his Soldiers into the House: They no sooner had obtain'd Entrance, but they fell a plundering, destroying and defacing; and in a few Hours, by ruining his Improvements, and robbing his Goods, Stock and Furniture, they damnify'd him to near the Value of ten thousand Pounds: He complain'd of this false and injurious Dealing to the Government, but could never obtain any Redress, or procure the Ashes of it to be brought to any Account or Punishment; instead of obtaining any thing of that Nature, they added new Injuries to their former, and at last burnt his House to the Ground."

A.D. 1689. more eaſy; a Favour which they, at the ſame time, deny'd to the Proteſtant Clergy; alledging, That they left them in poſſeſſion of their old Claims, and therefore did them no Injury. "But this, ſays our Author, was *as good as nothing*, for they had ſo *weaken'd* the eccleſiaſtic Power and Juriſdiction, that it was incapable of *compelling* the People to Obedience; and it being neceſſary to ſue out a Writ *de excommunicato capiendo*, in order to force ſuch as were refractory, the popiſh Chancellor either directly refus'd to grant it, or elſe laid ſo many Impediments and Delays in the Way, that it coſt double the Value of the Tythes ſued for, to take it out."

We learn alſo from the ſame Authority, That, in the Corporate Towns and Cities of *Ireland*, there was a peculiar Proviſion made for Miniſters by Act of Parliament, in King *Charles* the Second's Time; by which Act, the Houſes in thoſe Places were to be valued by Commiſſioners at a moderate Value; and then the Lord Lieutenant, or chief Governor for the Time being, was to aſſign a certain Proportion for the Miniſters Maintenance, not greater than the twentieth Part of the yearly Value return'd by the Commiſſioners. That therefore the City-Proteſtant Clergy might not be in a better Condition than thoſe in the Country, a Bill was brought in, to take away this altogether; and the Clergy of *Dublin* deſiring to be heard againſt it at the Bar of the Houſe of Lords, before it paſs'd, their Council were admitted to ſpeak to it, who ſhew'd the Unreaſonableneſs and Injuſtice of it ſo evidently, and inſiſted ſo boldly on King *James*'s Promiſe to the Proteſtant Clergy, at his firſt Arrival in this Kingdom, when he gave them Aſſurances of maintaining them in their Rights and Privileges; and further, bid them, if aggriev'd in any thing, to make their Complaints immediately to him, and engag'd to ſee them redreſs'd; that both the King ſeem'd to be ſatisfy'd, and the Houſe of Lords with him: And yet the Deſign to ruin them was ſo fix'd, that, without offering any thing by way of Anſwer to the Reaſons urg'd againſt it, the Act paſs'd; and thereby left the Clergy of the Cities and Corporate Towns without any Pretence to a Maintenance, except they could get it from the voluntary Contributions of their People; nay, ſo malicious were they againſt the Proteſtant Clergy, that they cut off the Arrears due to them, as well as the growing Rent; having left no Means to recover them, as appear'd upon Trial at the Council-Board afterward, when ſome of the Clergy petition'd for Relief therein. Nor was this all: For, upon the Plantation of *Ulſter*, in 1625, there being a Table of Tythes agreed on by the King and Council, by which the Planters, to whom the Grants were made by the King, were oblig'd to pay Tythes according to that Table; this pretended Parliament took away this Table alſo; for no other Reaſon that appear'd, but becauſe moſt of the Inhabitants of *Ulſter* were Proteſtants, and conſequently the Proteſtant Clergy would pretend to them.

The Clergy reſident in Towns deprived of their Support.

A.D. 1689.

Another of the Sins imputed to this Parliament has been already touch'd upon, namely, their *weakening the eccleſiaſtic Power and Juriſdiction*. This was done by their exempting all Diſſenters from that Juriſdiction; and that in ſuch general Terms, that, we are told, a Man needed no more to free him from all Puniſhment for his Miſdemeanors, tho' cognizable only in the eccleſiaſtic Courts, than to profeſs himſelf a Diſſenter, or that it was againſt his Conſcience to ſubmit to the Juriſdiction of the Church: It is added, That as the Act was at firſt drawn, and paſs'd the Houſe of Commons, no Proteſtant Biſhop could pretend to any Juriſdiction even over his own Clergy: That thoſe about King *James*, who beſt underſtood his Intereſt, and who, from their Knowledge of the Clergy, knew alſo how much more odious it would render him to them, made ſuch earneſt Remonſtrances on that Occaſion, that he was prevail'd upon to employ Sir *Edward Herbert* to amend the Act while it lay before the Lords; which he did ſo effectually, that nothing of the original Draught remain'd, but the Word *Whereas*; and that, after all, the Act was fatal to the Juriſdiction of the Church.

And the ſtabliſh'd Church of its Juriſdiction.

That ſuch Acts as theſe were paſs'd in this Aſſembly, is too notorious to admit of Contradiction; but whether they had their Origin from the Violence of the Members who compos'd it, or that of the King, under whoſe Authority they ſat, is Matter of ſome Doubt. Dr. *King* himſelf is not over conſiſtent on this Head; for he affirms, That this Parliament openly profeſs'd itſelf a Slave to the King's Will, and he was look'd on as factiouſly and rebelliouſly inclin'd, that would dare to inſiſt on any thing after any Favourite in the Houſe had affirm'd, that it was contrary to the King's *Pleaſure*. Several Bills were begun in the Houſe of Commons, one for erecting an Inn of Court, another for repealing an Act commonly call'd *Poinings Act*; which requires that all Acts ſhould be peruſed by the King and Council of *England*, before they be offer'd to be paſs'd by the Parliament in *Ireland*; but King *James* ſignify'd his Diſſatisfaction to theſe Bills, and for that Reaſon, both they and ſeveral others were let fall; tho' the *Iriſh* had talk'd much, and earneſtly deſir'd the Repeal of *Poinings Act*, it being the greateſt Sign and Means of their Subjection to *England*. There was a Doubt made in the Houſe concerning the Earl of *Strafford*, whether he ſhould be attainted for Eſtate and Life; ſeveral mov'd in his Behalf, but it was carry'd againſt him upon this Evidence: Colonel *Simon Lutterell* affirm'd in the Houſe, *That he had heard the King ſay ſome hard things of him*. The King's *Pleaſure* therefore was the LAW on which the Lives and Fortunes of his People depended; for, having entirely engroſs'd the Power of making and repealing Laws, he was Maſter of all Things. And yet we afterwards find him acknowledging, That they croſs'd

The Parliament ſaid to be at the King's Devotion.

Inſtances to the contrary.

A. D. 1689. croſs'd one of the King's Propoſals, which put him into ſo violent a Paſſion, that he cry'd out, *I find all Commons are the ſame.* That, at another time, they preferr'd a Remonſtrance to him againſt the Earl of *Melfort*, one of his Secretaries; which gave him occaſion to complain, that *they us'd him unkindly and baſely*; and to declare, *that if he had thought they would not have let him chuſe his own Servants, he would not have come among them.* That, when the Act of Attainder was under Conſideration, they would not hear of a Clauſe to enable the King to diſpenſe with it, in any Inſtance whatever: And that he was ſometimes forc'd to make uſe of the Biſhops, and other Proteſtant Lords, by way of Counterpoiſe, to moderate the Madneſs of his own Party, when their Votes diſpleas'd him. All which ſeveral Particulars ſerve to ſhew, That the King's Pleaſure was not always a Law; and that, on the contrary, their Pleaſure was ſometimes a Law to him.

Upon the Whole, the ſame Author pronounces, That they ſat from the 7th of *May*, till the 20th of *July* following; and that, in ſo ſhort a time, they entirely deſtroy'd the Settlement of *Ireland*, and outed both the Proteſtant Clergy and Laity of their Freeholds and Inheritances.

Abuſes of the executive Power.

What we are next to treat of, is the uſe which King *James* made of his executive Power in *Ireland*; and if it is truly repreſented by Dr. *King* and his Followers, we ſhall be forc'd to conclude, that though no Prince had ever leſs perſonal Authority, no Government was ever more tyrannical or oppreſſive, and conſequently, that none can deſire to reſtore it, but ſuch who are either ſo infatuated as to ſeek their own Ruin, or who are ſo profligate as to rejoice in the Ruin of others.

The general diſarming of all Proteſtants through the Kingdom, except thoſe of the *North*, who had declar'd for the new Government, was follow'd by the *authoris'd* Robberies in the Country, touch'd on before (for, at the Aſſizes held at *Cork*, Chief Juſtice *Nugent* publicly call'd the Robbers *Neceſſary Evils*) and thoſe by *free Quarterings*, which was only another Name for the ſame thing. Even before the Act, which empower'd the Commiſſioners of the Revenue to ſeize the Goods and Chattels of Abſentees, had taken place, the very Soldiers had poſitive Orders not only to ſeize the Goods and Chattels, but the Lands and Houſes, of ſuch Perſons, not excepting even thoſe who had taken out Licences of Abſence, and whoſe Licences were not expir'd: We are not to wonder therefore that after the Act took place, the ſaid Commiſſioners continu'd to do by Law, what the Soldiers had preſum'd to do without; nor that, in Conſequence of theſe Severities, all the abſent Proteſtants, to the Number of many thouſands were, as Rebels, indiſcriminately diveſted of their perſonal Eſtates, without Mercy. With regard to the Licences, juſt mention'd, it is moreover aſſerted, That when an expreſs Bargain has been driven, and a Sum paid to clear a particular Ship, that Ship has been ſtopt by a Counter Order, the Cargo unloaded, and what Plate or Money has been found among it, ſeiz'd and confiſcated, tho' not forfeited by any Law. And again: That when general Notice had been given, that Licences to ſail for *England* would be granted to any who would pay the Price of them, and when they had gotten vaſt Sums from the Multitude who preſs'd to get away, they ſuffer'd no Ship to ſet ſail; and thereby manifeſted, that the ſaid Notice was no better than a Snare, to drain ſo much Money out of the Pockets of the People. It is added, That another of their Arts, was to take off the general Embargo, and pretend that they would ſuffer the Merchants to trade as uſual; but that, no ſooner were the Cuſtom-houſes fill'd with Goods, and large Sums were paid for Duty, beſides ſuch Bribes as were exacted by the Officers, than they impos'd the Embargo again, and ſtopp'd the Goods without refunding one Farthing. On the Head of Protections, it is alſo farther alledg'd, That all Proteſtants reſiding in the Country, were oblig'd to take them out; that they were ſold at great Rates; that it was not ſufficient to buy them once; that they were often voided by change of Orders, or change of Governors; that in ſuch Caſes they were under a Neceſſity to renew them; and that thoſe who had paid for them five or ſix times over, and had their Horſes and Arms included, were depriv'd of thoſe Horſes and Arms notwithſtanding.

Abuſe of Licences and Protections.

A. D. 1689.

But theſe and the like Shifts (of which a great Variety were put in Practice) not anſwering the great End, of ſupplying the Wants of the Government, or rather of exempting the Court of *France* from making any farther Remittances, a more comprehenſive Project was ſet on foot, which was, to fill the Exchequer with baſe Money, and to make it current by the King's Proclamation. The ſole Right of coining Copper Money in *Ireland* for a certain Term of Years, was, by an excluſive Patent of the late King *Charles's*, which had been confirm'd by King *James*, lodg'd in one *Moor*, for a valuable Conſideration: This was now ſuperſeded, and, inſtead of making him any Amends, all his Tools and Engines were preſs'd into the King's Service. Nor was that the only private Injury on which this public Fraud was grafted; for when the King's own Stores of old Guns, and old Braſs of all Sorts were exhauſted, the Braziers Shops and Citizens Kitchens were pillag'd to ſupply the Mint: And when a ſufficient Stock of adulterate Traſh was provided, a Proclamation was ſet forth (*June* 18) requiring and commanding all manner of Perſons to take it in Payment, under the ſevereſt Penalties, tho' the intrinſic Value of what was to paſs for five Pounds, was not worth above a Groat. In about a Year's time, no leſs than 965,375*l.* was iſſu'd of this counterfeit Coin: And though the Parliament was ſitting when the Abuſe was firſt committed, they ſuffer'd the Prerogative to be thus infamouſly proſtituted, without once interfering in Behalf of the Subject, or endeavouring

Baſe Money coin'd.

A. D. 1689. deavouring to remedy the Grievances and Oppreſſions it gave riſe to, of which many ſhocking (*f*) Inſtances are recited by Dr. *King*.

Nor was this the ſole Violation of national Property which King *James* or his Miniſters had to anſwer for: The Tax of 20000*l.* a Month given him by his Parliament, was laid upon Lands only; but towards the Cloſe of this Year, he caus'd the like Tax to be levied on Chattels alſo; and that without any other Authority than what he deriv'd from his Prerogative, or aſſigning any other Reaſon than his Royal Will and Pleaſure.

20,000 l. per Month levy'd on Chattels by Prerogative.

But this way of levying Money, we are told, ſtartled every body: The pretended Parliament was then in being, and was adjourn'd till *January* 12, 1689, which happen'd to be about the very time when the King and his Council were upon this Project. Some of the Latter had the Honeſty and good Senſe to oppoſe it, and ſhew'd there was no Neceſſity of uſing extraordinary ways of levying Money, when the King might have it in the ordinary way; as alſo, that it would give Advantage to his Enemies, and be an Argument of his affecting an Arbitrary Power: But with theſe Free-Speakers he was very angry, and told them, That they had made him believe it was a Branch of his Prerogative to levy Money, and that if he could not do it, he could do nothing. Chancellor *Fitton* particularly appear'd zealous for it, and it was carry'd, that the Money ſhould be rais'd; but it being a new thing, they were at a loſs for a Method; at laſt however a Proclamation was agreed upon, and a Proclamation, dated *February* 4, 1689, was iſſu'd accordingly, wherein it is order'd and declar'd, That a Contribution of 20,000 *l. per* Month, for the Space of three Months, ending the laſt Day of *January* laſt paſt, ſhall be forthwith applotted, laid in, and levy'd upon perſonal Eſtates of all ſorts: Now this Applotment is order'd to be made by Commiſſioners to be nam'd by the King, who were to proceed according to Inſtructions forthwith to be publiſh'd by him: But *Albaville*, the Secretary of State, thought it ſufficient, to ſend Letters ſign'd only by himſelf; in which he nam'd and inſtructed the Commiſſioners; and the Perſons ſo nam'd for *Dublin* judging this Authority inſufficient, and demurring to the Execution, till they had their Nomination and Inſtructions according to the Proclamation, from the King himſelf, under the Great Seal, his Majeſty appear'd not only highly incens'd at the difficulty they made, but was hardly prevail'd on to iſſue a Commiſſion under the Seals in the uſual Forms; as judging his Secretary's Letter a ſufficient Warrant. At laſt, however, a Commiſſion was iſſu'd, in which the Commiſſioners were named, and empowered to name Sub-Commiſſioners for every Barony in their reſpective Counties,

A. D. 1689.

(*f*) "In this Coin King *James* paid all his Appointments; and all that receiv'd the King's Pay being generally Papiſts, they forc'd the Proteſtants to part with their Goods out of their Shops for this Money, and to receive their Debts in it; but the Proteſtants having only good Silver or Gold, and Goods bought with theſe, when they wanted any thing from Papiſts, they were forc'd to part with their Gold and Silver, having no Means of coming by the Braſs Money out of the King's Hands; ſo that the Loſs by the Braſs Money did in a manner entirely fall on the Proteſtants, being defrauded (for I can call it no better) of about 60,000 *l. per* Month by this Stratagem, which muſt in a few Months utterly exhauſt them. When the Papiſts had gotten moſt of their ſalenable Goods from their Proteſtant Neighbours, and yet great Quantities of Braſs Money remain'd in their Hands, they began to conſider, how many of them who had Eſtates had engag'd them to Proteſtants by Judgments, Statute-Staples, and Mortgages; this was all the Reſerve of their Fortunes left the Proteſtants: And, to take this likewiſe from them, they procur'd a Proclamation, dated *February* 4, 1689, to make the Braſs Money current in all Payments whatſoever, whereas at firſt Judgments, *&c.* were excepted: Thus they rid themſelves of their Braſs Money, and put it on Proteſtants. The Chancellor *Fitton* compelling the Truſtees for Orphans and Widows, to receive their Mortgages, *&c.* in this Coin, as well as others, tho' they pleaded that they knew not how to diſpoſe of it, nor, if they did know, could they legally receive it, or make uſe of it, being only Truſtees. Sometimes it was pleaded, that by the original Covenants they were to have a certain Time of Warning, before they ſhould be oblig'd to receive their Money, tho' offer'd them in Silver: but all ſignify'd nothing, the Chancellor over-rul'd all their Pleas, and puſh'd the Braſs Money on them, not ſo much as allowing it to remain in the Court.

The Governor of *Dublin*, the Provoſt-Marſhal, and their Deputies, aſſum'd the ſame Power, and threaten'd to hang all that refus'd the Braſs Money; of which we had many Inſtances. One *Mr. Bennet* a Tanner owing Money to one Alderman *Smith*, and to *Mr. Hugh Leſſon* a Clergyman; *Bennet* having ſome Goods taken from him, for which he was paid in Braſs Money, tender'd it to them; but upon a civil Refuſal he complain'd to Governor *Luttrell*, who gave him two Warrants to the Provoſt-Marſhal to take them; he ſhew'd them to Alderman *Smith*, who immediately comply'd, and receiv'd his Money; but *Luttrell*, being inform'd of it, was angry that *Bennet* had compounded the Buſineſs, and therefore directed the Provoſt to take him; by whom he was kept a Fortnight, and not releas'd till he paid 20*l.* Fees. *Leſſon* was likewiſe taken, and committed with him.

One *Chapman*, a Widow, was us'd yet worſe by the Provoſt-Marſhal's Deputy, one *Kerney*: a Petition was preferr'd againſt her by the Sollicitor of one who ow'd her 150 *l.* by Bond, alledging, falſly, that ſhe had refus'd to receive it in Braſs: *Kerney* ſent his Troopers for her at ten o' Clock at Night; he told her, with many Oaths and Execrations, that he would have her burnt next Morning; that he had Power to put to what Death he pleas'd any that ſhould refuſe or undervalue the Braſs Money, and would exerciſe it on her. Her Debtor was preſent, and acknowledg'd, that the Allegation in the Petition was falſe, that ſhe had never tender'd the Money, only ſent to her Houſe, and receiv'd Anſwer that ſhe was not at home, and that his Sollicitor had wrong'd her in the Petition; yet the Deputy-Provoſt abated nothing of his Rigour, but made her be thruſt into a dark Cloſet for that Night, without Bed or Candle: Her Sollicitor offer'd any Security for her till next Morning; but he threaten'd to tie him Neck and Heels, ſend him to *Newgate*, and hang him next Day at his own Door, for interceding for her. At Nine next Morning he ſent a Meſſenger to her to prepare for Death, for he would have her burnt immediately. She had often, while in Cuſtody, preſſer'd to receive her Money, and never before refus'd it; which ſome repreſented to him ſo effectually, that he at laſt conſented to releaſe her, ſhe paying 4*l.* Fees, and 10*s.* to her Adverſary's Sollicitor that preſſer'd the falſe Petition againſt her, and ſigning an Acknowledgment to be enter'd on Record, and a General Releaſe: She demurr'd a little at the General Releaſe; but the Provoſt, renewing his Threats of burning her and hanging her Sollicitor, oblig'd her to perfect it.

But where Papiſts were Creditors, and Proteſtants Debtors, the Caſe was otherwiſe; of which *Mr. Rice*, a Merchant, is an Inſtance: He had receiv'd 500 *l.* from ſome *Roman-Catholics*, for which he drew a Bill of Exchange into *England* on his Correſpondent: the Seas being then ſhut up, they ſued for the Money, tho' it was ſuppoſ'd on all hands to be paid in *England*: While they went on with the Suit, the Braſs Money came into Play, and then they would have withdrawn it; but *Mr. Rice*, having great Quantities of Braſs Money put on him for Goods taken away from him, proſſited in it, the Declaration againſt him being filed; however, the Judge kept him three Terms, taking occaſion from the Sickneſs of the Attorney, or any other little Matter, to adjourn the Cauſe. At laſt *Mr. Rice* brought the Money, and depoſited it in Court; which the Judge call'd an Affront, and the receiving it was demurr'd to; and there the Cauſe remain'd till the Change of the Government, without any Determination." King's *State*, *p.* 134, 135, 136.

A. D. 1689. Counties, to make the Applotment; of which Sub-Commiſſioners the High-Conſtable was to be one. The Commiſſioners of *Dublin*, and other Cities, were not yet ſatisfy'd; for their Counties had neither Baronies nor High-Conſtables; and therefore the Commiſſion could not be duly executed in them: They therefore apply'd a-new to the Lords of the Treaſury for a more ample Commiſſion, which put the ſaid Lords and the Attorney-General in as great a Paſſion as the King had been in before; and all the Anſwer return'd to the Commiſſioners was, That they ſhould go about their Buſineſs without ſuch frivolous Scruples, or they ſhould take a Courſe with them. The Commiſſioners being thus appointed, were moſt of them Papiſts; and the few Proteſtants that were nam'd, declin'd acting as much as they durſt; by which Means the Papiſts had the applotting entirely in their own Hands, and never fail'd to lay the greateſt Burden on their Proteſtant Neighbours, who, in effect, paid all the Taxes that King *James* ever receiv'd in *Ireland*."

Goods rated by Proclamation:

Cloſe on the Heels of this arbitrary Edict came forth another, in which the King took upon him, by virtue of the Prerogative, as before, to fix the Prices of Hides, Tallow, Wool, Corn, &c. which the Proteſtants had bought up in great Quantities, and at any Rate, in order to get rid of their Braſs Money. It was then declar'd, that the King wanted certain Quantities of theſe Goods; as alſo, that he would have them at the Proclamation-Rates: And when it appear'd, that no body was over-forward to ſupply him on thoſe Terms, Searchers were firſt appointed to take an Inventory of all ſuch Goods; and then the Quantities wanted for the King's Service were ſeiz'd by his Warrant, as far as appears, without (*g*) allowing the Owners any Conſideration at all.

And ſeiz'd for the King's Uſe.

Methods taken to ruin the Proteſtant Religion.

It is farther alledg'd, That, during this melancholy Interval, the Proteſtants of this unhappy Kingdom did not ſuffer more in their Property than their Religion: That King *James* laid the Ax to the Root of the Tree; and that his Emiſſaries of all ſorts made it their joint Endeavour to accompliſh its Downfal: In order to which, they, in the A. D. 1689. firſt place, either left the ſeveral public Schools unſupply'd, or ſupply'd them with Papiſts; and where no Vacancy occurr'd, they drove away the Teacher, or ſet up poſ- *Given to Papiſts.* piſh Schools in oppoſition: At *Kilkenny* they did both: And they not only cut off the yearly Penſion of three hundred and eighty-eight Pounds allow'd to the Univerſity of *Dublin*, out of the Exchequer, but turn'd out the Vice-Provoſt, Fellows and Scholars, ſeiz'd upon their Furniture and Books, the Communion Plate, the public Library, and, in general, whatever they found upon the Premiſes; which was ſo much the more inexcuſable, becauſe there was not the leaſt Colour or Pretence of Law for this Violence; and King *James* had in Perſon aſſur'd the Univerſity, when they came to compliment him on his Arrival in *Dublin*, That he would preſerve them in their Liberties and Properties, and rather augment than diminiſh the Privileges and Immunities granted to them by his Predeceſſors. Nor did the Violence offer'd to this national Seminary end here: A Party of Soldiers had Orders to apprehend the Perſons of thoſe obnoxious Collegians: "And, ſays our Author, it coſt the Biſhop of *Meath*, their Vice-Chancellor, all his Cunning and Intereſt with *Lutterel*, the Governor of *Dublin*, to prevent their Impriſonment; which he could no otherwiſe do, than on condition, *That no Three of them ſhould meet together on pain of Death.*" In the mean while, the College was turn'd into a Garriſon, the Chapel into a Magazine, and many of the Chambers into Priſons for Proteſtants; under which Proſtitution, the Damage done to the Building, Lodgings, &c. amounted to two thouſand Pounds: And, finally, one Dr. *Moore*, a popiſh Prieſt, was nominated Pro- *And alſo the Univerſity of Dublin.* voſt, and one *Macarty* Library-Keeper; and the whole Foundation was allotted to others of the ſame Fraternity.

All this, we are told, was done to prevent the Succeſſion of Proteſtants, and more eſpecially of Proteſtant Clergymen: And, that the Latter might fail ſo much the ſooner, we are farther told, that as faſt as Biſhoprics, or

The Schools

(*g*) "When the Sufferers preſs'd the Commiſſioners of the Revenue to know the Reaſon why they were thus us'd, it was anſwer'd them by Sir *Patrick Trant*, that he would not give any Reaſon to ſuch Rogues; but at laſt, when urg'd, he told them, It was becauſe they were Proteſtants. Some, particularly Mr. *Piercy* the Merchant, being aſk'd by Sir *Thomas Hacket*, whether he was willing to part with his Goods, anſwer'd very calmly, That he was not willing if he could help it. His ſaying ſo was reckon'd a high Crime, and he was brought before Colonel *Lutterel* Governor of *Dublin*, who put the ſame Queſtion to him, and upon his making the ſame Anſwer, condemn'd him, in his Paſſion, to be hang'd, for oppoſing the King's Will: He ſent up and down for the Provoſt to execute the Sentence, and ſwore many Oaths that he would have it done immediately. Mr. *Piercy* continu'd under this Sentence for two Hours, during which time the Provoſt could not be found, though diligent Search was made for him. At laſt the Governor, weary'd with waiting, and not able to find any to execute his Sentence, was, by ſome Intercеſſion made to him, content to diſmiſs Mr. *Piercy* for that time." [*King's State, p.* 138.

Again, "It was criminal to have barrell'd Beef or Biſket in a Houſe, and Alderman *Giles Meigh* was clapp'd up in Priſon for the Treaſon of having ſome hundred of Biſket. The like happen'd to ſeveral others, they alledging, that ſuch as had them *deſign'd them for* Schomberg's *Army*. We were at a loſs what the meaning of taking away Corn from Proteſtant Farmers, Houſe-keepers and Bakers ſhould be, when there was no Scarcity in the Kingdom, and the Markets, if left open, were ſufficient to furniſh all; but Sir *Robert Parker*, and ſome others, blabb'd it out in the Coffee-houſe, That they deſign'd to ſtarve one half of the Proteſtants and hang the other, and that it would never be well till this were done. We were very ſenſible that they were in earneſt by the Event; for no Proteſtant could get a Bit of Bread, and hardly a Drop of Drink in the whole City: twenty or thirty Soldiers ſtood conſtantly about every Bake-houſe, and would not ſuffer a Proteſtant to come nigh them: If they ſent into the Country, and by Intereſt and a great Price, got a Barrel of Wheat from a Popiſh Farmer, it was ſeiz'd as it came to Town: And tho' there was Plenty of all things, yet ſeveral Proteſtant Families could not get one Loaf of Bread, ſometimes in a Week, ſometimes in a Fortnight: There was a general Cry for Bread, and the Proteſtants could find no way to come by it, but by buying it from the Soldiers, who ſold their Two-penny Loaves for a Shilling or eighteen Pence. It was confidently reported, that the Popiſh Store-keepers deſign'd to get all the Corn in the Kingdom into the King's Stores, and then to let the Proteſtants have none out but for Silver and Gold; which they did in a good meaſure effect; and it is certain before Harveſt they would have ſtarv'd many and drain'd all." [*Ibid* 139, 140.

A. D. 1689. or any other Benefices in the Gift of the Crown, became vacant, King *James* seiz'd them to his own Hand, caus'd the Profits of them to be lodg'd in the Exchequer, and suffer'd the Cures to lie totally neglected. It was thus with the Archbishopric of *Cashel*, the Bishoprics of *Clogher*, *Elphin*, and *Clonfert*, and many inferior Livings; the Revenues of which were diverted to maintain Popish Bishops and Priests, directly against the Laws and Constitution of the Kingdom. This was an effectual, tho' a slow, Way of putting an end to the Ministry: And of this Usage the Protestant Clergy had so much the more Reason to complain of King *James*, because there was as much Ingratitude in it as Injustice: "They, says Dr. *King*, had disoblig'd many of their People to set him on the Throne; and he, in requital, depriv'd them of all other worldly Support or Power, besides what must depend on the free Choice of those very People, whom, for his Sake, they had not only disoblig'd, but likewise help'd to bring under many Inconveniencies."

The Profits of vacant Bishopricks bestow'd on Popish Priests.

But we are farther told, that this slow Method of Proceeding, however effectual, did not answer the Impatience of the Popish Priests: In the Months of *October* and *November*, therefore, they seiz'd on most of the Churches in the Kingdom, after the manner following: The Mayor or Governor in the Towns, with the Priests, went to the Churches, sent for the Keys to the Sextons, and if they were found, forc'd them from them; if not, they broke open the Doors, pull'd up the Seats and Reading-Desk; and having said Mass in them, look'd upon them as their own; and said, The King himself had then nothing to do with them, being consecrated Places, and that to alienate them, or give them back to Heretics, was Sacrilege. In the Country the Militia-Captains, or Officers of the Army that chanced to be quarter'd in the several Places, perform'd the same Part that the Mayors or Governors did in Corporations. Thus *Christ-Church* in *Dublin* was seiz'd by *Lutterel* the Governor, and about twenty-six Churches and Chapels in the Diocese of *Dublin*.

They seize the Protestant Churches.

Of this the Protestants complain'd to King *James*, as a great Violation of his own Act for Liberty of Conscience; in which it is expressly provided, that they should have Liberty to meet in such Churches, Chapels, and other Places as they should have for that Purpose. They further represented to him, That all the Churches of *Ireland* were in a manner ruin'd in the late War in 1641: That it was with great Difficulty and Cost that the Protestants had new built or repair'd them: That many were built by private Persons at their own Costs; and that the *Roman Catholicks* had no Pretence or Title to them: But his Majesty answer'd, "That they were seiz'd in his Absence at the Camp, without his Knowledge or Consent: That nevertheless he was so much oblig'd to his *Roman Catholic* Clergy, that he must not dispossess them: That they alledg'd a Title to the Churches that they had seiz'd; and if they, the Protestants, thought their Title was better, they must bring their Action and endeavour to recover their Possessions by Law.

A. D. 1689.

Only to colour the Matter a little, and lest it should make too great a Noise in *England* and *Scotland*, where at this time he had very encouraging Hopes, he issu'd out a Proclamation, *December* 13, 1689, in which he acknowledges, that the seizing of Churches was a Violation of the Act for Liberty of Conscience, yet doth not order any Restitution; only forbids them to seize any more. The Papists had, in many Places, Notice of this Proclamation before it came out, and therefore were the more diligent to get into the remaining Churches; for they look'd on the Proclamation as a Confirmation of such Possessions as they had before the publishing of it; and in some Places the Popish Officers kept it from being publish'd, till they had done their Work: And thus, like other Proclamations of his Majesty in favour of his Protestant Subjects, it was not publish'd till the Inconveniency it pretended to prevent was brought upon them, and the Mischief actually executed; and when publish'd, it only serv'd to make their Enemies more hasty to do it than otherwise they would have been, lest they should slip the time, and lose the Opportunity.

But after all, some were too late, and the Protestants got sight of the Proclamation before their Churches were seiz'd: But here the Priests put off their Vizors, and acted bare-faced; telling the People, as above, That the King had nothing to do with them or their Churches; that they were immediately under the Pope, and that they would neither regard him nor his Proclamations or Laws made to the Damage of Holy Church.

The Protestants upon this had a mind to make an Experiment, whether the Priests or King would get the better; in order to which, they chose out some Instances, in which the Violence and Injustice of turning them out of their Churches, were most undeniable, and laid their Case before his Majesty and his Council by their Petitions: And that those Petitions might not be laid aside or lost, as was the common Custom to deal with such Petitions and Affidavits as they were asham'd to return a flat Denial to, they engag'd some of the Privy Council to espouse their Cause; and had the Luck to gain several of the Popish Nobility to recommend their Suits, especially of such as had Estates in *England*, and knew King *James*'s true Interest and their own.

The Petitions of *Waterford* and *Wexford* were the most favourably receiv'd, and in spite of all the Opposition that the Attorney General *Nevgle*, or the Solicitor General, one *Butler*, who concern'd himself with singular Impudence against the Petitions, could make, they obtain'd an Order for Restitution of these two Churches: The *Wexford* Petition sets forth the Loyalty of the Minister, the Peaceableness of the People, their having contributed to the building of several Popish Chapels within and without the Walls of that Town, and that the *Roman* Catholics had

The King ordered to give Redress.

A. D. 1689. had no Occasion for the Church; the Reasonableness of it was so manifest, that King *James* and his Council made an Order for the Restitution of the Church: But he now found how precariously he reign'd in *Ireland* (notwithstanding their mighty Professions of Loyalty and absolute Subjection upon all Occasions, and more particularly in their Act of Recognition) for the Mayors and Officers refus'd to obey his Order.

Upon which he was importun'd by the Protestants with new Complaints; but being asham'd to own his *want of Power* to make good his former Order, he referr'd the *Waterford* Petition to the then Governor of that Place, the Earl of *Tyrone*, who reported that the Church of *Waterford* was a Place of Strength, and consequently not fit to be trusted into the Hands of Protestants; and so all they obtain'd by their Petition, Attendance, and Charges, was to have their Church turn'd into a Garrison instead of a Mass-house. This Pretence could not be made for the Church of *Wexford*, it having no Appearance of Strength, and therefore the Order for restoring it was renew'd, and the disobedient Mayor sent for and turn'd out; for which the Popish Clergy made him ample Satisfaction. But notwithstanding that King *James* appear'd most zealous to have the Church restor'd, and express'd himself with more Passion than was usual, *that he would be obey'd*, and tho' the Protestants concern'd solliciated it with the utmost Eagerness and Diligence, even to the Hazard of their Lives, yet they could never procure the King and Council's Order for the Restitution of their Church, to be executed or obey'd.

"Thus, says our Author, it was found upon Trial, that when King *James* would have kept his Word with us, it was not in his Power to do it; and that his frequently-repeated Promises, and his Act of Parliament for Liberty of Conscience, could not prevent the demolishing, defacing, or seizing nine Churches in ten through the Kingdom; and discover'd to us, That the Act for Liberty of Conscience was only design'd to destroy the Establish'd Church, and not that Protestants should have the Benefit of it."

By the Act of the *Dublin* Parliament for Liberty of Conscience, it was provided, "That all who profess'd Christianity within the Kingdom of *Ireland*, should have the full and free Exercise of their respective Religions, without any Molestation, Loss, or Penalty whatsoever." But no Provision being made for the Punishment of such as should disturb any Congregation in their Religious Exercises, Advantage was taken by the Officers and Soldiers of the Army, to commit a thousand Rudenesses in the Protestant Churches: And when this did not deter the People from assisting at Divine Service, all Protestants were prohibited by Proclamation, bearing Date *July* 13, from going out of their own Parishes: Now one Church generally serv'd two or three Parishes, and by Consequence, full one Half of them were compell'd to stay at Home. In the *September* following, under Pretence, that some Ships were seen in the Bay of *Dublin*, they were expresly forbid assembling in any Place of Worship: And in the Close of all, the Protestant Churches throughout the Kingdom were not only shut up, but they were yet again forbid to hold Assemblies either there or elsewhere, on *pain of Death*. A. D. 1689. *Protestants forbid to assemble on pain of Death.*

These dreadful Words have once before occur'd in the Case of the *Dublin Collegians*; and there is Reason to think that they occur'd often under the Administration before us, which seems to have been one continu'd Series of Illegality and Violence, and which consequently could no otherwise subsist than by Terrors and the Sword. The Proclamation which was first set forth to oblige all Protestants to bring in their Arms, was on the Penalty of their being left to the Discretion of the Soldiers: That of *June* 20, 1689, to the like Effect, was on Penalty of being dealt with as Rebels and Traitors; in vindication of which, Chief-Justice *Nugent* was pleas'd to declare, That Disobedience to the King's Command, in that Case, was Treason; as also, that all such disobedient Persons ought to be proceeded against accordingly. And we are moreover assur'd, that it was for this kind of Treason, which was construed a levying of War against the King, That many Persons were inserted in the Bill of Attainder. By an Ordinance, which requir'd all Ministers to number the Protestants in their several Parishes, it was declar'd to be his Majesty's Resolution, that all Persons who did not give in their Names by a certain Day, should be treated as Spies, or Enemies. This Ordinance was penn'd and set forth by *Lutterel*. The same Person, in a Speech at the Quarter Sessions held for the County of *Dublin*, was pleas'd to declare, That King *James* wanted Wheat and other Grain for his Horses; that he had given the Country Farmers three Weeks to bring in their Corn; that he had waited for their Compliance during that time; that he resolv'd to wait further until the *Saturday* after; that if they did not bring it in by that time, he would compel them; that it was the King's Will they should do it, and that he the King's Servant would see his Master's Commands executed; adding with a great Oath, That he would *hang that Man before his own Door* that did not obey and bring in his Corn according to Order. The same Person also gave out the same Menace, by beat of Drum, against all who should presume to disobey the Proclamation for ascertaining the Rates of Goods. Brigadier *Sarsfield*, in virtue of the like military Authority, requir'd all Protestants to leave their Houses, and retire ten Miles from the Borders on Pain of Death: And lastly, to keep up the Credit of their Brass Money (which in nominal Value was at last rais'd 100 *per Cent.* but in truth was sunk so low, that five Pound of it was given for a Guinea) a Proclamation was issu'd, which made it Death for any one to give above 1*l.* 18*s.* for a Guinea, or 1*l.* 10*s.* for a *Louis d'Or*. *Other Proclamations &c. under the same Penalty.*

To sum up all that need be said on these several despotic Acts, as fairly and concisely *General Reflections on*

as

A. D. 1689. *King James's Government in Ireland.*

as poſſible; ſuppoſing them all to be as unjuſt and ſavage as we find them repreſented, ſome Allowance ought to be made on King *James*'s Side, for the Neceſſity of his Affairs, the alternate Predominancy of the *French* and *Iriſh* Factions; with either of which he was too weak to ſtruggle; the Suſpicions he could ſcarce help entertaining of his Proteſtant Subjects, and the Licentiouſneſs inſeparable from a State of a War and a military Government. Inſtances of his endeavouring to prevent ſome of thoſe Miſchiefs, and of his Inability to do ſo, have ariſen even from the Teſtimony of his Enemies: And by the ſame Teſtimony we farther learn, that, when certain Forgeries were contriv'd among the Popiſh Prieſts and others, to ſcandalize the Proteſtants, the King, on their being detected, in great Paſſion declar'd, "That for aught he ſaw, the Latter were wrong'd and miſrepreſented to him, and that there were ſome as great Rogues amongſt the *Roman Catholics*, as amongſt them." But then whether theſe Miſchiefs were the Reſult of his Weakneſs or Wickedneſs, they were equally grievous to the Sufferers, and reproachful to his Government: Nor could a worſe thing have happen'd to his Cauſe, than the Opportunity which fell into his Hands of reſuming the King once more; for the Uſe he made of his Power in *Ireland* was ſuch as could not fail to convince the Inhabitants of *England* and *Scotland*, that wherever he held the Reins, the Emiſſaries of *France* and *Rome* would drive.

It is however undeniable, that the greater the Preſſures of the *Iriſh* Proteſtants were, the more incumbent it was on the new Government here to interpoſe for their Deliverance. Theſe Proteſtants, we may perceive, were of two ſorts; thoſe who for various Reaſons continu'd under the Government of King *James*, and thoſe who in the *North* declar'd for King *William* and Queen *Mary*, and who had recourſe to Arms to vindicate that Declaration: The Former made a merit of their Obedience, and the Latter pleaded by way of Excuſe for their Defection, That *Ireland* being a Kingdom dependent on the Crown of *England*, and Part of the Inheritance thereof, was under a Neceſſity to follow its Example, and ſhare its Fate: But as Loyalty and Submiſſion in the one, produc'd nothing but Tyranny and Oppreſſion, ſo the Spirit of Liberty and Independency, which animated the other, only expos'd them to Difficulties and Dangers beyond Example, without procuring them the Protection they ſought, or the Succours they deſerv'd.

Sequel of the Siege of Londonderry.

Tho' the Colonels *Richards* and *Cunningham* return'd with ſo much Speed and Terror to *England*, and gave out ſuch a Report of the deſperate State of *Londonderry*, by way of juſtifying themſelves, it was not till the Middle of *May* that a ſecond Embarkation was made at *Liverpool* for the Relief of thoſe who had undertaken its Defence. *Kirk*, ſo infamous for his Cruelties in the *Weſt*, after the Duke of *Monmouth*'s Defeat at *Sedgmoor*, and who had ſince made his Peace with the Party he was once ſo eager to deſtroy, by abandoning the Maſter he was then ſo zealous to ſerve, had the Command, and ſet Sail the twenty-ſecond; but meeting with contrary Winds, could not proſecute his Voyage till *June* the firſt. He had afterwards ſo tedious a Paſſage, that he did not arrive in the Lough of *Derry* till the Middle of the Month; and even then, inſtead of making any Attempt to execute his Orders, came quietly to anchor, and diſpatch'd an Expreſs to *England*, ſignifying, That the Enemy was ſo well entrench'd on both Sides of the River, and had taken ſuch Precautions, (having planted Batteries of 24 Pounders in the narroweſt Part of it, which was not Piſtol Shot over, having ſecur'd that Paſſage by a Boom, and having elſewhere encumber'd the Channel by ſunk Boats) that it was thought adviſeable to reſt on their Arms, till they were enabled by a Reinforcement to force their way through the Enemy's Camp. To keep up the Spirits of the Beſieged in the mean while, however, he contriv'd to ſend ſeveral Letters to their Governor, *Walker*, containing Aſſurances, "That he would endeavour, by all Means, to relieve the Place: That finding it *impoſſible* to be accompliſh'd by the River, he had ſent a Party to *Inch*, in hope to make ſuch a Diverſion on that Side, as ſhould prevent the Enemy from preſſing the Town: That he had ſent Officers, Ammunition, *&c.* to *Iniſkillin*, where there was a Force of 3000 Foot, 1500 Horſe, and a Regiment of Dragoons, which had promis'd to come to their Relief: That when theſe came up, he would make his Attack at *Inch*: That he expected ſix thouſand Men from *England* every Minute, they having been ſhipp'd eight Days before: That he had Stores of all ſorts for their Relief: That he, nevertheleſs, adviſ'd them to huſband the Remainder of their own, till an Opportunity ſhou'd offer to ſend them a Supply; and that he hop'd their Deliverance was at hand; for that ſeveral of the Enemy had deſerted to him, who all aſſur'd him, they could not ſtay long."

Inch is an Iſland within ſeven Miles of *Derry*; the Detachment landed there, under the Protection of a Man of War, conſiſted of 500 Men, and the Orders they receiv'd were, to throw up ſuch Works as ſhould be neceſſary for ſecuring that Poſt, which was of great Importance to facilitate the Junction of the *Engliſh* Forces with thoſe of *Iniſkillin*: But for five or ſix Weeks together this was the only Step that was taken to ſuccour the Town. The *Iniſkillin* Forces, which were not above 2000, could not come up: The ſix thouſand Men which were every Minute expected from *England*, never arriv'd; and Hopes and Promiſes were all the Beſieg'd had to ſubſiſt upon: Their Proviſions were exhauſted; Famine diſtreſs'd them more grievouſly within than the Enemy without. Such things as reſembled Poiſon more than Food Hunger made palatable: Horſe-Fleſh, Tallow, dry'd and ſalted Hides, and Vermin of all ſorts were Dainties: Even theſe Deteſtables were on the Point of failing; and yet, ſurrounded as they were with all this

A. D. 1689. Variety of Horrors, inſtead of liſtening to the Offers of General *Hamilton* (the Perſon recommended by the *Temples* to bring over *Tyrconnel*) who endeavour'd to negotiate them into a Surrender, they upbraided him with his Infidelity to King *William*. They made an Order that no Mention ſhould be made for the future of a Capitulation on pain of Death; and they unanimouſly reſolv'd firſt to eat the *Iriſh*, and then one another, rather than ſubmit on any Terms whatſoever.

Marſhal Roſen takes the Command of King James's Army.

On the Arrival of *Kirk* and the Forces from *England*, it was thought adviſable to give the Direction of the Siege to Mr. *de Roſen*, a *Frenchman*, with the Title of Marſhal-General of all his Majeſty's Forces, who, on his Arrival in the *Iriſh* Camp, to ſtrike a Terror into the Beſieged, took occaſion to ſay, That he would level the Place to the Ground, and bury the Inhabitants, without any Diſtinction of Age or Sex, in the Ruins, in Caſe they held out any longer. But he had Men to deal with who ſeem'd to have no Mixture of Fear in their Compoſitions, and who made no Difficulty to treat his Menaces with as much Diſdain and Contempt as they had ſhewn to the Offers and Promiſes of his Predeceſſor *Hamilton*.

In hope, however, that thoſe who had loſt all Concern for themſelves, might, nevertheleſs, have ſome feeling for the Miſeries of others, Mr. *de Roſen* had recourſe to one Device more, which for every kind of Barbarity is not to be paralell'd in Hiſtory: He firſt ſent the following Notice to *Derry*, *viz.*

His cruel Order.

"*Comrade de Roſen*, Marſhal-General of all his Majeſty's Forces, declares by theſe Preſents, to the Commanders, Officers, Soldiers and Inhabitants of the City of *Londonderry*, That, in Caſe they do not, betwixt this and *Monday* next, at ſix o'Clock in the Afternoon, being the firſt of *July*, 1689, agree to ſurrender the ſaid Place of *Londonderry* unto the King, upon ſuch Conditions as may be granted them, according to the Inſtructions and Power Lieutenant-General *Hamilton* formerly receiv'd from the King, he will forthwith iſſue out his Orders from the Barony of *Iniſhone*, and the Sea-coaſts round about, as far as *Charlemont*, for the gathering together of thoſe of their Faction, *whether protected or not*, and cauſe them immediately to be brought to the Walls of *Londonderry*, where it ſhall be lawful for thoſe that are in the Town (in caſe they have any Pity for them) to open the Gates, and receive them into the Town; otherwiſe they will be forc'd to ſee their Friends and neareſt Relations all ſtarv'd for want of Food; he having reſolv'd not to leave one of them at home, nor any thing to maintain them. And that all hope of Succour may be taken away, by the landing of any Troops in theſe Parts from *England*, he further declares, That in caſe they refuſe to ſubmit, he will forthwith cauſe all the ſaid Country to be immediately deſtroy'd; that if any Succour ſhould be hereafter ſent from *England*, they may periſh with them for want of Food: Beſides which, he has a very conſiderable Army, as well for the oppoſing of them in all Places that ſhall be judg'd neceſſary, as for the protecting all the reſt of his Majeſty's dutiful Subjects, whoſe Goods and Chattels he promiſes to ſecure, deſtroying all the reſt that cannot be brought conveniently into ſuch Places as he ſhall judge neceſſary to be preſerv'd, and burning the Houſes and Mills, not only of thoſe that are in actual Rebellion, but alſo of their Friends and Adherents, that no Hopes of eſcaping may be left for any Man; beginning this very Day to ſend his neceſſary Orders to all Governors, and other Commanders of his Majeſty's Forces of *Colerain*, *Antrim*, *Carricfergus*, *Belfaſt*, *Dungannon*, *Charlemont*, *Belturbet*, *Sligo*; and to Colonel *Sarſfield*, commanding a flying Army beyond *Ballyſhany*, Colonel *Sutherland* commanding another towards *Iniſkillin*, and the Duke of *Berwick* another, on the *Fin Water*, to cauſe, all the Men, Women, and Children, who are *any ways related* to thoſe in *Londonderry*, or *any where elſe in open Rebellion*, to be forthwith brought to this Place, without Hopes of withdrawing further into the Kingdom; that, in caſe before this ſaid *Monday* the firſt of *July*, in the Year of our Lord, 1689, be expir'd, they do not ſend us Hoſtages and other Deputies, with a full ſufficient Power to treat with us for the Surrender of the ſaid City of *Londonderry* on reaſonable Conditions, that they ſhall not, after this time, be admitted to any Treaty whatſoever; and the Army which ſhall continue the Siege, and which, with the Aſſiſtance of *God*, will ſoon reduce them, ſhall have Orders to give no Quarter, or ſpare either Age or Sex, in caſe they are taken by Force; but if they return to the Obedience due to their natural Prince, he promiſes them, that the Conditions granted them in his Majeſty's Name, ſhall be inviolably obſerv'd by all his Majeſty's Subjects; and that *he himſelf* will have a care to *protect them* on all Occaſions, even to take their Parts, if any Injury, contrary to the Agreement, ſhould be done to them; making *himſelf reſponſible* for the Performance of the Conditions on which they agree to ſurrender the ſaid Place of *Londonderry* to the King. Given under my Hand this 30th Day of *June*, in the Year of our Lord, 1689.

Le Mareſchal ROSEN."

A. D. 1689.

And, without waiting for any Reply, the Marſhal cauſ'd it to be put into immediate Execution, by ſufficient Parties of Foot and Dragoons, who did not fail to enforce it with the utmoſt Rigour: They firſt ſtript, and [King's *State*] then drove, the Inhabitants of the whole Country for thirty Miles about before them, not ſparing Nurſes with their ſucking Children, Women big with Child, nor old, decrepid Creatures; ſome Women in Labour, ſome that were juſt brought to bed, were driven amongſt the reſt; the very Papiſt Officers that executed the thing afterwards, confeſs'd, that it was the moſt diſmal Sight they had ever ſeen, and that the Cries of the poor People ſeem'd to be for ever in their Ears. They own'd that they gather'd above 4000, others ſay 7000, and that they kept many of them

A.D. 1689. them without Meat or Drink for a whole Week: That several hundreds dy'd in the Place before they were dismiss'd, and many more on the way as they went home again to their Houses: And these were the happiest; for the Survivors, who made a shift to wander back to their Homes, found nothing there but Hunger and Desolation: the straggling Soldiers, Rapparees and Pilferers that follow'd the Army, had left them neither Meat, Drink, Houshold-Stuff nor Cattle, but had taken away all in their Absence; so that Numbers of them perish'd there for want, and many more were knock'd on the Head by the Soldiers. As to the Effect of this cruel and foolish Stratagem, it was the same which any thinking Man would have expected, it not only confirm'd the besieg'd in their Resolutions never to yield to such barbarous People, but prompted them to set up Gallows, and threaten to hang all the (*b*) Prisoners they had in their Hands, if their Friends were not immediately dismiss'd: With which the Besiegers being startled, and finding that it did not answer their Design, to keep them still under the Walls, did at last comply, after they had kept them there three Days without Food. "And this, says Dr. *King*, was the Security Men had of their Lives by King *James*'s Protections:" Adding, "The News of this Order came to *Dublin* before it was executed, and the Bishop of *Meath* went immediately to King *James* to see if he could prevail with him to prevent such a barbarous proceeding: His Majesty very calmly told the Bishop, That he had heard of it before, and that he had sent Orders to stop it; that General *Rosen* was a Foreigner, and us'd to such Proceedings as were strange to us, tho' common in other Places; and that if he had been his own Subject, he would have call'd him to account for it. Yet he continu'd him still in his Employment."

During this whole horrid Interval, *Kirk* made no one Effort to fulfil his Orders; or, for aught appears, to interpose any way for the Deliverance of the Wretches thus inhumanly expos'd, or to prevent the carrying on the War by such terrible Methods for the future. Possibly he was glad of an Instance of Cruelty which surpass'd his own: Possibly he had some Thoughts of playing the Renegade a second time: 'Tis certain he fell under the Suspicion, and that he did not take any Measure for entering into Action, A.D. 1689. till the 20th of *July*, when he landed the rest of his Men in the *Inch*; and that it was not till the 28th, according to the *Gazette*, or the 30th, according to Dr. *Walker* and others, that he actually caus'd the Attack to be made on the Boom. Now this Boom, it must be observ'd, was in the very same Condition now as at first, and was cover'd with the same Fort, Batteries, *&c.* And yet, by the Help of one small Man of War, the *Dartmouth*, to entertain those Batteries and that Fort, a single Victualler, the *Mountjoy*, at one single Shock, (*i*) broke the Boom; with no other Inconvenience than arose from her being forc'd on shore by her own Rebound, and without any Damage at all; for, by the first Broadside that she bestow'd on the Enemy, she floated again, and sail'd thro' the Breach she had made, being follow'd by two Victuallers more; the whole Loss sustain'd on the Occasion being one Soldier, who was kill'd on board the *Dartmouth*.

The Result was, that the Remains of those brave Men, who had for so long together defended themselves against so numerous an Army, were rescu'd from the Extremity of Misery and Despair; having nothing left, but nine lean Horses, and as much Meal as would have serv'd them for two Days, at a Pint each; and being reduc'd from seven thousand five hundred Men, to four thousand three hundred Shadows. What is yet farther remarkable, the Enemy was no sooner convinc'd, that the Besieged were able to live, than they acknowledg'd their own (*k*) Despair of conquering them, by raising the Siege in the Night-time, and retiring in the utmost Confusion; as also the Rage arising from their Disappointment, by laying waste the whole Country round about, and leaving nothing but Ruin and Desolation behind them. *The Siege rais'd.*

Kirk now repair'd to *Derry* in Person, and was receiv'd with the highest Respect and Acknowledgments; for, in the first Transports of their Deliverance, they forgot the Agonies they had suffer'd in waiting for it: And as to the gallant Dr. *Walker*, who had so gloriously deviated from the Duties of his own immediate Function, he was dispatch'd forthwith to *England*, with an Address of Thanks to their Majesties, from the Garrison and Inhabitants of the Place, and met with such a Reception as his extraordinary Merits and Services deserv'd: For he had the Honour

(*b*) They themselves declar'd, they could not blame the Garrison for putting them to death, seeing their own People exercis'd such Cruelty on wretched, innocent Persons, that were under their Protection. They desir'd Leave from the Governor to write to Lieutenant-General *Hamilton*; which being allow'd, they sent him a Letter sign'd by *Netterail*, *Butler*, *Aylmer*, *Macdonel*, and *Darcy*, acquainting him, 'That the Lives of twenty Prisoners lay at stake, and therefore they made it their Request that he would represent their Condition to the Mareschal-General: That they were 'all willing to die, with their Swords in their Hands, for 'his Majesty; but 'twas hard to suffer like Malefactors; nor 'could they lay their Blood to the Charge of the Garrison, 'the Governor and the rest having treated them with all Civility imaginable.' To this Letter the Lieutenant-General answer'd, 'That what those poor People were like to 'suffer, they might thank themselves for, being their own 'Faults; which they might prevent, by accepting the Conditions that had been offer'd them; and that if they suffer'd, it could not be help'd, but should be reveng'd on 'many Thousands of the People (*as well innocent as others*) 'within or without that City.' [*Life of King William*, *vol.* II. *p.* 66.

(*i*) To prevent, as far as possible, the Reflections which necessarily arose on this Occasion, the Expression was thus express'd in the *Gazette*: "Whether she (the *Mountjoy*) cut the Boom, or broke it; or whether it was broke before, as he (*Kirk*) was told, from the Town, he had not yet learn'd, but up she went."

(*k*) It was said, That such was the Bravery of the Besieged, and such the Cowardice of the Besiegers, that if the Walls of *Derry* had been made of Canvas, they could not have taken it.

A. D. 1689. [Gazette, Num. 2484.]

Honour to be introduc'd by the Lord Preſident (*Danby*,) was welcom'd with many obliging Expreſſions of Grace and Favour, was rewarded on the Spot with five thouſand Pounds; and was farther given to underſtand, "That that was but an Earneſt of the Kindneſs which his Majeſty intended to ſhew to him and his Family."

Valour and Succeſs of the Inniſkillin-*Men.*

About the ſame time that the Siege of *Derry* was thus fortunately rais'd, the *Iniſkillin*-Men having been ſupply'd with Arms, Ammunition, and Officers by *Kirk*, took the Field, to the Number of fifteen hundred Foot and twelve hundred Horſe, under the Command of Colonel *Wolſley*; and having obtain'd the Advantage in a Skirmiſh, with a ſmall Party of the Enemy, had the Courage to advance againſt the main Body to which that Party belong'd; who were ſix thouſand ſtrong, advantageouſly poſted on the Side of a ſteep Hill, near a Place call'd *Newton-Butler*, ſkirted with Bogs, and cover'd with ſeven Pieces of Cannon. A ſharp Engagement enſued, in which the *Iriſh* were ſo totally worſted, that they loſt all their Cannon, Drums, and Colours; two thouſand of them were kill'd, five hundred were drown'd in the Lough or Lake, and above three hundred were taken Priſoners, among whom was their General *Macarty*; who, ſeeing all was loſt, with about five or ſix Officers, fell in deſperately among the *Iniſkilliners*, in hope ſome kind Bullet would put him out of his Pain; for ſo he expreſs'd himſelf to thoſe that redeem'd him out of the Hands of the Soldiers, who having kill'd his Horſe under him, after giving him ſeveral Wounds, were on the point of knocking out his Brains; and ſeem'd inconſolable, that, in ſpite of himſelf, he had ſurviv'd his Defeat.

Proceedings of the Engliſh *Houſe of Commons on the Affairs of* Ireland.

We left the Commons of *England* ſitting; and, during this whole Interval, the *Iriſh* Affairs made a very conſiderable Article in their Proceedings: Not perhaps ſo much for the ſake of the *Engliſh* Intereſt in *Ireland*, or the Proteſtant Cauſe, tho' theſe were the Pretences they made uſe of, as in hope of making ſome ſuch Diſcoveries, as might ſerve them to addreſs the Lords *Halifax* and *Danby* out of their Places.

A Committee of Inquiry appointed.

Thus we find, that, on the firſt of *June*, the Houſe appointed a Committee to enquire what had been the Occaſion of the Delays in ſending Relief over into *Ireland*, and particularly to *Londonderry*: With an Inſtruction, That they make enquiry what Default was in relation to the Proviſions ſent over with the Soldiers to *Ireland*; as alſo very particularly into the Carriage of the Colonels *Lunde*, *Richards*, and *Cunningham*; the Reaſons why the Relief ſent to *Londonderry* was brought back again; and into all other Miſcarriages relating to *Ireland*.

On this Baſis, Sir *Thomas Lyttleton*, the next Day but one, mov'd the Houſe, from the Committee appointed to make the ſaid Enquiry, that his Majeſty might be humbly deſir'd to give Directions, that Copies of the Commiſſions and Inſtructions, given in relation to *Londonderry*, and the Kingdom of *Ireland*, might be tranſmitted to the ſaid Committee; and alſo that Colonel *Lundee*, (then a Priſoner in the *Tower*) might be brought to the ſaid Committee; and a Reſolution was made accordingly. A. D. 1689.

The ſame Day, Mr. *How*, Vice-Chamberlain to the Queen, mov'd for an Addreſs, to deſire his Majeſty to remove from his Preſence and Councils ſuch as had been *impeach'd* by Parliament, and had betray'd the *Liberties* of the Subject: Tho' no body was nam'd, yet it was eaſy to gueſs that the Perſons, at which the Addreſs was to be level'd, were the Lords above-mention'd, the Preſident of the Council, and the Speaker of the Houſe of Lords; and that not ſo much on account of their Miſmanagements in former Reigns, as their Aſcendancy under the preſent. This Queſtion was debated with great Warmth; and, we are told, was ſo little expected by the Courtiers, that, if the contrary Party had not unexpectedly cool'd, it would have been carry'd in the Affirmative. But this is not over-likely; becauſe, on the Morrow, Mr. *How* (*l*) renew'd the Attack, and was ſupported by a great many; but the oppoſite Side requiring them to name the Perſons, and no body offering to do it, the Motion fell; and all that Mr. *How* and his Party were able to do, after the reading the Exceptions to the Bill of Indemnity, was to carry this Reſolution, *That the King's Pardon was not pleadable in bar to an Impeachment*.

Two or three Days before this, the Houſe had taken the Diſtreſſes of the *Iriſh* Proteſtants, who were depriv'd of their Eſtates, and had ſought Refuge in *England*, into Conſideration, and had order'd an Addreſs to be preſented in their Favour; with a View perhaps to facilitate the Enquiry. But, whether this was the Motive or not, while the Committee was in full Queſt, the ſaid Addreſs was perfected, in Manner and Subſtance as follows:

Addreſs in favour of the Iriſh *Proteſtants in* England.

"That having taken into their ſerious Conſideration the many great Sufferings of the Proteſtant Nobility and Gentry of *Ireland*, which their Zeal for the Proteſtant Religion, his Majeſty's Service, the Intereſt of *England* in that Kingdom, and Love to this Nation had expos'd them to, *&c.* being the only Body of Proteſtants ruin'd by the late happy Revolution, which had wrought ſo great a Deliverance, *&c.* they moſt heartily crav'd Leave, in their behalf, to offer their deplorable Condition to his Majeſty's moſt princely Conſideration.

That whereas, by reaſon of their Numbers, they were very apprehenſive of being and continuing a Burthen to this Kingdom, while

(*l*) Myn Heer *Dyckvelt* diſcours'd Mr. *How* about the Motion he had made in the Houſe; to which he anſwer'd, 'He did not think it to be of any ill Conſequence to his 'Majeſty: and beſides, that a Place at Court ſhould never 'ſilence him, when the Good of his Country requir'd him 'to ſpeak.' [*Life of K. Will. v. ii. p.* 119.

A. D. 1689. while they remain'd in such Condition unemploy'd, and that many of them, for their Interest in, and Knowledge of, that Kingdom, as well as their Experience, &c. in military Affairs, being well-qualify'd to serve under his Majesty for the reducing thereof, and all of them pressing and forward for that Service, &c. They, 1. humbly recommended such of the said Nobility and Gentry as were fit for military Employments, as very proper Persons for reducing that Kingdom to its due Obedience to the Crown.

2. That such as were not fit for the Field might be put into such civil Employments as they were most capable of.

3. That, for their present Subsistence, they humbly pray'd, that the Sum of fifteen thousand Pounds might be forthwith distributed among them: And that, for a further and standing Fund for their Subsistence, until *Ireland* should be reduc'd, his Majesty would be graciously pleas'd to issue forth his Royal Proclamation, requiring all Papists beyond Seas, who had Estates in *England*, and all Protestants who were in Arms, or otherwise engag'd against his Majesty, if any such there were, to return within a certain Time; and that the Estates of such as should not give Obedience thereunto might be seiz'd into his Majesty's Hands, for the Relief of the said Nobility and Gentry, who were, or should be, depriv'd of their Estates there.

And, said they, we the rather make this our humble Supplication to your Majesties, because we esteem ourselves oblig'd to afford them present Relief, and to represent the speedy Recovery of that Kingdom, as of great Importance to this, in all respects, and your Majesties and the Nation's true Interest.

And we do humbly beseech your Majesties to take the Duke of *Ormond*, and his great Merits and Sufferings into your particular and Royal Consideration; and that your Majesties would be pleas'd also to consider of the rest of the Nobility and Gentry, already fled, and daily coming up, from *Ireland*, that remain unprovided for.

And that your Majesties Favour and Bounty to the said Nobility and Gentry may be distributed with the greater Ease and Advantage; we do humbly recommend to your Majesties, that what you shall be graciously pleas'd to advance for their present Supply, you will be pleas'd to order the same to be paid into the Chamber of *London*, or such other Place as your Majesties shall think convenient, with as much Expedition as the Urgency of your Affairs will admit; to be thence paid out for them respectively, with as little Charge and Trouble of Attendance as may be." A. D. 1689.

In his Answer to this Address, the King was pleas'd to promise all that was requir'd of him; and at the same time, by way of Barrel to the *Whale*, the House of Lords, by his Majesty's Directions, communicated to the Commons certain treasonable Papers; of which Mr. *Hampden* gave the following Account: "That they were found upon two Persons who were going to *Ireland* on board a Ship which had stolen out of *Liverpool*, but which was stopp'd two Miles out at Sea: That they were dispatch'd up to Town by the Mayor of that Place; and that among them were three Letters writ by King *James*, tho' he had in one of them somewhat disguis'd his Hand." But then we are farther told, that, because, among other ambiguous Expressions, mention was made in them of certain contraband Goods ready to be shipp'd off, in order to be run into such Places, as were least expos'd to the Visitation of Customhouse-Officers, which seem'd to indicate, that a Design was in Agitation to invade the Kingdom, the same Gentleman took upon him, to enlarge on the Difficulties and Dangers his Majesty was surrounded with, and to shew the Necessity of a farther Supply, to enable him to provide for the Safety of the Public. Now, over and above the several Applications which had been made of the late King's Revenue, they had granted a present Aid of 420,000 *l.* a Poll-Tax for the Reduction of *Ireland*; a Land-Tax of 12 *d.* in the Pound for the necessary Defence of these Realms; an additional Duty of Excise upon Beer, Ale, and other Liquors; they had appropriated certain Duties for the Payment of the 600,000 *l.* demanded by or for the States-General; and they had prepar'd an additional Poll-Bill, which was (*m*) lost

Treasonable Papers communicated to the Commons.

[*Life of King William*, p. 121.]

A Motion for a farther Supply not so much as seconded.

(*m*) After what Manner, may be gather'd from the following Abstract of the Conferences which pass'd between the two Houses thereon:

"The Lords insert a Clause for the Lords appointing Commissioners to rate themselves in respect of their Offices and personal Estates, and freeing their Persons from Imprisonments, and for appointing a Collector to receive their Assessments.

"To which Clause the Commons disagree;

1. Because the Bill now in question taxes Commoners only.

2. Because the Poll-Bill already pass'd, hath sufficiently provided for taxing all the Nobility; to which the Lords have consented.

These Reasons being approv'd, a Conference was desir'd with the Lords thereon: Who adher'd to their Amendment, for the following Reasons:

1. That it is the common Course of Parliament to pass explanatory Acts of any thing that has been omitted or ill express'd in any other Act pass'd in the same Session, and one of that sort has pass'd this present Session.

2. That the House of Commons have, in this Bill, taken care of *Serjeant's-Inn*, and the Inns of Court and Chancery, that they should be rated by their own Members; and that, since there is no Comparison to be made between them and the Peers of *England*, therefore the Peers ought to be rated by none but those which are of their own House.

3. That the House of Peers, out of their extraordinary Zeal for the reducing *Ireland*, and the Poll-Bill coming up so late to them from the House of Commons, that they had not so much Time to deliberate upon every Part of it, as had been necessary, if to pressing an Occasion would have allow'd it, did make this Omission: Which, for that Reason, ought not to turn to their Prejudice; it being their undoubted Right, which had been preserv'd to them in all former Poll-Bills; and particularly in the last, which pass'd in the 29th of *Charles* II. the Proviso being conceiv'd in the same Terms with the Proviso now offer'd.

Upon the Report of these Reasons, the Question being put to agree with the Lords, it pass'd in the Negative, *nem. con.* and a free Conference was desir'd with the Lords thereon; the Substance of which was thus reported by Sir *Thomas Lyttleton*: "That the Commons urg'd, That as, in this additional Poll-Bill, none but Commoners were tax'd, they infer'd their Lordships had no Colour of Reason to meddle with it; or to name Commissioners to tax the Peers, in a Bill that did not tax the Peers.

That

A.D. 1689. loſt in the Houſe of Lords: And as Miniſters had hitherto been modeſt in their Demands on the People, and the People were, in a manner, Strangers to the Doctrine and Diſcipline of Taxes, theſe ſeveral Grants were held a very ſufficient Proviſion for the Wants of one Year. Mr. *Hampden* had, beſides, neglected the uſual Arts of Miniſters, to beſpeak the Favour of the Majority: So that, inſtead of carrying his Point, he was not ſo much as ſeconded; no, not even by his own Son. On the contrary, having, in the Courſe of his Speech, inſiſted on the Neceſſity of a farther Aid, to ſave the Nation from falling into the Hands of the *Iriſh* and *French*, another Member ſaid, *Add the* DUTCH. Mr. *Garraway*, though a known *Williamite*, gave it as his Opinion, That they had granted Money enough for one Year; that if they had thought there had been occaſion for more, they would have prevented the King's Demands: That it was not the want of Money, but the ill Conduct of thoſe who had the Management of Affairs, which caus'd the Difficulties of the Government: That the Miſcarriages in not aſſiſting the Proteſtants of *Ireland*, were both ſo manifeſt and ſo pernicious in their Conſequences, that if they were not ſpeedily remedy'd, the Houſe would be oblig'd to take notice of them. Mr. *Howe* had the Boldneſs to aſſert, That their preſent Dangers proceeded from their not addreſſing the King *to remove his evil Counſellors, in Conformity to his late Motion*: And upon the *whole*, the Reſolutions of the Houſe were, That all conſiderable Papiſts ſhould be taken into Cuſtody: That their Horſes and Arms ſhould be ſeiz'd: That ſuch Proteſtants as ſhould harbour or conceal any ſuch Arms and Horſes, ſhould be reputed Enemies to their Majeſties, and ſhould be proceeded againſt accordingly: And that an Addreſs of Thanks ſhould be preſented to the King for having communicated thoſe Papers.

Votes againſt the Papiſts, &c.

They had, not long before, paſs'd a Bill for committing (*n*) *ſuſpected* Perſons without Bail: They had alſo order'd Sir *Adam Blair*, Captain *Vaughan*, Captain *Moyle*, Dr. *Elliot*, and Dr. *Gray*, to be impeach'd for compoſing and publiſhing (the Proclamation ſays diſperſing) a Declaration (formerly inſerted) in the Name of the late King; and the Declaration itſelf to be burnt by the common Hangman. They had, moreover, a Bill before them, for attainting certain Perſons then in Rebellion againſt their Majeſties: And by way of Retaliation of the *Iriſh* Act of Attainder, they order'd a Clauſe to be inſerted in it, which provided, that the Eſtates of ſuch as were in Arms againſt their Majeſties in *Ireland*, ſhould be apply'd to the Relief of the *Iriſh* Proteſtants; and declar'd, That the Proceedings of the pretended Parliament and Courts of Juſtice there, were null and void. A.D. 1689.

But however grateful theſe Proceedings were at Court, as they ſerv'd to manifeſt the Zeal of the Houſe againſt King *James* and his Adherents, they did not atone for the Intractability which they continu'd to manifeſt in moſt other Court Points, and from which they did not ſeem diſpos'd to depart. On one Side, the Common-Council of *London* were ſpirited up to make their Application to the Houſe of Commons, by way of Petition, "That their moſt gracious King might be ſet free from all Reſtraints of uſing his Proteſtant Subjects indifferently in his military or civil Services, according to their ſeveral Qualities and Abilities," *&c.* And, on the other, the King himſelf was induc'd to go to the Houſe of Peers, and to make the following Speech from the Throne:

London *Common-council ſollicit the taking off the Teſts.*

"*My Lords and Gentlemen,*

The time of the Year being ſo far advanc'd, and there being ſeveral Acts yet to be paſs'd for the Safety and Settlement of the Nation, I deſir'd you would expedite them as ſoon as you can, it being neceſſary there ſhould ſhortly be a Receſs, both that I may be at liberty to

A quickening Speech of the King's to both Houſes

That there was no Omiſſion in the former Poll-Bill, which was paſs'd and agreed to by the Lords; but by the Conſent of both Houſes; the Nomination of Commiſſioners was left to the King (indeed, to reſtrain'd, that the King was to name them out of the Commiſſioners in the ſaid Act,) who were to tax all the King's Subjects, both Lords and Commons: As therefore the Lords had included themſelves in that Bill, the Commons think it hard their Lordſhips ſhould urge any ſubſequent Bill, to ſupply a Defect of the former.

That the Lords pleaded to this, Inadvertency, and their own Zeal to give the former Bill a quick Diſpatch; and farther, that they had ſeveral Precedents of their naming Commiſſioners: And that they likewiſe thought it hard, that their Overſight ſhould turn to their Prejudice.

To which the Commons reply'd, That if the Commiſſion had been ſuch that no Commiſſioners had been nam'd at all, the Commons would have agreed to their Lordſhips preſent Demand, rather than their Lordſhips ſhould not be tax'd: But, Commiſſioners being already nam'd, the Commons thought any Alteration went a great way to repeal the Act. That the Commiſſioners ſo nam'd might, probably, be enter'd upon their Office, and were already taxing their Lordſhips; at leaſt, they would ſoon do it, if this Clauſe be not admitted: Therefore, if the preſent Commiſſioners, as the Law ſtands, and the Lords have conſented, be no Authority to tax them, the Commons thought it would be a Repeal of that Law, at leaſt *pro tunto*; for their Authority muſt ceaſe, who have it by the former Law.

That then the Lords inſiſted much, that tho' the Lords are not expreſly tax'd, in this additional Poll-Bill, they have a ſufficient Handle for their Demand furniſh'd by it, by the Indulgence it accords to the Inns of Court and Chancery."

To this the Commons rejoin'd, (among other things,

(*n*) The Author of a Pamphlet, call'd, *The* Engliſhman's *Complaint*, once before quoted, ſpeaking of the Sins of Commiſſion, as he calls them, of this Parliament, ſays, "Of this ſort, the Suſpenſion of the *Habeas Corpus* well challenges the Preference. It is what can never be anſwer'd by us Whigs to faſh ſuch a Law, nay our own Law, three times ſucceſſively: In this the Tories outwitted us; for they have humour'd us into a Contradiction of our own Principles." And, in another Pamphlet, call'd *A Defence of the Proceedings of the late Parliament*, attributed to Mr. *Hampden* and Major *Wildman*, this Paſſage is thus anſwer'd: "The ſuſpending of that Act, at that time, was the only Way to ſecure our Properties and Liberties, by preventing a civil and domeſtic War, which, in all likelihood, had enſued, had it not been prevented in time, by empowering the King to ſecure ſuch as, becauſe of their Quality, or their former Engagements with the Papiſts, and with the then Malcontents, were likely to prove Ringleaders to new Diſturbances, in a time when things were not as yet ſettled upon ſo faſt a Foundation as they now are." [*State Tracts, temp.* W. III. v. i. *p.* 215.

which are ſo obſcurely expreſs'd as to be hardly intelligible) that the Reaſon of this Indulgence to the Inns of Court and Chancery was owing to a pretended Privilege of theirs, of hindering all other Commoners from coming into their Juriſdiction: And ſo that this Part of the Tax might not be loſt, the Bill provided, that the King might name Commiſſioners of themſelves; but they did not name new Commiſſioners: And that, upon the whole Matter, the Commons left it with their Lordſhips to conſider, whether they would agree or no.

The Lords the ſame Day deſir'd another free Conference on the ſame Affair, in which they recapitulated what they had advanc'd before; inſiſted on this Opportunity to retrieve their Right; and adher'd to their Clauſe.

A. D. 1689. to purſue the Buſineſs of *Ireland* with all poſſible Vigour, and that the Members of both Houſes may repair to their ſeveral Counties, to ſecure the Peace, and to put the Militia into ſome better Poſture.

I am very ſenſible of the Zeal and good Affection which you, Gentlemen of the Houſe of Commons, have ſhew'd to the Public, in giving thoſe Supplies you have done already: And I do not doubt but from the ſame Inducements you will be ready to give more as Occaſions require; which I muſt let you know will be ſooner than perhaps you may expect, becauſe the neceſſary Expence of this Year will much *exceed* the Sums you have provided for it. And that you may make the truer Judgment in that Matter, I am very willing you ſhould ſee how all the Moneys have hitherto been laid out; and to that End I have commanded thoſe Accounts to be ſpeedily brought to you, by which you will ſee how very *little* of the Revenue has been apply'd to any other Uſe than that of the Navy and Land-Forces.

I muſt remind you of making an effectual and timely Proviſion of the Money for the *States* of *Holland*; and I doubt not but you will take care to ſee a fitting Revenue ſettled for myſelf.

My Lords and Gentlemen,

I will add no more, but recommend earneſtly to you, to avoid all Occaſions of Diſpute or Delay, at a time that requires Union and Vigour in your Councils, upon which the Preſervation of all that is dear to us doth ſo much depend: And I do promiſe that nothing ſhall ever be wanting on my Part, which may contribute towards it."

has no Effect. But even Royal Eloquence ſeem'd to have loſt its Power; for, having once already addreſs'd his Majeſty for leave to inſpect the Council Books, and thoſe of the *Iriſh* Committee, and for taking Copies of ſuch Papers as related to the *Iriſh* Affairs, without Effect, they now voted a ſecond Addreſs on the ſame Subject, and inſtructed the Committee who were to draw it up, to enquire, why the *Dutch* Fleet was out no ſooner to join the *Engliſh*; as alſo, why the Latter was laid up, and why there was a Delay in ſetting forth another.

A Committee inſtructed to enquire why the Dutch *Fleet was out no ſooner.*

Now the *Dutch* Fleet, of thirty capital Ships, had come to anchor at *St. Hellens, June* 6, and had ſet ſail for the Coaſt of *France*, in company with the *Engliſh* on the 15th following; ſo that when it is conſider'd, that the Treaty between the two Powers was not ſign'd till *April* the 30th, and how much time is requiſite to put ſo vaſt a Body in Motion, it will appear, perhaps, that as much of this Enquiry of the Commons as related to the *Dutch*, was rather owing to a Spirit of Perverſeneſs and Malignity, than any real Backwardneſs on their Side, or apparent Cauſe of Suſpicion on ours: Whatever Difficulties had retarded the ſigning that Treaty ſo long; and to whatever Cauſes they were owing, there is no Proof extant that the Misfortune at *Bantry* was aſcrib'd to the want of *Dutch* Aſſiſtance, or that any Reflections were at that time ſcatter'd in the Houſe againſt our (o) Adminiſtration, for having ſo little attended to that Service, or having ſent out Admiral *Herbert* with a Force ſo much inferior to that of the Enemy: And yet the Subject Matter of Complaint lay chiefly there; for the Court of *France* was then under a Neceſſity to expoſe their Naval Force, as well to convoy the King, as to furniſh him with Supplies immediately afterwards: But having landed him ſafely, and put him in Action, their great Buſineſs was done, and they had no farther Need to carry on their Correſpondence with *Ireland* by the Means of their whole Navy. Thus, while the combin'd Fleet of between ſixty and ſeventy Men of War hover'd upon their Coaſts, between *Breſt* and *Uſſent*, by way of Bravade, theirs lay ſafe in their Ports; and inſtead of making a vain Effort to deſtroy ſo vaſt a Force, they let looſe their Privateers on all Sides to deſtroy the Trade by which it was ſupported; with ſuch fatal Succeſs, that Biſhop *Burnet* himſelf acknowledges, That tho' we *ſeem'd to be Maſters at Sea, we were great Loſers there.*

A. D. 1689.

A ſecond Addreſs for Leave to inſpect the Council books.

This ill Humour of the Houſe farther appear'd in the Contents of the ſecond Addreſs relating to the *Iriſh* Affairs, above ſpecify'd; for therein the deplorable State of *Ireland* was charg'd on the Neglect or ill Conduct of *ſome Perſons* employ'd in the Affairs of that Kingdom; and the Reaſon aſſign'd for the Inſpection deſir'd, was, That the Houſe might be enabled to give his Majeſty ſuch Advice, as might prevent the like Miſcarriages for the future: And yet farther, in refuſing to admit an additional Clauſe in the Bill of Rights, for opening a Proſpect of the Throne to the illuſtrious Houſe of *Hanover*. The original Purpoſe of the Bill of Rights was, to convert the ſeveral Articles preſented by the Lords and Commons of the Convention to their Majeſties, together with the Crown, into a Law, which was to be the Baſis of Government for the Time to come: And it was thought but fitting that the Settlement of the Crown on the Prince and Princeſs of *Orange*, the Princeſs of *Denmark*, &c. ſhould by the ſame Law receive the ſame Confirmation: A Proviſion was made accordingly; and when the Bill came to be read the third time, a Motion was made, that the following Clauſe ſhould be made a Part of it: "Provided always, and it is hereby declar'd, by the Authority aforeſaid, That nothing in this Act is intended to be drawn into Example or Conſequence hereafter, to prejudice the Right of any Proteſtant Prince or Princeſs in their Hereditary

Additional Clauſes offer'd to the Bill of Rights.

(o) On the contrary, ſuch was their Influence there, that, ſtill by way of Pacifier, the Thanks of the Houſe was given to Admiral *Herbert*, not for his great Service in vanquiſhing, but engaging the *French* Fleet: And when the Admiral, in return, interceded with them to make a Proviſion for the Support of ſuch Seamen as were diſabled in the public Service, the Houſe came to a Reſolution to make ſuch Proviſion, and alſo for the Wives and Children of ſuch as ſhould be ſlain.

A. D. 1689. Hereditary Succeſſion to the Imperial Crown of three Realms. " Now with what View ſoever this Motion was made, it was immediately travers'd with another, which, by way of Amendment, requir'd, that the Words, *after the Limitations herein mention'd*, might be ſubſtituted in lieu of the Word *hereafter*: But thoſe who contended for the firſt, defeated the laſt, by calling for the previous Queſtion; which was carry'd in the Negative, Yeas 125, Noes 179. Another engroſs'd Clauſe was then offer'd as a Rider, in the following Words: " That from and after this preſent Seſſion of Parliament, no Diſpenſation by *Non-obſtante* to any Statute, or any Part thereof, ſhall be allow'd; but that the ſame ſhall be held void, and of none Effect, except a Diſpenſation be allow'd of in ſuch Statute. Provided, that no Charter or Grant of Pardon before *June* 1, 1679, ſhall be any ways impeach'd, or invalidated by this Act; but that the ſame ſhall be and remain of the ſame Force and Effect in Law, and no other than as if this Act had never been made." This was agreed to, and then it was reſolv'd, *Nemine Contradicente*, That the Bill do paſs.

When it came before the Lords, to the Clauſe for diſabling Papiſts from ſucceeding to the Crown, their Lordſhips added, *Or ſuch as ſhould marry Papiſts*: In which Caſe, at the Inſtance of Biſhop *Burnet*, ſeconded by the Earl of *Shrewſbury*, it was provided, That the Subjects ſhould be abſolv'd from their Allegiance. " And this paſs'd, ſays his Lordſhip, without any Oppoſition, or Debate, which amaz'd us all, conſidering the Importance of it." The ſame Prelate proceeds in the following Words: " But the King order'd me to propoſe the naming the Ducheſs of *Hanover* and her Poſterity, next in the Succeſſion. He ſignify'd his Pleaſure in this alſo to the Miniſters; but he order'd me to begin the Motion in the Houſe, becauſe I had already ſet it on foot. And the Duke of *Hanover* had now other Thoughts of the Matter, and was ſeparating himſelf from the Intereſts of *France*. The Lords agreed to the Propoſition without any Oppoſition; ſo it was ſent down to the Commons. There were great Debates there upon it: *Hampden* preſs'd it vehemently; but *Wildman*, and all the Republican Party oppos'd it; their ſecret Reaſons ſeem'd to be, a Deſign to extinguiſh Monarchy, and therefore to ſubſtitute none beyond the three that were nam'd, that ſo the Succeſſion might quickly come to an End: But it not being decent to own this, all they pretended was, that there being many in the lineal Succeſſion, after the three that were nam'd, who were then of the Church of *Rome*, the leaving to them a Poſſibility to ſucceed, upon their turning Proteſtants, might have a good Effect upon them, and diſpoſe them to hearken to Inſtruction; all which would be defeated by a Declaration in favour of the Ducheſs.

One for limiting the Succeſſion to the Houſe of Hanover.

To this it was anſwer'd, in a free Conference, that for that very Reaſon it was fit to make this Declaration; ſince nothing could bring us into a more certain Danger than a pretended Converſion of a falſe Convert, who might by ſuch a Diſguiſe aſcend the Throne, and ſo work our Ruin by ſecret Artifices."

A. D. 1689.

But there was ſomething more in the Diſpute than is here recounted by the Biſhop: For the Lords, by way of Amendment, had not only provided, that, in default of Iſſue in the Queen, the Princeſs of *Denmark*, and the King himſelf, the Crown ſhould deſcend to the *Hanover*-Line; but accompany'd that Proviſion with a ſort of Teſt, which the Perſon next in the Succeſſion was to take, as a Qualification for his entering on the kingly Office; and alſo explan'd away the Reſtraint which the Commons had laid on the diſpenſing Power. When therefore the Bill was return'd with theſe Amendments, they rejected them; and the firſt, *nemine contradicente*: Which is ſo much the more remarkable, if it be true, as the Biſhop alledges, that *Hampden* ſo vehemently maintain'd the Negative. A Committee was then appointed to draw up Reaſons for this Diſagreement; which Reaſons were as follow: Namely; to the firſt Amendment, relating to the *Settlement of the Crown in the* Hanover-*Line*,

Rejected by the Commons, nem. con.

Controverſy between the two Houſes thereon.

" 1. Becauſe it was not contain'd in the Declaration, preſented by both Houſes to their Majeſties, upon their Acceptance of the Crown.

2. Becauſe a farther Limitation of the Crown might be dangerous, and of ill Conſequence."

And to the laſt, " Becauſe the diſpenſing Power had been aſſum'd within Time of Memory.

Becauſe it had unreaſonably increas'd, from time to time, to the Overthrow of Multitudes of good Laws.

Becauſe all Laws, made for the Benefit of Trade, might be thereby eluded, and Monopolies erected.

And, generally, becauſe the Miſchiefs that have been conſequent thereon were ſo great, that the Commons could find no Remedy to prevent the ſame, but by inſiſting upon the Clauſe, and Proviſo."

The Buſineſs of one Conference was to deliver and receive theſe Reaſons; and in another (which was manag'd, on the behalf of the Peers, by that once zealous Champion for Hereditary Right, Lord *Rocheſter*) their Lordſhips reply'd,

" 1. That tho', in the Inſtrument offer'd to their Majeſties, the Limitation went no farther than their Perſons; yet in a Law which had reſpect to all ſucceeding Ages, and which ſettled for ever the Liberties of the Subject, they thought it reaſonable to carry the Limitation of the Settlement of the Succeſſion of the Crown farther than was neceſſary in that Inſtrument, in which the Crown was offer'd to their Majeſties, and which had no View but of the Succeſſion to their Poſterity.

2. That they could ſee no Danger, nor any ill Conſequences, that might follow on a farther Limitation; but very much to the contrary.

For, 1. This ſecur'd the Nation effectually from

A. D. 1689. from the Danger of having a Papiſt to reign at any time hereafter: Since, of ſuch a Number of Papiſts as ſtood next the Crown in the lineal Succeſſion, ſome might be prevail'd upon to ſhew a Change in their Religion, if they had a Proſpect of ſucceeding to the Crown, upon it; and no Danger being ſo great as the having one who is a pretended Proteſtant, but is in truth a conceal'd Papiſt, to reign over us, the moſt effectual Way to ſecure our Religion was, to declare the Succeſſion in a Family that were known to be certainly Proteſtants.

2. That it was the Intereſt of *England*, at preſent, to do Right to that great Houſe, by limiting the Succeſſion according to the *Proviſo*.

For, ſince this Limitation had been propos'd, if it ſhould be now laid aſide, it would look like an excluding of this Houſe, which might provoke them to take Reſolutions, which might be of great Prejudice to the Nation in the preſent Conjuncture.

And that ſince, for theſe Reaſons, the Lords inſiſted upon their *Proviſo*, the ſame Reaſons determin'd them likewiſe to inſiſt upon that Part of the Rider which related to it."

Still the Reaſons of one Houſe had no Weight with the other: The Commons remain'd unconvinc'd, and directed their Committee to prepare themſelves to diſcuſs the Matter yet farther, at a free Conference: A free Conference was held accordingly; and, upon the Iſſue, Sir *William Pulteney*, who manag'd for the Commons, reported, That there were Hopes, that the Lords would relinquiſh their Amendments, and agree with them: But, quite contrary to the Expectations that were thus rais'd, at another Conference, which the Lords demanded a few Days after, the Biſhop of *Saliſbury*, as chief Manager for their Lordſhips, declar'd, in the Name of his Principals, That they had conſider'd what was offer'd in the former free Conference; and that as to the two Clauſes, relating to the Limitation of the Crown to the Princeſs *Sophia* of *Hanover*, and the Declaration to be made by the Perſon on whom the Crown ſhould devolve, *&c.* and all Matters depending thereon, their Lordſhips did adhere to their Amendments. The Managers for the Commons then demanding, Whether the Lords would admit of any farther Debate touching the ſaid Matter? it was anſwer'd, No; they had no ſuch thing in charge. This of courſe put an end to the Conference. The Commons, on receiving the Report from their Meſſengers, fell into violent Heats; but being unprepar'd with an Expedient to turn the Tables on the Lords, adjourn'd (*p*) from the 31ſt of *July* to the 2d of *Auguſt*, when they made an (*q*) Order, That a Committee ſhould

A. D. 1689.

The Lords adhere.

(*p*) According to the Author of the *Life of King William*, Heaven interpos'd to put an End to the Difference between the two Houſes, by bleſſing her Royal Highneſs the Princeſs of *Denmark* with a Son (*William* Duke of *Glouceſter*.) But Sir *William Pulteney* made his Report *July* the 20th; that Prince was born on the 24th. The ſame Day the Commons, by Meſſage, put the Lords in mind of the Bill of Rights; and it was not till the 31ſt that the Lords made the Breach wider than ever, by *adhering*.

(*q*) It is ſit, however, to acknowledge, that this Order was more immediately the Reſult of another Feud, which had ariſen between the two Houſes, in the Caſe of *Titus Oates*; of which Caſe, and the Connection which this Order had with that of the Bill of Rights, we find a ſucciſt and ſatisfactory Account in the following Paper of Reaſons, which was deliver'd at a Conference by the Managers for the Commons to thoſe of the Lords:

"The Commons have deſir'd this Conference, on Occaſion of your Lordſhips Meſſage to them, ſignifying, that your Lordſhips adhered to your Amendments in the Caſe of *Oates*; and have commanded us to open it with a Brief of the Diſpute between the two Houſes.

Writs of Error were brought to reverſe two Judgments againſt *Oates*, for Perjury, by which he was ſentenc'd to be degraded, to be ſet in the Pillory annually ſeveral times; to be impriſon'd for Life; to be whipt from *Aldgate* to *Newgate* one Day, and from *Newgate* to *Tyburn* the next.

Theſe Judgments your Lordſhips thought fit to affirm.

Theſe Precedents being of ſuch dangerous Conſequence to every *Engliſh* Subject, the Commons thought themſelves under a Neceſſity of ſending up a Bill to your Lordſhips to have them revers'd; in which Bill, they are call'd erroneous, illegal, cruel, and of evil Example to future Ages.

Your Lordſhips, by Meſſage, acquainted the Commons, that you had agreed to the Bill with Amendments.

By theſe Amendments the Words *illegal, cruel, and of evil Example to future Ages*, are left out; and a Clauſe is added, that ſuch exceſſive Puniſhments ſhould not be inflicted for the future.

The Words relating to the annulling the ſaid Judgments of the Peers on the Writ of Error, are likewiſe left out; and a Clauſe is added, that till the Matters for which *Oates* was convicted be heard, and determin'd in Parliament, he ſhould not be receiv'd as a Witneſs in any Court or Cauſe.

The Commons, at a Conference, deliver'd their Reaſons why they could not agree to theſe Amendments; your Lordſhips did the ſame for inſiſting on them; but they not proving ſatisfactory to the Commons, a free Conference was deſir'd and obtain'd, in which your Lordſhips own'd that the whole Houſe of Peers was ſatisfy'd that the Judgments given by the King's-Bench were erroneous, extravagant, and the Puniſhment ſo exorbitant, as ought not to be inflicted on any *Engliſh* Subject, and alſo, that you would not debate whether an erroneous Judgment was not illegal: But yet your Lordſhips did declare, that, upon the Writs of Error, you had choſen to affirm the Judgment, rather than *Oates* ſhould be reſtor'd to his Teſtimony; which muſt have been the Conſequence of the Reverſal.

After your Lordſhips had own'd ſo much at the Conference, the Commons were extremely ſurpris'd to receive a Meſſage that you adher'd to your Amendments.

Firſt, becauſe by this general Vote of adhering, your Lordſhips depart from what was yielded at the free Conference.

Secondly, your Lordſhips proceeding to adhere upon the firſt free Conference, they look upon to be irregular; at leaſt, contrary to the ordinary Courſe of Proceedings between the two Houſes: Eſpecially, if ſuch adhering ſhould be look'd upon as concluſive, ſince 'tis uſual to have two free Conferences or more, before either Houſe proceeds to adhere.

And, as to the Courſe of Parliament, ſo it is ſuitable to the Nature of things, that there ſhould be no adhering before two free Conferences, at leaſt: Becauſe, before that time, each Houſe is not fully poſſeſs'd of the Reaſons upon which the other does proceed, or have full Opportunities of making Replies: Wherefore, to adhere ſooner, is to exclude all Poſſibility of offering Expedients.

Beſide this Method of adhering ſo ſuddenly and unexpectedly draws very great Inconveniencies after it; as hath appear'd this Seſſion; the additional Poll-Bill, having been loſt, to the great Prejudice of the Crown, by your Lordſhips adhering unto the firſt free Conference. The Bill of Rights, likewiſe, in which your Lordſhips, as well as the Commons, are highly concern'd, by that ſame quick way of adhering is in danger to be loſt: And no Inconveniences can be greater than what muſt follow the Loſs of this Bill, if your Lordſhips ſhould take upon yourſelves to be concluſive, by adhering upon the firſt free Conference.

For the Commons think it undeniable, That in Proceedings in your Judicial Capacity, upon Writ of Error, your Lordſhips are as much bound to give Judgment upon the Record, according to the ſtrict Rules of Law, as any inferior Court whatſoever, and ought not to enter into the Conſideration of Perſons, or collateral Reſpects.

That for your Lordſhips to aſſume a diſcretionary Power, to affirm a Judgment, though at the ſame time, you agree it is erroneous, is to aſſume a Power to make Law, inſtead of judging according to the Rules of Law.

That when the Commons ſend up a Bill to your Lordſhips, in order to prevent the Miſchiefs of ſuch deſtructive Precedents,

A. D. 1689. should inſpect the Journals of both Houſes, to examine, whether there was any Precedent of a free Conference, in which the Freedom of Debate was deny'd, concerning the Subject Matter of ſuch Conferences.

In this Interval his Majeſty condeſcended to try the Force of another Sweetener upon them, by a gracious Meſſage: And to render it the more gracious, ſent it by Sir *Robert Howard*, inſtead of Mr. *Hampden*, who had by this time worn out his Influence in the Service of the new Government. This Meſſage was to the Effect following: "That his Majeſty was very ſenſible of the great Burden of Buſineſs which had lain upon them, and which he hoped was now near finiſh'd, that the Country might receive the Advantage of a Receſs, by the ſeveral Members aſſiſting in the Settlement of Public Affairs; and alſo, that they might have the Benefit by it, to take care of their own particular Concerns: That tho' his Majeſty believ'd, that the Houſe was aſſur'd, that by what Preparations were made and muſt be continu'd and increas'd, there would be need of great Sums of Money; yet his Majeſty was ſo *ſenſible* of the *Diſpoſition* of this Houſe, that he was willing no farther Proceedings upon raiſing of Money ſhould be, till the Meetings towards Winter, other than what the Houſe had now themſelves deſign'd: That *he had* commanded him to acquaint the Houſe, That *what they had given him ſhould be* ſo apply'd, as that *when they met again*, he was confident they would receive Satisfaction, which he always deſired, in examining the Accounts thereof: And laſtly, his Majeſty commanded him to remind them of the Act of Indemnity, which was all he had in command."

The Reſult was ſimply a Vote, That Sir *Robert Howard* do preſent the humble Thanks of the Houſe to his Majeſty for his gracious Meſſage; and then, without any farther regard to the Particulars contain'd in it, Sir *John Guiſe*, who was one of the firſt that had join'd the *Dutch* Army in the *Weſt*, acquainted the Houſe from the Committee on the State of *Ireland*, That it had appear'd to them, that ſeveral Perſons then in Arms with the late King *James*, had been in Cuſtody here, and were not only releaſed, but had Paſſes given them: That Mr. *Jephſon*, a Member of the Houſe, was then Secretary; and that he was directed by the Committee, to move, that Mr. *Jephſon* might give an Account thereof. This was, in Effect, tracing the Matter to the King's Cloſet; and yet the Houſe comply'd with the Senſe of their Committee, and made an Order accordingly; as alſo another, That the Auditor of the Exchequer ſhould bring in an Account of what Moneys had been iſſu'd for ſecret Services, and to whom, ſince the Year 1682. Sir *John Guiſe* moreover ſignify'd, That he had waited on his Majeſty with the Addreſs for Leave, to inſpect the Council Books, and that his Majeſty's Anſwer was, *That he would conſider of it*: And, after a warm Debate, it was reſolv'd, *Nemine Contradicente*, That the Perſons who had delay'd ſending Relief to *Ireland*, and thoſe who had adviſ'd his Majeſty to defer the giving that Leave, were Enemies to the King and Kingdom: But a Motion being afterwards made, for an Addreſs againſt the Marquiſſes of *Halifax* and *Carmarthen* by Name, accompany'd with an humble Requeſt, That his Majeſty would remove them both from his Councils, the Houſe, which had been ſo unanimous before, divided, and both Parties were ſo equally match'd, both in Strength and Perſeverance, that neither could obtain the Maſtery, and ſo the Debate was adjourn'd by common Conſent.

A. D. 1689.

His Majeſty demurs to the Addreſs for Leave to inſpect the Council Books.

Thoſe who gave him that Advice, voted Enemies to King and Kingdom.

This was the Buſineſs of *July* 14: On the Morrow *Jephſon* appear'd in his Place, according to Order: And now it appear'd that the eager Spirit of the preceding Day was ſomewhat ſoftened; for when he urg'd, That, on peruſing the Books which he had kept while Secretary to his Majeſty, he *did not* find any of the Perſons in diſpute mention'd there, the Houſe was pleas'd to take his Word, and purſu'd ſo tender a Point no farther.

Jephſon's Defence admitted.

All this while, the new Levies for the *Iriſh* Service had been indeed carry'd on, but ſo ſlowly, and in ſuch a manner, as ſeem'd to argue, that thoſe at the Helm deſpair'd of the Undertaking, and were therefore unwilling to venture what they fear'd to loſe: But when the News was receiv'd, That the Siege of *Londonderry* was rais'd, the Affair was purſu'd in earneſt; the chief Command was given to the Duke of *Schomberg*: And, poſſibly to perſuade the People without Doors, at leaſt, that the Enquiry purſu'd by the Commons, with relation to *Ireland*, had no other Foundation than their own Malignity, the Duke was prevail'd upon to take his ſolemn Leave of that Houſe in Perſon; which he accordingly

Mr. Jephſon call'd upon to anſwer for certain Paſſes granted to Enemies.

Duke Schomberg takes a ſolemn Leave of the Houſe.

ON THE BOMBAY ...

Precedents, for your Lordſhips to reſolve to reverſe thoſe Judgments, though confeſs'd to be erroneous (unleſs upon ſuch Terms as you are pleas'd to impoſe, and to which the Commons cannot, in reaſon, agree) is to leave the Kingdom without Redreſs againſt acknowledg'd Wrongs.

It is recorded, to the Honour of your noble Anceſtors, That they declar'd they would not change the *Laws*; and the Commons hope, you will purſue their Steps, and not, by affirming erroneous Judgments, go about to make that Law, which was not ſo before: and, by inſiſting upon collateral Terms, before you will reverſe thoſe Judgments in the legiſlative way, take to yourſelves in effect the whole Power of the Legiſlature; which is not only to change the Law, but to ſubvert the Conſtitution of the Government: if your Lordſhips ſhould perſiſt in ſuch a way of Proceeding, and the Commons ſhould acquieſce in it.

The Commons, therefore, hope your Lordſhips will not perſiſt in this unuſual way of adhering, which manifeſtly tends to the Interruption of a good Correſpondence between the two Houſes, at this time of ſuch abſolute Neceſſity for the eſtabliſhing the Government, and for the Peace and Safety of the Kingdom."

Upon the whole Matter *Oates*, by the Diet of the Struggle, made a Shift to obtain, 1. An Addreſs from the Parliament to the King, requiring that his Majeſty would be graciouſly pleas'd to grant him his Pardon, 2. The King's Pardon in Conſequence of that Addreſs, and, 3. A Penſion of 5 *l.* a Week in lieu of the ſeveral Penſions formerly granted him by King *Charles* of 624 *l.* 60 *l.* and 200 *l. per ann.* which he had been depriv'd of, and which he had now again apply'd for, and expected to be reſtor'd to.

A. D. 1689. cordingly did *July* the 16th, Sir *Henry Capel* having first prepar'd his way, by acquainting them, That his Grace, being on the Point of setting out on his Expedition to *Ireland*, desir'd that Honour; as also to make his Acknowledgments for the (r) Care which they had taken of him and his Interests; adding, That his Merit was great, and that the King had rewarded it like a King, having made him a Duke, and settled 5000 *l.* a Year on him and his Heirs, in lieu of the like Revenues which he had lost in *France* and *Germany*. The Duke's Compliment was to the same Effect, and the Speaker's Reply was in the Terms following:

"My Lord, the Services that have been done by your Grace to their Majesties and this Kingdom, are so great, that they can never be forgotten: I am therefore commanded by this House to acquaint you, that they are extremely satisfy'd that his Majesty's Army is committed to your Grace's Conduct; and they doubt not but the War will be prosecuted in such a manner, as will fully answer all their Expectations. This House doth likewise assure your Grace, that, at what Distance soever you are, they will have a particular Regard, as much as in them lies, of whatever may concern your Grace, or the Army under your Command."

But whatever Effect this Ceremonial had without Doors, it had none within, though back'd with a Grant of that Leave which they had so earnestly solicited of his Majesty, to inspect the Council-Books: For having in a general Committee (*August* 3) consider'd the State of the Nation, they came to the following Resolutions, 1. That there had been Delays in the Succour of *Ireland*. 2. That sufficient Preparations had not been made for transporting the Forces to that Kingdom: And, 3. That several Ships had been taken for want of Convoys to preserve them. But though the Majority proceeded thus far, when the Use and Application came to be made, by a Motion for an Address to represent to his Majesty, That it was not for his Interest to retain the Marquis of *Hallifax* in his Councils, it pass'd in the Negative. A. D. 1690.

Votes on the State of the Nation.

The Miscarriages in Relation to *Ireland* were also the great Object of Opposition in the House of Lords: They had their Committee of Enquiry: They address'd for the Minute-Books of the Council: They receiv'd the same Answer from his Majesty: When the Commons had the Leave they desir'd, their Lordships had the like Indulgence: And when it appear'd upon Examination, that the said Books did not give the Light expected from them, they order'd the Earls of *Shrewsbury* and *Nottingham*, to apply, for all the Minutes of the *Irish* Affairs which had been taken from the time that his Majesty accepted the Administration, to the time of his ascending the Throne; but still without the desir'd Effect; for his Majesty was pleas'd to reply, *That there were* NO MINUTES *of the* Irish *Affairs in the time mention'd by their Lordships.*

Proceedings in the House of Lords on the Irish *Affairs.*

To close on this Subject: When it became manifest to the leading Men of both Houses, that the great End they aim'd at, of making the Marquis of *Hallifax* accountable for all the Miscarriages they had so loudly complain'd of, was utterly unattainable, the Committee of the Commons completed and deliver'd in their Report, which turn'd principally on the Behaviour of (s) *Lundee* at *Londonderry*, and consequently he was mark'd out,

Charge against Lundee.

(r) They had made him a magnificent Present of a hundred thousand Pounds.

(s) Against whom there was, indeed, sufficient Matter; as appears by the following Letter of Dr. *Walker's*, annex'd to a Pamphlet call'd, *A true Account of the present State of Ireland*, as presented to the Earl of *Shrewsbury*, by the Author, *Andrew Hamilton*, viz.

"When the Lord *Mountjoy* left the Garrison of *Londonderry*, he gave private Orders to the Colonel he left Commander in chief, That he should punctually observe whatsoever Directions he should receive from him from *France*. Now such were the Circumstances of that unfortunate Lord, that being suspected by the late King *James*, and look'd upon as the Betrayer of that Kingdom, he had no other way of insinuating into his Favour, and regaining his lost Reputation with him, but by promising to make Colonel *Lundee* an Instrument to break and ruin the Protestants, and render them incapable of opposing any Army that should march against them.

The deluded Protestants in *Derry*, and all over the *North*, were extremely overjoy'd that they had so good a Soldier for their Head; one whom they really believ'd to be of their own Religion, and who seem'd to be so zealously and warmly affected to their Interest; and therefore they entirely rely'd and depended upon his Courage and Fidelity, and submitted themselves to his Conduct and Management, never concerning the least Suspicion of him till it was too late: tho' it was whisper'd in every Corner of the Garrison, That he had said, he would heartily fight against *Tyrconnel*, but not against King *James*. At length a formidable and regular Army of the *Irish* march'd down towards the *North*; our Forces then having not the least Intimation of their Approach, till they came almost to the *Towns* where our Men were garrison'd, which they were forced to quit in great Disorder and Confusion.

The Colonel, in the mean time, sat quietly at home, neither made any Provision for the Frontier Garisons, nor gave any Orders to fortify and secure them, and oppose the Enemy, before they were blooded and animated with Success. Soon after (without any Opposition) they over-run the two great Counties of *Down* and *Antrim*; And then the Colonel sent Letter after Letter to the Lord *Kingston* at *Sligo*, where there was good Store of Provisions and Forage, to come and join his Horse at Ish with the *Lagan* Forces. The Lord sent him word, That if the Horse came away, the Foot would not be perswaded to continue there; and that he sent'd there was not such Plenty of Provision for their Horse and Men in the *Lagan*, as they had at *Sligo*. Upon this Answer, the Colonel sends an Express to my Lord, That both his Horse and Foot should quit *Sligo*, and march immediately to the Assistance of *Derry*.

My Lord wearied with these Importunities, and not in the least mistrusting the Integrity of the Colonel, advances with his Forces, and was follow'd by all the Inhabitants of the Town: But no sooner were they come to *Ballyshannon*, twenty Miles from *Sligo*, but they receiv'd a Message from the Colonel, That there was no Forage for the Horse in the *Lagan*. The Enemy by this time had possess'd themselves at *Sligo*, so that they were forc'd to flay at *Ballyshannon*, where both their Horse and Men were expos'd to the greatest Necessities, and were almost destroy'd for want of Provisions.

All this while the Towns of *Inishillin* and *Ballyshannon* had no Ammunition sent them from him, tho' he had at the same time above five hundred Barrels of Powder in the *Pallas* Store-house at *Derry*; neither could he be perswaded by any Arguments, to get Forage into *Derry*, tho' the neighbouring Country round about him had great Quantities of Hay and Oates, and made a voluntary Offer of them for the Service of the Garrison. Besides, as if he had along design'd the Ruin of that Place, and consequently of the Protestant Interest in *Ireland*, he still gave Passes in every Man that ask'd them: He endeavour'd to possess them that were the most bold and resolute with strange Apprehensions of their Danger; and where this succeeded not, out of the Abundance of his Affection, he courted and invited others to accept of Passes. Afterwards

A. D. 1689. out, to be the only Sacrifice. Indeed, Lord *Warrington* in his Tract, call'd *An Impartial Enquiry*, before quoted, is explicit, "That it was prov'd to the House by sufficient Witnesses, that when Major General *Kirk* first arriv'd in the River of that Place, and for some time after, there was no Boom, nor any thing like it, to interrupt his Passage, no Castle with a Gun in it, nor Musketeers on either Side of the River, nor any thing that could have hinder'd his relieving the Town, if he had intended it; that, on the contrary, it appear'd, that he withdrew and landed his Forces to secure himself, where he feasted and revell'd with some of the principal Rebels, with whom he had lately serv'd King *James*." But if any such Proof was offer'd, no Use was made of it; and *Kirk* escap'd not only without Punishment, but without Censure.

There still remain'd two other Points before the Commons, which the King had particularly recommended to their Consideration, *viz.* the Settlement of his Revenue, and the perfecting a Bill of Indemnity. Of both these something has already been said, and more remains to be said; for tho' they were brought upon the Carpet in the Beginning of the Session, they were left unfinish'd at the End; and thorough the whole Course of it, offer'd continual Matter to keep the contending Parties in a continual Ferment.

We have seen that the King had his Ends in recommending a Bill of Indemnity, as also, that the Whigs had their Ends in opposing it: And we are now to observe, that they disguis'd these Ends under the most plausible Pretences imaginable. "No good Men doubted, says Lord *Warrington*, that an Act of Indemnity was needful for quieting the Minds of thousands that had been criminal in compliance with King *James*; but that nothing could be more pernicious to the future Peace and Security of our Government, than an absolute, general Indemnity for ALL our late King *James*'s Ministers, to forgive ALL Treasons, Murders in Forms of Law, Suspensions of the Laws, Establishments of Popish Courts and Convents, surrendring and betraying of Charters, Perversions of the whole Course of Justice, and professedly laying Foundations for perpetual Popery and Slavery."

Apology of the Whigs for their Proceedings in the Bill of Indemnity.

A. D. 1689.

For that Reason, the Convention took infinite Pains to form an Act of Indemnity as might have answer'd all the Ends of Mercy, yet with due regard to Justice and the future Safety of our King and Government.

They agreed in their Votes, that few should be excepted from Mercy as to their Lives, and as few as possible to their Estates and all other Punishments.

They concluded, upon many solemn Debates, first to name the several sorts of public Crimes; for every one of which, some ought to be punish'd for Example's sake, as lasting Monuments of Justice, either as to Life or Estate, or Fines, or Exclusion from public Trusts."

It is, on the other hand, alledg'd, that so many Exceptions were made in the Bill, as would have mark'd out more for Punishment than Pardon; and that the House upon this Occasion resembled a *Roman* Amphitheatre, and the Members the *Laquearii* and *Retiarii*, whose Business it was to throw Nets and Nooses over the Necks of each other.

The plain Truth will best be found in the Exceptions themselves, which are as follow, *viz.*

The Exceptions on which it was founded.

I. For asserting, advising, and promoting of the dispensing Power and suspending of Laws without Consent of Parliament, as it has been lately exercis'd, and the acting in pursuance of such pretended dispensing Power.

II. For committing and prosecuting the seven Bishops.

III. For advising, promoting, and executing the Commission for erecting the late Court for ecclesiastical Causes.

IV. For advising the levying Money, and the collecting the same for and to the Use of the Crown, by Pretence of the Prerogative.

V. For advising the raising and keeping up a standing Army in time of Peace, without

---

Afterwards, when the Enemy made their Approaches nearer *Derry*, he drew out a Body of 7000 Men, pretending he would fight them at a Pass they were to come over: But as soon as ever Colonel *Sheldon*, with his Horse, advanc'd, he gave him the Sign to come over, and ran away, swearing a great Oath and saying, *Gentlemen, I see you will not fight*; tho', at the same time, they were in all Appearance very zealous and willing to engage. From thence he immediately fled to the City, and then shut the Gates upon thousands of Souls, pretending Scarcity of Provisions, who all either perish'd for Hunger, or were left as a Prey and Sacrifice to the Rage and Fury of their insulting Enemies.

Soon after Colonel *Cunningham* and *Richards*, with two Regiments, came to the Assistance of *Derry*, whom he discouraged from flying, declaring, That they had Provision but for a very few Days, and that the People who were in the City were but a Rabble.

However, all the Treachetions in their Council of War, as they call'd it (tho' none were admitted to it but the Colonel's own Creatures) were manag'd with the greatest Secrecy. And the better to delude the Garrison, it was given out, That the Forces would forthwith land. And of this they were so fully perswaded, that many went aboard the Ships that were in the Harbour to caress and congratulate the Soldiers safe Arrival, who were not suffer'd to return again, but against their Inclinations were brought into *England*. *Cunningham* next Day (when on board, and as it was agreed betwixt him and the confederate Colonel) sends him a Letter, That he had discover'd some Ships at a Distance, which must needs be further Succours design'd for the Relief of *Derry*; that he would fall down to the Harbour's Mouth, and return again with the rest of the Fleet. This Letter was handed up and down *Derry* to pacify the People, tho' generally they began to apprehend they were sold and betray'd; and in this their Suspicion they were confirm'd by a Lady, related to the Colonel, who had forgot her Cue, and unwarily told a Lieutenant in the Garrison, That *Cunningham* did not design to land, and that his Letter was a meer Sham. After this *Cunningham* set sail, and hover'd at a little Distance, expecting the Colonel, who had promis'd him to make his Escape, and go with him for *England*; but the Colonel not coming according to the time appointed, he parted his Voyage, and left us under the Apprehensions of immediate Destruction."

But notwithstanding the Notoriety of all these several Facts, and the particular Application of the House of Commons to his Majesty, that *Lundee* might be sent over a close Prisoner to *Londonderry*, there to be try'd for his Life, we are told by Lord *Warrington*, in his *Impartial Enquiry*, That those who advis'd the Employment of him, and his two Associates *Cunningham* and *Richards*, took care for their Security and Liberty without the Trouble of Trial.

A. D. 1689. out Consent of Parliament, and the quartering of Soldiers.

VI. For abusing, procuring, contriving and acting in the Surrender of Charters; in the Alteration and Subversion of Corporations; in procuring new Charters; the violating the Rights and Freedoms of Elections to Parliament, to Counties, Cities, Corporations, Boroughs and Ports, and questioning the Proceedings in Parliament, out of Parliament by Declarations, Informations, or otherwise.

VII. For undue Constructions of Law, and the undue and illegal Prosecutions and Proceedings in capital Crimes.

VIII. For the undue Returns of Juries and other illegal Proceedings in civil Cases.

IX. For requiring excessive bail, imposing excessive Fines, giving excessive Damages, and using undue Means for levying such Fines and Damages, and inflicting cruel and unusual Punishments.

X. For advising King *Charles* II. and King *James* II. by some other of their Judges and Council, that Parliaments need not be call'd, according to the Statutes.

XI. For bailing in the Court of *King's-Bench* Persons committed upon Impeachments from the Commons.

And, XII. For the procuring a Commission to exercise martial Law in *St. Helena*, and signing a Commission to put it in Execution.

This was the Catalogue of Sins; and the Mercy of those who made it, consisted in this, That they did not insist on making Examples of all the Guilty, but only such as were most obnoxious either to the Public or themselves.

It must also be acknowledg'd, that they prosecuted their Enquiries like Men who were resolv'd to take all Advantages, and who, in order thereto, endeavour'd to make the Charge as black as possible.

Reports from the Committee of Grievances.

The very same Day that these Exceptions were agreed to, Major *Wildman* deliver'd in a long Report from the Committee of *Grievances*, relating to the Misdemeanors of *Burton* and *Graham*, joint Sollicitors for the Crown in the two late Reigns; charging them with having expended vast Sums in the several unwarrantable Prosecutions of those Times, with having corrupted Juries, suborn'd Witnesses, defended several Persons, particularly Sir *John Moor*, against their Fellow-Subjects, with Court-Money; and generally with having been the Court-Agents in all the Illegalities of the last eight Years: In the same Report the late Chancellor *Jeffreys*, Chief-Justice *Wright*, and Judge *Jenner*, are also charg'd with having a principal Concern in all the said arbitrary Proceedings.

In a few Days after, Mr. *Foley* deliver'd in another long Report, tending to expose the Violence of the Court in the Election of Sheriffs in the Year 1682, when *North* and *Rich* were declar'd Sheriffs by the Mayor, in Opposition to *Papillon* and *Dubois*, who were return'd by the Voice of the City, and in prosecuting and fining those Persons as Rioters who carry'd on the Poll, after the said Mayor had thought fit to order it by Proclamation, to be discontinu'd, *&c.* As also in causing *Papillon* to be fin'd 10000*l.* for being concern'd with *Dubois* in the arresting Sir *William Pritchard*, when Lord Mayor, and in suing out the *Quo Warrantos* against the City-Charters: The whole concluding with a Resolution of the said Committee, That it was their Opinion, that Sir *John Moor* and Sir *Dudley North* were two of the Authors of the Invasion made upon the Rights of the City of *London*, in the said Election of Sheriffs. A. D. 1689.

In about a Fortnight after this, Mr. *Bridgman* and Mr. *Blathwait*, Clerks of the Council, were order'd to attend, and were ask'd, Who were of the Privy Council, at or about the Year 1681? As also, Who were of the Cabinet-Council? Whether any List or Roll were kept of their Names? What Books and Papers of Returns they had of such Persons Names, as agreed to take off the Penal Laws and Tests? Where those Books and Papers were? What was become of them? What Letters were sent to Lords Lieutenants? What Returns were made? *&c.*

About the same time, the Judges displac'd in the late Reign, were examin'd, for what Reason they had been so displac'd: Mr. Justice *Powel*, more particularly, was examin'd, concerning the Opinions of his Brother-Judges in the Case of *Goodwin* and *Hales*, touching the King's Power of dispensing, and gave the House so much Information, that Sir *Edward Herbert*, Sir *Francis Withins*, Sir *Richard Holloway*, and Sir *Robert Wright*, were all (*t*) excepted, under the first Head, out of the Bill of Indemnity.

The next Article of Enquiry was, Who were at the Council Board when the seven Bishops were committed to the *Tower*? and the Information they receiv'd was as follows, *viz.* The King, the Lord Chancellor *Jeffreys*, the Lord President-*Sunderland*, the Lord Privy Seal-*Arundel*, the Marquis of *Powis*, the Lord Chamberlain-*Mulgrave*, the Earls of *Huntington*, *Peterborough*, *Craven*, *Berkeley*, *Murray*, *Middleton*, *Melfort*, and *Castlemain*; the Viscount *Preston*; the Lords *Dartmouth*, *Godolphin*, and *Dover*; Sir *John Ernley*, Chancellor of the *Exchequer*, Lord Chief Justice *Herbert*, Sir *Nicholas Butler*, and Father *Petre*; and that all of them sign'd the Warrant, except the King and Father *Petre*.

They also call'd Sir *Thomas Jones* and Sir *Francis Pemberton* to Account, for Breach of Privilege in the following Instance: *Topham*, Serjeant at Arms, had formerly arrested and confin'd one *Jay*, by Order of the House; and after the Dissolution of that Parliament, *Jay* brought his Action in the *King's-Bench* against *Topham*, for false Imprisonment. *Topham*

(*t*) Tho' not for their Lives; the House having previously resolv'd, that no Person should be so excepted under the said Head.

A. D. 1689. *ham* pleaded the Order of the Houſe, and the Court over-rul'd that Plea; which was the Offence that theſe late Judges were now to anſwer for: Both, however, maintain'd their Opinions, tho' with great Caution; and by way of Puniſhment were order'd into the Cuſtody of the ſaid Sergeant; in which, for any thing that appears to the contrary, they continued till the End of the Seſſion. The Houſe alſo came to a Reſolution, that the ſeveral Judgments given upon ſeveral Actions of the ſame kind, againſt the ſaid *Topham*, were illegal and pernicious to the Rights of Parliament; and moreover order'd in a Bill to reverſe the ſaid Judgments, as alſo That by which *William Williams*, Eſq; the late Speaker, was fin'd 10,000*l.* for Matters done by Order of the Houſe.

The late Judges, Pemberton *and* Jones, *order'd into Cuſtody.*

In this Interval, the Lord *Jeffreys*, the Earls of *Sunderland* and *Huntington*, the Biſhops of *Durham* and *Cheſter*, and *Herbert*, *Wright*, and *Jenner* again, were excepted under the ſecond Head of the Bill of Indemnity; and all of them, yet again, under the third: At which time, it was alſo reſolv'd, that no more Perſons ſhould be excepted out of the ſaid third Head; for all the reſt of the eccleſiaſtical Commiſſioners had found Ways and Means to make their Peace: *Sprat*, Biſhop of *Rocheſter*, had publicly apologiz'd for his acting under it, in two Letters to the Earl of *Dorſet*; and had beſides the Merit to plead, of having given into all the Meaſures of the new Government, without Reſerve. The Earl of *Mulgrave* had done the ſame, in a (*u*) Letter to Dr. *Tillotſon*: And as to the Earl of *Rocheſter*, he had not only been a ſtrenuous Advocate for the Clauſe in the Bill of Rights, in favour of the Houſe of *Hanover*, but was driving new Bargains at Court, both for himſelf and thoſe on whoſe Shoulders he ſtood. A. D. 1689.

Thus far the Houſe ſeem'd to proceed with ſome Vigour; and they, moreover, receiv'd Mr. *Papillon's* Report from the Committee of Grievances, in relation to the levying the Cuſtoms and Exciſe on the Demiſe of King *Charles* II. which related to the fourth Exception; but came to no Reſolution thereon, nor made any farther Progreſs in the Bill from the 25th of *July*, to the End of the Seſſion.

It is ſaid by Lord *Warrington*, that the Party moſt affected by the Bill retarded their Proceedings, by throwing Stumbling-blocks from time to time in their way: And from his Lordſhip's own Paper we have ſeen, that his own Party was more intent on Puniſhment than Pardon.

The

(*u*) *Viz.* "S I R,

Nothing in this World is, or ought to be, ſo dear to any Man as his Reputation, and conſequently the Defence of it is the greateſt Obligation that one Man can lay on another: There are alſo ſome Circumſtances that render this Obligation yet more acceptable and valuable; as when 'tis conferr'd generouſly without any Self-intereſt, or the leaſt Deſire or Invitation from the Perſon ſo defended. All this happens to be my Caſe at this time; and therefore I hope you will not be ſurpris'd to find I am not the moſt ungrateful and inſenſible Man living; which certainly I ſhould be, if I did not acknowledge all your induſtrious Concern for me, about the Buſineſs of the Eccleſiaſtical Commiſſion, which now makes ſo much Noiſe in the World. You have, as I am told, ſo cordially pleaded my Cauſe, that it is almoſt become your own; and therefore, as unwilling as I am to ſpeak of myſelf, eſpecially in a Buſineſs which I cannot wholly excuſe; yet I think myſelf now a little oblig'd to ſhew my Part in this Matter, tho' imprudent enough, yet it is not altogether unworthy of ſo juſt, and ſo conſiderable an Advocate.

The leſs a Man ſays of himſelf, the better; and 'tis ſo well known already, why I was kept out of all the ſecret Councils, that I need not juſtify myſelf, or trouble you as to thoſe Matters; only I appeal to the unqueſtionable Teſtimony of the Spaniſh Embaſſador, if I did not zealouſly and conſtantly take all Occaſions to oppoſe the French Intereſt, becauſe I knew it directly oppoſite both to the King and Kingdom's Good, which are indeed things inſeparable, and ought to be ſo accounted, as a fundamental Maxim in all Councils of Princes.

This, I hope, will prepare the way a little for what I have to ſay concerning my being one of the Eccleſiaſtical Commiſſioners; of which Error I am now as ſenſible as I was at firſt ignorant, being ſo unhappily converſant in the midſt of a perpetual Court-flattery, as never to have heard the leaſt Word of any Illegality in that Commiſſion, before I was unfortunately engag'd in it.

For, tho' my Lord of Canterbury had very prudently refuſ'd to be of it, yet it was talk'd at Court, it proceeded only from his Unwillingneſs to act at that time, and not from any Illegality he ſuſpected in the Commiſſion; having excuſed himſelf from it, the moſt reſpectful way, by the Infirmities he lay under. Being thus ignorant of the Laws, and in ſuch a Station at Court, I need not deſire a Man of your Judgment and Candour, to conſider the Hardneſs of my Caſe, when I was commanded to ſerve in a Commiſſion with a Lord Chancellor, a Lord Chief Juſtice, and two Biſhops, who had all of them already acted ſome time there, without ſhewing the leaſt Diffidence of their Power, or any Heſitation in the Execution of it. And perhaps a Man of more Diſcretion than I can pretend to, might have been eaſily perſuaded to act in ſuch a Conjuncture, and to think he might do it ſafely, both in Law and Conſcience. But I need not ſay much to ſhew my Deſire to have avoided, if poſſible, a troubleſome Employment, that had not the leaſt Temptation of Honour or Profit to recommend it; and which therefore I continued in upon no Account in the World, but to ſerve both King and Clergy with the little Ability I had, in moderating thoſe Councils, which I thought might grow higher, if I left my Place to be fill'd by any of thoſe who waited for it greedily, in order to their ill Deſigns.

And I may expect the more Credit in this, when 'tis conſider'd that the two important Affairs which paſs'd in that eccleſiaſtical Court, being the Biſhop of London's Suſpenſion, and the incapacitating the Members of Magdalen College; the firſt was done ſome Months before I was a Commiſſioner, and I oppos'd the laſt, both in voting and ſpeaking, and with all the Intereſt I was able to make uſe of, which indeed was but little after that Oppoſition; in which being out-voted, I ſeldom came, and never acted in that Court after, except to reſtore the Biſhop of London, tho' ſent for continually, by reaſon of my lodging ſo near it.

And ſince I have been forc'd to mention my Good-will at leaſt, if not my Service, to ſuch learned Men of the Clergy who I thought deſerv'd it, it may be allow'd me to give this one Inſtance more of it; that altho' in preferring Men to all other Places of the Houſhold, I ever us'd to aſk Permiſſion firſt, and accordingly was often refus'd, for the ſake of Roman Catholics and others, who were recommended by Perſons more in favour than myſelf; yet I was ſo careful of keeping that conſiderable Part of the Family unmix'd with mean or unworthy Chaplains, whom others I fear'd would have impos'd on his Majeſty, that I conſtantly fill'd up thoſe Vacancies without giving him the leaſt Notice or Trouble about it, and ſupply'd them with the ableſt, approv'd Divines I could poſſibly find, moſt commonly recommended to me by the Biſhops who were not of the Court; which I conceiv'd the moſt proper Courſe, in a Matter concerning Clergymen, with a King of a different Perſuaſion from theirs, and intended for his real Service; believing it had been better for him, as well as the Kingdom, if the greater Eccleſiaſtical Dignities had been diſpos'd of by others with as much Caution.

And thus, Sir, I have endeavour'd to confirm you in your favourable Opinion of me, which muſt be acknowledg'd by every body an Approbation of ſuch weight, that as I hope it may be an Example of Authority to many, ſo 'tis ſufficient of itſelf to baffle the Cenſoriouſneſs of others. I am,

S I R,

Your Obig'd Humble Servant.

White-Hall, *Mar.* 27. 1689. MULGRAVE."

A. D. 1689. The King, in the mean while, it may be [illegible], was sufficiently disgusted to find [illegible] had so little Force: But this was not his only Mortification; the Settlement of the Revenue in his own way, was a Point he was more immediately concern'd in. He had not only mention'd it in his Speech and Message, but had expres'd an earnest Desire to have it settled for Life. "He had said, says the *Historian of his own Times*, that he was not a King till that was done; that without such a settled Revenue, a King was but a Pageant." "And he spoke of this, continues the same Author, with more than ordinary Vehemence; so that sometimes he said, he would not STAY and hold an empty Name, unless that was done: He said once (to the Bishop himself) That he understood the Good of a Commonwealth as well as of a Kingly Government; and it was not easy to determine which was best; but he was sure, the worst of all Governments, was that of a King without Treasure, and without Power. But a Jealousy was now infus'd into many, that he would grow arbitrary in his Government, if he once had the Revenue, and would strain for a high Pitch of Prerogative, as soon as he was out of Difficulties and Necessities. Those of the Whigs, who had liv'd some Years at *Amsterdam*, had got together a great many Stories, that went about the City, of his Sullenness, and imperious way of dictating."

Not to be too severe in our Inferences from these Words, nor to enter into a minute Discussion, whether the Whigs in this Instance were directed by Principle or Policy, or both, it may be remember'd, that when King *James* took Possession of the Throne, he was as impatient to have the Revenue settled for Life, as King *William* was now; that the *entire Confidence* which was plac'd in him, had like to have prov'd the Ruin of the Constitution; and that the Whigs were the Persons who had all along declar'd, that such a Confidence was never to be plac'd in any Prince whatsoever, for fear of such an Abuse. To be consistent with themselves, therefore, A.D. 1689. it must be admitted, that they ought to have taken the same Precautions against King *William* which they had requir'd against King *James*: One was a Man as well as the other; and such is the Imperfection of Human Nature, that even the best of Men are, at Times, more apt to be directed by their Interests than their Virtues.

It must farther be admitted, that in a Matter of such vast Importance as this was, it was scarce possible to be too deliberate: They had provided for the public Wants, over liberally according to some: Together with all the Prerogatives of the Crown, the King was in Possession of all that remain'd of its ancient Patrimony: That All was indeed very inconsiderable: The Fee-Farm-Rents King *Charles* had carry'd to Market; and those which in *Exchequer* Language are call'd the *small Branches*, he had greatly reduc'd: The Hearth-Money, the King himself had politically resign'd; and by a Vote of their own, the Commons had vacated all other occasional Grants. It is certain, therefore, that the Crown was in a necessitous State, and in Point of Honour a new Provision was to be made for it by the People: But then a new Constitution was to be made with it, and Reason requir'd, that such Care should be taken in framing it; that the People should not be Sufferers by their own Generosity.

May we not conclude then, that the Whigs never acted more like sound Politicians and good Commonwealth-men, than upon this Occasion? That the very Articles they are accus'd of, ought to be imputed to them for Righteousness? And that they are blameable only, for not carrying their new Regulations as far as their own Principles requir'd?

But however this may be, that they might not deviate from the right Road for want of sufficient Information, they call'd for a State of the Receipts and Issues of the late King's Revenues: And by these, as deliver'd in by Sir *Robert Howard*, it appear'd, that the Former amounted to (*v*) 1,858,436*l.* 14*s.* 9*d.* ½, the Latter to (*w*) 1,699,363*l.* 2*s.* 9*d.* and that

(*v*) Under the following *Items*, *viz.*

	l.	*s.*	*d.*
The old Customs on a Medium of four Years, from 1685 to 1688, – –	577,507	12	10½
The Duties on the Wood and Coal Farms, and *French* Tonnage, –	19,500	00	00
The 4½ *per Cent.* Rent of the Logwood Farm, and Seizures of uncustom'd and prohibited Goods, – –	12,119	4	4
The Excise on a like Medium of four Years, – – – –	610,486	10	9
The Hearth-Money, about – –	200,000	00	00
The Post-Office, about – –	55,000	00	00
The small Branches, about – – –	20,350	00	00
The new Impositions on Wines and Vinegar,	172,901	11	8½
Tobacco and Sugar, – – –	148,861	8	
French Linens, Brandy, Silks, &c. – –	93,710	8	1
Total,	1,858,436	14	9½

But according to another Computation inserted by Dr. *Davenant*, in his Tract upon Ways and Means, the several Branches, clear of all Charges in the Collection stood as follows:

	l.
Tunnage, Poundage, &c. – – –	600,000
Excise, – – – – –	666,383
Hearth-Money, about – –	245,000
Post-Office, about – – –	65,000
Wine Licences, about – – –	10,000
New Impositions, as above – – –	172,901
	148,861
	93,710
	2,001,855

To which is added by others, another *Item*, *viz.*

The small Branches, at – – –	60,000	
Total,	2,061,855	

(*w*) In these Articles:

	l.	*s.*	*d.*
Navy, – – –	417,462	12	10½
Ordnance, – – –	83,493	9	3½
Forces, – – –	610,883	1	5½
Houshold, – – –	66,006	2	2½
Treasure of the Chamber, –	28,443	5	2½
Wardrobe, – – –	15,125	3	11½
Robes, – – –	2,676	14	9
Works, – – –	24,663	19	3½
Foreign Ministers, – –	32,657	9	7
Stables, – – –	11,045	13	00½
Fines and Salaries paid at the *Exchequer*,	30,495	12	7
Pensions and Annuities, – –	146,705	17	3½
Bind of Pensioners, – –	6,000	00	00
Bounties, – – –	27,680	10	8½
Secret Services, – – –	84,968	8	2½
Secretary of State – –	6,066	13	4
Iss'd by Sir *Stephen Fox*, – –	9,333	6	8
Privy Purse, – – – –	20,410	13	4
Jewels and Plate, – –	15,740	6	00½
Impoll Bills, – – –	96	12	00
Contingencies not reducible to the foregoing Heads, – –	22,043	6	3½
Total,	1,699,363	2	9

A.D. 1689. that the late Government had incurr'd a Debt of (x) 1,054,925*l.* 5*s.* to which was afterwards added a Schedule of things, call'd *old Debts*, the Total of which, was 861,168*l.* 12*s.* 6*d.* ½. It was observable, that in these States no Distinction was made between those Branches which were the Inheritance of the Crown, and those which were deriv'd by way of Grant from the People; and that the Application of the one, was as much at the Discretion of the Ministers, as the other: And it was remember'd, that from the Over-confidence of those which gave, and the Infidelity of those which receiv'd, the Public had been oftentimes grossly abus'd: As one Step, therefore, towards the Prevention of the like Abuse for the future, they first came to a Resolution, That 1,200,000*l.* was a sufficient Sum to answer all the Demands of Government, in time of Peace: They then made an equal Division of that Sum between the King and the Nation, and allow'd one Half for the Navy and Ordnance, and the other, for what is now call'd the Civil List; under which they took care to comprehend, by express Mention, the Allowance to the Queen Regent, the Queen Dowager, the Princess of *Denmark*, the Marshal *Schomberg*, the Judges, Masters in *Chancery*, and *Welsh* Judges, and certain Perpetuities out of the Customs. They also caus'd a formal Entry to be made in their Journals of the several Charges on the said Civil List, in Pensions, &c. which, according to *Sir Robert Howard*'s Papers, amounted to 213,270*l.* 6*s.* 1*d.* ½; and another of all the Grants which had been made of the petty Farms and other particular Estates, and Parts of the Revenue, that they might know so much the more exactly the present State of it; and be so much better able to check the Use and Application of it for the future. Now all these Articles taken together, with an Exception to the first, of the Queen Regent, and allowing but 30,000*l.* *per ann.* to the Princess of *Denmark*, according to the Assignment made her from Year to Year, by the King her Father, amounted to no more than (y) 280,618*l.* 1*s.* 6*d.* so that there remain'd 319,381*l.* 18*s.* 6*d.* for all the Branches of the Houshold, &c. of the King and Queen, which had been defray'd by King *James*, for less than 235,000*l.*

It does not indeed appear, that the King or his Ministers ever complain'd that this Sum was too little to support the Honour and Dignity of the Crown, or that those who gave it thought they had given too much: His Majesty only demanded to have it secur'd to him for Life; and, after his Example, the Princess of *Denmark* endeavour'd to render herself as independent of the King, as the King desir'd to be of his People.

A.D. 1689.

The Regulations hitherto mention'd, were made before the End of *April*; and finding no further Advances likely to be made towards the Point his Heart was so much set upon, his Majesty put them in mind of it on the 28th of *June* following; but as we have seen, without Success: The Bill of Settlement which they had before them, and which they proceeded very heavily with, was very different from what the King desir'd; and towards the latter End of the Session, taking Advantage of the different Interests which then divided the House of Commons, and of the Clashings of one House against the other, a Motion was made in the Committee of the whole House, by the Friends of the Princess *Anne* of *Denmark*, that a Clause should be added to the said Bill, for settling a Provision for Life on her said Highness; which Motion was not only carry'd in the said Committee, but that Provision was settled at 40000*l.* a Year.

Motion for an Establishment for the Princess Anne of Denmark.

It is of this Incident that the late Duchess Dowager of *Marlborough* writes as follows: "The Princess, notwithstanding these Mortifications (the Refusal of the Royal House at *Richmond*, and certain Lodgings which her Highness had requested of the Queen) continu'd to pay all imaginable Respect to the King and Queen. But this did not hinder her Majesty from expressing a great deal of Displeasure, when some Steps were made in Parliament towards settling a Revenue on the Prince and Princess. Taking her Sister one Night to Task for it, she ask'd her, What was the Meaning of those Proceedings? to which the Princess answer'd, she heard her Friends had a mind to make her some Settlement. The Queen hastily reply'd, with a very imperious Air, Pray what Friends have you but the King and me? I had not the Honour to attend the Princess that Night; but when she came back, she repeated this to me: And indeed I never saw her express so much Resentment as she did at this Usage; and I think it must be allow'd she had great Reason: For it was unjust in her Sister not to allow her a decent Provision, without an entire Dependance on the King. And besides, the Princess had in a short time learnt, that she must be very miserable, if she was to have no Support but the Friendship of the two Persons her Majesty had mention'd.

After this the Queen said no more to the Princess on the Subject of the Settlement, tho' they met every Day; and the Affair went on so well in the House of Commons, that her Friends were encourag'd to propose for her a much larger Revenue than was at last

---

	l.	*s.*	*d.*
(x) By Security-money for the two Receivers of the Customs and Excise,	40,000	00	00
Anticipations on the Excise, – –	190,525	00	00
By ditto on the Hearth-Money, – –	47,000	00	00
By Arrears to the Army and Navy, about,	300,000	00	00
Six Years Arrears to the Goldsmiths and their Assigns, – –	477,400	5	00
Total,	1,054,925	5	00

	l.	*s.*	*d.*
(y) Namely, Charge on the Revenue,	213,270	6	1½
Queen Dowager, – – –	18,209	15	4½
Princess *Anne*, – – –	30,000	00	00
Judges, – – – –	15,800	00	00
Marshal *Schomberg*, – – –	3,000	00	00
Perpetuities, – – –	338	00	00
Total,	280,618	1	6

A. D. 1689. last obtain'd; to prevent which, by gaining time, the King prorogu'd the Parliament."

Whether her Grace is precisely right in the laſt Circumſtance, is Matter of ſome Doubt; for the Committee paſs'd this Vote in the Beginning of *Auguſt*, and the Seſſion was not adjourn'd till the 20th; nor can it be admitted that the Affair went altogether ſo well in the Houſe as ſhe is pleas'd to inſinuate; for when this very Vote came to be reported, which was on the ninth, it was reſolv'd on the Queſtion, That the Debate ſhould be adjourn'd till the Revenue came again under Conſideration: Whence it is pretty manifeſt, that the King was able to ſuſpend the Princeſs's Settlement as long as he thought fit to ſuſpend his own.

But though they took up all this time in their Deliberations upon the Revenue, and ſo many various ways made it manifeſt, that they thought the Power of the Purſe almoſt as great as that of the Sceptre or Sword, their Reſolutions were as defective in regard to the Safety of the Conſtitution, as their Supplies prov'd to be, to the Neceſſities of the Times: Thus, if they limited the Civil Liſt Appointments to 600,000*l.* they took no care to ſpecify the Funds out of which it ſhould be paid: And tho' in the Titles and Preambles to two of the four Grants, which they made in this tedious Interval, they ſlipt in certain Words which ſeem'd to carry along with them the Idea of Appropriations, those Words had not the real Force of Appropriations, nor were regarded as ſuch by thoſe in Power, who made no Scruple to apply the ſeveral Branches of the Revenue, promiſcuouſly as before; that is to ſay, the Product of the new Aids to the Demands of the Civil Liſt, and that of the old to thoſe of the War. The two Grants thus looſely treated, were that for raiſing Money by a Poll towards the Reduction of *Ireland*, and the Land-Tax of Twelve-pence in the Pound for the *neceſſary Defence* of the Kingdom. The *preſent Aid*, as it was call'd, for raiſing 240,000*l.* for his Majeſty's *extraordinary Occaſions*, had not ſo much as the Mark of an Appropriation: And thus it may be ſaid, that the *additional Exciſe* of Nine-pence *per* Barrel, together with the new Impoſitions on Wines, Vinegar, Tobacco, Sugar, Silk and Brandy, granted firſt to the late King *James*, which were allotted to the Payment of 600,000*l.* to the (*x*) *Dutch*, and 60,000*l.* to the Servants of the late King *Charles*, was, ſtrictly ſpeaking, the only appropriated Grant of the Seſſion. A. D. 1689.

[*Lord* Halifax's *MSS. Vol.* i. *p.* 211.]

Then, as to the Amount of all theſe Grants, we find the preſent Aid produc'd but 400,875*l.* 4*s.* 5*d.* ½; the Poll Tax 286,662*l.* 16*s.* 11*d.* ½; the Twelve-penny Land Tax, at two Half-yearly Payments, 495,604*l.* 4*s.* 9*d*; the *Additional Exciſe* for the two Years it was made over to the *Dutch*, 338,194*l.* 5*s.* 6*d.* groſs; the *New Impoſitions* for the ſame time, about 345,735*l.* In all, 1,867,071*l.* 11*s.* 8*d.* If, therefore, we except the two laſt Articles, one of which was Part of the former Eſtabliſhment, and both deſtin'd to the Payment of a Debt, as alſo the Hearth-Money; ſuppoſing the other Branches produc'd the ſame this Year as formerly (which, indeed, conſidering the Diſtractions of the Times, is ſcarce to be ſuppos'd) the Sum Total of the Revenue, may be computed at 3,210,936*l.* But in Lord *Halifax*'s Papers, we find a farther Acknowledgment, that there remain'd in the *Exchequer*, *November* the 5th, 1678, 80,138*l.* and that there was afterwards receiv'd on the Hearth-Money Duty, notwithſtanding his Majeſty had ſo ſolemnly relinquiſh'd it, 213,966*l.* 10*s.* 10*d.* which ſwells up the ſaid Total to 3,505,040*l.* *Amount of it in the whole.* [*Ibid. p.* 244.]

That this mighty Sum did not prove equal to the growing Exigencies of the Government (which will appear in its proper Place) affords ſufficient Cauſe of Wonder and Aſtoniſhment,

---

(*x*) While the Bill for theſe Uſes was before the Lords, it was mov'd, that ſeveral Members of the Houſe, and divers Servants of King *Charles* II. had Securities appropriated out of ſeveral Duties which paſs'd away from them by this Bill; and therefore they deſir'd they might be heard by their Council. This Motion being receiv'd, and Council heard, their Lordſhip gave their Conſent to the Bill without any Amendment; but at the ſame time they order'd their Speaker to preſent the following Addreſs to his Majeſty:

"The Lords Spiritual and Temporal in Parliament aſſembled, upon their Concurrence with the Houſe of Commons, in a Bill entitled, *An Act for appropriating certain Duties for paying the* States General, *&c.* and for other Uſes, think it incumbent on them, in Honour and Juſtice, to lay before your Majeſty, how ſeveral of their own Body found themſelves aggriev'd thereby, in relation to ſome Debts owing to them on the Account of having been Servants to King *Charles* II. and that their Claims to their Arrears on that Score was weaken'd and prejudic'd by this Bill, which cuts them off from all Pretences whatſoever, except ſuch as can be comprehended within the Sum of ſixty thouſand Pounds, which is very far ſhort of anſwering their juſt Demands, and which they conceive to have been better and more amply provided for in an Act paſs'd in the firſt Year of the Reign of the late King *James*, entitled, *An Act for granting to his Majeſty an Impoſition on all Tobacco and Sugar imported between the 24th Day of* June, 1685, *and the 24th of* June, 1693. Yet being more concern'd for the Welfare of your Majeſty's Affairs than their own particular Benefit, and being ſenſible of the Importance it may be to your Majeſty, as well as the good of *Chriſtendom* in this Juncture, that the Debt owing to the States General of the *United Provinces*, upon account of aſſiſting your Majeſty at your coming into this Nation, for our Deliverance from Popery and Arbitrary Power, ſhould be provided for, to their Satisfaction; they have willingly deſiſted from giving an Obſtruction to the paſſing of the ſaid Bill, and have entirely ſubmitted their Share of their Recompence for their long and faithful Service to their deceas'd Royal Maſter, to the Conveniency of your Majeſty's preſent Circumſtances.

Whereupon this Houſe hath thought fit to repreſent to your Majeſty this moſt reſpectful and dutiful Acquieſcence of the Peers herein concern'd in your Majeſty's Juſtice and Goodneſs, and to beſeech your Majeſty, that you would be pleas'd to take their Condition, and the manner of their preſent Reſignation of it into your gracious Conſideration and Royal Protection, wherein this Houſe doth promiſe themſelves, that the particular Peers concern'd will find an entire Security.

And whereas there is a Clauſe in this Bill which provides that 60,000*l.* therein mention'd for the late King *Charles*'s Servants, ſhould be apply'd to ſuch only as were his Servants at the time of his Deceaſe; it is the humble Deſire and Recommendation of this Houſe to your Majeſty, that this Reſtraint may bring no Prejudice to the juſt and equitable Pretenſions of ſuch of the Servants of his ſaid late Majeſty, as are Members of this Houſe, or of others in their Circumſtances; but that your Majeſty will be graciouſly pleas'd to look upon them, as entitled to an equal Share of your Favour and Conſideration, which others their fellow Servants have generally had, or may pretend to by virtue of this or the former Act of Parliament before-mention'd.

The Marquis of *Halifax*, Speaker of the Lords, having waited on the King with the Addreſs, his Majeſty, we are told, receiv'd the ſame very kindly; and as for thoſe particular Peers that were concern'd in the Bill, he ſaid 'He was ſenſible of their Behaviour towards him, upon this Occaſion, and would not forget it.'".

A. D. 1689. niſhment, as alſo, that thoſe who were ſo cautious in parting with the Public Money, did not begin with rectifying the public Oeconomy; in Conſequence of which, the Government would have been better ſerv'd, at a far leſs Expence to the People; Ways and Means would have been no Myſtery; Frauds would have found no Shelter; and every Man who contributed to the National Stock would have been ſatisfy'd, that his Money was fairly laid out, and that no more was demanded than was abſolutely neceſſary.—— But the ſame Meaſures that contribute to render the Subject eaſy and happy, contribute alſo to render a Prince independent of his Miniſters; and Miniſters find themſelves of moſt Importance to a Prince, when He is moſt encumber'd. Thoſe, therefore, who were deepeſt in the Intrigues of thoſe Times, choſe to leave the Door open to every kind of Extravagance, that Neceſſity might enter together with it; in which Caſe they hop'd to have their own Merits and Services rated at their own Price. It is now notorious, that the whole national Expence might have been provided for within the Year, and conſequently, that all the Miſchiefs and Misfortunes which have ariſen from the contrary Practice might have been prevented. There was ſcarce a Whig in the Convention-Parliament, who had not loudly clamour'd in the two preceding Reigns againſt the Influence of the Crown; more eſpecially in Elections, and the converting the Repreſentatives of the People into the Creatures of the Court. It was, therefore, particularly incumbent on thoſe Whigs to make an early and eſſential Proviſion againſt the Return of this threatning Evil; an Evil that was ſo much the more to be apprehended, becauſe of the Precautions which they had taken againſt the Prerogative: For, as while the Prerogative was yet in its full Force, Miniſters had been forc'd to have Recourſe to it, to facilitate their Jobbs; ſo now they had ſcarce any other Way left open; and conſequently it was to be preſum'd, that they would apply their whole Skill and Strength to render that way as broad and eaſy as poſſible.

Now this Proviſion could no otherwiſe have been made, than by lopping off the *rotten Part of the Conſtitution*; or, in other Words, by cauſing the Property of the Commonwealth to be fairly and equally repreſented in Parliament, by depriving worthleſs, inſignificant, venal Boroughs of the Privileges they had a thouſands ways forfeited, by a thouſand different Abuſes; and transferring them to thoſe Places which had ſucceeded to the Worth and Opulency that the others had loſt; and which Places were either not ſufficiently repreſented, or not repreſented at all: And, ſecondly, by forming ſuch a new Conſtitution of the Revenue, as ſhould in all its Parts have been anſwerable to the great Change it had undergone.

While the Crown ſubſiſted on its own Inheritance, and upon extraordinary Occaſions only, when that Inheritance was exhauſted, or found unequal to the Public Service, receiv'd Aids from the People, it was but A. D. 1689. reaſonable, that the Servants of the Crown ſhould be entruſted with the Management of its Income: But now when the Crown was to receive its Appointments from the People, and when thoſe Appointments were to become as ſacred as the ancient Prerogative, and were never to be adventur'd or expos'd either in the Public Service, or even that of the Cabinet, it was to the full as reaſonable, that the People, who bore the whole Burden, ſhould have the levying and diſpoſing their own Money, the appointing their own Servants, and acting as their own Stewards.—— It might have been foreſeen, that if the Nation continued to be rather nominally than really repreſented, and a gradual Increaſe of the Revenue was a neceſſary Conſequence of the new Syſtem, as ſurely as Power follow'd Property, the Power of the Crown would increaſe with the Revenue it had the Diſtribution of; and that the Manager would, in the End, be the Maſter.

But if theſe things were foreſeen, they were overlook'd; Elections were not only ſuffer'd to remain in their former State, but, in exchange for the Limitations and Reſtraints in the Bill of Rights, a handſome, ſeparate Proviſion was made for the Civil Liſt; and the King, as Steward-General for his People, was left in a Condition to ſerve his own Purpoſes, in a leſs alarming, but a more effectual manner, than ever.

Upon this whole Matter, it ought not to be forgot, that when the Poll-Bill, and another for preventing Doubts and Queſtions in collecting the Revenue, were preſented for the Royal Aſſent, Mr. *Powle* the Speaker clos'd his Speech on that Occaſion with the two following Paragraphs:

Speaker's Speech on preſenting the Poll-Bill.

"The Commons therefore ſeeing ſo evident a Neceſſity of reducing that Kingdom [*Ireland*] under your Majeſty's Obedience, and the great Expence your Majeſty muſt undergo in maintaining ſuch a War, do now humbly preſent to your Majeſty their hearty Aſſiſtance in a Poll-Bill, which they look upon as the moſt ſpeedy and effectual way of raiſing ready Money on this Occaſion, *ſolemnly engaging* themſelves to ſupply your Majeſty with ſuch further Aids as may be proportionable to the Charge of the War, as long as it ſhall continue.

Next to this, they have conſider'd of your Majeſty's Revenue, and the Charges that are upon it, as alſo the Complaints againſt ſeveral Exactions which have been practis'd in the late Collection: But theſe Matters requiring a longer time to examine than they expected, they paſs'd a ſhort Bill for the Continuance of it, in the ſame State it now ſtands, till *Chriſtmas* next, within which time they doubt not to prepare ſuch an Eſtabliſhment, as may fully ſupply the Expences of the Crown without oppreſſing the People."

As to the other Occurrences of this Seſſion, thoſe who were ſo averſe to the general Indemnity, which his Majeſty, in Perſon, condeſcended to ſolicit, had, nevertheleſs, the Precaution to provide for their own Security, by

A.D. 1689. by a Clauſe in the (*a*) Bill to render the Militia more uſeful, for *indemnifying and ſaving harmleſs all ſuch as had taken Arms in Behalf of his Majeſty while Prince of* Orange. The ſame Party alſo took care of the Perſons and Families of ſuch as had particularly ſuffer'd in their Cauſe. Of this, more than one Inſtance has already occurr'd; and under the ſame Head it is farther to be added, That by the Vote of the Houſe of Commons, the Sentence paſs'd upon Mr. *Samuel Johnſon*, was declar'd illegal and cruel: That by the Order of the ſame Houſe, a Bill was brought in to reverſe the ſaid Judgment; and that they made an Application to his Majeſty to beſtow ſome Eccleſiaſtical Preferments upon him, ſuitable to his Services and Sufferings: That the ſame Houſe admitted a Bill for the charging Lord *Jeffreys*'s (*b*) Eſtates with the Repayment of 15,000 *l.* with Intereſt, which he had extorted from Mr. *Prideaux*: That they referr'd the Complaints of *Speke*, *Wilmore*, and others, to the Conſideration of a Committee: That they recommended even the Widow of *Fitzharris* to the King's Charity; and that they join'd with the Lords in reverſing the Attainders of Mr. *A. Sydney*, Lady *Liſle*, and Alderman *Corniſh*, and in cancelling all Proceedings and Records relating thereto.

Certain Attainders reverſ'd.

The Lords, moreover, referr'd the Caſe of the Earl of *Devonſhire* (who had been fin'd, as it may be remember'd, 30,000*l.* for ſtriking Colonel *Colpeper* in *Whitehall*, and who had been committed in Execution in Default of Payment) to the Conſideration of a Committee of Privileges, who reported it to the Houſe, as their Opinion, "That the Proceedings againſt the ſaid Earl in the Court of *King's-Bench* in *Eaſter-Term*, in the third Year of King *James* II. upon an Information of an Aſſault upon Mr. *Colpeper*, wherein his Lordſhip's Plea of Privilege of Parliament was over-rul'd, and he was fin'd 30,000 *l.* and thereupon committed to the *King's-Bench* in Execution, was a great Violation of the Privileges of the Peers of *England*: And likewiſe, that thoſe Judges, who ſat in the ſaid Court, when the ſaid Judgments were given, and the ſaid Commitment made, ſhould be requir'd to attend at the Bar of this Houſe, to anſwer for the great Offence which they committed thereby." An Order was then made for the ſaid Judges to attend the Houſe; and when they did attend accordingly, they ſeverally (*c*) confeſs'd their Faults, took Shame to themſelves, and begg'd Pardon both of the Houſe and the Earl. Upon the Reſult of all, the King's Council were call'd upon, for Form's ſake, to ſhew, if they could, that a Peer might be committed in Execution for a Fine: And they giving up the Point, it was finally declar'd, and adjudg'd, That the Court of *King's-Bench* in over-ruling the Earl of *Devonſhire*'s Plea of Privilege of Parliament, and forcing him to plead over in Chief, it being within the uſual time of Privilege, did thereby commit a manifeſt Breach of Privilege; and that the Fine of 30,000 *l.* impos'd by the Court of *King's-Bench* upon the ſaid Earl, was exceſſive and exorbitant, and againſt *Magna Charta*, the common Right of the Subject, and the Law of the Land; and that no Peer of this Realm, at any time, ought to be committed for Non-payment of a Fine to the King. A.D. 1689.

Lord Devonſhire's Fine voted illegal.

Their Lordſhips alſo, in the Beginning of the Seſſion, appointed a ſpecial Committee, to make an Enquiry into the Death of the Earl

Enquiry into the Earl of Eſſex's Death.

(*a*) "This Bill, ſays Biſhop *Burnet*, upon the Matter, and in conſequences of many Clauſes in it, took it (the Militia) in a great meaſure, both from the Crown, and out of the Hands of the Lords Lieutenants, who being generally Peers, a Bill that leſſen'd their Authority ſo much was not like to paſs in the Houſe of Lords. So it was let lie on the Table. By this, likewiſe, which was chiefly promoted by the Whigs, the King came to think, that thoſe who had rais'd him to the Throne intended to depreſs his Prerogative, as much as they had exalted his Perſon. He ſeem'd to grow tender and jealous upon theſe Points, the Importance of every one of them being aggravated by the Earl of *Nottingham*, who had furniſh'd him with a Scheme of all the Points of the Prerogative, and of their Dependence one upon another: And he ſeem'd ſo poſſeſs'd with this, that many of thoſe who had formerly moſt of his Confidence, found a Coldneſs growing upon him, which increas'd their Diſguſt, and made them apprehend that they ſhould again ſee a Reign full of Prerogative Maxims." *[Vol. ii. p. 14.*

(*b*) He himſelf had taken his Leave of the World, on the 18th of *April* before, in the *Tower*; having, as it is ſaid, haſten'd his End, by the intemperate Uſe of ſpirituous Liquors. Mr. *Tindal* adds concerning him, on the Credit of Sir *Joſeph Jekyll*, late Maſter of the Rolls, who had it from the Mouth of Dr. *Scott* himſelf, "That while he (*Jeffreys*) continued a Priſoner, he was viſited by Dr. *John Scott*, the celebrated Author of the *Chriſtian Life*; and being urg'd by him to improve his preſent Situation by a ſerious Review of his paſt Life, he expreſs'd great Concern upon the Occaſion; but with regard to one Part of his Conduct, which had expos'd him to moſt Cenſure, his Behaviour in the Weſt after the Defeat of the Duke of *Monmouth*, he declar'd, that, how cruel ſoever his Proceedings might be thought, they had by no means come up to the Severity which King *James* expected from him, his Majeſty being extremely diſpleas'd with him on that account."

(*c*) Mr. Juſtice *Powel* ſaid, That it was his great Misfortune that he was miſguided by ſome Books, which he look'd on as Authorities, and which he found, by their Lordſhips Judgments were not ſo; and he humbly begg'd their Lordſhips and the Earl of *Devonſhire*'s Pardon. That, as to the Fine, he thought it exorbitant, and look'd upon 3000 *l.* as Fine enough; and that his Silence in that Buſineſs was his greateſt Fault; for which he alſo begg'd Pardon. Sir *Robert Wright* alledg'd, That, as to the Breach of Privilege, they were miſguided by Precedents; as to the Fine, (which is uſually ſet according to the Quality and Eſtate of the Perſon fin'd) it came from the puiſne Judge 30,000 *l.* and ſo to him laſt, according to the Courſe of the Court; and, if he was miſtaken, he begg'd Pardon, for he never had the leaſt Diſreſpect to the Earl of *Devonſhire*. Then Sir *Richard Holloway* ſaid, That he, as a ſecond Judge, pronounc'd the Fine 30,000 *l.* which was ſet *nemine contradiente*; that if a leſſer Fine had been propos'd, he ſhould have accepted it; and begg'd my Lord *Devonſhire*'s Pardon, and ſubmitted all to their Lordſhips. After that, the Lords aſking them, whether they had no Diſcourſe together before, concerning the ſaid Fine, Sir *Robert Wright* affirm'd, it was never mention'd but in Court; and Sir *Richard Holloway* alſo declar'd, he had no Direction in it, either from King *James* or Chancellor *Jeffreys*; whereupon Mr. Juſtice *Powel* reply'd, Sir *Richard Holloway* might remember there was a Diſcourſe of the Fine, five or ſix Days before, at the Lord Chancellor's, where Sir *Robert Wright*, Sir *Richard Holloway*, Sir *Richard Allibone*, and himſelf were. Then, Sir *Richard Holloway* pretended he did not remember; and Sir *Robert Wright* deny'd that they were there purpoſely about the ſaid Fine. "Theſe two being withdrawn, Mr. Juſtice *Powel* was aſk'd, what Diſcourſe they had at the Lord Chancellor's? To which he anſwer'd, That the Chancellor firſt propos'd 20,000 *l.* and afterwards laſt, it would be better if 30,000 *l.* and then the King might abate 10,000 *l.* And that to this he declar'd his Diſlike to the other Judges, tho' not before the Lord Chancellor. *Wright* ſoon after dy'd in *Newgate*.

A. D. 1689. Earl of *Essex*: But tho' many Persons were examin'd, and one (Captain *Holland*) was committed to *Newgate*, under a Suspicion of being concern'd in his Murder, only some *small Circumstances*, says Sir *John Reresby*, appear'd, which, it seems, were not sufficiently material and certain, either to ground a Prosecution upon, or even to authorise such a Report, as might serve to justify *Braddon*'s Books or the Use which had been made of them. The said *Braddon*, nevertheless, not only persisted in his former Charge, but long after, in a printed Apology for his own Conduct in that Affair, against the Censures pass'd on him by Dr. *Burnet*, more than insinuated, that the Enquiry was (*d*) stifled by such a Confederacy of Interests, as would have been too mighty for any Proofs or Evidences, how irrefragable or notorious soever. A. D. 1689.

Of the poor Duke of *Monmouth* (who had so fatally miscarry'd in the very same Part which the Prince of *Orange* had since acted with so much Applause and Success) no body, however, but Lord *Warrington*, seem'd to bestow a Thought; and He had not only the Courage to contend in private for reversing his Attainder, but also to set forth his Opinion in (*e*) Print, and to call upon the Nation *No Countenance shewn to the Memory of the Duke of* Monmouth.

(*d*) "I believe, says he, that no Prosecution of any Murder, in the *British* Annals recorded, ever met with such Opposition, as the Prosecution of this Murder did. And, first, from *all* the *Jacobite* Interest, as well Protestant as Papist. And how great that Interest, ever since the Revolution, hath been, the many treasonable Conspiracies and open Rebellions have sufficiently prov'd. Secondly, King *James* II. being Father to the late Queen *Mary* and Queen *Anne*, it is natural to suppose, that neither of those two Queens would have had their Father stigmatiz'd with that most infamous Character of being a *Murderer*, and in more Instances than *one*. And whether King *William*, out of respect to his Queen, might any ways hinder the fixing such an Infamy upon his Queen's Father, I cannot tell. But this I sensibly felt to be true, viz. That Queen *Anne*, upon her first coming to the Crown, struck me out of the Civil List, because, as her Majesty then said, *I had thrown Blood in her Father's Face*. Thirdly, the Countess Dowager of *Essex*, by the Influence of Bishop *Burnet*, did desire the Lords Committees, in 1689, not to proceed any farther in that Enquiry: for the Countess, by the Bishop, did then endeavour to perswade the Lords Committees, *and several other Lords*, that my Lord of *Essex* murder'd himself. Fourthly, there was a certain great Man charged, as ordering this Murder, who *had* been the main Instrument, in the Hand of Providence, of bringing about the Revolution: and *by* this very Gentleman's Counsels King *William* was, for some Years, very much influenc'd. What Interest therefore that great Man had with King *William*, or with any other Persons whatsoever, was apply'd to hinder the Prosecution of this Murder. And, lastly, the late Bishop *Burnet* himself was not only the principal Cause of hindering the Counsels from engaging in this Prosecution; but that Prelate did otherwise endeavour to blast the Credit of this Enquiry, by sometimes representing me (as in his last *History*) as an enthusiastical Man; and therefore no Regard was to be had to what I said or did in relation to that Enquiry. At other times, that Bishop did represent me as a Man of a *very strong Imagination*, (a soft Character for a Madman) from whence I was easily inclin'd to take up a Belief of things, upon such Evidence as was not sufficient to prove the things *to be*; but I was so possess'd of imaginary Beings, there was no convincing me, by any Arguments, of their Non-existence."

He also adds the following strange Story, as well to countenance the Tract therein mentioned, as the Fact it professedly treats of:

"Some short time before the Death of that King, (King *Charles* II.) there was a Pamphlet written and printed in *Holland*, intituled, *An Enquiry into a Detection of the barbarous Murder of the late Earl of* Essex; and many hundreds of these were brought to *England*. In this Pamphlet these were many Arguments given to prove the Murder; and the Author humbly besought his Majesty, that he would be graciously pleas'd to give his Royal Assurance of a Pardon to him who should prove that Murder; and that then the Duke of *York* should be prov'd to have been the principal Author and Rewarder thereof. Several hundreds of those Books were, one Night, about twenty Days before King *Charles* II's Death, dispersed by some Gentlemen, and for the most part laid at the Doors of Privy-Counsellors, and of other Noblemen, and Justices of the Peace. One of these Books was convey'd to the King, who read the same, and then sent for the Lord *Allington*, then Constable of the *Tower*, and charg'd his Lordship to read and consider the same, and in a short time to return the Book, and to give his Majesty his Opinion of it, and also what his Lordship thought as to the Manner of the Earl of *Essex*'s Death. Lord *Allington* sent this Book to Sir *Thomas Rowe*, but charg'd him to return it the next Day, because his Lordship intended then to return it to his Majesty. Sir *Thomas* read and return'd the Book accordingly, and shortly after waited again upon Lord *Allington*, who then inform'd Sir *Thomas*, that he had been again with the King, and return'd the Book; and that his Majesty ask'd his Lordship, whether he had read and considered it? which his Lordship having assur'd *his* Majesty he had done, the King commanded him to give his Judgment as to the Earl of *Essex*'s Death: But his Lordship desiring his Majesty to excuse him from giving any Judgment in that Point, the King said to him, 'I command you to deal very 'plainly and sincerely with me in relation thereunto.' 'Sir, 'reply'd Lord *Allington*, if your Majesty commands me to 'deal therein sincerely with your Majesty, I must then say, 'that I am of Opinion that unfortunate Lord had very foul 'Play.' 'Then, if I live, said the King, I will make a 'very strict Enquiry into that Matter; and I command you 'to come to me To-morrow.' As soon as Lord *Allington* withdrew the Duke of *York* came in, while the King had the Book in his Hand; and, as the King next Day inform'd his Lordship, the Duke ask'd his Majesty, who had brought him that villainous, lying Pamphlet? But the King then said, that he did not believe it to be a lying Pamphlet, and he was resolv'd to make a strict Enquiry into the Earl of *Essex*'s Death; and that his Highness should go abroad before that Inquisition was made. The Duke reply'd, that *he had already travelled too much*.

The Substance of what is above-mention'd, says Mr. *Braddon*, relating to what pass'd between King *Charles* II. and Lord *Allington*, I had from Sir *Thomas Rowe*, soon after the Revolution. And some few Days after that Discourse between the King and the Duke, the King and the Lord *Allington* were seiz'd with such Illness as was generally thought to be the Effects of Poison; and the Lord *Allington* died about three Days before the King, and his Majesty died the 6th Day of *February* 1684-5. And so, by that King's being forc'd to travel too soon into the other World, King *James* delay'd his own Travels in this, until the just Desertion of his own Troops forc'd him to become a Fugitive and a Pensioner to that great Monarch, whose arbitrary Government he liked much better, than to be circumscrib'd by those good Laws, which hinder'd him from ruining both our Church and State." [*Braddon, p.* 186, *&c.*

(*e*) The most material Part of which is as follows:

"It is granted, that from any thing in the Act of Attainder it cannot be objected, That the two Houses had not before them sufficient and legal Evidence of the Duke's being then in open Hostility, it being needless to express it, because they are supposed not to proceed without it: But it is notorious, that all the Evidence they were then possess'd of was, a Letter sent to King *James* in the Name of the Mayor of *Lyme*, and a printed Declaration under the Name of the Duke of *Monmouth*.

As to the Letter of the Mayor of *Lyme*: First, there was no Proof who wrote it. Secondly, the Letter declar'd him that wrote it to be in great Disorder at the Instant of writing it. Thirdly, it gave an account of not above sixty Persons that were come on shore with the Duke. And fourthly, that upon their Approach he fled out of Town, and believ'd that by that time, his House and most of the Town was pillag'd and ransack'd.

These are such Uncertainties as would render it insufficient to be Evidence in a much less Case; for it being not prov'd who wrote it, it might, in construction of Law, be rather look'd upon as his that deliver'd it, than to be sent by Mr. Mayor: But had it been prov'd to be his, yet the Disorder he own'd he was in renders the Purport of his Letter of very little Credit; or if he had been more compos'd, the coming of sixty Persons only into the Town was no great Indication of their Hostility, having not offer'd Violence to any body; or if they had been a far greater Number, yet for aught he knew they were retir'd to their Ships, and gone away; because he ran out of Town upon their Approach. Besides this there was nothing express'd in the Letter, wherefore he did believe that such Disorders were then committed in the Town, for he neither saw nor heard of any Man that had receiv'd the least Injury while he staid, nor had the Duke then declar'd for what Intent he came. The People of the Place might perhaps flock to see the Duke, yet that could be no Evidence of an intended Outrage, it being so

new

A.D. 1689. tion to join with him in his Endeavours, to shew Mercy to the Children of a Man who had perish'd for endeavouring to restore their lost Liberties to them. These Endeavours were A.D. 1689.

new thing in *England* for the People to croud together when an eminent Person is to be try'd, and especially on account of the Duke. Besides, as his Disposition did make him averse to commit any Inhumanity, such as was suggested by the Letter; so, in point of Prudence, it highly behov'd him to treat the Place as obligingly as was possible; for it had been the falliest Step imaginable to have done the least Violence to any body: So that this Part of the Letter destroys the Credit which the rest of it might otherwise have obtain'd; and, take it all together, is so weak and frivolous, that a Letter found in the Streets would amount to as good Evidence in any Case as this could; for, at best hand, it could not be of greater Weight than to corroborate a legal Evidence. To allow a Paper Standing alone to be good Evidence cannot be safe; and must be very dangerous, if such as this may pass; because that Evidence will not be wanting, when a Turn is to be serv'd.

As to the printed Declaration; it pass'd indeed under the Duke's Name, but there was no Proof that he drew it, approv'd it, order'd it to be printed or dispers'd, or that he ever saw it, or was privy to it. It was read in the House of Lords by the King's Command, or else it had been a Secret to them, as well as to the World, that there was such a thing; for as that was the first time that it was heard of, so not any more of those Prints came publicly abroad, and not one Man of a Million either saw or heard the Contents of that Print; and, for that Reason, 'tis not altogether improbable, but that *that* Declaration was a Contrivance of the Court, and fhamm'd upon the Duke of *Monmouth*. But to let that pass, That which makes a Man guilty of Treason, or any other Crime, is his Privity or Consent to it; and that not being prov'd, it could no more render the Duke criminal of that Declaration, than it could him that casually heard it read: For if the printing of a treasonable Paper in a Man's Name will make him answerable for it, then no Man can be safe longer than he is out of the Thoughts of his Enemies, or they are not arriv'd to that Pitch of Villany as knowingly to destroy an innocent Man.

Take then these things together, and see how precariously every Man holds his Life and Honour, if such things as they (I mean the Mayor's Letter, and printed Declaration) may pass for Evidence; for what can then be more easy, than to flam any Man out of his Life, and all that is dear to him.

But had the Evidence been as full and clear as it could or ought to be in such Cases, yet it is of the Essence of the Justice of *England*, that the Party accus'd should be heard, or have sufficient Time allign'd him, for as that it must be his own Fault if he do not appear and make his Defence. This is the Law not only of this, but in all Constitutions where the Government is not despotic or arbitrary. For there cannot be a greater Badge of Slavery, than that Men may be condemn'd without being heard to their Accusation: In the time of *Henry* VIII. *Cromwell* Earl of *Essex*, being then a great Man, and out of Design to destroy some, whom he knew not well how to ruin otherways, contriv'd and promoted a Law for a summary Way of Trial, so as that a Man might be judg'd without being heard: but, as it fell out, he perish'd by the Snare that he had laid for others; for he was condemn'd without being heard to his Charge; and he was the only Man that was touch'd by that Law, for his Case made it so odious, that, immediately upon it, it was repeal'd, as being unjust, and inconsistent with the Justice of this Government.

God, the righteous Judge of all the Earth, tho' he knows what we can say in our Defence, will hear us before he condemns us; for otherwise his Sentence would not appear to be just. The Law, in case of Blood, proceeds by slow Steps; because Blood, when spilt, cannot be gather'd up again: For it is a Maxim in our Law, that no Delay is too great, when Life is concern'd. The Law desires that every Man should prove innocent, and does suppose he is so, till he is found to be otherwise by his Peers: And for that Reason it is, that a Judge may not give the Prisoner at the Bar reproachful Language, till the Jury has found him guilty; and then too he is not to be condemn'd, till he has mov'd in arrest of Judgment, and been heard what he can further say for himself.

To hear a Cause *ex parte* is, in effect, to know nothing of the Truth, so as to be able to make a Judgment where the Right is. Many innocent Persons will unavoidably suffer, whenever it comes to be Law that Men may be try'd and condemn'd without being heard: This sort of Justice will set the Innocent and Guilty on the same Foot; and, to throw Cross and Pile, whether the Prisoner shall be acquitted or condemn'd, is as just as to try a Man without hearing his Defence.

Now 'tis undeniable, that there was no Time given by the Bill for the Duke to appear; which must, at best hand, be allow'd to be a great Omission: For, in all other Acts of Attainder, if the Person was alive, a convenient Time was allow'd him to come and be heard: and, till that time was expir'd, the Act was not in force against him, nor could the Penalty therein exprest'd affect him in the least.

But, besides these things, there fell out something further in this Bill of Attainder, that is very unusual and extraordinary; for it was begun and pass'd both Houses in one and the same Day; which was never heard of before in any Case, tho' the Occasion were never so pressing: The Method of passing all Bills being quite otherwise. For when a Bill is brought into either House of Parliament, or sent from one House to the other, it is not often that they give it a Reading the same Day; or if they do, 'tis seldom that a Bill is read above once in one Day; and when it has been read a second time, if it be not rejected it is committed; and then, for the most part, the Committee does proceed upon it some other Day, and not upon that: So that, regularly, no Bill can pass either House in less than three Days. And this gradual Way of proceeding upon Bills demonstrates the great Wisdom and Justice of the two Houses, and vindicates them against Precipitancy and Partiality. This has been the ancient and approved Method, beyond the Memory of Man or Records; and it has ever been found unsafe, if not fatal, to go out of the Path of our Forefathers.

And thus stands the Case as to the passing of the Bill of Attainder against the Duke of *Monmouth*; which must be acknowledg'd to be a summary Way of proceeding upon Presumption, without legal Evidence, or hearing the Party, or observing the usual Method of passing Bills in Parliament.

But it is objected and said in the defence of this, That the Legislature of *England* is confin'd to no Rules and Directions, but that of their Discretion; and that, upon sudden Emergencies, when it will be to the public Detriment to stay for the ordinary and usual Forms of Law, they may justify the dispensing with them; and, for that Reason, all that was done in the Duke of *Monmouth*'s Case is very well warranted, because there was then *flagrante Bello*.

It is true that the Parliament has such a discretionary Power; and 'tis reasonable it should be so: But yet this does not prove, that a more deliberate Proceeding might not have been had upon that Bill: However, it will scarcely afford an Argument wherefore the Attainder should not now be revers'd, but rather that it ought to be; because, when the Mischief is prevented that induc'd the Parliament to such an extraordinary Course, it was the constant Practice of our Forefathers to put it out of sight as soon as could be. And nothing could be more prudent; for, so long as it remain'd a Precedent, it might be the Occasion of a greater Evil than it had prevented; and, so long as this Attainder stands in force, it will be look'd upon as an Exposition of the Law, declaring that it may be legal and just to condemn without Evidence, or hearing the Parties Defence, and thereby put our Lives and Families into a more precarious Condition, when in the Discretion of the two Houses of Parliament, than when they are to be judg'd in the inferior Courts of Justice; and so chalk out a Method, for unfortunate Times, to take off any Man that stands in the way; for tho' what was done in this Case may be said to be *Just*, yet it was *sometimes Just*; and if it was *just*, yet it was not done *justly*.

But, over and above all this, there happen'd a thing in pursuance of this Bill, which tho', in Strictness of Law, it cannot be allign'd as sufficient Error; yet, in Reason, may be an Inducement to the Parliament to reverse this Attainder.

The Life of every Man is under the Protection of the Law, even Persons condemned, outlawed, or attainted; to kill or execute them, in any other Manner than the Law directs, is criminal: In case of Outlawry for Treason or Felony in the King's Bench, if the Party be apprehended in time of a Vacation, no Warrant can go out to execute him before the next Term, but he is till then to remain in Prison, that so he may not only be heard what he can say for himself, wherefore Execution should not be awarded, but that also the Law may be satisfy'd that he is the very Person nam'd in the Outlawry; and even a Prisoner, condemn'd at the Bar, cannot be executed till there is a Rule of Court, or other Order, for it: Now it is conceiv'd, that the Duke of *Monmouth* ought not to have been executed till he had been brought before the King's Bench, or some other Court that could properly judge and distinguish whether he were the very Person attainted by that Act; for had he been brought to the Bar, and there deny'd that he was the same Person, a Jury must thereupon have been impannel'd, to try whether he were the proper Person, or not: For the Law delights in Certainty, and will not go out of its grave and considerate a Way, especially in so solemn a Case as Blood, where it cannot be too cautious: One Man may be so like another, that it is not easy to distinguish them when asunder; and a Mistake in such a kind would be a great Blot upon the Justice of any Government, when it is occasion'd by Precipitancy and Haste: but we have lately seen such unfortunate Times, when there was a willing Disposition to commit such Mistakes, if any Colour of Law could have been found for it.

But

A.D. 1689. were indeed without Effect; thoſe who had ſeduc'd the unfortunate Duke to his Ruin, and whoſe Martyr he was, were afraid to countenance his very Memory: And, even that none of his Lineage might ſucceed to his Popularity, together with his Title, Lord *Mordaunt* was made Earl of *Monmouth*, as we have already ſeen in the Liſt of Promotions, which accompany'd the Coronation.

Certain other Occurrences of this long and intricate Seſſion, ſtill remain to be treated of, or rather to be mention'd only; for ſo very myſterious was the State of Parties at this time, ſo many various ways did they thwart and interfere one with another, and ſo imperfect are the Footſteps which remain of the Mazes they ſeverally trod, that it is ſcarce poſſible to trace them, much leſs to account for the ſeveral Purpoſes they were to anſwer.

One Revenue-Bill (That by way of Supplement to the Poll-Tax) we have already ſeen defeated, by a Broil between the two Houſes: And there was yet another, which, for this Seſſion at leaſt, met with the ſame Fate, by the ſame Means. This was a Bill for charging and collecting the Duties upon Coffee, Tea, and Chocolate at the Cuſtom-houſe, which were then collected by the Exciſe, and which being ſent up from the Commons to the Lords, their Lordſhips added a Clauſe to it, for a Drawback on the Exportation of the ſaid Commodities, with an Alteration of the Date from the 24th of *July* to the 25th of *Auguſt*; which being diſagreed to by the Commons, it occaſion'd another warm Diſpute between the two Houſes. The Commons alledg'd, That they had always taken it for their undoubted Privilege (of which they had ever been jealous and tender) that in all Aids given to the King by the Commons, the Rate or Tax ought not to be any ways *alter'd* by the Lords: That the Amendment made by the Lords being in Point of Time, the Commons hop'd their Lordſhips would not, at this time, renew a Queſtion concerning the Method of granting Aids, which had formerly, in Inſtances of this Nature, occaſion'd great Debates, and which might now beget many Conferences, ſpend much Time, and end in Inconveniencies: That this Amendment propos'd by the Lords, made the Bill incoherent; for both Houſes having agreed that the Forfeitures ſhould commence from the 20th of *July*, it would look ſtrange that the Forfeitures ſhould be given before the Duty was made payable: That Ships were then arriving daily with the Commodities mention'd in the Bill, which would be a Loſs to the King, by putting the Commencement of the Duty ſo far off: And that as to the Proviſo their Lordſhips had ſent to the Commons, the Commons did diſagree to it, and for that did refer to their firſt Reaſons; for the Proviſo being an Alteration and leſſening of the Grant made by the Commons, they hop'd, for theſe Reaſons, their Lordſhips would agree with them, and not revive old Diſputes. A.D. 1689.

Conteſt between the two Houſes on the Bill for collecting the Duties on Tea, &c. at the Cuſtomhouſe.

On the other hand, the Lords inſiſted upon their Proviſo, and ſaid, they were much ſurpriz'd at the Aſſertion of the Commons; that in all Aids given to the King by the Commons, the Rate or Tax ought not to be *alter'd* by the Lords, ſince they conceiv'd it had always been their undoubted Right, in caſe of any Aids given to the King, to leſſen the Rate or Tax granted by the Commons, whereof ſeveral Precedents might be given, which, for the preſent, they were willing to forbear, that they might not revive old Diſputes. But that as to the Proviſo now offer'd by the Lords, their Lordſhips were of Opinion, this general Point was not the Caſe now in Difference, it being neither an Alteration nor leſſening of the Duty laid upon thoſe Commodities; for what was propos'd to be drawn back upon the Exportation of them, could not be ſaid to leſſen the Rates impos'd upon them: That it did indeed take away ſo much from the King's Income, but added much more to the Benefit of Trade, of which the Lords conceiv'd they were equal and competent Judges, and therefore they thought they were very well warranted to inſiſt on their Amendment."

To which the Duke of *Bolton* added, "That he hop'd a good Correſpondence would be maintain'd between the two Houſes, for that they were *Engliſhmen* as well as the Commons,"---- And here the Bill ſtuck; for the Commons, as it was foreſeen, would not abate a Scruple; and would have ſignify'd as much at a free Conference; if the Adjournment had not interpos'd.

Tumultuous Petition of the Silk Weavers.

And now, in the very laſt Stage of the Seſſion, when the two Houſes grew every Day more and more out of Humour with each

---

But ſetting all theſe things aſide, and were there not ſo many extraordinary things in the Caſe, yet ſomething ought to be done for the ſake of the Duke's Children; ſurely a great deal of Compaſſion is due to them, conſidering upon what ſcore their Father loſt his Head; *by reaſon* that the Cauſe of his Riſing in Arms was no other than that which prevail'd with the Prince of *Orange* to make a Deſcent into *England*, that is, to deliver us from Popery and Slavery; there being nothing that differences thoſe two Caſes, but that the one had Succeſs, and the other miſcarry'd: And, therefore, can it be politic to leave that Attainder unrevers'd, as a Reproach upon the Duke and his Poſterity for what he did?

Beſides, if this Attainder be not revers'd, it will be an utter Diſcouragement upon all others for the future, to attempt the Reſcue of their Country, if no Regard ſhall be had to their Poſterity, in caſe they don't ſucceed: I am verily perſuaded, that if the Prince of *Orange* had miſcarry'd, in his late Attempt to deliver us, *every* Man that had ſuffer'd in that Cauſe would have expected, whenever it was in the Power of the Nation, to have had a Mark of Favour ſet upon their Poſterity, at leaſt that of right their Families were to be put in *ſtatu quo*. There will be very ſmall Inducement for any to be concern'd for the Public, when nothing but Succeſs will make the Public take care of them: When the Virtue of a People is ſo far depray'd as to forget thoſe that have ſerv'd them, they do not after that long retain a true Senſe of Liberty, and are eaſily perſuaded to part with their Freedom: And ſo long as this Attainder remains in force, it hangs over the Nation like a dreadful *Omen*; for, ſo long as it is in force, we conſent to the Juſtice of it; and how can that be juſt, which we would not have done to ourſelves; for certainly no Man would like to be judg'd by ſuch Law as took off the Duke of *Monmouth*: And, therefore, what can be ſaid that this Attainder ſhould not be revers'd? [*Lord* Delamer's *Works*, p. 73, &c.

A. D. 1689. each other, and the Court were in Deſpair of any farther Benefit from either, a new Bill was ſent up by the Commons to the Lords, which preſcrib'd the wearing of the Woollen Manufactures of this Kingdom at certain times of the Year, and which had like to have ſet the whole Town in an Uproar: For the Silk Weavers and their Dependents, Allies, and Confederates of all ſorts, immediately taking the Alarm, not only prepar'd a Petition, praying to be heard before the ſaid Bill ſhould be paſs'd into a Law, but follow'd it in a Body to the Houſe, as if they meant to carry their Point by Terror or Force, if a due Regard was not paid to their Reaſons and Arguments: And we find it inſinuated, that there was actually ſome ſeditious Deſign at the Bottom, tho' no Evidence of any ſuch Deſign appears. The Lords, however, maintain'd their Dignity; and by their Speaker order'd the Petitioners to be told, "That their Lordſhips did not think it fit then to give them any Anſwer, becauſe they had apply'd in an unuſual and unbecoming manner, which thoſe who were their Bailiffs, Wardens and Aſſiſtants, ought to have prevented: That their Lordſhips did firſt require them to diſperſe to their ſeveral Houſes in Peace; and when that was done, their Lordſhips would ſo act, as ſhould convince both them and the whole Nation, that no body needed to doubt of Juſtice who made their Appeal to them." But tho' this authoritative Anſwer had the deſir'd Effect, their Lordſhips thought it adviſable to take the neceſſary Precautions to ſave themſelves from a ſecond Inſult of the ſame kind, by applying to his Majeſty, to command certain Parties of the Horſe and Foot Guards to be under Arms to aſſiſt the Civil Power in caſe of need; the Governor of the *Tower* to cauſe ſuch a Patrol to be kept as ſhould hinder any unlawful Concourſe of People within the Hamlets of that Fortreſs; the Lord Mayor of *London* to have a ſufficient Number of the Trained Bands in readineſs to withſtand the Paſſage of the like Multitude through the City; and the Deputy Lieutenants, and Juſtices of the Peace, to make a like Proviſion for the Security and Quiet of the City and Liberties of *Weſtminſter*. All theſe ſeveral Requeſts were immediately granted, and from the 13th to the 17th of *Auguſt*, Watch and Ward was every where kept, as if a general Inſurrection was every Moment apprehended; in all which time, no Sign of any new Diſturbance appearing, their Lordſhips firſt diſmiſs'd their Guards, and then, upon the ſecond Reading, unanimouſly rejected the Bill.

[State of Europe. *Life of King* William, &c.]

On the very Day that the Mob of Petitioners beſet the Houſe of Lords, and the Conference was held between the Committees of the two Houſes for ſettling the Order of Conferences for the future, a Petition was preſented to the Commons by *George Mawſon*, Deputy Poſt-maſter of *Kingſton* upon *Hull*, complaining, that Colonel *Copley*, Lieutenant-Governor of *Hull*, had divers times taken into his Poſſeſſion the Poſt-Mail coming to that Town, and diſpos'd of the Letters at his Pleaſure, to the great Prejudice of the Traders, *&c.* of the ſaid Town, and the Gentry in the Neighbourhood: That he having made Complaint of this to *John Wildman*, Eſq; Poſt-Maſter-General, the ſaid Poſt-maſter order'd him to cauſe the Mails to be brought directly to his own Houſe; and, likewiſe, wrote to the ſaid Colonel *Copley* to enjoin him, not to open the Mail for the future: Notwithſtanding which, the ſaid Colonel *Copley* behav'd as before, and ſent for the Petitioner to come to him; who declining it, on Account of Indiſpoſition, the ſaid *Copley* order'd a Sergeant and four Muſketeers to bring him ty'd Neck and Heels; which they did with ſuch ſtrange Violence, that the Blood guſh'd out of his Noſe and Mouth; and kept him in that intolerable Poſture for two Hours: In conſequence of which, the ſaid Petitioner was diſabled in his Limbs, and impair'd in his Sight, *&c.* and foraſmuch as the ſaid Petitioner could not have his Remedy againſt the ſaid *Copley*, by a due Courſe of Law, praying the Houſe to take his Caſe into Conſideration, *&c.*

Petition againſt Colonel Copley.

This produc'd an immediate Order for Colonel *Copley* to attend the Houſe; and *Mawſon* having made good his Allegations againſt him, it was reſolv'd upon the Queſtion, That the ſeizing the Mail, and breaking open the Poſt Letters by any military Officer, or Soldier, is a Violation of the Right of the Subject: That the breaking open Letters directed to, or ſent from, a Member, is a Breach of Privilege: That the impriſoning, or inflicting any Puniſhments, by any Officer or Soldier, upon any of the Subjects of this Kingdom, not being in actual military Service, and in Pay, is a Violation of the Rights of the People: And that the Caſe of the Petitioner ſhould be refer'd to the Committee of Grievances. Colonel *Copley* was, moreover, call'd in queſtion for exacting a farthing a Ton from every Ship entring the Port of *Hull*, under the Pretence of maintaining a certain Chain; which was voted an Exaction upon the People; and he was enjoin'd to levy the ſaid pretended Duty no more. *Vote thereon.*

Now, whether theſe Proceedings, which ſeem'd to indicate a Diſpoſition in the Houſe to couple the Grievances of the preſent Reign with thoſe of the paſt, produc'd a Reſolution in the Court to bring the Seſſion to a Period; or whether the ſeveral Feuds ſubſiſting between the Houſes, or, as the Ducheſs of *Marlborough* ſuggeſts, the Princeſs of *Denmark*'s Affair, caus'd that Meaſure, or the Deſire of the Members themſelves, who, no Doubt, were ſufficiently fatigu'd with ſo long an Attendance, on the 20th of *Auguſt* the King came to the Houſe for that Purpoſe; upon which Occaſion, the Speaker again harangu'd his Majeſty, as follows: "The Commons, in this preſent Parliament aſſembled, taking into Conſideration the great ASSISTANCE that was given by the States of the *United Provinces* to your Majeſty, in your glorious Deſign of reſtoring theſe Kingdoms to their ancient Rights and Liberties, and how

A. D. 1689. how for that End they entrusted their Army and Fleet to your Majesty's Disposal, at a time when they had War declar'd, and an Invasion threatned by the *French* King, merely to divert them, they do here humbly present your Majesty with a Bill, appointing certain Duties of Excise and Customs for the raising 600,000 *l.* which they desire may be apply'd to your Majesty, for the Satisfaction of the Charges, which have been expended by the *States* in this Expedition.

It is a little more than an Age since the illustrious Prince of *Orange*, your Majesty's Great-grand-father, whose Name will ever be famous for his Love to his Country, did, by the ASSISTANCE of the ENGLISH, redeem those Provinces from the *like Oppressions*; which shews how inseparable the Interest of the two Nations are: And since it was the Policy of those that labour'd our Destruction, to divide us, it ought to be the Endeavour of all true Lovers of their Country to keep us firmly united, in order to our Preservation.

The Commons have likewise consider'd of the great Arrears that were left due by King *Charles* the Second, to his Servants, and have therefore made a Provision of 60,000*l.* for them; which they humbly desire your Majesty would please to distribute among them, in such Proportions as your Majesty in your Princely Wisdom shall think most fit.

And, having proceeded thus far *in the weighty Affairs depending* before them, they now become *humble Suitors* to your Majesty for a Recess, that thereby they may have the Opportunity of repairing into their several Countries and promoting your Majesty's Service; and what remains at present for want of time to dispatch, they doubt not but that they shall be able to perfect it at their next Meeting; and, as they hope, to the entire Satisfaction of your Majesty, and your whole Kingdom."

Great Notice was taken of the second Paragraph, in which the Succours formerly granted by *England* to the *poor* and *distressed* States of *Holland*, are so artfully touch'd upon; and either with Applause or Censure, according to the several Interests and Passions of the several Parties: According to some, it was a seasonable Hint, that the Account between the two States, was now ballanc'd; and, according to others, it was an impertinent upbraiding. Whether the King himself was any way affected by it, is not specify'd; but as his Majesty could scarce be insensible, that his Countrymen were already grown out of Fashion, it may be reasonably suppos'd, that he was not over-pleas'd with it. However this may be, the Commons had their Desire granted, without the usual Ceremony of a Speech of Thanks: For such Bills as were ready, having receiv'd the Royal Assent, the Marquis of *Hallifax*, as Speaker of the House of Lords, had the Pleasure to dismiss those who had so often clamour'd to have him dismiss'd, by signifying, That it was his Majesty's Pleasure, that both Houses should severally *adjourn* themselves till the 20th of *September*; as also, that his Majesty

The Session closed by Adjournment.

A. D. 1689. did not intend there should be a Session then, unless some Emergency should make one necessary; and that whenever a Session was resolv'd on, he would give them Notice by Proclamation.

Remarkable Acts pass'd this Session.

The most remarkable Acts of this Session, not already mention'd, were, an Act (pass'd the third of *April*) to revive Actions and Process in *Westminster-hall*, which, during the *Inter-regnum*, had been at a stand: An Act to remove Papists ten Miles from *London*: An Act for the taking away Hearth-money: An Act to encourage the Exportation of Corn: (all these were pass'd the 24th of the same Month.) An Act for enabling Commissioners of the Great Seal to act as Lord Chancellor, or Lord Keeper: An Act for reviving two Acts for the Exportation of Leather: An Act for the Exportation of Beer, Ale, Cyder, and Mum: (These were pass'd the 22d of *May*.) An Act to regulate the Administration of Oaths to be taken by Commission and Warrant-Officers: An Act for the taking away the Court of Marches in *Wales*: An Act for vesting in the two Universities the Presentation of Benefices belonging to Papists: (these were pass'd *June* the 25th.) An Act for the better preventing the Exportation of Wool, and for encouraging the Woollen Manufactures: An Act for the appointing additional Commissioners to the Land-Tax: An Act for the Relief of the Protestant *Irish* Clergy; and an Act to repeal the Statute of *Henry IV.* against multiplying Gold and Silver, which receiv'd the Royal Assent on the last Day of the Session: And, lastly, it was not the Fault of the Lords, that an Act was not pass'd, declaring it to be Treason, to keep any Intelligence, or maintain any Correspondence with the late King *James*: For in the Beginning of *May* they sent down a Bill to the Commons to that Effect; who were inconsistent enough to reject it on the second Reading, though they afterwards assented to the Bill, for committing suspected Persons without Bail; and actually made an Order for the Impeachment of those who dispers'd that Prince's Declaration.

One rejected by the Commons.

D. of Schomberg's *Expedition to* Ireland.

We are now to resume the great Affair of *Ireland*; which Kingdom was, in all Appearance, as far separated from the Dominions as from the Shore of *England*: King *James*, tho' unsuccessful at *Londonderry* and *Inniskillin*, was still at the Head of the whole *Irish* Interest, and had a far greater Body of Forces under his Command, than was likely to be brought against him; and there was withal so much Slowness and Backwardness in the Preparations making in *England* for that Purpose, that he seem'd to have Leisure allow'd him to render himself invincible. It is said, that Marshal *Schomberg*, early in the Season, advis'd the marching a Body of Forces to *Port-Patrick* in *Scotland*, as a Means to bridle the *Scots*, while they continu'd there, and also to be ready on the first Call to pass over to *Ireland*; which from thence they could do at any time in a few Hours: But his Advice was atally over-rul'd.—— The Consequences of which were *Dundee*'s Revolt, the Siege of *Derry*, and all the other

A.D. 1689. other Calamities which befel the Proteſtants of *Ireland*. It was the 15th of *July* when his Grace took Leave of the Commons; and on the 20th following, he arriv'd at *Cheſter*, to quicken his Muſters, and prepare for his Expedition; yet with all the Addreſs, Induſtry, and Power he was Maſter of, or could uſe, it was the 12th of *Auguſt* before he could ſet ſail; and even then, it ſeems, he was not half provided. Lord *Warrington* makes no Difficulty to aſcribe the Fault of all to the Aſcendancy of King *James*'s Party in King *William*'s Councils, and the *treacherous* Advice they gave. "That Party, ſays he (in the *Character* of a Member of the Houſe of Commons) ſtuck to their Point of delaying the Diſpatch of an Army for *Ireland*, and gave King *James* the whole *Spring*, and much of the Summer of the Year 1689, to ſtrengthen himſelf; and they apply'd themſelves chiefly to get thoſe that hated our King in their Hearts, into the Offices upon which the Succeſs and Being of the Army depended.

He ſets ſail with Part of his Forces,

[Impartial Inquiry, *p.* 12.]

They ſhew'd themſelves in the Proviſion of Horſes for the Artillery and Carriages, the buying Stores of Biſkets, Meal, Oats, and Victuals, the Preparation of Tranſport Ships and Convoys, the Orders for marching the Regiments of Horſe for that Expedition, and the Commiſſaries for the Stores for the Armies Subſiſtence.

I ſay, in the Conduct of all this, and the Choice of the Officers for them, there appear'd ſo much Treachery upon the Examination taken in *our* Houſe (of Commons) about them, that many of us were afraid that the Armies would be betray'd into King *James*'s Hands. Honeſt Duke *Schomberg*'s Soul was fretted by his long waiting at *Cheſter*, to get together but a ſmall Body of Foot, by the Diſappointments (through the pretended Miſtakes of Orders) of the coming of his Horſe, by the Unfitneſs of the Tranſport-Ships to carry over the Artillery and Carriage-Horſes, by the Neglect of neceſſary Proviſion of Stores, and putting Wheat on board inſtead of Biſket and Meal, by the Failure of long expected Convoys, and other Supplies, that the poor Gentleman choſe to hazard himſelf *without a Convoy*, and his ſmall Body of Foot, with few or no Troops of Horſe, and without any Carriage or Artillery-Horſes, to try his Fortune to get upon *Iriſh* Land, when the Winds would ſuffer him; being willing to run the utmoſt Danger of periſhing, rather than not to attempt ſome Relief to the poor Proteſtants, and ſuffer the Treachery of thoſe employ'd to hazard the Reputation of his Faithfulneſs.

Yet when the poor Gentleman, in deſpite of all their Falſhood, had landed his ſmall Army, he could not purſue the Enemy for want of thoſe Troops of Horſe and Carriage-Horſes and other Neceſſaries left behind. But the Treachery continu'd in detaining them, and in letting the Carriage-Horſes to hire for Plow and Cart about *Cheſter*, and that Villany enforc'd him to decamp at *Dundalk*, in the Enemies Quarters, and uſe his excellent Conduct in ſaving ſo ſmall a Party againſt King *James*'s numerous Army; A.D. 16[illegible]
tho' the Unwholeſomeneſs of the Place, and the Failure of the Supplies expected, occaſion'd the Deaths of many worthy Gentlemen, and the miſerable Sickneſs and Sufferings of many more, and the Loſs of ten thouſand Proteſtants, before the Spring following."

This is, no doubt, the Language of Party; but then it is reaſonable to think, that it is in a good Degree warranted by Truth. Public Services began already to be conſider'd as private Jobbs; and the Undertakers for the Government thought only of providing for themſelves: This, it may be, was equally true of both Parties; for whatever Difference there was in their Pretenſions, there was little in their Practice; only it ſo happen'd, that thoſe who had the Charge of the Victualling and Stores for this Expedition, were of the old *Prerogative*-Leaven, and their Adverſaries, who never expected to have them for Rivals in Power any more, thought it more for their Purpoſe, to aſcribe their Malverſations to their Faith than their Works. It is, however, declar'd in the *Gazette*, [*No.* 2479] which ſpeaks of the Duke of *Schomberg*'s Departure, That the *reſt* of the Forces were to follow with all poſſible Expedition; which was an Acknowledgment, that either all were not *ready* to accompany him, or that a ſufficient Proviſion had not been made for tranſporting them. The ſame Perſon, Mr. *Harbord*, was at firſt both Paymaſter and Purveyor to the Expedition; but afterwards, in compliance with the repeated Importunities of the General, he condeſcended to lay down the latter of thoſe Employments, in favour of one Mr. *Shales*; and he alſo, as we ſhall find, came in for a large Share of the Blame, as well as the Profits.

The Strength his Grace ſet out with, was about ten thouſand Men, chiefly Foot, which were all ſtow'd in about ninety Veſſels of all ſorts, and met with ſo favourable a Paſſage, that the very next Day after they ſet ſail, they reach'd the Coaſt of *Ireland*, and were happily landed in the Neighbourhood of *Carrickfergus*, without the leaſt Moleſtation from the Enemy. The ſame Parties that the Marſhal ſent out for Intelligence, brought in ſeveral others to join him: And his firſt Exploit was to reduce *Carrickfergus*, which capitulated on the 27th. The Siege laſted four Days, and the Garriſon conſiſted of about 2500 Men. This was a happy Beginning; and in the ſame Interval he had the additional Encouragement of being reinforc'd with ſeveral other Corps from *England*. But ſtill the Horſes and other Requiſites for the Train were wanting; upon which Conſideration he was forc'd to re-embark the Cannon he could not uſe; and having done ſo, and directed the Victuallers and other Veſſels which attended him, to meet him at *Carlingford*, he march'd on to *Laughbrilane*, where he was join'd by the *Iniſkillin* Horſe and Dragoons, who made it their own Offer to act as the Forlorn of the Army, and upon all Occaſions ſhew'd that they did not aſpire to that Poſt for Shew but Service.

Reduces Carrickfergus.

At

A. D. 1689. His Message by a Trumpet to the Duke of Berwic.

At *Newry*, a very ſtrong Paſs, the Duke of *Berwic* had his Station, but hearing of *Schomberg*'s Approach, he thought fit to retire, having firſt ſet fire to the Town and left it in Aſhes behind him: This ſo provok'd the Marſhal, that he diſpatch'd a Trumpet after his Grace, with Orders to acquaint him, "That if, in the Courſe of his March, he found any more ſuch *French* Tricks play'd, he would give no Quarter to Man, Woman or Child." And this Meſſage, we are told, had ſo good an Effect, that the *Iriſh* forebore that inhuman Practice for the future: They had retir'd from *Newry* to *Dundalk*, and as the Marſhal advanc'd, they retir'd from thence alſo. But here the Marſhal himſelf, tho' by this time farther reinforc'd with the Regiments of *Kirk*, *Hamner*, and *Stuart*, thought it adviſable to halt: He had receiv'd Intelligence, it ſeems, by an Engineer who had deſerted from the Enemy, that Mr. *de Roſene*, with an Army of about 20,000 effective Men, well appointed, waited for him at *Drogheda*; and he did not think himſelf in a Condition to ſtake his own Reputation, and the Fate of *Ireland*, on one ſingle Caſt. Neither the Equipage for his Train was yet arriv'd from *Cheſter*, nor even the Ships from *Carrickfergus* which had the Train on board: His Forces were not only raw and undiſciplin'd, but ſickly, fatigu'd, faint, and ill provided: Poſſibly he was, beſides, not over-confident of their Fidelity; and, as he knew there was a Negociation then carrying on, at the Court of *Denmark* (*f*) for ſix thouſand *Daniſh* Foot and one thouſand Horſe, which were to paſs, as ſoon as poſſible, into the *Iriſh* Service, as alſo, that ſeveral Regiments of Horſe and Foot were actually on their March to join him from *Scotland*, he held it the wiſeſt Courſe to act upon the Defenſive, till they came, or ſuch an Opportunity ſhould offer to engage, as would more than counterbalance all other Diſadvantages. However this may be, in the Neighbourhood of *Dundalk* he encamp'd; and Mr. *de Roſene* was no ſooner inform'd of it, than he pronounc'd, *That* Schomberg *wanted ſomething*, and immediately ſent out a Party to ſecure the Poſt of *Ardee*, a ſmall Town between *Dundalk* and *Drogheda*; he alſo aſſembled all his Forces, with a Reſolution to attack him before thoſe Wants were ſupply'd: But he had a General to deal with, who would neither be ſeduc'd nor ſurpris'd, and who was ſo ſtrongly poſted that he could not be forc'd. To diſconcert him, if poſſible, was, therefore, all that remain'd to be done; to which End, he, one while, order'd out a ſtrong Detatchment to make an Attempt on the Paſs of *Newry*, which cover'd his Rear; and when that Project was diſappointed, he drew out his whole Army, and march'd up to him in Front, in hope he would accept the Challenge, and quit his Lines, which were his only Security. This was a Sight which the *Engliſh* Officers, who were weary of ſo hateful a Situation, among Bogs and Rivers, could not bear; and, we are told, they ſo far co-operated with the Enemy, as to preſs the Marſhal to come to Action, and let them rather dye Sword in Hand, than rot in the peſtilential Air they were ſurrounded with. But tho' he was not inſenſible of their Remonſtrance, he continu'd firm to his own Purpoſe, and contented himſelf with making ſuch Diſpoſitions from time to time, as at laſt convinc'd Mr. *de Roſene*, that, by repeating his Bravadoes, he only more and more convinc'd his Adverſary, That he had nothing elſe to truſt to.

A. D. 1689.

[*Ibid. Numb.* 2490.]

Holds at Dundalk.

Duchines engaging Roſene.

While the two Commanders were thus endeavouring to out-general each other, Colonel *Lloyd*, who commanded at *Inniſkillin*, hearing that a Party of *Iriſh*, to the Amount of 5000, Regulars and Irregulars, had undertaken to reduce *Sligoe*, he put himſelf at the Head of four Troops of Horſe, five of Dragoons, and about 200 Foot; and having poſted himſelf advantageouſly between that Place and *Boyle*, receiv'd their Fire, return'd his own within Piſtol-ſhot, and taking Advantage of the Slaughter and Confuſion which it produc'd, fell in among them Sword in Hand, and put them to total Rout; above 500 being kill'd on the Spot (among whom were their three Colonels *O Kelly*, *Dillon* and *Bourk*) and almoſt 300 taken, together with a vaſt Booty of Cattle; and all at ſo ſmall an Expence, as of twenty Men kill'd and wounded.

Another Exploit of the Inniſkillin-Men.

Sligoe, nevertheleſs, fell into the Enemy's Hands very ſoon after; for *Sarſfield* having taken Poſſeſſion of *Jameſtown*, which had been abandon'd by its Inhabitants on his Approach, puſh'd on to *Sligoe*, in hope to balance the late Diſgrace, by reducing the Town which caus'd it. The Officers who commanded there, were Colonel *Ruſſel* of the Horſe, Colonel *Lloyd* with the *Inniſkillin* Foot, and Captain *St. Sauveur* with a Company of *French* Grenadiers. It is reaſonable to think that *Sarſfield*'s Approach was ſo unexpected, that theſe Officers had not time to hold a Council, or at leaſt to come to a joint Reſolution; for *Ruſſel* reſolving to retire with his Horſe, would have perſuaded the two others to do the ſame; but they refus'd; and *Lloyd* threw himſelf into one Fort, and *St. Sauveur* into another; but neither to any Purpoſe; for *Lloyd* finding no Proviſion for the Support of himſelf and his Men, withdrew that very Night; and tho' *St. Sauveur* made a gallant Defence for ſome little time, he was forc'd to ſurrender at laſt.

Sligoe taken by the Iriſh.

To

(*f*) 'Tis remarkable enough, that the Author of *The State of* Europe, a profeſs'd *Williamite*, in his Reflections on the firſt Rumour of this Meaſure, makes uſe of theſe Words: "'Tis not to be thought, that the King of *England* is upon *tractating* with the King of *Denmark* for any Part of his Men; or, if there be any ſuch ſort of Negociation, 'tis not to bring thoſe Forces into his own Dominions: for that would create too great a Jealouſy in his People, who preſently began to murmur, becauſe his Majeſty kept ſome of the *Dutch* Regiments about him, tho' he could hardly be without them, not having a ſufficient Body of the *Engliſh* [that he could truſt, *would have been edded*] for the Occaſions of the Kingdom." *Vol.* i. *p.* 353.

A. D. 1689. [Gazette, No. 2496.]

To account for these *French* in the *English* Service, it is necessary to observe, that of the sixteen new-rais'd Regiments of Foot employ'd in this Expedition, three were of *French* Refugees; and if the Behaviour of *St. Sauveur* and his Men reflected some Honour upon those Corps, an Accident happen'd much about the same time, which had like to have blasted them as much. A Captain in one of them happen'd to receive some Intimation, that four of his Men and a Drummer, who were Papists, design'd to desert to the *Irish* Army; upon which he caus'd them to be seiz'd, and found Letters about one of them address'd to Mr. *d'Avaux*, who being examin'd, declar'd he had the said Letters from one *du Plessis*, who was also a Papist, and had been a Captain of Horse in the *French* Service, but was forc'd to run his Country, to avoid the Justice of it, on account of a Murder which he had committed. The next Step was to seize this *du Plessis* likewise, which was done, and who acknowledg'd in his Turn, "That he had written both to King *James* and Mr. *d'Avaux*, to the following Effect, *viz.* That there were many Papists in the *French* Regiments; and that he would undertake to bring them over to the *Irish* Camp, on Condition that he might have his Pardon and the Command of them." Having furnish'd this Matter against themselves, both he and his five Accomplices were brought to a Trial, before a Council of War, and having receiv'd Sentence of Death for their intended Treachery, (which, according to some foreign Authors, was to assassinate the Marshal) were executed accordingly. After which, the *French* Colonels made a strict Enquiry after the rest of those Papists, who were thus to have been made over in a Body to King *James*, by *du Plessis*, and discovering about one hundred and fifty, they were disarm'd and sent Prisoners to *Carlingford*, from whence they were first transported to *England*, and thence to *Holland*, where, we are told, they were set at Liberty; tho' it is more reasonable to think, that they were incorporated with the Troops of the Republic.

The Treachery of certain French Soldiers in the English Service discover'd and punish'd.

The Marshal farther reinforc'd with certain Regiments from Scotland.

About the Middle of *October*, Marshal *Schomberg* was yet farther reinforc'd with two Regiments of Horse, one of Dragoons, and one of Foot, from *Scotland*: But the Season of Action was now over; the *Irish* Army withdrew into their Quarters; and that of *England* had a more irresistible Enemy to contend with, namely, a violent Flux, which, in the Course of the Winter, prov'd fatal to many thousands; and amongst them to several Persons of Distinction; as Sir *Thomas Beaumont*, Sir *Edward Deering*, Col. *Wharton*, Sir *Thomas Gower*, Col. *Hungerford*, &c. According to some Authors, this Calamity was owing not only to the Dampness of the Soil, and the immoderate Rains which fell about that time, but to the Badness of the Provisions they had been furnish'd with from *England*: Even the *Gazette* acknowledges, that the Marshal, on his Arrival in the Lough of *Carrickfergus*, sent back *great Part* of the Provisions which he had brought with him; and again afterwards, that he sent back *all* his A. D. [illegible] No. [illegible] fault Provisions: But then the Reason assign'd for it is, the *Plenty and Cheapness of the Provisions, which were pour'd in upon him by the Country*: And we are again assur'd, by the same Authority, that tho' the *Irish* Army was forc'd to decamp for *want of Necessaries*, the *English* were *plentifully furnish'd*. Bishop *Burnet* on the contrary affirms, not only that the *Irish* out-number'd the *English* three to one; but that they were so well posted and provided, that the Marshal could not in prudence venture to dislodge them. The same Prelate indeed adds, that some blam'd him for not putting things more to hazard, saying, that he measur'd the *Irish* by their Numbers, and not by their Want of Sense and Courage; and that these Complaints had such an Effect even on the King himself, that he twice by Letter press'd him to put somewhat to the venture; and that others, on the contrary, were of Opinion, that the Marshal's managing the Campaign as he did was one of the greatest Parts of his Life. There is in truth so much Uncertainty and Contradiction in the Accounts given of it, that we can only conclude, that there was a Fault somewhere; that the Soldiers and Proveditors endeavour'd to lay it upon each other; and that in most Cases of this kind, the criminating Parties ought to divide the Blame between them. As to what the Bishop farther affirms, *viz.* That *Schomberg* had not the Supplies from *England* which had been promis'd him; and that his Army, when strongest, was not above fourteen thousand Men, it is scarce to be depended on: For if the Marshal was at first ten thousand strong, as he admits, the Addition of *Kirk*'s Forces, which consisted of three Regiments of Foot and two of Horse, two Regiments of *Londonderry* Men, the *Inisskillingers*, the Regiments of Horse and Foot from *Scotland* above-mention'd, the Regiments of the Earl of *Meath*, Lord *Lovelace*, Colonel *Coy*, Lord *Roscommon*, Colonel *Levefon*, Duke of *Norfolk*, Lord *Devonshire*, Lord *Delamere*, Lord *Hewit*, Sir *Thomas Gore*, Colonel *Villars*, and Colonel *Hamilton*, must have swell'd his Muster-rolls to a far greater Number: And all these several Corps are not only mention'd in the *Gazette*, as successively em- [*No.* 2484. bark'd for *Ireland*, but with this further Circumstance, That these were all which were *Ibid.* destin'd for this Service. Again, whereas it is affirm'd in Lord *Warrington's Impartial Enquiry*, that the Duke was forc'd to set sail *without a Convoy*, this must be only understood, that he would not wait for one; since we learn also from the *Gazette*, that *No.* 2488. he had the Assistance of six Ships to reduce *Carrickfergus*; that he sent his Cannon to *Carlingford*, under the Convoy of three Men of War; that he, at the same time, sent a Squadron of Men of War towards the Bay of *Dublin*; and that those very Cannon ar- *No.* 2491.] riv'd at *Carlingford* on the 14th of *Sept.* under the Convoy of eight Men of War.

A great Mortality in his Camp.

[*No.* 2482.

Reflections on the Irish Campaign.

It is asserted yet farther, That the united [*State of Europe, An.* 90. i. Fleet of *England* and *Holland* was station'd *p.* 393.] on the Coast of *France*, in the Months of

A. D. 1689. *July* and *August*, not only by way of Bravade, to provoke the *French* if possible to come out and give them Battle, but also to amuse them, while Marshal *Schomberg* and his Forces were in their Passage to *Ireland*: That the *French* did actually make a Feint of putting to Sea with sixty-two great Men of War, and of transmitting yet farther Succours to King *James* in *Ireland*: That, upon the Receipt of this Intelligence, the united Fleet was augmented to almost fourscore; and fresh Orders were sent to Lord *Torrington* to quit *Usbant*, and ply off of *Kingston*, to be more in the way of intercepting the said Succours, and of covering the Marshal's Descent: And that the said Fleet did not return to *Torbay*, till it was confirm'd, that the *French* had given Orders for separating their Ships, and laying them up for the Winter in their respective Harbours; which they had a fair Opportunity of doing, by this Removal of the Allies to the Coast of *Ireland*: All which several Steps, if consider'd with Candour, seem to argue, that the Government were, at last, sufficiently attentive to the Danger of *Ireland*, and apply'd themselves in earnest to reduce it; how ineffectual soever their Endeavours prov'd, or how ill soever some of their Servants discharg'd the Trust repos'd in them.

We are now to resume our Deduction of foreign Affairs, that we may be the better Judges of our own.

Foreign Affairs.

To begin with the Court of *Vienna*: Notwithstanding the Sollicitations of the *Turkish* Envoys, the Remonstrances of the Diet, and the Expediency of concluding one War, for the sake of entering with the more Strength and Vigour into another, his Imperial Majesty could not be prevail'd upon, to sacrifice the Interest of his own hereditary Dominions to that of the Empire: What he acquir'd on the *Turkish* Side, was to be all his own; but in the Recoveries or Acquisitions to be made from the *French*, every Prince concern'd in the Adventure expected a Share: Believing, therefore, that he had the *Turks* at his Mercy, and that *France* was already overmatch'd by the mighty Confederacy which was form'd against her, he caus'd the said Envoys to be inform'd by his Commissioners, That, over and above all the Conquests which he had already made, and which they had offer'd to relinquish, he expected and demanded all the other Towns and Fortresses of *Hungary*, which they were still possess'd of, together with all their Dependencies: And farther, That *Transilvania* and *Walachia*, which had put themselves under his Protection, should be freed from the annual Tribute which they had paid to the *Porte*; and that Count *Teckely* should be deliver'd up. This was, in Effect, making the Matter desperate: The Envoys declar'd upon the Spot, That as to the last Article, they had not so much as Power to treat upon it: And as to the two former, it was obvious, that neither the Vizier nor the Grand Signior himself durst comply with them, 'till they had try'd the Success of another Campaign. Accordingly, at the next Conference, they declar'd, they had no more to offer, and desir'd leave to return home. Thus, both the *French* Minister at *Constantinople*, and Count *Teckely*, were furnish'd with fresh Arguments, drawn from the Haughtiness and Greediness of the Imperial Court, to spirit up the *Divan* to continue the War, which they did not fail to make use of; and that with all the Success they could desire. And, on the other hand, the Emperor excus'd himself to the rest of *Europe*, for not embracing the Offers that were made him, by urging, that his Allies and Confederates the *Venetians* were not comprehended in them.

A. D. 1689. *offer'd by the* Turks.

His Preparations for the two Wars.

But though the Imperial Court were thus manifestly sway'd by their peculiar Interest on one Side, it could not, on this Occasion, be said, that they acted remisly on the other: They held frequent Councils: They establish'd such Funds as they thought would be sufficient to defray the Expence of both the Wars: They caus'd new Levies to be made in all the several Provinces: They provided two great Trains of Artillery; and they erected Magazines in the several Places where their Troops were to assemble: Fearing also that the King of *Poland*, by the Ascendancy of his *French* Consort, and the Application of the *French* Court, might be induc'd to take such Measures, as might interfere with the great Ends in view, his Imperial Majesty, by (*g*) Letter, requir'd and exhorted him to adhere to the Cause he had so

The Emperor rejects the Conditions of Peace

(*g*) Which is remarkable enough to deserve a Place here, as follows:

"*Leopold*, &c. Your Serenity will have sufficiently understood, by our former Letters to you, how unjustly and treacherously the Crown of *France*, violating the Treaties of *Westphalia* and *Nimeguen*, and the twenty Years Truce concluded a few Years since, hath invaded us and the Empire, at a time that we expected nothing less. But the Enormity of this Invasion is infinitely aggravated by the horrid Cruelties and Barbarities they continue to exercise in the Places they have possess'd themselves of, pillaging whole Towns and Countries, which to preserve themselves surrender'd upon Articles, and afterwards paid the Contributions impos'd upon them, against the Faith given them, and confirm'd by the King himself, or the *Dauphin*, and afterwards destroying them with Fire, or levelling the Walls and Houses to the Ground, and carrying away the Inhabitants bound as Slaves, in a Manner only practis'd among Barbarians, and forcing them with Threats of Death to follow the *French* Army into other Parts; not sparing the stately Houses and Palaces of Princes, which had been preserv'd for Ages, and in the bloodiest Wars; and not with-holding their impious Hands even from the Churches; and exercising many other Cruelties and Inhumanities, such as are seldom committed by the *Turks* themselves, and which can hardly be found in any History to have been ever practis'd among *Christians*: which, as they most deservedly excite the Hatred of all *Christendom* against *France*, so they especially lay a Necessity upon us of providing for the Safety of the *Roman* Empire, and of using all Means to free it from such unheard-of Violences and Oppressions: And to this Purpose the States of the Empire, assembled by their Deputies at *Ratisbon*, have unanimously besought us, that, a just War being declar'd against *France*, we would not only as soon as might be make an honourable Peace with the *Turks*, but would also invite the Kings and Republics, our Friends and Allies, to join with us in the War, and to continue their Friendship and Alliance with the Empire, thereby to prevent and render ineffectual the pernicious Designs and Contrivances of *France* and its Adherents, against us and the *Roman* Empire. Wherefore having, for what concerns a speedy and honourable Peace with the *Turks*, already declared in our former Letters our Sentiments to your Serenity, and being glad to hear that your Serenity is sending to us an Envoy Plenipotentiary, we have now thought fit, at the Instance

A. D. 1689. so gloriously supported, warn'd him, not unartfully, against an Apostacy, which would dishonour his past Atchievements; and more than insinuated, that in siding with the *French*, he would, in Effect, side with the *Turks* also, since both were Enemies to *Christendom* alike. And that those of the Reformed Religion might be the better reconcil'd to the Adventure they were engag'd in, and rely the more securely on the Success they expected from it, another Letter from his Imperial Majesty to King *William* was made public, wherein, after expressing his Acknowledgments to that Prince, for the Moderation he had shewn to the Catholics, he promis'd to observe the like Behaviour to the Protestants, and to settle the Point of Religion in such a manner, that all honest Men should have Reason to be satisfy'd.

The chief Command in *Hungary* was given to Prince *Lewis* of *Baden*, not by way of Preference to the Duke of *Lorrain*, but that the Emperor might have the Benefit of the Duke's Services, where it was presum'd they would be most needed. The chief Command in the Empire was, indeed, the Post of Honour; and as it was rightly foreseen that this could not be bestow'd on the Duke without giving Umbrage to the Elector of *Bavaria*, Care was taken to put the Latter at the Head of a separate Army, which was to act on the *Upper Rhine*, and which was to consist of his own Troops, a Body of *Imperialists*, and the *Suabians*. The Duke of *Lorrain*'s Post was on the *Middle Rhine*, with the main Body of the *Imperialists* and the *Saxons*; and the Service of the *Lower Rhine* was left to the Elector of *Brandenburgh* with his own Troops, and those of *Westphalia*.

Intrigues of France in the North

According to the Muster-Rolls, all these several Armies amounted almost to 120,000 Men; and it was hop'd that this vast Body would be yet considerably increas'd before the opening of the Campaign. It was therefore the Interest of *France*, almost at any Expence, to make a Diversion by Means of the hungry Princes of the *North*; and, as usual, she omitted no Endeavours to carry her Point: She offer'd *Sweden* an annual Pension of twelve hundred thousand Crowns to espouse her Cause, and four hundred thousand to stand neuter: But the *Swedes* had suffer'd so much, and so lately, in her Quarrel, and had met with so much Insolence and Ingratitude in Return, that they were deaf to the Voice of the Charmer. They had, besides, another Point to carry, of more Importance to them than any Offer the *French* could make, which was, to wrest the Duchy of *Holstein* out of the Hands of *Denmark*, and restore it to its proper Owner. Now in this, the Court of *France* neither could nor would give them any Assistance; for it was under their Influence and Protection, the *Danes* had made that Acquisition; whereas, on the other hand, the House of *Lunenburgh*, and all the neighbouring Princes, who, like them, were jealous of the Ballance of the *North*, were ready to co-operate with the *Swedes* therein; and even the Emperor himself shew'd a Disposition to throw all his Weight and Interest into the same Scale. In Answer, therefore, to the Instances of the *French* Ministers, his *Swedish* Majesty not only return'd a flat Refusal, but immediately acquainted the Court of *Vienna* with what he had done; and farther signify'd, That he had ten thousand Men at the Service of the Confederacy, in case they could provide him a suitable Subsidy in Return.

A. D. 1689.

The Door being thus shut on that Side, all that remain'd was to spirit up the *Danes*, to maintain their Possession by Force of Arms, and to reject all Offers of Accommodation, from whatsoever Quarter, or on whatsoever Terms: And such an Effect at first had their Importunities and Promises on his *Danish* Majesty, that he began to augment his Forces, after the Example of the *Swedes* and *Lunenburghers*, to equip his Fleet, and make all the Preparations necessary at the Eve of a War: He did not, however, think fit to suspend the Conferences which were held at *Altona*, under the Mediation of the Emperor, and the Electors of *Saxony* and *Brandenburgh*; but, on the contrary, growing at last apprehensive, that *France* had more Business already upon her Hands, than she could manage, and that it would be safest to side with the strongest, he gave way to the Duke of *Holstein*'s Demands, and the Instances of the Mediators, till a Compromise was finally adjusted and agreed upon (by a Surrender of the said Duchy) *June* the 30th, and the Ratifications were exchang'd a Fortnight after.

There is no need to enlarge on the Importance of this Event, since it speaks for itself: The Peace of the *North* was thereby effectually preserv'd: The two Kings immediately dispers'd their Forces: The *Lunenburghers*

defeated.

---

stance of the States of the Empire, and out of the fraternal Confidence we have in your Serenity, to write this; not that we think your Serenity wants to be exhorted to prefer the Friendship which for so many Ages has continued without Interruption between us the *Roman* Empire and the Crown of *Poland*, before the Machinations of *France*; or that your Serenity, after having fought so gloriously against the common Enemy of *Christendom*, can now be induc'd to favour their Abettors, Adherents, and Confederates, to wit, the *French*, (for why should we not call them so, who at this very time offer to make an offensive Alliance with the *Turks*) or to assist directly or indirectly their Designs, and thereby become a Partner in their detestable Perfidiousness, which we persuade ourselves is very far from your Serenity's Piety, Integrity, and Prudence, who not many Years since had such Experience of the Malice of *France*; but amicably and brotherly to desire you on our Part, and in the Name of the Empire, to take such Measures and Resolutions with the whole Republic of *Poland*, that, proceeding with united Councils and Forces, the horrid Perfidiousness of *France* may be punish'd, and a firm and lasting Peace at last establish'd in *Christendom*. This we the rather promise ourselves from your Serenity and the Kingdom of *Poland*, for that it is an undeniable Truth, that our common Interests, or those of *Germany* and *Poland*, are *equally* concern'd, and that these Attempts made by the *French* upon us and the Empire in favour of the *Turks*, during our offensive Alliance against the Infidels, are likewise prejudicial to the Kingdom of *Poland*: for it is they that, being Enemies of our Glory and our holy League, as well as of your Serenity and the Republic of *Venice*, do stop the Course of those noble Conquests, which we had yet Reason to hope, and which we had propos'd to ourselves for the Advancement of the Glory of *God*, and the Christian Religion. We therefore doubt not your Majesty will return us an Answer agreeable to our mutual Friendship, &c. Given at *Vienna*, *March* 18, 1689."

A. D. 1689. *nenburghers* were at Leisure to assist in the Common Cause, and the Influence of *France* was at so low an Ebb at *Copenhagen*, as well as *Stockholm*, that when her Minister, as the last Card he had to play, solicited even a Neutrality at the *Danish* Court, it was refus'd; and he had the additional Mortification to see the seven thousand *Danish* Troops, before spoken of, pass into the *British* Service, on almost the same Terms which he had offer'd in his Master's Name, to keep them at home.

The whole Germanic Body, for once, united.

It may, indeed, be safely affirm'd, that there never was such a Confederacy of Powers and Interests against *France*, as at this Crisis: The King and Republic of *Poland* did indeed stand aloof; as did also the *Switzers*, who, neither by Threats nor Promises, could be prevail'd on, to take part on either Side: But then, the whole *Germanic* Body, except the single Town of *Hamburgh*, for this once, mov'd all one way; and every Member, either for Love or Fear (for the Diet had authoris'd the Emperor, to send forth his advocatory Letters, declaring all that should stand neuter, to be Enemies to the Empire) was oblig'd to move with it. Even the Bishop of *Munster*, who had a secret Longing to be a Stipendary to *France*, thought fit, not only to recall his Agent from that Court, but to furnish his Contingent to the War, with all the seeming Chearfulness imaginable; and, moreover, to offer a Body of 6000 *Mercenaries* to the highest Bidder among the Confederates: And the Prince of *Liege*, after he had actually made a Shift to procure a Neutrality, found himself under a Necessity to break it, and to take Part with the Confederates: The Manner thus: The *French* had bought up in this Place a great Quantity of Ammunition, and Provisions, which was to be sent to *Bonne*, under the Convoy of three Troops of Dragoons; Count *Flodorp*, Governor of *Maestricht*, had Intelligence of it, and sent a Regiment to intercept them; but the *French* Scouts perceiving the Enemy, gave Notice to their Party, who, thereupon, return'd with all Speed to *Liege*; and when their Pursuers came up, they found the Gates shut against them. This was call'd a Breach of the Neutrality; and *Flodorp* gave the Citizens to understand, in the Name of his Masters, That unless they deliver'd up both the Convoy, and those who had it in Charge, he would proceed against them as Enemies. This having no Effect, the States themselves interpos'd by Letter, and the Burgomasters still demurring, the Count invested the Town with about five or six thousand Men, made himself Master of the *Chartreux* in one of the Suburbs; and having brought four or five Pieces of Cannon, and a Brace of Mortars to bear upon the Town, not only renew'd his former Demands, but insisted on two thousand Crowns a Day till their Deliberations were at an End. In this Extremity the Burgomasters found themselves under a Necessity to submit; and knowing this would expose them to the Indignation of *France*, chose to make their Peace, and secure themselves a Protection together, by declaring for the Confederates; which they did upon the Spot; and the Result was, that the Emperor, the *States*, and the City divided the Convoy amongst them.

A. D. 1689.

Liege comply'd to take part with the Allies against France.

Spain, as we have seen, was another of the Powers engaged in the present almost universal Quarrel against *France*; and, in point of Interest, was the most concern'd of any; for, according to the great first Principle on which the War was to be conducted, whatever should be recover'd from the *French* was to be restor'd to its right Owner: But such was the languid and inefficient State of that Kingdom, that, tho' in proportion to its Bulk and Figure, it seem'd best able to improve the matchless Opportunity, their standing Forces in *Flanders*, where they had ever most Reason to be on their Guard, were far short of their Establishment; and, for some time after the *most Christian* King had declar'd War against the *States*, they were so little able to furnish the (*b*) Succours, which

Languid State of Spain.

(*b*) The following Story, which is taken, in substance, from the *State of Europe for the Month of* February 1688-9, has such an Air of Probability, that tho' it is retracted afterwards, I cannot help submitting it to the Reader's Consideration:

"The *most Christian* King having declar'd War against *Holland*, the *States* Ambassador inform'd his *Catholic* Majesty of it, and desir'd him to send his Masters those Succours which he was oblig'd to do by the Treaty some Years ago concluded between them. These Succours ought to consist of 8000 Men; and his Majesty readily told the Ambassador, he would give Order to the Governor of the *Spanish Low-Countries* to send 'em away immediately. But his Excellency made answer, That whatever Orders he sent thither would signify nothing; for that, to his certain Knowledge, the Governor had scarce fifteen thousand in all, which was not a fourth Part of what was necessary for the Defence of his Majesty's own Dominions in those Parts. The King told him, he was either misinform'd, or he had forty thousand effective Men in *Flanders*; and that it was not above three Days ago, that his Council had shew'd him the Establishment of those Provinces. To which the Ambassador reply'd, that whoever had shew'd him that Establishment had deluded him: That *Flanders* had been for a long time as it were forsaken, which was the Reason that the King of *France* had so easily made himself Master of the best Part of it: That, if his Majesty question'd the Truth of what he said, he might be better inform'd by any other Person, who had not an Interest in misleading him; and that he took the Liberty to appeal in the Matter to the Emperor's Embassador. His Majesty, much surpriz'd at his Firmness, sent immediately for the Imperial Embassador, who confirm'd all that the *Dutch* Embassador had said; and then he sent for the Count of *Monterey*, President of the Council of *Flanders*, of whom he demanded, how many Soldiers he had in the *Low-Countries*? (For it was he who had told his Majesty he had forty thousand.) He, therefore, not to contradict himself, in his Answer aver'd what he had said before: But the King observing some Confusion in his Countenance, told him, he could produce two Witnesses, both of whom were Persons of unquestionable Probity and Honour, and who would insist upon it to his Face, That he had not a Third of that Number; and that even those few were not well paid, tho' he, the Count, well knew, he had a Fund sufficient for the Maintenance of the whole Establishment. Here his Majesty pausd; and his Minister, overwhelm'd with Confusion, endeavour'd to soften him, by urging, That if he had misinform'd his Majesty, he had been also misinform'd himself: That he could not see things with his own Eyes at such a Distance; and that he hop'd the Faults of others would not be imputed to him. The King would hear no more: But taking it for granted that the two Embassadors had led him into a Truth which he could never have come at from his Courtiers, turn'd away with Indignation, and not only order'd the Count to be corrected; but three of his Officers, who being examin'd apart, and confessing enough to confirm all, were condemn'd to lose their Heads; which was executed accordingly, tho' many of the Grandees, alarm'd at the Precedent perhaps, interceded with his Majesty for their Pardon."

A. D. 1689. which their Lordſhips had a Right to demand, in virtue of the Treaties ſubſiſting between the two Powers, that they were ſcarce in a Condition to defend themſelves. It is true that the *French* Miniſters did ſolicit a Neutrality at *Madrid*, with as much Importunity as they had done in the *North*: But the *Spaniſh* Council were ſo far from being even in a Diſpoſition to embrace it, that, on the contrary, they were at the Bottom of every Intrigue, in every Court of *Europe*, againſt their ancient Enemies. To have acted conſiſtently, therefore, it might have been expected, that their military Preparations ſhould have kept pace with their Negociations: And if they did all this while exert themſelves in an extraordinary Manner, it muſt have been by their Remittances to thoſe Courts, which had more Iron, but leſs Gold. Poſſibly it was their Wealth which help'd to bring about the ſurpriſing Union which now appear'd in the *Germanic* Body: In the *French* Declaration of War, they are expreſly charg'd with diſburſing conſiderable Sums, both at *Madrid* and *Cadiz*, to the Agents of the *Uſurper* of *England*, as King *William* is in that Piece moſt arrogantly ſtyl'd: And it is allow'd, that they hir'd certain Bodies of *German* Forces to complete their Garriſons; as alſo the ſix thouſand *Munſter*-Men above-mention'd, to enable the Marquis *de Guaſtanaga*, their Governor-General of the *Netherlands*, to take the Field; which nevertheleſs he could not do, without the Aſſiſtance of five thouſand *Dutch* Foot; and, when his whole Corps was aſſembled, it did not exceed twenty thouſand Men: On the Side of *Catalonia* and *Navarre* they did indeed put on a more military Aſpect; for they made the neceſſary Diſpoſitions to have an Army in each of thoſe Provinces: But many of the Corps, which thoſe Armies were to be compos'd of, were to be draughted from *Italy*, and many were to be new-rais'd; and the Queen of *Spain* dying in that Interval, the Drums were ſilenc'd for ſome Days, that not one Tittle of the Funeral-Solemnity might be violated.

Eleven thouſand Britiſh *Auxiliaries ſent to* Flanders, *under the Command of the Earl of* Marlborough.

With regard to the Share that *England* took in this Land-War, we have already ſeen, that ſeveral of thoſe Corps which had deſerted King *James*, or which King *James* had deſerted, were ſoon diſpatch'd to *Holland*, out of the way: The whole Number thus diſpos'd of amounted to about eleven thouſand; among whom were the greateſt Part of the Guards: The *Iriſh* Troops, which Lord *Tyrconnel* had ſent to the Aſſiſtance of that Prince, were given to the Emperor: And it was at this time the Diſcourſe of the *Hague*, that his *Britannic* Majeſty was alſo to aſſiſt his *Catholic* Majeſty with another Body of his Troops. But either this Diſcourſe had no Foundation, or we muſt conclude, that, to ſave Appearances, the five thouſand *Dutch* above-mention'd paſs'd into the Service of *Spain*, in lieu of ſo many *Britiſh*, and that the *States* found an Equivalent in the Augmentations of the *Britiſh* Forces by Sea: For we do not find that any more of our Forces were ſhipp'd for *Flanders*, during this Campaign; and it is A. D. pretty remarkable, that, immediately upon the ſigning that Treaty, the Earl of *Marlborough* embark'd for *Holland*, to take upon him the Command of thoſe Auxiliaries, with Orders to join the Army of the *States*, under Prince *Waldec*, which, in the whole, was to conſiſt of about forty thouſand Men: The Place of general Rendezvous was in the County of *Liege*, near *Tongres*; and while theſe undertook to act offenſively againſt the Marſhal *d' Humieres*, on one Side, Prince *Vaudement*, at the Head of a little Army of Obſervation, compos'd of *Spaniards*, *Hollanders*, and *German* Mercenaries, was to keep Mr. *Calvo*, another of the *French* Generals, in check on the other.

A Body of Iriſh *given to the Emperor.*

This was the general State of Things at the Opening of the Campaign; and as *France* had never been attack'd by ſo many different Powers, from ſo many different Quarters, at once, ſo there had never appear'd the Marks of ſo good an Underſtanding in ſo vaſt a Confederacy before. That there ſhould be a thorough Union between *England* and *Holland* was no Wonder, ſince they had one and the ſame Head, and ſince Mr. *Heinſius*, the *Dutch* Penſionary, was as deep in the *Orange* Intereſt as Mr. *Fagel* his Predeceſſor. That the *States* and his *Catholic* Majeſty, or his *Catholic* Majeſty and the Emperor, ſhould alſo agree in the ſame Meaſures, was eaſy to be accounted for, ſince they had in the main the ſame Intereſts: But that the ſeveral Princes of *Germany*, whoſe Views were ever oppoſite and irreconcileable, and who were almoſt as jealous of the *Emperor* as of *France*, ſhould all cooperate in the Proſecution of the ſame Syſtem, will be Matter of Aſtoniſhment to all future Ages: Yet ſuch was the Matter of Fact. The Elector of *Bavaria* made his own Terms at *Vienna*, with the Emperor in Perſon; and the reſt by their reſpective Miniſters: At *Franckfort* there was afterwards a perſonal Interview between the Duke of *Lorrain*, the Electors of *Bavaria* and *Saxony*, the Landtgrave of *Heſſe*, the Prince of *Hanover*, the Duke of *Wirtemberg*, Count *Staremberg*, &c: And, upon the Whole, ſuch a Plan of Operations was laid down as all the Princes aſſented to; and by which it was not only provided how the ſeveral Armies ſhould ſeverally act; but alſo how they ſhould ſtand connected with, and be ſerviceable to, each other.

France and its Apprehenſions.

It was now for the firſt time, that *France* apprehended her Days of Humiliation were at hand; and yet, tho' thus every way ſurrounded with Enemies, ſhe neither betray'd any Signs of Deſpondency, nor made any unbecoming Submiſſions; but, on the contrary, ſhe prepar'd to exert her Strength, Spirit, and Genius, in proportion to the Difficulties and Dangers that threaten'd her; and, ſingle as ſhe was, enter'd the Liſts againſt all. But the Honour ſhe acquir'd by her Fortitude and Magnanimity, was, at the ſame Inſtant, miſerably ſully'd by the Continuance of her Cruelties. Finding it impoſſible to make good her Projects in *Germany*, in favour of her

A. D. 1689. her Creature, Cardinal *Furſtemburg*, or even to maintain her Footing in the ſeveral Provinces which ſhe had acquir'd by Force of Arms, and could hold only by the ſame Means, as ſhe gradually withdrew her Forces, thoſe Forces had Orders to ſet fire to all the Towns and Villages they abandon'd, that they might be uſeleſs to the Enemy; which they perform'd without Mercy or Remorſe: *Hillenſheim*, *Brevil*, *Lechenich*, *Kempen*, and *Zulpig*, are among the foremoſt in the dreadful Catalogue of Places thus inhumanly laid waſte: *Arweyler* they only diſmantled; but the Caſtles of *Godenau*, *Bornheim*, *Suitzig*, and *Manderſheyt*, as alſo the Town of *Andernach*, in the Neighbourhood of *Bonne* and *Coblentz*, they left in Aſhes. At *Mentz*, which they reſolv'd to defend, they reduc'd the Inhabitants to the utmoſt Miſery and Wretchedneſs. They demanded two hundred ſixty-ſix thouſand Crowns, for Contributions, of the Duchy of *Wirtemberg*, on pain of military Execution: And they not only undermin'd the Walls and Bridge of *Triers*, with a Deſign to blow them up, but laid in Ruins almoſt all the Caſtles and Towns of that Electorate: They did the ſame by the Cities of *Spire*, *Worms*, and *Oppenheim*; ſo effectually too, that we are told ſcarce a Houſe was left ſtanding in any of them: At *Heidelberg*, they were ingeniouſly cruel; for the Inhabitants not being able to conceal the Joy they felt, on the Proſpect of their Deliverance from ſuch Tyrant-Maſters, they ſhut them all up in a great Church, the only one they ſpar'd, that they might ſee their City deſtroy'd to its very Foundations; which was done accordingly, without any Regard to Maſterpieces of Art, Remains of Antiquity, or the Works of Zeal and Charity: And, to complete all, they are even accus'd, of appointing a Day of ſolemn Thankſgiving to *God*, in all the frontier Towns, for their Succeſs in theſe diabolic Exploits, and not only enjoining the Miniſters of the Reformed Religion to aſſiſt in it, but to draw their Diſcourſes from the following Text, *Come let us root them out, that they be no more a Nation.*

Horrid Ravages and Devaſtations committed by the French Troops in Germany.

Thoſe who make it their Buſineſs to extenuate theſe brutal Exceſſes, in Tenderneſs to the *French* Nation, and the Glory of their King, endeavour to perſuade Poſterity, that they were the Reſult of Neceſſity and Policy, and almoſt as abhorrent to thoſe who committed, as thoſe who ſuffer'd under, them: But there needs no more to determine how well this Gloſs will endure the Teſt of Time and Reaſon, than to ſet in oppoſition to it, the Behaviour of the Court of *Spain*, at the very ſame Period, under the like Pretenſions of Neceſſity and Policy, and with the additional Weight of innumerable Provocations, *viz.* While Mr. *de Rebenac*, in the Name of the *moſt Chriſtian* King his Maſter, was ſoliciting his *Catholic* Majeſty to ſtand neuter, and almoſt every Occurrence that aroſe gave him Reaſon to deſpair of Succeſs, the Galleons arriv'd at *Cadiz* from *New Spain*, on board of which the Merchants of *France* had, as uſual, an immenſe Treaſure. All was regiſtred in the King's Books, and of courſe to be depoſited in the King's Ware-houſes: *De Rebenac* was too well acquainted with the Practices of his own Court, not to fear, that the *Spaniards* would copy them at this extraordinary Criſis; nor was his Fear wholly unreaſonable; there were, even in the Cabinet of *Spain*, Perſons who not only ſaw, but were for improving, the Advantage; urging, plauſibly enough, That the Conduct of *France* had abundantly authoriſ'd ſuch a Procedure; that ſhe was govern'd by Convenience always, by Equity never; that, with the Fraudulent, Fraud was lawful; that the Seizure now contended for, was no other than a Reprizal, and might be conſider'd as a Part of the very Redreſs they were on the point of drawing the Sword to procure; that to weaken an Enemy was a Part of Self-defence; that, if an abſolute Confiſcation ſhould be diſapprov'd, the Money might be at leaſt apply'd to the Uſe of the State, till the War was over; and that, even then, the Reſtitution of it might ſerve as a Means of procuring an advantageous Peace. But the Majority, with a true *Spaniſh* Greatneſs, reply'd, That it would be more worthy of the Crown of *Spain* to ſet an Example of Equity and Generoſity to the beſt of Kings, than to tread in the Steps of the Worſt; that one Perfidy of their Side was ſufficient to authorize all thoſe they had hitherto complain'd of, and to furniſh *France* with Arguments to confute their own; that, indeed, if the Treaſure in queſtion had been the immediate Property of the *moſt Chriſtian* King, his *Catholic* Majeſty might hold himſelf at liberty to divert it into his own Coffers; but as it was the Property of Merchant-Adventurers, who had put their Truſt in the unblemiſh'd Honour of the *Spaniſh* Nation, and as there was no declar'd Rupture as yet between the two Nations, it were the worſt of Treaſons to give into the ſmalleſt Violation of that Truſt: And, laſtly, That, even in point of Policy, ſhould it be admitted to be of ſome Uſe, if apply'd to the preſent Neceſſities of the State; no preſent Convenience could poſſibly counter-balance the manifold Miſchiefs which would unavoidably attend ſuch a Breach of national Faith. And ſo much Weight had theſe and the like Reaſons with his *Catholic* Majeſty, that the Treaſure was deliver'd in the uſual Forms, and the Miniſter of *France* aſcrib'd that to his own Addreſs, and the Reſpect ſhewn to the King his Maſter, which was the genuine Reſult of the Honour and Integrity of the *Spaniſh* Nation.

An Inſtance of the exemplary Juſtice of the Spaniards.

But the ſame cruel, if not miſtaken, Policy, which induc'd the *French* to make War at the Expence of all their Pretenſions to Chriſtianity, Civility, or even Humanity, induc'd them alſo, to break thro' all the Obligations of Government at home. The *Huguenots* were no more: The Dragoon-Miſſionaries, formerly ſpoken of, had converted all who had not fled their Country, or who had not breath'd their laſt in the Priſons and the Galleys: But then theſe *new Converts* were as obnoxious as the *Huguenots* had been before: Their Profeſſions were known to be

Cruel Uſage of the new Converts in France.

A.D. 1689. be the Effect of Fear, not of Conviction; and it was apprehended they wanted nothing but Opportunity, not only to retract their new Tenets, but to manifeſt their Reſentments: As often therefore, as they ventur'd to form a Congregation, to worſhip *God* after their own Way, and were diſcover'd, the Soldiery were let looſe upon them; Hundreds of Wretches were often put to the Sword; and ſuch as were taken were either hang'd on the next Tree, without Proceſs or Form of Law; or, by way of Favour, ſent to the Galleys: The moſt eminent among them were moreover ſent to Priſon, either by way of Precaution, or as Hoſtages for the Fidelity of the reſt; and, by expreſs Edict, the Goods and Eſtates of ſuch as had forſaken the Kingdom, and did not return by a certain Day, were to be confiſcated, and their Fathers, Children, Brothers, and Wives, were order'd to depart the Kingdom. The Provinces moſt ſuſpected were moreover viſited with all the Terrors of a military Government; and, by the Aſpect of that Government, the Vigilance of the Commanders, the Apprehenſions they ſhew'd, the Precautions they took, and the Severities they us'd, thoſe Provinces might very well have been taken for new Acquiſitions, and the Inhabitants for ſo many declar'd Enemies.

France oblig'd to exert her whole Force.

To keep the Peace at home upon theſe Terms and by theſe Means, as well as to hold the Conqueſts they had made, and to make head againſt ſuch a Variety of potent Enemies abroad, his *moſt Chriſtian* Majeſty not only found it neceſſary, to have no leſs than three hundred and fifty thouſand Men in Arms, but alſo, to ſet forth an Edict, by which the Ban and Arrier-Ban were order'd to hold themſelves in readineſs to take the Field, upon the firſt Warning: And after all this mighty Multitude were thus diſjoin'd from the Community, his Miniſters found Ways and Means for their Support, by draining and impoveriſhing the reſt.

To be all-ſufficient, or, at leaſt, to be thought ſo, was plainly the Ambition of this great Monarch; and that his Actions might correſpond as far as poſſible with his Pretenſions, at the ſame time that he undertook to reſtore King *James* to his loſt Dominions, he reſolv'd to convince the World, that he was every where able to defend his own. Thus, over and above the two Armies in *Flanders*, already mention'd, under the Command of the Marſhal *de Humieres* and Mr. *Calvo*, he appointed the Duke *de Noailles*, with a third, to act againſt the *Spaniards* in *Catalonia*: And, as it was preſum'd, that the preſent Union of the *Germans* would be of no long Duration, inſtead of making a Diſpoſition to face them with equal Force, and to put the Iſſue of all on one general Battle, he caus'd very ſtrong Garriſons, under the Command of his beſt Officers, to be thrown into all the Places which he thought would be attack'd, and were worth defending: And, while the Enemy, under their ſeveral Leaders, ſhould be employ'd in reducing theſe by ſo many formal Sieges, he caus'd ſeveral ſmall Armies, under the Command of the Duke *de Duras*, in chief, Mr. *de Sourdis*, the Marquis *de Boufflers*, the Count *de Monclare*, and the Marquis *de Choiſeul*, to take all Opportunities of ſurpriſing Convoys, circumventing Parties, plundering and burning Towns, and, in general, of ravaging the Country wherever they came.

But how politic ſoever this Method of Proceeding may be thought, it is not unreaſonable to ſuppoſe, that the Merit of it was, in Part, the Reſult of Neceſſity; for, in certain intercepted Letters from Mr. *de Louvois* to the Marquis *d'Uxelles*, Governor of *Mentz*, which fell into the Hands of the Duke of *Lorrain*, it is acknowledg'd, "That the King had been forc'd to ſend the Arier-Ban towards the Coaſts; and that by reaſon of ſome Diſappointment, he (the Marquis) muſt not expect very conſiderable Succours; for that the Demand of Troops was too great every where, and that the Enemy had never had before ſo great a Force in the Field."

Thus we find, that even this *Briarius* of Kings had all his Hands full; and that, how great ſoever his Strength really was, it was, for this once, overmatch'd.

To paſs on to the Campaign itſelf: While the *French* were, on all Sides, buſy in laying waſte the Territories they abandon'd, the firſt Undertaking of the Allies was to reduce ſuch Places in the Electorate of *Cologne*, as, having admitted mix'd Garriſons of *French* and *Germans*, ſtill adher'd to the Cardinal of *Furſtemburg* who had plac'd them there; and that not more to compliment the Elector with the entire Poſſeſſion of his new Dominions, than to reſtore to *Germany* the Command of the *Rhine*. This fell to the Lot of the Elector of *Brandenburgh*, and the Troops under his Command; and the Places thus to be reduc'd, were *Rhineburgh*, *Keyſerwaert* and *Bonne*. Care was taken, however, that the firſt ſhould give him no Trouble. The Baron *de Berenſau*, the Governor of it, had given out, That he was under no Engagements to *France*; and that thoſe he had enter'd into, were ſimply to hold the Place for the Prince, who ſhould be *canonically* choſen. This made way for a Negociation: An Offer was made him to pay his Garriſon, and continue him in the Command, in caſe he would open his Gates to the new Elector: He embrac'd it: The Agreement was ſign'd *May* 15, N. S. The next Day both he and the Magiſtracy took the Oaths of Fealty, and four hundred *Brandenburghers*, and five Companies of *Dutch*, took Poſſeſſion. The *French*, who amounted to ſix hundred, being ſent to to *Armberg* and *Warle*, and the twelve hundred *Germans*, who made up the Reſidue of the Garriſon, being reſerv'd to take the Field.

Rhineburgh admits to the Elector of Cologne.

The Cardinal of *Furſtemburg* himſelf had till now continued his Reſidence at *Bonne*; but after the Loſs of his Convoy at *Liege*, and the Surrender of *Rhineburgh*, finding the Ground ſink under him on all Sides, he ſtripp'd the Electoral Palace of all its valuable Furniture, to the very Ornaments of the Chapel, and retir'd to *Metz*; from whence he made the beſt of his Way to *Paris*.

While the Treaty with the Governor of

A. D. 1689. *Rhinebergh* was depending, the *Brandenburgers* inveſted *Keyſerwaert*, and would have induc'd Mr. *Marcognet*, who had the Command there, to follow *Berenſau*'s Example: But he had other Notions of the Truſt repos'd in him, and reſolv'd to be true to it, tho' aſſur'd, that, if he did not capitulate before the 25th of *May*, he ſhould have no Quarter: Accordingly, the Place being rather blockaded than attack'd, he ſuffer'd the Time preſcrib'd to elapſe, without making the leaſt Conceſſion; which oblig'd the Elector to proſecute the Siege in Perſon, with his whole Army: It was the 21ſt of *June*, N. S. when he arriv'd in his Camp; the ſame Night the Trenches were open'd; and by the 24th, all his Bomb and Cannon Batteries began to play on the Town, with ſuch Succeſs, that the great Tower was ſet on fire, and many Houſes beſides: A Storm was the next thing to be apprehended, and the Governor ſeem'd reſolv'd to abide all Extremities; but the *German* Part of the Garriſon being of another Opinion, he found himſelf under a Neceſſity to beat a Parley the next Day, and ſurrender the Place, on condition that the *French* ſhould march out with all the Honours of War, and be conducted to *Luxemburgh*; and that the *Germans* ſhould be at liberty to retire with their Baggage to whatever Place they pleas'd, or to enter into the Service of any of the Confederates; but not to continue any longer in that of *France*: The Governor had alſo Leave to take two thouſand Crowns along with him, out of the Contribution-Money, which he had in his poſſeſſion, and which amounted to upwards of eighty thouſand Crowns: The reſt was left to the Diſpoſal of the Elector; who having garriſon'd the Place with four hundred *Brandenburghers*, two hundred *Dutch*, and two hundred *Munſterians*, gave the Command of it to General *Schoening* (who had diſtinguiſh'd himſelf in the Beginning of this Year, by defeating the Marquis of *Sourdis*, together with about ſeven or eight thouſand *French*, in the Neighbourhood of *Neyss*); and ſoon after made the neceſſary Diſpoſitions for laying ſiege to *Bonne*.

Keyſerwaert reduc'd by the Elector of Brandenburgh.

In this Interval the Duke of *Lorrain*, with the Army under his Command, paſs'd the *Rhine* at *Coblentz*, as alſo the *Moſelle* at *Alcken*, in his Way to *Honſdruch*; where he was join'd by the Troops of *Lunenburgh*; and (having left five thouſand Imperial Horſe in the Territories of *Triers*, to hinder the Excurſions of the *French* Garriſon at *Mont-Royal*; as alſo thrown Garriſons into *Meyen*, *Hilleſheim*, and *Aſchaffenburg*, to cut off the Communication between *Mont-Royal* and *Bonne*) continu'd his March thro' the great Foreſt of *Saxn*, in order to lay Siege to *Mentz*; but halted ſix Leagues ſhort of that City, to reduce the ſtrong Caſtle of *Ebernburg*, which was alſo held by the *French*. The *Saxons* had Orders, at the ſame time, to lay a Bridge of Boats over the *Rhine*, a little below *Oppenheim*, to facilitate their Junction with the Duke, in the Neighbourhood of *Mentz*; and the *Heſſians*, who, together with a Party of the *Saxons*, were to keep their Poſts at *Coſtheim* and *Caſſel*, on the other Side of the *Rhine*, had already erected ſeveral Batteries, with which they endeavour'd to annoy that City; and, more eſpecially, to demoliſh the Forts which the *French* had rais'd to command the Paſſage of the *Main* into the *Rhine*. A. D. 1689.

On the 17th of *July* the Duke of *Lorrain* with the Imperial Army ſat down before *Mentz*, and the ſame Day was join'd by the Elector of *Saxony* and his Troops; the Horſe paſſing the *Rhine* over the Bridge before-mention'd, and the Foot in Boats: On the 22d the Trenches were open'd; and on the ſame Day the Elector of *Bavaria* arriv'd in the Camp, and was prevail'd upon not only to reinforce the Army with a large Body of his Troops, but alſo to co-operate in carrying on the Siege in Perſon, while the reſt of his Forces continued at *Ladenburgh*, to reſtrain the Excurſions of the *French* from *Philipſburgh*, who threaten'd to put the neighbouring Country under Contribution: The Enemy had in Garriſon twelve Battalions of their very beſt Troops, a Regiment of Horſe, a Regiment of Dragoons, a Company of Bombardiers, and a Company of Miners; all under the Command of the Marquis *d'Uxelles*, who, by the Works he had added, the Stores he had provided, and the Preparations of all ſorts he had made, very plainly manifeſted his Deſign was to defend the Place to the laſt Extremity. Mentz inveſted:

On the very ſame Day that the Trenches were open'd before *Mentz*, the Elector of *Brandenburgh* came in ſight of *Bonne*: A Party of his Forces had ſome Days before reduc'd the Fort on the Side of the *Rhine*, over-againſt that Place, and rais'd three Batteries therein: On the 23d, theſe Batteries began to play on the Town; and on the following Days the Garriſon found themſelves ſurrounded with the Fire of a hundred Pieces of Cannon and thirty Mortars, which were ply'd with great Vigour, and with equal Succeſs; if the Progreſs of Deſtruction and Confuſion deſerves that Name: But as no Trenches were open'd, nor Approaches were made, the *French* maintain'd their Poſts, return'd Fire for Fire, and ſeem'd diſpos'd to defend themſelves againſt this Method of Proceeding, as long as their Ammunition laſted. Why his Electoral Highneſs did not open the Siege in form, as he was preſs'd to do, by the Envoy of *Munſter* and the Magiſtrates of *Cologne*, is, perhaps, to be accounted for partly by the Maxim which is common to the *German* Princes; namely, of ſaving their Men, when they make their Levies at their own Charge; and partly by the Backwardneſs of the ſaid Magiſtracy to make the Payments requir'd of them, to defray the Charge of ſo expenſive an Undertaking. But his Advocates will needs have his Slowneſs to be rather the Reſult of actual Neceſſity, than of Non-payment on one hand, or of that ſaving Policy on the other: For, according to them, his Army was ſo diminiſh'd, by the ſeveral conſiderable Detachments he was forc'd to make, that the Remainder was not ſufficient And Bonne; [*State of Europe, vol. i. p. 380.*]

A. D. 1689. sufficient to profecute the Siege in any other Way. They inſtance, 1ſt, The Demand made upon him by Prince *Waldeck*, who being out-number'd in Horſe by the Marſhal *d'Humieres*, in *Flanders*, made it his Requeſt, that thoſe of the *States* his Maſters, which ſerv'd under the Elector, might be ſent back to reinforce him: But this Requiſition was not made till the Beginning of *Auguſt*, nor comply'd with till *September* the 5th. 2. The Detaching General *Schoening*, with ſix thouſand Men, on what Service will be made appear in its Place: But *Schoening* did not begin his March till the 28th of *Auguſt*. And, laſtly, his ſending ſix thouſand more, to reinforce the Confederates at *Mentz*: But neither did theſe ſet out on that Service, till the 7th of *September*: So that from the 22d of *July* till the 28th of *Auguſt*, he had his whole Army entire: And yet, in that long Interval, he had not ſo much as completed a Line of Circumvallation.

Excurſions of the Duke de Duras.

While the Confederates were thus employ'd upon the *Rhine*, the Duke *de Duras*, by way of Diverſion, paſs'd the *Rhine* with about fifteen thouſand Men; and to ſhew the *Germans* what they had to expect, in caſe they preſum'd to make any Reſiſtance, having taken a ſmall Place upon the *Neckar* by Aſſault, he put all the Inhabitants to the Sword; after which he puſh'd on to *Heidelberg*, or rather the Ruins of that Place; which the Allies had again taken poſſeſſion of, had garriſon'd with five hundred Men, and had endeavour'd to re-fortify, as well as they could, by throwing up Trenches, ſurrounding the Place with Paliſades, *&c.*: Which had ſo good an Effect, that tho' the Duke came before the Place on the 4th of *Auguſt*, he did not make his Attack till the 7th; in which Interval, the Garriſon was happily reinforc'd by the Regiment of *Wirtemberg*, and by their Help were enabled to make ſo good a Defence, that the Marſhal was glad to retire the next Day, having loſt about three hundred and fifty Men, in his Attempt to ſtorm the Place: Upon the News of this Excurſion, the Confederates lying before *Mentz* detach'd Count *Dunewaldt*, with a Body of ſix thouſand Horſe, to harraſs the Enemy in their Retreat; and Count *Serini*, who commanded the reſt of the *Bavarians*, lying at *Ladenburgh*, made a like Detachment, under the Command of Count *Rabatin*, to do the ſame: But *Dunewaldt* never was able to come up with them; and the only Advantage obtain'd by *Rabatin* was, over a Party of eight hundred Horſe, of whom he kill'd about a hundred, and took ſixty Priſoners; which was, about the ſame time, more than balanc'd by M. *de Duras*; for, coming to *Bruſchal*, where two Battalions of *Bavarian* Troops were poſted, he oblig'd them to ſurrender at Diſcretion, and, together with the Inhabitants, ſent them Priſoners to *Straſburgh*: He then caus'd the Place itſelf to be burnt to the Ground; as, in the Courſe of his March towards *Baden*, he did alſo by *Bradheim*, *Dourlach*, *Ellingen*, *Heydelſpeim*, (*i*) *Weingarten*, *Stollhofen*, *Maulbron*, and, in general, all the Towns and Villages that lay in his Way; inſomuch that the whole Face of the Country preſented nothing but one vaſt Scene of Deſolation.

About the ſame time that the Duke *de Duras* ſet out on this barbarous Expedition, the Marquis *de Boufflers* advanc'd from *Luxemburgh* into the Territories of *Triers*, having under his Command three thouſand one hundred Horſe and Dragoons, according to ſome Accounts; but, according to others, ſix and forty Squadrons of Horſe, and near three thouſand Foot: All however agree, that his Commiſſion was of the ſame kind with that of the Duke, and that he made the ſame Uſe of it, by burning and deſtroying all before him; which he found no very difficult Taſk; for, except at *Cochem*, a ſmall Town upon the *Moſelle*, about five Leagues from *Mont-Royal*, it does not appear that he found any to reſiſt him: But there lay a Party of *Germans*, half Imperialiſts, half Inhabitants of *Triers*, conſiſting of ſeven hundred Men, ſay ſome; of ſixteen hundred, ſay others; who, on the Marquis's Approach, ſtood to their Arms, refus'd to ſurrender, unleſs upon honourable Conditions, and, that being refus'd, prepar'd for a vigorous Defence: The *French* had no Artillery; being therefore under a *Neceſſity to proceed by Storm*, they made three ſeveral Attacks at once, and were repuls'd in all, three ſeveral times: The Place itſelf was little better than a Ruin; for it was one of thoſe which they had before demoliſh'd; and when they were returning to the Charge a fourth time, all enrag'd with the Difficulty they had met with, and the Loſs they had ſuſtain'd, thoſe within, who were poſted in the Caſtle, were at that Inſtant retiring into the Town, thinking it the moſt tenable; which gave them an Opportunity not only to enter on that Side, but even to ruſh into the Town itſelf together with the unfortunate Defendants: The Latter did not however throw down their Arms; but, on the contrary, drawing up in the Market-place, fought on deſperately, till they were overpower'd by Numbers; and then the exaſperated Victors put them all to the Sword, as alſo all the Inhabitants, Man, Woman and Child; except about three hundred, who, more thro' Wearineſs than Remorſe, had the Favour to be made Priſoners of War.

It was the News of this Exploit, and that the Marquis was marching on to *Meyen*, that induc'd the (*k*) Elector of *Brandenburgh* to detach General *Schoening* from the Siege of *Bonne*, as above-mention'd: And all the Service perform'd by that Detachment was, the frightening the Marquis back to his Den; for *Schoening* never came up with him.

In this Interval Prince *Waldeck* having ſo far

(*i*) In their firſt Attempt on this Place, the *French* were ſo warmly receiv'd, that out of four hundred but fourteen eſcap'd: But, in their ſecond, they carry'd it without Reſiſtance.

(*k*) Thoſe who undertake to juſtify that Prince's Conduct, ſpeculate this Action a whole Month, viz. the 25th of *July* for the 25th of *Auguſt*.

A. D. 1689. far reinforc'd his Army, that he was superior in Foot to the *French*, tho' he remain'd still inferior in Horse, thought it high time to put his Troops in Motion; and, accordingly, without waiting for the Detachment, which he had requir'd from before *Bonne*, he march'd towards the *Sambre*, *August* the 12th; and having been re-inforc'd by the way with 4000 *Lunenburgh* Horse, pass'd that River on the 16th, and took post on the 19th, at *Hom-sur-Heur*; upon which Mr. *de Humieres* retir'd towards *Maubeuge*. On the same Day the Marquis *de Gastanaga*, Governor of the *Netherlands*, join'd the Army under Prince *Vaudement*; and, together with that General, concerted the necessary Measures for forcing Mr. *Calvo's* Lines, between the *Schelde* and the *Lys*, which extended from *Pont-Espierres* to *Menin*.

Both *Calvo* and *de Humieres* had express Orders to put nothing to the Hazard; but to keep on the Defensive only; and for the very same Reasons that these Orders were given, the Allies made it their Business to oblige those Generals to break them. It was with this View that Prince *Waldec*, having drawn out his Army on the 21st, offer'd the Marshal Battle; and when he found the Marshal had so much Command of himself as to withstand the Bravade, and keep close in his Camp, which he had also taken care to fortify, he made a Feint in the next Place to attack *Philippeville*; and when that Artifice also fail'd of its Effect, he sent out his Parties on every Side to bring in or destroy the Forage of the whole Country.

The Allies at Walcourt. It was thus a large Party of his Army was employ'd in three several Divisions, under the Command of the Generals *Webbenau*, *Marlborough* and *d' Hulst* on the 25th, when he receiv'd Advice, that the Marshal, having been re-inforc'd with 6000 Men, was on his March towards him, and of which he gave immediate Notice to the Foragers, by causing certain Pieces of Cannon to be fir'd, which was the Signal for their Return to the Camp; and also by sending Major *de Reo*, with certain Light-Horse to bring them back. But while this was doing, the Van of the *French* Army, not only appear'd in Sight, but actually push'd on to attack that of the Allies, which was in no Disposition to receive them. The Prince had, however, posted eight hundred Foot, mostly *English*, under the Command of Colonel *Hodges*, at a Village call'd *Forge*, to cover the Foragers, who, for two Hours together, defended the Place with the utmost Bravery; and then, seeing the whole *French* Army at hand, retreated fighting, under the Cover of those very Light Horse which had been detach'd to call home the Foragers, till they gain'd the Top of a Hill near *Walcourt*, where was posted a Battalion of *Lunenburghers*, who not only stood the Shock of the Enemy, but held them at bay, till they were reinforc'd by another Battalion. The Town of *Walcourt* was the Pass to the Camp of the Allies, and to gain and defend it, was the great Business of the Day. To gain it the *French* made their Attack with six Battalions of Guards, certain Regiments of Horse and Foot, and several Pieces of Cannon: And to defend it Prince *Waldec* rais'd a Battery on a Hill above it, and caus'd two several Bodies of Troops to advance; the first consisted of three Regiments, one of them *English*, conducted by Brigadier *Talmash*, under the Command of Lieutenant-General *Ashau*; and the second, all *English*, under the Command of the Earl of *Marlborough*. These bore the Brunt of the whole Dispute, which lasted till six o'Clock in the Evening; at which time *Talmash's* Regiment, which had been detach'd, under the Command of Major-General *Slangenburg*, to charge the Enemy in Flank, perform'd that Service so resolutely and effectually, that they thought fit to retire, leaving behind them their Cannon and Ammunition, as also their Dead and Wounded; which, according to the *French* Account, amounted to less than (*l*) seven hundred, but according to that of the Allies, to two thousand. There was, however, no Pursuit; which, notwithstanding what is urg'd, that the Ground was hilly, *&c.* argues, that the Advantage was not very great, and that Mr. *d'Humieres* was in a Condition to sustain his Party. Prince *Waldec*, in his Letter to the *States*, signifies, "That the Enemy, in their Retreat, sent two Drums to desire a Cessation to bury their Dead, who acknowledg'd, That the six Battalions of Guards engag'd in the Attack, were, for the most part, ruin'd." Speaking of his own Loss, he at the same time says, "On our Side, none of any Consideration were kill'd, besides Lieutenant-Colonel *Grahme* of the *English*, the Major of the *Lunenburgh* Dragoons, and a Captain-Lieutenant; and a Captain of some Foragers was taken; and in the Town there were very few kill'd or wounded." These few are made to amount by some, to between two and three hundred: And as to the Issue of all, it is thus modestly summ'd up in the Prince's Letter, "The *French* retir'd to their Camp, and our Troops kept their Ground till Night." *Now this keeping their Ground* was apparently all the actual Advantage the Allies had to boast; and as that Advantage consisted in the Honour only, it may be said, that that Feather was the General's Fee: But even the General himself had scarce worn it in his Cap, before it was blown away; for, on the first of *September*, he repass'd the *Sambre*; and on the sixth, a Party of fifteen thousand *French* erected a Battery at *Chasteler*, to cannonade him in his Camp; which, tho' a mere Piece of Ostentation, serv'd, however, to manifest, that the Affair of *Walcourt*, was, in point of Consequence, scarce worth the Expence of a Courier; for Prince *Waldec* was so far from calling them to an Account for this Insult, that he

(*l*) Among whom were the Count *d'Aubigeon* Commandant of the Guards, Brigadier *Collert*, the Commissary of the Artillery, four Captains of the Guards, one Captain of Horse, and one of Foot.

A. D. 1689. he kept close within his Lines, answer'd their Challenge with his Cannon only, and suffer'd them not only to go off without Punishment, but without Molestation.

The Spaniards join the French Lines.

The Marquis *de Gastanaga* and Prince *Vaudemont*, in the mean while, continued their March towards Mr. *Calvo*; but he, having Notice of their Intentions, decamp'd on the fifth Instant, and made the best of his way towards *Tournay*: But that his Retreat might have the Air of an Enterprize, he, at the same time, sent a Detachment to plunder and burn *Courtray*; which was, however, prevented by the Vigilance of Prince *Vaudemont*. The Allies took immediate Possession of the Lines which the *French* had abandon'd, and not only summon'd in the Boors of several Villages, within the *French* Territories, to demolish them, but laid the adjacent Country under Contribution.

It was about this time, that the *French* talk'd of nothing less than raising the Siege of *Mentz*: And there is some Reason to think they were in earnest; for Marshal *d'Humieres* was order'd to send a Detachment of eight thousand Men, to reinforce the Duke *de Duras* on the *Rhine*, and to replace them, by drawing ten Battalions out of the Garrisons in *Flanders*: But, whether they were in earnest or not, this Measure made no Alteration in the Conduct of the Allies on that Side; for, instead of weakening himself, by sending another Detachment to follow that of the *French*, Prince *Waldec* did no more than send a Courier to the Duke of *Lorrain*, to put him on his Guard; who was thereupon furnish'd with the *Brandenburghers* from *Bonne*; on the contrary, they seem'd to redouble their Preparations to finish the Campaign with some Master-stroke: Thus, on the 25th, the *Spanish* and *Dutch* Armies join'd each other at *Hall*: The next Day, the long-expected Body of Horse arriv'd from *Bonne*; eight thousand *Hanoverians*, in *Spanish* Pay, commanded by the Duke in Person, were also in full March, to reinforce them yet farther (and would have been in *Flanders* much sooner, if, thro' the Importunities of the Emperor, they had not been detain'd at *Mentz*); and, on the 3d of *October*, the combin'd Army march'd from *Enghien*, in quest of the Marshal; who, having decamp'd from *Leffines* two Days before, had taken post at *Leuze*, between two Rivers; and, for farther Security, tho' reinforc'd by Mr. *Calvo* and his Corps, had fortify'd his Camp with Intrenchments, Redoubts, Cannon, &c. This did indeed argue Fear, but then it bestow'd Safety; for when the Allies came up, they found it impossible to make use of their Superiority; and, after putting in practice all the Arts they could think of, to draw the Marshal from behind his Works, in vain, had at last the Mortification to see him decamp on the 15th, and take Refuge under the Cannon of *Tournay*, without having it even in their Power to insult his Rear, or snatch any Advantage of any kind: Soon after which the several Armies broke up, and were distributed into Winter-Quarters.

During a great Part of this time, the Siege of *Mentz* was carry'd on with the utmost Vigour, by the confederate Princes; and the Place was defended with as much Resolution by the *French*: The Works which the Former rais'd, the Latter made it their Business to destroy: Both were under the Dominion of the same violent Passions: These believ'd the Glory of their great Monarch was committed to their Keeping; Those, that they were the Avengers of their bleeding Country. The same eager Spirit, whether of Rage or Ambition, which animated the Commanders, possess'd even the private Men: Hence every Attack, and every Sally, was equally desperate; every Day the Sun rose and set in Blood; and every Hour produc'd some new Spectacle of Horror.

The Progress of the Siege of Mentz.

On the 20th of *August*, the Besieged made no less than three Sallies, within two Hours of each other; and the Last with three thousand Men, in Battle-Array, Drums beating, Colours flying, and with as much Fury, as if they meant to storm the Trenches that surrounded them: All these several Actions were fatal to Numbers of gallant Men; but the last the most: For the Confederates, not expecting a new Effort, were scarce in a Condition to defend themselves, much less to give a proper Reception to the Enemy: The Consequence of which was, that the *French* kill'd six hundred on the Spot, spik'd two Pieces of Cannon, fill'd up the Trenches, and posted their Main-guard of Horse in the Place where the Besiegers had begun to make their Approaches, before they could be repuls'd; tho' not without very considerable Loss to themselves. They also intended to have made another Sally, with a much greater Force, on the 25th, being St. *Louis*'s Day; but were prevented by one of the Besiegers Bombs, which fell among three thousand Hand-Granades, prepar'd for that Occasion, and blew them all up. On the 28th, when the Grand-Battery at the *Bavarian* and *Saxon* Attack, consisting of thirty-six Pieces of Cannon and ten Mortars, was to be play'd for the first time on the Town and Citadel, all the Musqueteers were drawn out, and order'd to give three Volleys, in the Front of the Lines, by way of Prelude; every Volley was follow'd by a Discharge of eight Bombs; and all was accompany'd with a a grand Chorus of Trumpets, Kettle-drums, and Hautbois; as if the Experiment of the Day had been to render Destruction pleasing, and make Men proud of being sacrific'd: And if ever it answer'd, it was now; for the *French*, in emulation of the Besiegers, made continual Returns of the like military Gallantries, and were led, under the same deceitful Appearances, to the same Ruin. It was after this Manner, and with prodigious Slaughter on both Sides, that these dreadful Operations were carry'd on till the 6th of *September*: And by that time, the Besiegers, in spite of all Opposition, having brought their Approaches close to the Walls, and several wide Breaches appearing therein, Preparations were made throughout the whole Camp for storming the Counterscarp; which took up the whole Day, till almost five in

the

A.D. 1689. the Afternoon: At which time the Signal being given, by a Diſcharge of four Pieces of Cannon and the firing a Bomb into the Air, the Attack was open'd at three ſeveral Places, with three ſeveral Columns of twelve thouſand Men each; who were divided into many ſeparate Bodies, that they might be able to ſecond and ſupport each other, as Exigencies ſhould ariſe. To break the Fury of this Storm, which they ſaw thus burſting upon them on every Side, the *French* gave fire to their Mines; but ſo raſhly and prematurely, that they had little or no Effect: The Aſſailants then fired their Counter-Mines, and, while the Earth trembled with the Shock it had ſuſtain'd, and the City was in a manner loſt in the Smoke which ſurrounded it, puſh'd on through the Cloud, mounted the Ruins they had made, and, after a moſt obſtinate Reſiſtance, which laſted four Hours and a half, not only carry'd the Counterſcarp Sword in hand, but cut in pieces all that oppos'd them, and purſued thoſe that fled, even to the very Gates. But this boaſted Succeſs coſt the Confederates, even by their own Confeſſion, the Lives of two thouſand five hundred Men; and, according to the Accounts of others, of thouſands more; for of three thouſand Grenadiers, that made the firſt Impreſſion, it is ſaid, hardly one thouſand return'd to the Camp. On the other Side, the *French* loſt above twelve hundred of their braveſt Men; and, ſeeing themſelves ſo expos'd on every Side to the Fury of an irreſiſtible Enemy, without any Proſpect, or even Poſſibility, of a timely Relief, they beat a Parley, and ſurrender'd the Place on the eleventh Inſtant; the Remains of the Garriſon marching out with their Arms and Baggage, Drums beating, Colours flying, ſix Pieces of Cannon, and two Mortars; but being oblig'd to leave behind them all the Contributions which they had exacted from the Inhabitants, and the Parts adjacent.

The Place re-du'd;

Upon the Whole, it muſt be allow'd, that if the Acquiſition was great, it was dearly purchas'd: Every Day's Expence amounted to a vaſt Sum, and every Advance the Beſiegers made coſt them Numbers of Lives: Even among the Princes and Grandees, many who were in purſuit of Glory met with Death: Scarce was the Place inveſted, before the young Prince *Palatine* was kill'd: And, in one of the terrible Sallies abovemention'd, the Prince of *Hanover* eſcap'd ſo narrowly, that a Shot went through his Hat: On the 25th of *Auguſt*, the Prince of *Weidentz* receiv'd a mortal Wound in the Trenches; as did alſo Duke *Chriſtian* of *Saxe-Hall*, on the 3d of *September*: And, in the Grand Aſſault, General *Wallis*, and ſeveral Colonels, were kill'd; and moſt of the commanding Officers were deſperately wounded.

Still the Siege, or rather Blockade, of *Bonne* continued; and the Elector of *Brandenburgh* was become ſo weary of it, that he was on the point of leaving the Direction of it to General *Swartz*: But, on receiving the News that *Mentz* was ſurrender'd, and that a Body of Imperialiſts were in full March to his Aſſiſtance, he alter'd his Purpoſe, and reſolv'd to command in perſon, till the Place was reduc'd. Accordingly two Attacks were open'd on the 16th, which were carry'd on with great Vigour till the 24th, when the Duke of *Lorrain* arriv'd in the Camp with four thouſand Horſe; and two Days after came up the Foot, conſiſting of eleven thouſand Imperialiſts and *Lunenburghers*, together with twenty-four Pieces of Cannon and ſeveral Mortars. A.D. 1689.

The Siege was now carry'd on with two hundred and fifty Pieces of Cannon, beſides Mortars; and the Progreſs made was ſuitable to the Strength employ'd in it: On the 9th of *October* the Counterſcarp was carry'd by Storm, as before at *Mentz*, and with proportionable Loſs on both Sides: This produc'd an Offer to capitulate the next Day; which was accepted by the Beſiegers; but the Treaty was not perfected till the 12th: For Mr. *d'Alſfelt*, the Governor, having demanded, that twenty Perſons ſhould be permitted to go out maſk'd, the Confederates abſolutely refus'd it; and the Terms at laſt agreed upon were, in the main, the ſame with thoſe of *Mentz*: In virtue of which, the Garriſon march'd out on the 15th, being reduc'd to half their original Number; and the Troops of *Brandenburgh*, *Holland*, and *Munſter*, took poſſeſſion: And immediately after, the two Armies, ſufficiently fatigued with ſo long and deſperate a Campaign, broke up, in order to paſs into their Winter-Quarters. *as alſo* Bonne.

As by the means of the *French*, who had their Agents perpetually at Work, both to perſuade the King and Republic of *Poland*, to ſtrike up a Peace with the *Porte*, and to induce the *Porte* to continue the War with the Emperor, there was a ſort of Connection between the Wars on this Side of *Europe* and thoſe of the other; it is alſo neceſſary to throw in a Sketch of the moſt material Paſſages which happen'd on the Latter, as well as the Former.

The Campaign was open'd with an Action in *Croatia*, between five thouſand *Turks* and a Body of *Croats*, who were encamp'd near the River *Urna*, between *Vibitz* and *Novi*; ſo much to the Diſadvantage of the *Turks*, that the greateſt Part of them were either put to the Sword or drown'd, their Commander taken Priſoner, and, together with eleven Standards, ſent to *Vienna*, in evidence of the Victory.

The Prince of *Baden*, according to the dilatory Cuſtom of the *Germans*, did not take the Field till about the 10th of *June*; and had even then the Mortification to find but fifteen thouſand *Germans*, or regular Troops, in his Army; while the *Turks*, as he was adviſ'd, were making Preparations to paſs the *Morawa*. This induc'd him to quicken the March of the Regiments that were ſtill to come up; as alſo, to order General *Piccolimini* to join him immediately with the Troops under his Command, on the Frontiers of *Boſnia*; after which he advanc'd towards that River, (*Morawa*) with all poſſible Expedition; deſigning to engage the *Turks*, if they attempted

A. D. 1689. tempted to pass over; but, finding by the way that the Enemy were not so forward with their Preparations as he expected, he thought it advisable to suspend his Design, and retire, till he was farther reinforc'd by the Forces under General *Veterani*, from *Transilvania*; who join'd him *July* 12, at a Place call'd *Collar*. In this Interval, the *Turkish* Seraskier, hearing of his Retreat, pass'd the *Morava*, and follow'd him with his whole Force, which was said to be forty or fifty thousand Men; but receiving Intelligence, by two Deserters, that the Imperial Army was now fully form'd, repass'd it again; and, to keep up the Spirit of his Troops, gave out, that he was soon to be join'd by the Grand Vizier, who was on his March, with the rest of the Forces from *Adrianople*.

The Battle of Passarowitz, or Patochin.

But the Prince, having thrown a Bridge over the *Morava* at *Passarowitz*, and secur'd it with a sufficient Redoubt at each End, without the least Regard to these intimidating Speeches, resolv'd to go once more in quest of the Enemy; who, we are told, had form'd a Design to enclose him in on every Side, and had actually begun to put it in Execution: *August* the 29th the advanc'd Parties of the two Armies met, and the whole Day was spent in several little Actions; in all of which, we are told, the *Imperialists* had the Advantage: The next Day, the Engagement became general: The Prince attack'd the *Turks* in their Intrenchments, near *Patochin*; which, being poorly defended, he became Master of, and, before Night, of their very Camp itself; the whole *Turkish* Army being struck with such a Panic, that they gave way before two Regiments of Foot, supported indeed by all the Cavalry, and at last made off in the utmost Confusion; leaving behind them all their Tents, Ammunition, Provision, Waggons, Camels, Buffaloes, *&c.* besides an hundred and five Pieces of Cannon, and three Mortars; and in their Flight becoming a Prey to the *Hungarians* and *Rasciani*, who made a far greater Slaughter amongst them, than they had suffer'd in the Action itself.

The *Turks*, who, before this Defeat, had form'd a Design of entering into *Sclavonia*, now thought only of preserving themselves: The Seraskier had directed his Course to *Nissa*, where his Magazines lay; and finding his Army was still far superior in point of Number to that of the *Imperialists*, resolv'd to make another Stand, and so to post himself, that, the Goodness of his Disposition might, if possible, restore the Confidence of his Troops. Accordingly he contriv'd to cover his Camp in such a manner, by making a proper Use of the happy Situation of the Place, that it was accessible only in the Rear; which he chose to leave open, that, in case the Enemy should prevail in the Front, he might be sure of a Retreat.

The Battle of Nissa.

On the 23d of *September* the *Imperialists* came up; and were surpriz'd to find the Infidels become such Proficients in the Art of encamping, which they had hitherto despis'd: Nothing pass'd that Day but insignificant Skirmishes; for the *Turks* were too cautious to quit their Lines, and the Prince of *Baden* was soon convinc'd that he could not force them: But, the next, the *Imperialists* having quitted their Camp an Hour before Day, and having rounded the Hill, discover'd the Opening before spoken of, and made as much Haste as the Ground would allow, to seize that only Advantage: The Seraskier, on the other hand, who now saw his Error, lost not a Moment in endeavouring to repair it: He set all his Pioneers to work, to fortify the Pass, order'd the Flower of the Janisaries to cover them, and the Spahies to issue out, and hold the Assailants in play, till these supplemental Lines were finish'd: But these were soon repuls'd; and tho' they charg'd a second time, with greater Fury than before, it was with worse Success; for now they were driven back upon the Janisaries, who also fir'd upon them, to oblige them to stand their ground, as did all the other *Turkish* Troops within Reach: But, instead of the desir'd Effect, this only serv'd to increase their Confusion: The *Imperialists* made their Onset at the same time, and had nothing to do but to hew their Passage thro' the Rout they had made. The Janisaries were themselves in the mean while attack'd; and, after a stout Resistance, which was fatal to General *Vellen*, who had the Command of the Right Wing, fell into Disorder, and mix'd with the fugitive Spahies, whom they had before so roughly handled: The rest was nothing but Confusion; and, had not Night come on immediately after, the whole *Turkish* Army had probably been broken to pieces: As it was, Numbers were kill'd, Numbers were drowned in the River which bounded one Side of their Camp; and all their new Tents, (including that of the Seraskier, which had been just presented to him by the Grand Vizier) Baggage, Cannon, Stores, *&c.* fell a second time into the Hands of the Victors: Nor was this all; for in *Nissa*, which they enter'd without Opposition, they found Provisions enough for the Subsistence of the whole Army, for five or six Weeks, and above three thousand Horses.

On the 6th of *October*, the Prince resum'd his March, with the best of his Troops; and on the 11th, came in sight of *Widin*; in which Place he found the Enemy, advantageously posted as before, but not as before relying on the Strength of their Intrenchments only: For their Cavalry now, as if ambitious to retrieve their lost Characters, issued out, and attack'd the left Wing of the *Imperialists*, where Prince *Lewis* commanded in person; but were again repuls'd, and driven back to their Intrenchments: The Janisaries also not only receiv'd but cover'd them, and fought like Men that resolv'd to sell their Lives as dearly as possible.--- But the *Ottoman* Star had lost its Influence.--- The *Imperialists* surmounted all Opposition; and, having storm'd the Lines on all Sides, gain'd another complete Victory, which was accompany'd with the Surrender of *Widin*: After which the Prince dispers'd his Troops

and that of Widin.

A. D. 1689. into their Winter-Quarters, and return'd himſelf.

Thus it became univerſally manifeſt, that the Emperor, with leſs than half his Forces, could humble the *Turk*; and, when vigorouſly ſupported by the Princes of the Empire, and the reſt of his Allies, was not only able to hold the *French* at Bay, but even to wreſt their Conqueſts out of their Hands. It became alſo manifeſt, from the Stand which they had made on all Sides, that nothing leſs than a Continuance of the ſame Confederacy, and a Continuance of the ſame Harmony in the ſeveral Members of which it was compos'd, could poſſibly bring to Perfection the great Deſign in hand, of ſetting Bounds to the encroaching Genius of that haughty People, and of preſerving a due Balance of Power, which now, for the firſt time, began to be the current Language of *England*, as well as the other confederated Powers of *Europe*.

And yet, before this very Summer was quite expir'd, an Incident occurr'd, which ſerv'd to ſhew how rightly *France* had reaſon'd, with reſpect to the Union of the *German* Princes; and how liable the greateſt Fabrics, which were founded on public Good, were to be ſhaken by the ſmalleſt Gale of private Intereſt.

Death of the Duke of Saxe-Lawenburgh, and the Diſſenſions it occaſion'd.

The Duke of *Saxe-Lawenburgh* had departed this Life at *Repſtadt* in *Bohemia*, where he had a large Patrimony, conſiſting of many Lordſhips, towards the End of *September*: He had a Family-Clame to the Electorate of *Saxony*, as being deſcended from *Bernard* II. Brother and Heir to *Eric* V. who dy'd without Iſſue in 1431; for this *Bernard* ſuffering the Time of demanding the Inveſtiture to lapſe, the Emperor *Sigiſmund* took the Advantage to beſtow it on *Frederic*, Landtgrave of *Thuringia*. A long Diſpute enſued between the two Houſes; which was at laſt compromis'd in the Year 1671; on condition, that if there ſhould be a Defect of Male Iſſue on either Side, the other ſhould ſucceed to the Inheritance. Now this was the Caſe of Duke *Julius-Francis*, of whom we are now ſpeaking; and, in right of the ſaid Treaty, the Elector of *Saxony* not only laid clame to his Territories, but made all poſſible Haſte to take poſſeſſion; as being aware, that other Clamants would immediately ariſe; as alſo, that all the neighbouring Princes would interfere in the Conteſt, and ſeverally eſpouſe the Pretenſions of him that was moſt in their Intereſts. Theſe other Clamants were the Houſe of *Anhalt* and the Houſe of *Lunenburgh*; both of whom had Deeds of Settlement to ſhew, under the Hand of the late Duke, of a later Date than the Treaty of Compromiſe above-mention'd. That of *Anhalt* was the weakeſt of all, and therefore had the moſt Friends; tho' not out of Kindneſs, but Policy: For the Duchy in queſtion was not conſiderable enough to make them formidable; and yet was held too conſiderable to deſcend to thoſe who were formidable already. Among theſe the Elector of *Brandenburgh* intereſted himſelf the moſt, as being moſt jealous of the Houſe of *Lunenburgh*: And, at his Inſtance, even the Elector of *Saxony*, the original Clamant, was prevail'd on to wave his Pretenſions, in favour of the Prince of *Anhalt*. On the other hand, the Princes of *Lunenburgh* had the Countenance of the King of *Sweden*, and no more; for that Prince had declar'd, he would interpoſe with his good Offices only: But then they took the moſt effectual Meaſures imaginable to make their Party good, whether they were aſſiſted or not: For the Duke of *Zell* had the Start of the Elector of *Saxony*; and not only threw his Forces into the Towns of *Radzeburg*, *Mollen*, and *Lawenburgh*, but caus'd thoſe Places to be fortify'd, and declar'd his Reſolution to defend them againſt all Perſons whatſoever: This alarm'd the whole Circle, and indeed the whole Empire. The Electors of *Brandenburgh* and *Saxony* made a Shew of oppoſing Force to Force: The Former directed a Body of Troops to advance towards *Mecklenburgh*; the Latter another towards the *Elbe*; and the *Lunenburghers*, with all the Diligence imaginable, made new Levies on all Sides, and took all the Meaſures that could ſhew a ſettled Determination to vindicate all they had done, againſt Both. A. D. 1689.

The Houſe of *Anhalt*, in the mean while, appeal'd to the Diet of the Empire; who, after a ſolemn Examination, tranſmitted a State of the ſeveral Clames to the Emperor; and made it their Requeſt, that his Imperial Majeſty would enjoin the contending Parties to ſtop their military Proceſſes, and leave the Matter to be decided according to the Conſtitutions of the Empire. The Emperor did accordingly interpoſe; and ſo much Regard was paid to his Authority, that Hoſtilities were ſuſpended, and Conferences held: But no Accommodation was made; and it became every Day more and more apparent, that this ſelfiſh Broil had a Tendency to weaken, if not diſjoint, the whole Confederacy.

Campaign in Catalonia.

Such was the State of *Germany*, at the Cloſe even of a ſucceſsful Campaign: And as to the Progreſs of the War on the Side of *Catalonia*, of which we are ſtill to ſpeak, to complete the military Operations of the Year; it was ſuch, on both Sides, as ſcarce deſerv'd that Name. The *French*, it is true, were ſo early in the Field, that in their March to *Campredon*, where they arriv'd *May* 18, they found none but the Miquelets, or Militia, to interrupt their Progreſs; and ſo ſmall a Garriſon in the Place, that they carry'd both Town and Caſtle in three Days Time. After which they gave out, that, for their next Exploit, they would undertake the Siege of *Roſes*: But hearing that the Duke *de Villa Hermoſa*, with a Body of ſix thouſand Foot and four thouſand Horſe, beſides the Miquelets of the Province, was advancing towards them, they thought fit to retire to their own Borders, under pretence of the exceſſive Heats, which had already caus'd a Mortality among them: The *Spaniards*, nevertheleſs, follow'd them; and having blockaded *Campredon*, where the *French* had left a Garriſon of fifteen hundred Men, laid *Rouſſilon* under Contribution:

A. D. 1689. tribution: This oblig'd the Duke *de Noailles* to quicken the Reinforcements which he expected out of *Languedoc*; and, while these were coming up, the Duke *de Villa Hermosa* laid siege to *Campredon*, in form; but not with such Success as the *French* had met with before; for the Garrison made a resolute Defence, till M. *de Noailles* came up to their Relief; and tho' the Latter could not raise the Siege, neither could the Former reduce the Place: The *French* had posted themselves on an Eminence, which at once commanded the Camp of the Besiegers, and had a Communication with the Garrison; and under the Fire both of their own Cannon, and those of the Besieged, sent out a strong Party, to force the Enemy's Lines; but were so vigorously repuls'd, and with so great Loss, (almost the whole Party being either cut off, or taken Prisoners in their Retreat) that they not only gave over their Enterprize, but three Days after, having withdrawn their Garrison, spik'd the Cannon, and sprung their Mines in order to dismantle the Place, retir'd with so much Precipitation, that they left several Pieces of Cannon, and a great Quantity of Ammunition and Provision, behind them. But the *Spaniards* made no Pursuit; and, tho' they enter'd the Place time enough to take the Matches from some of the Mines, found others had open'd such irreparable Breaches, that they resolv'd to complete the Ruin which the *French* had begun: And thus ended the Campaign.

Death of Pope Innocent XI. There remains yet another important, foreign Event to speak of, before we can resume the Thread of our own immediate Affairs, *viz.* The Death of Pope *Innocent* XI. among those of the Reformed Religion, commonly called, The *Protestant Pope*, tho' for no better Reasons that appear, than his Opposition to *France*, and the Share he had in setting the Prince of *Orange* on the Throne of *England*. He had fill'd the Papal Chair ever since *September* 22, 1676; and when he died, which was on the 12th of *August*, he left the Holy See, to all Appearance, as much embroil'd with *France* as ever: Indeed his *most Christian* Majesty had found it so far expedient to mollify his Behaviour, that he had recall'd *Lavardin*, and nominated the Duke *de Chaulnes* to succeed him; but then, he still retain'd *Avignon*, and suffer'd all the other Points in dispute to remain in *statu quo*.

The Death of the Pope, as usual, set all the political Humours of *Rome* afloat at once; a thousand Cabals were immediately form'd; a thousand Castles were built; and above all, those of the Imperial and *French* Factions left no kind of Practice untry'd, to give the ensuing Election such a Turn as would prove most favourable to their respective Interests.

On the 14th the College of Cardinals assembled, and chose Don *Livio*, the late Pope's Nephew, to be General of the Church. On the 22d they enter'd into the Conclave, and in the Beginning of *September* the Cardinal *d'Estrees* presented a Letter to them from the *most Christian* King, in Answer to their Notification of the Pope's Death; in which he requested them not to proceed to an Election, till they had heard what the Duke *de Chaulnes* had to propose to them, who was then making all possible haste to *Rome*, with the *French* Cardinals, *de Bouillon*, *Bonzi* and *Furstemburg* in his Train. The Imperial and *Spanish* Factions, on the other hand, not caring to suppose that the *Holy Ghost* was of their Party, were against any such Delay, and did so far prevail, that an Express was sent to that Minister from the Conclave, with Notice, that they could not receive him in quality of Embassador, unless he would renounce all Pretensions to the *Franchises*, and the King his Master would agree to quit *Avignon*. The same thing was also told his Excellency, when he demanded an Audience of the Conclave, on the second Day after his Arrival, namely, the 24th. But so effectual was the Mediation of the *French* Cardinals (who, we are told, came very well provided with Money, and who did not care to make that a Preliminary, which they design'd, if possible, to make an Ultimatum) that he was admitted on the second of *October*, on Condition, that he made the Renunciation requir'd, during the Vacancy of the Holy See. And on the sixth, as if the Conclave had waited only for the Presence of their Brethren of *France*, Cardinal *Peter Ottoboni*, a *Venetian*, Bishop of *Porto*, and Sub-Dean of the Sacred College, was declar'd Head of the Church (being in the eighteenth Year of his Age) by the Name of *Alexander* VIII. *Ottoboni elected.*

After he had receiv'd the Adoration of the Cardinals, as usual, sitting on the Altar of the Chapel, (at which Ceremony the Duke *de Chaulnes*, had the Honour to hold up his Cope, in quality of Embassador from the eldest Son of the Church) that Minister not only complimented him on his Elevation, in the Name of the King his Master, but gave him farther to understand, That as a solid Proof of his Majesty's Satisfaction therein, and the Sincerity of his Intentions to correspond as became him, with the Father of *Christendom*, he restor'd *Avignon* to the Patrimony of the Church. The Drift of this sudden Concession was partly to persuade the World, That the new Pope was in the Interest of *France*, and partly to induce him to adopt that Interest. His *most Christian* Majesty also, in a Letter writ with his own Hand to his Holiness, renounc'd the Franchises, without any Reserve, and signify'd his Readiness to contribute all in his Power towards a thorough Accommodation. His Holiness, on the other hand, overflow'd with Acknowledgements; kiss'd the condescending Letter several Times; and talk'd as if he was all Meekness and Resignation: But when he was call'd upon to verify his Words by his Works, he turn'd a deaf Ear, and appear'd almost as intractable as Pope *Innocent* had been before him. This, instead of granting the Suit of Cardinal *Furstemburg*, who, in Person, besought him to give all the Proceedings in relation to the *Cologne*-Election, a Re-examination, and in which he was seconded by the daily Importunities of Mr. *de Chaulnes*, he confirm'd the Dispensations granted to the Prince of *Bavaria*, *The most Christian King restores Avignon, and renounces the Franchises.*

The Pope worthily confirms the Dispensations

A. D. 1689. *Transactions of his Predecessor to the Prince of* Bavaria.

varia, by his said Predecessor, and thereby enabled him to take Possession of that Electorate; though he had not yet attain'd the Age requir'd by the Canons to qualify him for it: Upon which that Cardinal withdrew from *Rome* in Discontent, and once more repair'd to *Paris*; where, as the Victim of *France*, he still met with a cordial Reception from his *most Christian* Majesty; who immediately on his Arrival rewarded him with the Abbey of *St. Germains*.

King William *grows unpopular.*

While these were the Transactions abroad, the People at Home, or at least a great Part of them, grew more and more sick of their own Choice, and made no Difficulty to avow, that their Experiment had not fully answer'd: It is, at this Distance of Time, generally suppos'd, that these Murmurers were only those of King *James*'s Party, who had acquir'd the Name of *Jacobites*. But this is far from being the Case: Those who had never contributed to the Choice could not be said to repent of it: We have, besides, already seen, that not only disappointed Churchmen and Courtiers, who had for selfish Motives co-operated with the Prince of *Orange* against their own Tenets, appear'd among the Malcontents, but even staunch Whigs, who had follow'd his Standard (and run all Lengths in his Service) upon Principle, in their Country's Cause, and for Reformation-sake: And this is not only acknowledg'd by Bishop *Burnet* himself, but often complain'd of by him; tho' he, at the same time, insinuates such things of the new King's Temper, Carriage, and Demands, as serve to shew, that this Change of Disposition towards him was not wholly without Cause.

As that very Prelate has drawn his Picture, he was peevish, sullen, reserv'd, and self-sufficient; as others have drawn it, he was morose and cynical; not to say, brutal and tyrannical; Qualities that very ill became a Deliverer and Preserver: It is farther said of him, that his Manner of Life was wholly different from that of his two Predecessors: For, instead of condescending to mix with his Nobility, in the Charms of social Life, or taking any Pleasure in the Compliments of his Circle, he liv'd either in his Closet, where scarce any, besides his Ministers, had ever the Honour of being admitted; or amus'd himself with Hunting, to which he was immoderately addicted; or busy'd himself among his Troops; for he also had his Camp of Observation at *Hounslow*, and made it one of his favourite Places of Resort.

That he made *Hampton-Court* his chief Place of Residence, though he could scarce breathe in the Smoke of *London*, was another unlucky Circumstance, which contributed to render him unpopular; and that he should undertake to enlarge and beautify it, after a very expensive, if not an over-elegant, Plan, at a Time when the Nation was opening all its Veins for the Support of a consuming War, expos'd him to many bitter Reflections, which, after being industriously circulated all over his Dominions, were from thence re-echo'd to his own Cabinet.

His own Success had shewn him the surprising Effects of such Impressions as these; and, for that Reason, he was not only so much the more easily induc'd to listen to the Remonstrances of his Ministers on that Head, but also, to promise them, to assume a more frank and open Deportment for the Time to come; and even to give into some of those Measures, which the best-beloved of our Kings had taken to captivate the Hearts of their People.

A. D. 1689.

Thus we find him resorting to *Newmarket*, and vainly endeavouring to be among the Sportsmen what King *Charles* had been before: We find him also accepting an Invitation from the University of *Cambridge*; and, in return to the Compliments which Dr. *Covel* their Vice-Chancellor overwhelm'd him with, as the Redeemer of the Church and Nation, from the imminent Dangers which threaten'd both, graciously replying, "That as *God* had bless'd him in that Undertaking, so he should faithfully discharge his Trust, in preserving the Church of *England*, and giving all Protection and Favour to the Universities." We find him the next Day not only patiently undergoing the whole Ceremonial of his Reception; but when one of the Fellows of *King's-College*, in the Course of his Speech, signify'd the Apprehensions of his Brethren, that they had offended his Majesty, by a late Petition, in which they had mention'd but one single Person, as duly quality'd to succeed in the Vacancy of their Provostship; and humbly besought his favourable Construction of that Matter, yet more graciously assuring them, "That he willingly granted all they desir'd, or could wish; and that they might admit Dr. *Rodoric*, [the single Person refer'd to] to be their Provost, when they pleas'd." And, lastly, we find his Majesty condescending to be the Sovereign-Master of the Grocers Company, knighting Mr. *Box*, who waited on him with the Instrument of his Freedom, and submitting to the Fatigue of dining with the City, and being deafen'd with the noisy Acclamations of the Mob.

Makes a Progress to Newmarket,

visits Cambridge.

and dines with the City of London.

But whatever Effect his Majesty's personal Condescensions had, or seem'd to have, on those immediately within the Reach of them, beyond that Circuit they had little, or none at all: In this Interval, the Oaths of Allegiance to the new Government, which the Parliament had prescrib'd, were to be taken; and tho' such of the Clergy as were directly or indirectly under the Influence of those in Power, took (*m*) them, without any Scruple; some of their Brethren (who from thence were

Controversies about the Oaths.

(*m*) Of which, the following ostentatious Mention is made in the *Gazette*, Numb. 2463, viz. "On *Monday* last, about fourscore of the City Clergy went in a Body to the Court of Chancery, where they took the Oaths requir'd by the Act of Parliament. The like was done the same Day, by others of the Clergy, in the Court of King's-Bench.

were branded with the Name of *Nonjurors*) chose to run the risque of Suspension, rather than comply; many took them with such Reserves and Distinctions, as shew'd they were better reconcil'd to the Profits of their Benefices, than the Legality of the Imposition; and both these latter Parties, tho' at variance with each other, so far concurr'd, that they made use of all the Arts in their Power to blacken the Government, and enflame the Troubles of the Times. According to Bishop *Burnet*, it was the Persuasion of the leading Men in both Universities, tho' chiefly *Oxford*, That the King was in his Heart an Enemy to the Church, as appear'd by his abolishing Episcopacy in *Scotland*: That tho' he did not openly endeavour to subvert, he secretly undermin'd, it: That Latitudinarians in Religion were the only Favourites at Court; that they engross'd all Preferments, &c. And the Credit these Notions receiv'd began to have very ill Effect, all over *England*.

Then as to the Matter of the Oaths, it begat Controversy upon Controversy; and that not more for Conscience than Party's sake: For tho' many well-meaning Clergymen did actually sacrifice their Livings to their Scruples; many of those who had been the stiffest Advocates for Non-resistance and Passive-obedience, thought fit to satisfy the Law, by transferring their Allegiance from King *James* to King *William*, and endeavour'd to set a Gloss on the Satisfaction it gave to themselves, by declaring previously, *That they took the Oaths in no other Sense, than a peaceable Submission to the Powers that were*; which, they would needs have it, they had Authority for, even from the Legislature itself; since they had dropt the Word *Rightful*, when the Form was under Debate; which they would scarce have done, said they, if they had not allow'd the Distinction between a King *de facto*, and a King *de jure*. Now these Latter found themselves between two Fires; for as those who swallow'd the Oath whole, would not allow the Sense of it to be thus fritter'd away; so those that wholly rejected it, treated these Temporisers, at first, with all the (*n*) Bitterness imaginable; who, in answer to both, alledg'd, That as Prudence oblig'd them to conform to the Letter of the Oath, so Conscience requir'd them to give it their own Interpretation.

Among the *Nonjurors*, were five of the seven Bishops, who had of late been call'd the *Seven golden Candlesticks* of the Church, for the Stand which they had made in the late Reign, against the Religion of the Court; *viz. Canterbury*, *Ely*, *Chichester*, *Bath* and *Wells*, and *Peterborough*; and who probably believ'd, that their Credit with the People was so great, that they could turn the Scale of Government as they pleas'd: With these join'd *Frampton* of *Gloucester*; and as to the other two, *St. Asaph* was at Court, and *Bristol* was dead. A. D. 1689.

Six Bishops suspended for refusing them.

It is not to be suppos'd, that those in Power were altogether easy, under this Separation, or without some Apprehensions of ugly Consequences; for which Reason they proceeded as tenderly with them as possible: They first invited them to come in; and, when they found it necessary to proceed to Compulsion, they began with Suspension; after which they waited long, before they proceeded to Deprivation; and, in the mean while, ply'd them from the Press, with Arguments, Remonstrances, and every other Battery which affects the Mind of Man; but, as we shall find, without Effect: Those who had made the Breach resolv'd to keep it open; and, instead of being induc'd to swear, as the Law requir'd, endeavour'd (at least their Emissaries did) to convince their half-conforming Brethren, that they ought not to (*o*) pray for those, as their *lawful* and *rightful* Governors, whom they refus'd to acknowledge as such, in the Oath of Allegiance.

Lake of *Chichester*, moreover, falling dangerously ill, soon after his Suspension, was induc'd to take the Sacrament, in the Presence of Dr. *Green* his Parish-Minister, Dr. *Hicks* Dean of *Worcester*, his own Secretary, Chaplain, and Amanuensis, after having solemnly adopted, (for it does not appear to have been his own Composition) and subscrib'd the following Paper:

Bishop of Chichester's Death-Bed Declarative. [Som. Collect. vol. xxv. Tract. 20.]

"Being called by a sick (and I think a dying) Bed, and the good Hand of *God* upon me in it, to take the last and best *Viaticum*, the Sacrament of my dear *Lord*'s Body and Blood, I take myself oblig'd to make this short Recognition and Confession, That whereas I was baptized into the Religion of the Church of *England*, and *sucked it in with my Milk*, I have constantly adhered to it thorough

(*n*) Of which the Papists immediately took advantage, to set forth the whole Church of *England* in the following Colours:

"The Innovations and Contradictions I have mention'd are chargeable upon your whole Church. As, for Instance, It was formerly the profess'd Doctrine of the Church of *England*, *That it is not lawful, on any Pretence whatever, for Subjects to take up Arms against their King*; which evidently implies, that neither should they themselves deprive him of his Right, nor be assistant to those that would do it; but, on the contrary, that they should stand by him, and support him in it. That this was formerly the Doctrine of the Church of *England* does evidently appear from this, That no Person was to be admitted into the Ministry, in any Degree whatever, without subscribing to it: And it does no less evidently appear, on the other hand, that the present Clergy are of a quite contrary Opinion, insomuch as they have actually sided, join'd Hands, and taken part, with those that have invaded his Right, and violently detain it from him; and that at such a Time, and in such a Manner, that, without such a base Compliance, it can hardly be imagin'd how Things could have been brought to that Pass they now are at. This, I say, your Church has done; and, in so doing, has justify'd, and incorporated into her new Religion, a Doctrine which, by the former Church of *England*, was not barely disown'd, but detested with the greatest Degree of Abhorrence. In a Word, your Clergy are so latitudinarian, both in their Principles and Practices, nay, even in their very Oaths, that it is impossible to know either when or where to fix them; for they have so cunningly order'd Things, that on the same Grounds on which they now swear, and preach, and pray, against King *James*, on the very same Grounds, if ever he should return and prevail, they would as heartily swear, and preach, and pray, against King *William*; so that they are always sure to be of the strongest Side, and yet always in the Right. [*Dialogue between A. and B.* 320. *p.* 5, 6.

(*o*) See a Pamphlet, called, *A Caution against Incendiaries; or, the Connection between Praying and Swearing, in relation to the Civil Powers.*

A. D. 1689. rough the whole Course of my Life, and now, if so be the Will of *God*, shall die in it, and had resolved, through *God*'s Grace assisting me, to have died so, tho' at a Stake. And whereas that Religion of the Church of *England* taught me the Doctrine of *Non-Resistance* and *Passive-Obedience*, which I have accordingly inculcated upon others, and which I took to be the distinguishing Character of the Church of *England*, I adhere no less firmly and stedfastly to that; and, in consequence of it, have incurred a *Suspension* from the Exercise of my Office, and expected a *Deprivation*. I find in so doing much inward Satisfaction; and if the *Oath* had been tender'd at the Peril of my Life, I could only have obey'd by Suffering.

I desire you, my worthy Friends and Brethren, to bear witness of this upon occasion, and to believe it as the Words of a dying Man, and who is now engag'd in the most sacred and solemn Act of conversing with *God* in this World, and may, for aught he knows to the contrary, appear with these very Words in his Mouth, at the dreadful Tribunal."

He did indeed die soon after: The Paper was immediately set forth in Print, under the following Title: *The Declaration of the Right Reverend Father in* GOD John, *late Lord Bishop of* Chichester, *upon his Death-Bed*; together with this Attestation, *This Declaration was* READ *and subscrib'd by the Bishop, in the Presence of*, &c.; and as much Use was made of it by the Party, as if the Bishop had indeed been a Martyr.

Proceedings on the Comprehension Project.

But, notwithstanding the Prevalence of this Ill-humour among the Clergy, and the Use that was manifestly intended to be made of it, the Court seem'd resolv'd to proceed with their Project of a Comprehension: And whereas the House of Commons had made it over to the Convocation, with no very favourable Purpose, it was thought advisable to put the Affair previously into such Hands, and give it such a Form, as should bespeak it a more favourable Reception from that Meeting, than those Gentlemen design'd it.

King's Commission.

Accordingly a special Commission, under the Great Seal, was issued, to ten Bishops, and twenty Dignitaries of the Church, in the following Words:

"Whereas the particular Forms of divine Worship, and the Rites and Ceremonies appointed to be us'd therein, are Things in their own Nature indifferent and alterable, and so acknowledg'd; it is but reasonable, that, upon weighty and important Considerations, according to the various Exigencies of Times and Occasions, such Changes and Alterations should be made therein, as to those that are in Place and Authority should from time to time seem either necessary or expedient.

And whereas the Book of Canons is fit to be review'd, and made more suitable to the State of the Church: And whereas there are Defects and Abuses in the ecclesiastical Courts and Jurisdictions; and, particularly, there is not sufficient Provision made for the removing of scandalous Ministers, and reforming of Manners either in Ministers or People. And A. D. 1689. whereas it is most fit, that there should be a most strict Method prescribed for the Examination of such Persons as desire to be admitted into Holy Orders, both as to their Learning and Manners.

We therefore, out of our pious and princely Care for the good Order and Edification, and Unity of the Church of *England*, committed to our Charge and Care; and for the reconciling, as much as is possible, of all Differences among our good Subjects, and to take away all Occasions of the like for the future, have thought fit to authorize and impower you, &c. and any nine of you, whereof three to be Bishops, to meet from time to time, as often as shall be needful, and to prepare such Alteration of the Liturgy and the Canons, and such Proposals for the Reformation of Ecclesiastical Courts, and to consider of such other Matters, as in your Judgments may most conduce to the Ends abovementioned."

The ten Bishops were, *Lamplugh* of *York*, *Compton* of *London*, *Mew* of *Winchester*, *Lloyd* of *St. Asaph*, *Sprat* of *Rochester*, *Smith* of *Carlisle*, *Trelawney* of *Exeter*, *Burnet* of *Salisbury*, *Humfreys* of *Bangor*, *Stratford* of *Chester*, *Stillingfleet* of *Worcester*, and *Patrick* of *Chichester*; and the Dignitaries were *Tillotson* Dean of *London*, *Meggot* of *Winchester*, *Sharp* of *Canterbury*, *Kidder* of *Peterborough*, and *Aldrich* of *Christ-Church*; *Jane* and *Hall*, Divinity-Professors of *Oxford*, and *Beaumont* of *Cambridge*; *Montagu* Master of *Trinity College Cambridge*, *Goodman* Archdeacon of *Middlesex*, *Beveridge* of *Colchester*, *Battely* of *Canterbury*, *Alston* of *Essex*, and *Tennison* of *London*; *Scott* Prebendary of *St. Paul*'s, *Fowler* of *Gloucester*, *Grove* and *Williams* of *London*. And all these, says Bishop *Burnet*, were nam'd so impartially, that no Exceptions could be against any of them. The same Prelate, also, in Justification of the Design itself, observes, that the seven Bishops, in the very Petition to King *James*, for which they were try'd, had mention'd it: That the Clergy in general, about the same time, express'd an Inclination of the same kind; and that the King was bound by a Promise of his own, in his Declaration, to endeavour an Union between the Church and Dissenters. It ought to be farther recollected, that the last Clause in the remarkable Paper, formerly quoted in the History of the last Reign, (under the Title of, *Some Heads of things to be more fully insisted upon by the Bishops in their Addresses to the Clergy and People of their respective Dioceses*) runs in these Words, "And in the last Place, that they warmly and most effectually exhort them [*their Brethren, the Protestant Dissenters*, as they were then pleas'd to call them] to join with us, in daily, fervent Prayers to the *God* of *Peace*, for an universal blessed Union of all reformed Churches, both at home and abroad, against our common Enemies: And that all they who do confess the Name of our Dear Lord, and do agree in the Truth of his holy Word, may also meet in ONE HOLY COMMUNION,

and

A. D. 1689. *Dr. Wake.* and live in perfect Unity and Godly Love." As alſo, that another great Prelate of the Church has ſince, in the moſt public manner, aſſerted, that the Biſhops, with their Metropolitan, *Sancroft*, at their Head, had actually agreed on a Project of a Comprehenſion, when ſuch a Meaſure was held of Conſequence to themſelves; that is to ſay, before the landing of the Prince of *Orange*; and that the ſeveral Parts of it were committed, not only with his Approbation, but under his Direction, to ſuch Divines of the Church as were then held moſt proper for the Charge.

Notwithſtanding all which, when this deſirable Union might have been obtain'd, or at leaſt when the Church might have had the Honour of making a Tender of it, the Majority of the Clergy, not only refus'd to aſſiſt in it, but endeavour'd to deter the reſt from proceeding, by loading it, ſays *Burnet*, with a Word of ill Sound, *A* NEW *Eccleſiaſtical Commiſſion*, and aſſerting it was as dangerous, if not as illegal, as the former.

The *Jeruſalem Chamber* at *Weſtminſter* was the Place of meeting; and no ſooner was the Commiſſion open'd, than the Legality and Authority of it were call'd in Queſtion by *Sprat* Biſhop of *Rocheſter*, who had [Calamy.] made ſo little Scruple to act under an illegal one before: And tho' he was told, that they were not requir'd to enact Alterations, but *Several of the Commiſſioners recede.* only to prepare ſuch as ſhould be thought moſt reaſonable, in order to lay them before the Convocation, he retir'd in Diſguſt, and was follow'd by *Mew* of *Wincheſter*, and the A. D. 1689. Doctors *Jane* and *Aldrich*.

Concerning theſe Separatiſts, Biſhop *Burnet*, in his ſummary Way, ſays, That either they never came, or ſoon withdrew, declaring themſelves diſſatisfy'd with the Deſign; and ſome owning plainly, That they were againſt all Alterations whatever: That, according to their Thoughts, too much had been done already, in the Toleration which had been granted the Diſſenters: That therefore they would be concern'd in nothing, to make them ſtill eaſier: That the altering the Cuſtoms and Conſtitution of the Church, to gratify a peeviſh and obſtinate Party, would only make them more inſolent, as authoriſing a Suggeſtion, that the Church, by her own Confeſſion, had been hitherto in the wrong: That the very Attempt to make Alterations would divide the Clergy among themſelves, and draw the Liturgy into Diſeſteem with their People, by giving them Scope to think, it wanted Correction, *&c.*

Others again endeavour'd to account for their Seceſſion, by ſaying, They were willing to have gone as far as they could with Safety to the Church; and would have conſented to any reaſonable Abatements: But that the *moderate Gentlemen* ſoon ſhew'd, that they did not intend to inſiſt on ſmall (*p*) Matters: That ſome of them were ready even to give up epiſcopal Ordination; which was inconſiſtent with their Honour as Men, and their Duty as Divines, as well as with their Oaths, Subſcriptions,

---

(*p*) The Matters they inſiſted on were theſe:

"That the chanting of divine Service in Cathedral Churches ſhall be laid aſide, that the Whole may be render'd intelligible to the common People.

That beſides the Pſalms being read in their Courſe, as before, ſome proper and devout ones be ſelected for *Sundays*.

That the Apocryphal Leſſons, and thoſe of the Old Teſtament, which are too *natural*, be thrown out, and others appointed in their ſtead, by a new Calendar, which is already fully ſettled, and out of which are omitted all the legendary Saints Days, and others not directly referr'd to in the Service-Book.

That not to ſend the Vulgar to ſearch the Canons, which few of them ever ſaw, a Rubric be made, ſetting forth the Uſefulneſs of the Croſs in Baptiſm; not as an eſſential Part of that Sacrament, but only a fit and decent Ceremony. However, if any do, after all, in Conſcience ſcruple it, it may be omitted by the Prieſt.

That likewiſe, if any refuſeth to receive the Sacrament of the *Lord's*-Supper kneeling, it may be adminiſter'd to them in their Pews.

That a Rubric be made, declaring the Intention of the *Lent-faſts*, to conſiſt only in extraordinary Acts of Devotion, not in Diſtinction of Meats; and another to ſtate the Meaning of *Rogation-Sundays* and *Ember-Weeks*; and appoint, that thoſe ordained within the *Quatuor Tempora* do exerciſe ſtrict Devotion.

That the Rubric, which obliges Miniſters to read or hear Common-Prayer, publicly or privately every Day, be changed to an Exhortation to the People to frequent thoſe Prayers.

That the Abſolution in Morning and Evening Prayer may be read by a *Deacon*, the Word *Prieſt* in the Rubric being changed into *Miniſter*, and thoſe Words, *and Remiſſion*, be put out, as not very intelligible.

That the *Gloria Patri* ſhall not be repeated at the End of every Pſalm, but of all appointed for Morning and Evening Prayer.

That thoſe Words in the *Te Deum*, *thine honourable, true, and only Son*, be thus turned, *thine only begotten Son, honourable* being only a civil Term, and no where uſed *in ſacris*.

The *Benedicite* ſhall be changed into the 148th Pſalm; and other Pſalms likewiſe appointed for the *Benedictus* and *Nunc dimittis*.

The Verſicles after the *Lord's-Prayer*, *&c.* ſhall be read kneeling, to avoid the Trouble and Inconveniences of ſo often varying Poſtures in the Worſhip. And after theſe Words, *Give Peace in our Time, O Lord*, ſhall follow an Anſwer promiſſory of ſomewhat on the People's Part, of keeping *God's* Laws, or the like: the old Reſponſe being grounded on the predeſtinating Doctrine, taken in too ſtrict an Acceptation.

All high Titles or Appellations of the King, Queen, *&c.* ſhall be left out of the Prayers, ſuch as *moſt illuſtrious, religious, mighty, &c.* and only the Word *Sovereign* retained for the King and Queen.

Thoſe Words in the Prayer for the King, *grant that he may vanquiſh and overcome all his Enemies*, as of too large Extent, if the King engage in an unjuſt War, ſhall be turned thus; *proſper all his righteous Undertakings againſt thy Enemies*, or after ſome ſuch manner.

Thoſe Words in the Prayer for the Clergy, *who alone worketh great Marvels*, as ſubject to be ill interpreted by Perſons vainly diſpoſ'd, ſhall be thus, *who alone art the Author of all good Gifts*; and thoſe Words, *the healthful Spirit of thy Grace*, ſhall be, *the holy Spirit of thy Grace*; healthful being an obſolete Word.

The Prayer which begins, *O God, whoſe Nature and Property*, ſhall be thrown out, as full of ſtrange and impertinent Expreſſions, and beſides not in the Original, but foiſted in ſince by another Hand.

The Collects for the moſt part are to be changed for thoſe the Biſhop of *Chicheſter* has prepar'd, being a Review of the old ones with Enlargements, to render them more ſenſible and affecting; and what particular Expreſſions are needful, to be retrench'd.

If any Miniſter refuſe the Surplice, the Biſhop, if the People deſire it, and the Living will bear it, may ſubſtitute one in his Place, that will officiate in it; but the whole thing is left to the Diſcretion of the Biſhops.

If any deſire to have Godfathers and Godmothers omitted, and their Children preſented in their own Names to Baptiſm, it may be granted.

About the *Athanaſian* Creed they came at laſt to this Concluſion, that, leſt the wholly rejecting it ſhould by unreaſonable Perſons be imputed to them as *Socinianiſm*, a Rubric ſhould be made, ſetting forth or declaring the Curſes denounced therein, not to be reſtrain'd to every particular Article, but intended againſt thoſe that deny the Subſtance of the Chriſtian Religion in general.

Whether the Amendment of the *Tranſlation of the reading Pſalms* (as they are called) made by the Biſhop of *St. Aſaph* and Dr. *Kidder*, or that in the Bible, ſhall be inſerted in the Prayer-Book, is wholly left to the Convocation to conſider of, and determine."

A. D. 1689. Subſcriptions, *&c.*: That they, the Seceders, were ſo much the leſs diſpos'd to join in the Work, becauſe ſo many Fathers of the Church, and others of diſtinguiſh'd Merit and irreproachable Characters, ſtood already excluded from any Concern in it, by the Diſqualifications brought upon them by the Oaths: and that, above all, they could not bear to think, that the Church ſhould be the Boat, and the Diſſenters the Shore; or that, in other Words, the Church ſhould deſcend to make an Offer, which the Diſſenters were at liberty to refuſe.

But in contradiction to what is thus advanc'd on the orthodox Side, concerning the great Point of Ordination, we are told, That even *moderate Men*, without pronouncing Ordination by Preſbyters to be altogether invalid, did inſiſt, That Miniſters ſo ordain'd ſhould alſo take Orders from a Biſhop, who, in conferring the ſame, was at liberty to add a Clauſe to the common Form, according to the Cuſtom already us'd by the Church, in caſe of uncertain Baptiſm, to this Effect, *If thou art not already ordain'd, I ordain thee*, &c. and that this was the greateſt Conceſſion that was made by the Commiſſioners.

Laſtly, it is roundly aſſerted by *Burnet*, "That Matters were well conſider'd, and freely and calmly debated; and that all was digeſted into an entire Correction of every thing that ſeem'd liable to any juſt Objections."— Notwithſtanding which, the Party that was now at work for King *James*, as the ſame Author gives us to underſtand elſewhere, took hold of the Occaſion to enflame Mens Minds, and were join'd by the Univerſities, who declar'd againſt all Alterations, and all that promoted them, not ſparing even the King himſelf, whom they ſet forth as an Enemy to the *Church*: A Charge which was perhaps ſo much the more eagerly inſiſted on, becauſe it had operated ſo irreſiſtably againſt his Predeceſſor. In ſhort, the Elections of Convocation-men were now, for the firſt time, as warmly conteſted as thoſe of Parliament-men uſually are: And as the Fate of the Nation is really in the Hands of the one, the Fate of the Church was ſuppos'd to be in the Hands of the other.

The Convocation meets.

It ſo happen'd, that the Anti-Court Clergymen had the greateſt Intereſt among their Brethren; which became apparent on the firſt Day of Meeting: For the Lower-Houſe proceeding to the Choice of a Prolocutor, and the *Comprehenſioners* putting up Dr. *Tillotſon*, Clerk of the Cloſet to the King, and the moſt of any Clergyman in his Eſteem, the other Party ſet up Dr. *Jane*, one of the moſt furious Churchmen among them, and carry'd it by a Majority of two to one againſt him: When this Champion of theirs was moreover preſented to the Biſhop of *London*, as Preſident, for his Approbation, and was to make a *Latin* Speech, as uſual upon that Occaſion, he deliver'd it as the Senſe of the Lower-Houſe, That ſuch was the tranſcendant Excellence of the Liturgy eſtabliſh'd by Law in *England*, above thoſe of all other Chriſtian Churches, that it needed no Amendments; and concluded, in their Name, with

The Lower-Houſe chuſe Jane for their Prolocutor.

the famous Declaration of the old Barons, *Nolumus leges Angliæ mutari*. It is remarkable enough, that *Jane* had been Chaplain to the Biſhop whom he thus haughtily confronted; as alſo, that his Lordſhip, in his Reply, which was altogether as gentle and perſuaſive, as the Prolocutor's Speech was rough and imperious, deduc'd one of his Arguments in favour of the Union propos'd, from the Conſideration of its being their Duty, to make ſuch Abatements in things indifferent, as might ſerve to open a Door of Salvation to Multitudes of ſtraying Chriſtians; as if the Door of Salvation was only to be open'd with a Church-of-*England*-Key; and that, for another, he urg'd, That it was ſo much the more incumbent on them to extend their Indulgence and Charity to the Diſſenters under King *William*, becauſe ſome of the Biſhops had promis'd it to them, in their Addreſſes to King *James*.

A. D. 1689.

But the Spirit they were poſſeſs'd with was not to be conjur'd down by the Words of Meekneſs and Moderation: When therefore they were return'd to their own Seats, an Adjournment was call'd for, and agreed to; under pretence that the Houſe was not full: And, when they met the next Day, the Preſident put a farther Stop to their Career for the preſent, by acquainting them with an important Diſcovery he had made, by the Help of an eminent Civilian, namely, "That the Royal Commiſſion, by which they were to act, was defective, for want of the Great Seal; and that therefore he ſhould be oblig'd to prorogue them till that could be obtain'd."

They are prorogu'd.

Whether there was really ſuch a Defect, or not; or, if there was, whether it was by Accident, or Deſign; is not very material: It is ſufficient for us to know, that the Uſe made of the Prorogation was, to try every Experiment which could be thought of, to mollify the Rigour of theſe uncharitable *Rabbies*; and that all prov'd ineffectual: They would hear of nothing, it ſeems, but preſerving and defending the *Church*; and continued to clamour as loudly againſt all Innovations, as any of the Prieſts of *Rome* had done before them againſt *Luther*, without once thinking of that Precedent, or, what is worſe, of the Goſpel itſelf, on which the Church was founded.

Their ſecond Meeting.

At their ſecond Meeting, *December* 4, the Earl of *Nottingham*, who, in the preceding Seſſion had been the firſt Mover of this Matter in the Houſe of Lords, brought their Commiſſion from the King, and deliver'd it to both Houſes, then aſſembled conjointly in *Henry* the Seventh's Chapel; with a Meſſage from his Majeſty, prefac'd with a Speech of his own, containing a Repetition of all thoſe Arguments and Perſuaſions, which, to his Knowledge, the Majority of the Lower-Houſe had rejected as before.

The Meſſage was as follows:

"WILLIAM R.

The King's Meſſage.

His Majeſty has ſummon'd this Convocation, not only becauſe it is uſual upon holding a Parliament, but out of a pious Zeal to do every thing that may tend to the beſt

A. D. 1689. Eſtabliſhment of the Church of *England*, which is ſo eminent a Part of the Reformation, and is certainly the beſt ſuited to the Conſtitution of this Government; and therefore does moſt ſignally deſerve, and ſhall always have, both his Favour and Protection. And he doubts not but that you will aſſiſt him in promoting the Welfare of it, ſo that no Prejudices, with which ſome Men may have labour'd to poſſeſs you, ſhall diſappoint his good Intentions, or deprive the Church of any Benefit from your Conſultations. His Majeſty therefore expects, that the things that ſhall be propos'd, ſhall be calmly and impartially conſider'd by you; and aſſures you, that he will offer nothing to you, but what ſhall be for the Honour, Peace, and Advantage both of the Proteſtant Religion in general, and particularly of the Church of *England*."

The Biſhops ſend an Addreſs to the Lower-Houſe for their Concurrence:

And as to the Effect of it, among the Biſhops, it was ſuch as the Court deſir'd: For being adjourn'd to the *Jeruſalem-Chamber*, they drew up the enſuing Addreſs, which they ſent to the Lower-Houſe for their Concurrence.

"We the Biſhops, *&c.* in Convocation aſſembled, having receiv'd your Majeſty's gracious Meſſage, together with a Commiſſion from your Majeſty, by the Earl of *Nottingham*, hold ourſelves bound in Gratitude and Duty, to return our moſt humble Thanks and Acknowledgments of the Grace and Goodneſs expreſs'd in your Majeſty's Meſſage, and the Zeal you ſhew in it for the Proteſtant Religion in general, and the Church of *England* in particular; and of the Truſt and Confidence repos'd in us by this Commiſſion. We look on theſe Marks of your Majeſty's Care and Favour, as the Continuance of the great Deliverance Almighty *God* wrought for us by your Means, in making you the bleſſed Inſtrument of preſerving us from falling under the Cruelty of popiſh Tyranny; for which, as we have often thank'd Almighty *God*, ſo we cannot forget that high Obligation and Duty, which we owe to your Majeſty; and on theſe new Aſſurances of your Protection and Favour to our Church, we beg Leave to renew the Aſſurance of our conſtant Fidelity and Obedience to your Majeſty, whom we pray *God* to continue long and happily to reign over us."

Which they refuſe, and propoſe Amendments.

But neither the King's Meſſage, nor his Miniſter's Speech, had brought the Lower-Houſe into a concurring Mood: On the contrary, they firſt ſhew'd a Diſpoſition to inſiſt on the Privilege of preſenting an Addreſs of their own; and then, concluding that Alterations and Amendments would ſerve their Turn as well, (tho' they would give way to neither in the Liturgy) they ſent up a Meſſage to the Biſhops, in theſe Words: "We are deſirous to confine our Addreſs to his Majeſty's moſt gracious Meſſage; and to thoſe things *only* therein, which concern the Church of *England*." This produc'd a Conference; which was manag'd chiefly by Bp. *Burnet* on one Side, and Dr. *Jane* on the other; and theſe Reaſons were reported, why their Lordſhips inſiſted on the expreſs Mention of the Proteſtant Religion, namely, "1. Becauſe it is the known Denomination of the common Doctrine of the Weſtern Part of *Chriſtendom*, in oppoſition to the Errors and Corruptions of the Church of *Rome*. 2. Becauſe the leaving out this may have ill Conſequences, and be liable to ſtrange Conſtructions, both at home and abroad, among Proteſtants as well as Papiſts. 3. Becauſe it agrees with the general Reaſon offer'd by the Clergy for their Amendments, ſince this is expreſly mention'd in the King's Meſſage; and in this the Church of *England* being ſo much concern'd, the Biſhops think it ought to ſtand in the Addreſs." The Lower-Houſe, nevertheleſs, by way of Reply, ſignify'd, "That, inſtead of the *Proteſtant Religion*, they would rather ſay *Proteſtant Churches*." The Biſhops deſir'd a Reaſon in their Turn; and were anſwer'd thus: "We, being the Repreſentatives of a formed, eſtabliſh'd Church, do not think fit to mention the Word *Religion*, any farther than it is the Religion of ſome formed, eſtabliſh'd Church." The Biſhops, upon this, would have compounded the Matter, by ſaying, "The Intereſt of the *Proteſtant Religion* in This and all other *Proteſtant Churches*;" but met with another Difficulty; for the Lower-Houſe happen'd to think, that theſe Words put *all* Proteſtant Churches on a Level; which they would by no means admit; and therefore inſiſted on leaving out the Words [*This and*]; which being comply'd with, the following Addreſs was finally agreed on, and preſented to the King on the 12th:

A. D. 1689.

"We your Majeſty's moſt loyal and moſt dutiful Subjects, the Biſhops and Clergy of the Province of *Canterbury*, in Convocation aſſembled, having receiv'd a moſt gracious Meſſage from your Majeſty by the Earl of *Nottingham*, hold ourſelves bound in Duty and Gratitude, to return our moſt humble Acknowledgments for the ſame; and for the pious Zeal and Care your Majeſty is pleas'd to expreſs therein, for the Honour, Peace, Advantage, and Eſtabliſhment of the Church of *England*: Whereby we doubt not, the Intereſt of the Proteſtant Religion in all other Proteſtant Churches, which is dear to us, will be the better ſecur'd, under the Influence of your Majeſty's Government and Protection. And we crave Leave to aſſure your Majeſty, that, in purſuance of that Truſt and Confidence you repoſe in us, we will conſider whatſoever ſhall be offer'd to us from your Majeſty, without Prejudice, and with all Calmneſs and Impartiality; and that we will conſtantly pay the Fidelity and Allegiance, which we have all ſworn to your Majeſty and the Queen; whom we pray *God* to continue long and happily to reign over us."

The Addreſs as at laſt agreed on.

Debates thereon.

And whatever Cauſe his Majeſty had to be diſſatisfy'd with them and their Proceedings, he choſe to conceal his Reſentment, and reply'd as follows:

"My Lords,

I take this Addreſs very kindly from the Convocation. You may depend upon it, that all I have promiſed, and all I can do, for

The King's Anſwer.

A. D. 1689. for the Service of the Church of *England*, I will do; and I give you this new Assurance, that I will improve all Occasions and Opportunities for its Service."

Of all Oppositions those of Ecclesiastics are the most fierce and irreconcileable, and withal, the most insipid and unentertaining: As therefore the Specimen already before us is sufficient to shew the Spirit and Disposition of both Parties, we shall cut short the Process by observing, that *Jane* and his *Mirmidons*, for their next Exploit, made an Effort in favour of the Bishops and others, at that time under Suspension for refusing the Oaths, by urging, "That something might be done to qualify them to sit in Convocation, without exposing the Convocation itself to any Danger on that account:" That when it appear'd a Matter of Difficulty to find out a proper Expedient to answer the Purposes requir'd, to fill up Time, they fell upon such Books and Pamphlets as were obnoxious to them, and requir'd that the Authors might be laid under the Censure of the Church: That finding them so much more dispos'd to do Hurt than Good, his Majesty was advis'd to put a stop to their Proceedings: That, according to Bishop *Burnet*, this was in reality a Favour to them, since they were thereby hinder'd from doing *Mischief*, as also reliev'd from the Expence of living in Town, to no other Purpose than the meeting together to read a *Latin* Litany: That, upon the Whole, the same Prelate pronounces, that, by a happy Direction of Providence, the Evil they intended was turn'd into Good; for, it seems, the *Jacobite* or non-juring Clergy lay in wait to make a new Schism in the *Church*, in case the Comprehension had taken place, which he supposes would have had worse Consequence than the old: And as to the Dissenters, they, by their own Confession, stood by, making their Remarks, in hopes they should be no Losers, in the Issue, by such Debates.

[*Abridgment of Baxter's Life, p.* 637.]

Parliament re-assembled.

In this Interval, it was also found advisable to reassemble the Parliament; whether upon an *English* or foreign Principle will best appear from his Majesty's Speech, which, we are told, was of his own composing, in *French*; as also, that when he laid it before his Privy-Council, for their Approbation, he express'd himself to the following Effect, viz. "That he knew most of his Predecessors had committed the drawing up of their Speeches to their Ministers, who generally made them subservient to their own Views and Interests; and that, by way of Precaution, he had thought fit to deliver his own Sentiments in his own Words," &c. As it does not appear, that any of the Ministers present upon this Occasion thought themselves affected by this Preamble, which at the first Glance seems to have been made at their Expence, it may be concluded, that they were prepar'd for it, or rather, that it had been preconcerted in the Cabinet, that his Majesty should make himself thus answerable for his own Measures, as well for their Ease and Security, as to facilitate the Course of the Session: For, after this formal Declaration, those in the Opposition could no longer avail themselves of the old Subterfuge, That they withstood the King's evil Counsellors, not the King: And Experience had shewn, that the fiercest Declaimers, in either House, seldom car'd to make their Quarrel with Power desperate, by attacking the personal Conduct of their Prince. As a farther Sweetener to the eager Spirit of the Whigs, who were as much exasperated as ever against their old Masters and new Rivals, the Tories, more especially against the Marquis of *Halifax*, that Lord was prevail'd upon to resign the Office he had hitherto held, of Speaker to the House of Lords; which he did at this very Council; making it his own Instance, and insinuating, that he had many Reasons for so doing, tho' he specify'd none: His Request was granted of course, and a Commission was issued to the Lord Chief-Baron *Atkins* to officiate in his Room. A. D. 1689.

These preparatory Steps having been thus taken, the Session was open'd *October* 19; and the Translation of the King's Speech was read, in his Majesty's Name, by the new Speaker, to both Houses, as follows:

"*My Lords and Gentlemen*,

The King's Speech.

Tho' the last Sitting continued so long, that perhaps it might have been more agreeable to you, in relation to your private Concerns, not to have met again so soon; yet the *Interest of the Public* lays an indispensable Obligation upon me to call you together at this time.

In your last Meeting you gave me so many Testimonies of your Affection, as well as Confidence in me, that I do not at all question but in this I shall receive fresh Supplies of both.

I esteem it one of the greatest Misfortunes can befall me, that in the Beginning of my Reign I am forc'd to ask such *large Supplies*; tho' I have this Satisfaction, that they are desir'd for no other Purposes, than the carrying on these Wars in which I enter'd with your *Advice*, and *Assurance* of your *Assistance*; nor can I doubt of the Blessing of *God* upon an Undertaking, wherein I did not engage out of a *vain Ambition*, but from the *Necessity* of opposing their Designs of *destroying our Religion and Liberties*.

It is well known how far I have expos'd myself to rescue this Nation from the Dangers that threaten'd not only your Liberty, but the *Protestant Religion* in GENERAL, of which the Church of *England* is ONE of the greatest Supports, and for the Defence whereof I am ready again to venture my Life.

My Lords and Gentlemen,

That which I have to ask of you at present is, That what you think fit to give towards the Charges of the War for the next Year may be done without Delay; and there is one Reason which more particularly obliges me to press you to a speedy Determination in this Matter, because the *next Month* there is appointed, at the *Hague*, a *general Meeting* of all the Princes and States concern'd

A. D. 1689. cern'd in this War againſt *France*, in order to concert Meaſures for the next Campaign; and, till I know your Intentions, I ſhall not only be uncertain of myſelf what Reſolutions to take, but our Allies will be under the ſame Doubts, unleſs they ſee me *ſupported by your Aſſiſtance*; beſides, if I know not in time what you will do, I cannot make ſuch Proviſions as will be requiſite, but ſhall be expos'd to the ſame Inconveniences the next Year, which were the Cauſe that the Preparations for this were neither ſo effectual or expeditious as was neceſſary. The Charge will be alſo conſiderably leſſen'd by giving Time to provide Things in their proper Seaſon, and without Confuſion.

I have no other Aim in this but to be in a Condition to attack our Enemies in ſo vigorous a manner, as, by the Help of *God*, may, in a little time, bring us to a laſting and honourable *Peace*, by which my Subjects may be freed from the extraordinary Expence of a lingring War: And that I can have no greater Satisfaction than in contributing to their Eaſe, I hope I have already given Proof of.

That you may be ſatisfy'd how the Money has been laid out which you have already given, I have directed the Accounts to be laid before you whenever you ſhall think fit to call for them.

My Lords and Gentlemen,

I have one thing more to recommend to you, which is the Diſpatch of a Bill of Indemnity, that the Minds of my good Subjects being quieted, we may all unanimouſly concur to promote the Welfare and Honour of the Kingdom."

And now the Effect of his Majeſty's taking upon him to be his own Miniſter ſeem'd to be the happieſt imaginable: The Speech, we are aſſur'd, was receiv'd with univerſal Applauſe. Among the Lords, no Objection was ſtarted; and among the Commons but one, (which met with little Countenance) by Sir *Thomas Clarges*, who made it a Matter of Complaint, that the Words, *as by Law eſtabliſhed*, did not follow the Mention that was made in it of the Church of *England*: Both Houſes return'd their ſolemn Thanks; and after this ſeeming Earneſt of their good Humour, it was thought adviſable to provide yet farther for the Peace of this Seſſion, by extinguiſhing as far as poſſible the Broils of the laſt: As that had been clos'd by Adjournment only, the ſeveral Conteſts between the two Houſes were left open, and the ſeveral inflammatory Bills depending; which might be again proſecuted at Pleaſure: But a Prorogation cancell'd all, and laid the Malignants under a Neceſſity to begin their Webs again. A Prorogation was therefore reſolv'd upon; and yet ſuch was the Caution of his Majeſty at this Criſis, that he would not exerciſe that Branch of his Prerogative, without the Concurrence of both Houſes: Accordingly he apply'd to them for their Senſe of the Matter, and had the Pleaſure to find that of the Lords exactly conformable to his own: But among the Commons there was a Party who aſſerted, that ſuch a Prorogation was altogether irregular, after his Majeſty had in his Speech propos'd new Matter to their Conſideration: And in truth it ſeem'd reaſonable enough to conclude, That if a Prorogation deſtroy'd all Connection between Seſſion and Seſſion, in relation to the Matters depending in either Houſe, it would alſo do the ſame with reſpect to the Matters propos'd to them from the Throne. But the Majority were of another Mind: And thus fortify'd with the Approbation of both Lords and Commons, his Majeſty on the 21ſt put a ſtop to the Current of public Buſineſs, that it might flow the more freely on the 23d following: For it was then that he came again to the Houſe, for Form's ſake, and open'd the Seſſion anew with a ſhort Reference to his laſt Speech, as containing the Sum of what he had then to lay before his People. A Prorogation for one Day.

A. D. 1689.

It may be remember'd, that King *William* was ſcarce in poſſeſſion of the Throne, before he endeavour'd to bring about an Accommodation between the Diſſenters and their Allies on one hand, and their Tory-Adverſaries on the other, by ſtickling for a Bill of Indemnity in favour of the Latter, and by requeſting, that the Teſts might be ſo far remov'd from before the Doors of Places and Offices, as might make way for the Admiſſion of the Former: And that theſe Endeavours of his Majeſty, however laudable in one Light, or politic in another, were ſo far from producing the deſired Effect, that they render'd the Breach wider than ever: The Diſſenters, *&c.* as much dreading to ſee their old Tyrants pardon'd, as They to ſee the Diſſenters put into a Condition to tyrannize in their Room.

But in this laſt Speech his Majeſty ſeems to give over ſo vain a Purſuit; and, inſtead of amuſing himſelf with airy Schemes of reconciling all Parties to his Intereſt, made it his chief Concern to be well with the ſtrongeſt. Thus, while he again recommends a Bill of Indemnity, he paſſes over his firſt Favourites, the Proteſtant-Diſſenters, in Silence: And the main Tendency of all he ſays is, to ſet the Neceſſity of granting a ſolid and ſeaſonable Supply in ſuch a favourable Light, and ſo effectually to prevent all Suſpicion of Miſapplication, as might countenance the Majority, in making it the firſt and principal, if not the only, Buſineſs of the Seſſion. *Reflections on his Majeſty's Speech.*

Now it ſo happen'd, that the very Diſtempers of the Times help'd to facilitate his Majeſty's Views: For the two Parties which divided the Houſe of Commons, and which were like Froſt and Fire, in all things immediately relating to themſelves, ſeem'd to have but one Heart and one Voice, when any Court-Point came before them: And this unnatural Coalition is thus ſhrewdly treated of, and accounted for, by one of the occaſional Writers of thoſe Times, who has been moſt undeſervedly over-look'd by all our Hiſtorians: "Every body knows, ſays he, there are two Sorts of Men, in each of which there are ſuch as are engag'd to King *William*'s Intereſt, as abſolutely and without Reſerve as he has requir'd of them, or can require of

A.D. 1689. them, in any proſtitute Senſe: And yet thoſe Two are perpetually oppoſing one another, and make two Sides, which are commonly diſtinguiſh'd by the Names of *Whig* and *Tory*. According to the too good Succeſs that the Courtier has had, we ſee, that, notwithſtanding any Intereſt that the Patriots (as many as there are) can make, and notwithſtanding the Odium which ſo many of the Court-Followers have incurr'd, yet there is ſtill this Fatality, that *Thoſe* continue mainly prevalent in each, *Thoſe* move the Herd of both theſe Parties; *Thoſe* have, in effect, the Sway, that are, with all the Latitude I have ſaid, engag'd in the Intereſt of the Court: For whoever calls this Court in queſtion, whoever doubts its good Intention to *Engliſhmen*, to *Engliſh* Liberty and Government, whoever quotes paſt *Declarations*, or inſtances a preſent Grievance, nay, or that, in Diſcourſe, is but lukewarm towards the State, a Way is found, and it ſeldom fails, to make that Man ill-thought-of by the Herd, ſuſpected by the Vulgar of his Party, and ſhunn'd as a Deſerter: For with one Party he is inſtir'd as a *Commonwealth's-man*, and with the other a plain *Jacobite*: *For what elſe ſhould he be that acts againſt this Government?* Thus with one ſhort Queſtion, and that equivocal Term of *Government*, as it is put there, the Courtier does his Buſineſs.

This ſhews what is underſtood here by *Whig* and *Tory*, meaning as the Court is prevalent over both theſe Parties: And as thus, let us conſider how they act.---- The Tories have it for their End to ſee the *Church* eſtabliſh'd in as high Power as ever; to ſee it freed from the Eye-ſore of Diſſenters and Fanatics; to remove the ill Precedent of *Scotland*; to ſet up Epiſcopacy in ſuch Strength as is requir'd by the Clergymen themſelves; to put them out of Fear of every thing; and to have a King governing with as large a Prerogative as may be, but ſtill by the Means, and under the Tuition, of ſuch a *Church*. The *Whigs* dread ſuch a Power in the Church, and are ſo diſſatisfy'd with what is of that kind already, fearing what may come, that they expect a greater Security than is given them at preſent; that thoſe who are Diſſenters from, or under the Mark of, the *Church*, for being ill Friends to it, may never ſee it in a Condition to take its Revenge, or give them any Diſturbance. Theſe Men generally exclame againſt all arbitrary Power; but more eſpecially that which the *Church* would introduce, and that their Enemies would profit by. Neither of theſe Parties, towards the Satisfaction they deſire, go (*q*) *now* about the making of any new Laws, or attempt any Alteration in the preſent Settlement: But their Labour is, the gaining of the KING, and the getting thoſe of their Fraternity (whatever otherwiſe they be) into the Government. This is the only Means by which they, at this time, think to ſerve their Intereſt: This is the only Pledge they now aſk for the Succeſs of their reſpective Parties: Each promiſing to themſelves, that, within a little time, or whenever his Majeſty has made an end of his Enemies, he will declare for them, and, for the future, employ only the Men of that Stamp."

A.D. 1689.

This is ſo full, ſo clear, and ſo impartial an Account of theſe rival Factions, that it may ſerve as a Clue to their Counter-Intrigues, thro' the whole Reign; and, without it, we ſhould run a riſque of loſing our Way, even in the Seſſion before us.

On the firſt Day of ſitting, (viz. *October* 23.) nothing was done in the Houſe of Commons, except reading the King's Speech; but on the ſecond, the Houſe, being reſolv'd into a general Committee, of which Mr. *Hampden* was Chairman, came to the following Reſolutions, which were agreed to on the Report, *nemine contradicente*, namely, That they would ſtand by and aſſiſt his Majeſty, in reducing *Ireland*, and joining with his Allies abroad in a vigorous Proſecution of the War againſt *France*; and that his Majeſty ſhould be humbly addreſs'd to cauſe the neceſſary Eſtimates to be laid before the Houſe. *Unanimous Vote to aſſiſt his Majeſty.*

Thus far all imaginable Deference was paid to the King's Speech, and no Diſtinction appear'd between *Whigs* and *Tories*: But now the Former thought themſelves at Liberty to act for themſelves, and did accordingly endeavour to render the Paſſage of the Indemnity-Bill as difficult as poſſible, by throwing all poſſible Obſtructions in its way. Their firſt Step was to appoint a Committee to inſpect the Bills which had been left depending at the Cloſe of the laſt Seſſion, who had alſo Inſtructions to prepare a Bill of Rights: And on the Morrow they renew'd their Proſecution of *Burton*, *Grahme*, and *Jenner*, and inforc'd the Neceſſity of making public Examples of ſuch bad Men, with as much Vehemence as ever. Nor was this all; for, during this very Interval, the Houſe being inform'd, that all three of them (taking Advantage of the Expiration of the Act to enable his Majeſty to commit ſuſpected Perſons without Bail) had been brought up to the *King's Bench*, in order to be admitted to Bail; that *Jenner* was actually, and that the two others were on the Point of being, ſet free, on the ſame Terms, They order'd the Sergeant at Arms to take them into his Cuſtody, and appointed a Committee to examine Witneſſes, and prepare a Charge againſt them. Meeting again next Day, in the ſame Humour, they re-committed Sir *Edward Hale*, *Obadiah Walker*, and the Earl of *Caſtlemain*, who had ſeverally demanded the Benefit of the *Habeas-Corpus* Act, to the *Tower*; and order'd Articles of Impeachment to be drawn up againſt the Latter, for endeavouring to reconcile theſe Kingdoms to the See of *Rome*, and other high Crimes and Miſdemeanors. They alſo order'd Mr. *Foley* to impeach the Earls of *Peterborough* and *Saliſbury* at the Bar of the Houſe of Lords, for departing from their Allegiance,

(*q*) This Pamphlet was not ſet forth till the Year 90.

A. D. 1689. Allegiance, and being reconcil'd to the said See; and resolv'd, That a Bill should be brought in for inflicting *Pains* and *Penalties* upon such as had been the Occasion of violating the Laws and Liberties of the Kingdom in the two late Reigns. Finding, however, in the Course of these warm Proceedings, that the State-Prisoners in general, had been treated with more Rigour *(r)* than was consistent with the Clames and Rights of *Englishmen*, they so far relented, as to appoint a Committee to prepare a Bill for the better regulating of Imprisonments, with Power to enquire into the Abuses of Goalers; and to order the Attorney-General to prosecute *Richardson* the Keeper of *Newgate*, in particular, for his illegal Usage of the unhappy Persons committed to his Charge.

Both Parties Courtiers alike.

On the 30th, after two Readings of the Bill of Rights, the Concerns of the Court coming again under Consideration, the two Parties again mix'd in the same Channel. It was resolv'd *nem. con.* That a Bill should be prepar'd for the better securing the Government, by more effectually enjoining the tendering and taking the Oaths; and another to attaint all such Persons as were in Rebellion against their Majesties.

November the 1st, as a farther Compliment to his Majesty, the Attorney-General was order'd to prepare a *Bill of Indemnity*; and then the Estimates for the ensuing Year being laid before the House by his Majesty's Command, and severally read, it was resolv'd, 1. That a Committee should be appointed to inspect the Accounts of the last Year, and make their Report to the House. 2. That another Committee should examine, by what means Intelligence came to be given to his Majesty's Enemies, concerning the several Stations of the Navy-Winter-Guards; as likewise into the Miscarriages committed in victualing the Navy; the Transportation of the Troops, and whatsoever related to the Conduct of the War. Now, tho' the latter of these Resolutions pass'd *Nemine Contradicente*, the Motion which gave Rise to it, ought to be plac'd to the Account of the Whigs. It was one of their favourite Assertions, That the *Tories*, or Prerogative-Men in the Service of King *William*, were secret Friends to King *James*; and that they reconcil'd themselves to the first, only to facilitate, so much the more securely and effectually, the Restoration of the last. This Motion, therefore, we are to presume, was made, only to disgrace these Rivals of theirs in the Government, not the Government in general. The Earl of *Nottingham*, and their old Enemies, the Lord President *(Danby)* and the Lord Privy-Seal *(Hallifax)* were at the Fountain Head of Intelligence: Those concern'd in the Victualing and Transports, were all of the same Party; tho', upon this Occasion, for political Reasons, they had not the Countenance of it: And if they could have fasten'd any flagrant Proofs of Treachery or Mal-administration upon them, the King would have been oblig'd, for his own sake in one Instance, and for the Credit of his Government in the other, to have dismiss'd them from his Service, and left them to the Mercy of the Laws. That, on the other hand, they had no Intention to expose the Secrets of the Cabinet, or render his Majesty's own Measures obnoxious to the Public, appears from this: The Estimates for the War were deliver'd in under the following Heads, viz.

For the *English Forces in England.*
For the *Dutch* Forces in *England.*
For the *English* Forces in *Holland.*
And for the Forces in *Ireland.*

A. D. 1689.

The Whigs endeavour to blast the Conduct of the Tories.

And yet evidence of the Cabinet.

And almost on the very Surface of them appear'd one of the strongest Instances of Partiality to the *Dutch* Interest that could well be imagin'd: For if by the Treaty of 1677, between King *Charles* and the *States*, the Government of *England* was oblig'd to assist their Lordships with ten thousand Men, their Lordships were equally oblig'd by the same Treaty, to assist the Government of *England* with six thousand; and if it rested with us to pay and provide for our Quota, it rested with them to do the same by theirs; whereas by these Estimates we see, that *England* was to be burden'd with both: Then, as to the last of them, which relates to the Forces in *Ireland*, the hiring seven thousand *Danish* Mercenaries to assist in reducing that Kingdom, without either the Consent or Knowledge of Parliament, tho' fitting at the same time when the Contract was made, was liable to many shrewd Exceptions: And of both these Points, as well as the King's continuing to employ and protect the Ministers of the two last Reigns, the Malcontent *(s)* Writers,

(r) At the Remonstrance of the Earl of *Castlemaine*; who, having been examin'd at the Bar of the House of Commons, took occasion to complain, That he and several others had of late been kept close Prisoners, and debarr'd even the Attendance of their own Servants, *&c.* and inside it his Request, that he might have the Liberty of the *Tower*, and such other Indulgencies as were reasonable, for the future.

(s) As appears by the following remarkable Passages:

"The King himself shews us he is infected with Dominion; and that by two broad Instances, *Scotland*, and his *Ministers* at home: for he has not only already violated the very Fundamentals of the Constitution of that Kingdom he swore to maintain, when he receiv'd that Crown, but *buffs* those Men of Quality that came up from that Nation to represent the Breach of those Conditions upon which he took the Crown: And for the present *Ministers* of his Government here, the very naming of them is giving the Reason, both for the Sins of *Omission* and *Commission*; and indeed how should we hope to have our Liberties establish'd, under them who in the late Reigns were the Authors of the Miseries we call'd in *this Prince* in hopes to be deliver'd from; and by what we have already seen of their Management, we must conclude they have either a King *James* in their Belly; or in their Hearts, the Principles of making *more* than a King *James* of King *William*; and truly they have carry'd him a good way towards it, when they have made him afraid of protecting that gallant Gentleman Lieutenant-General *Ludlow*, because forsooth he was a Commonwealth's man, and one of the Judges of King *Charles* I. tho', upon his [*Ludlow*] Principles, we have *abdicated* the Son; which is to refute him the Benefit of the Reasons upon which we pretend to save ourselves."

[*Ludlow* had been sent for, about this time, from his Retirement in *Switzerland*, in order to be employ'd in the Reduction of *Ireland*. But the Commons, at the Motion of Sir *Edward Seymour*, having address'd the King to issue out a Proclamation to apprehend him, as being attainted by Act of Parliament for being concern'd in the Murder of *Charles* I. his Majesty was pleas'd to reply, in effect, That nothing was more just and reasonable; and, when it was known that *Ludlow* was safe on the other Side of the Water, such a Proclamation was issued accordingly: The Consequence of which was,

A. D. 1689. Writers, immediately after, took the advantage to villify the new Establishment, and to enflame the People against it. But, within Doors, these Matters were so far from being objected to, that they were not so much as mention'd: And the very next Day after the Estimates were receiv'd, another lumping Vote was pass'd, That a Sum, not exceeding two Millions, should be added to the Revenue, for reducing *Ireland*, and carrying on the War; agreeable to the former, of the 24th of *October*. Ways and Means to raise this Sum, came next under Consideration; and with so much Zeal did the House, at first, prosecute this desirable Work, that in a Week's time they came to all these several Resolutions, viz. That there should be a Review of the Poll-Bill: That a Tax of 20 *s.* be laid on every Shopkeeper, Tradesman, and Artificer, worth 300 *l.* clear personal Estate: That a Tax of 100,000 *l.* be laid on the *Jews* residing in this Nation: That the pecuniary Penalties incurr'd by all Magistrates, Officers, &c. who had acted in the late Reign, without qualifying themselves by taking the Tests, should be apply'd to the current Service: That a Committee should sit to receive Proposals for advancing Monies upon the Securities of Estates forfeited by King *James*'s Adherents in *Ireland*: That 1,400,000 *l.* should be rais'd by a Land-tax of two Shillings in the Pound: That *Non-jurors* should be tax'd double: And, That a Clause of Credit should be annex'd for three hundred thousand Pounds. A. D. 1689.

Ways and Means for raising the Supply.

From all these forward Steps it was reasonable to expect that his Majesty would have been gratify'd to his own Desire in the Dispatch of the Grant, if not in the Amount of it: But, if such Expectations were rais'd, they met with a sudden Damp: For having proceeded thus far together, in the Service of the Court, and growing mutually jealous that one would be rewarded at the Expence of the other, the two Parties, as if by Consent, thought it advisable to leave the Issue in Suspence till they had obtain'd a sufficient Security for themselves.

Further Proceedings of the Whigs against the Tories.

It is scarce to be doubted that the *Tories* had been promis'd the *Indemnity-Bill*, not that many of the leading *Whigs* in Office had undertaken to promote it: But then the Majority of the Latter not only stood aloof, but thought it their Interest to oppose it with all their Might, as a Measure which had a Tendency to ruin their Party. Thus, tho' the *Whigs* had given way to the bringing in such a Bill as the *Tories* requir'd, their real Design, as above hinted, was to make their own Bill of *Pains* and *Penalties* so large and comprehensive,

---

was. That as the King was complain'd of on one hand for being afraid to give him Protection, so he was equally complain'd of on the other for suffering him to escape.]

This makes me believe a Story of this King, which I was ever sorry to hear, that upon some body's telling him t'other Day, the Commonwealth's-men began to be very busy, he should say, "Let me alone with them; for after I came to the Government of *Holland*, they were very civil to any thing." And it is certain, his Party were the *Tories* of that State.

But it is not only *domestic* Errors that make me despond, tho' they are enough to fink this Government, but the very Nation is in hazard, in reference to our Affairs abroad, more than ever; and I would not, while we reproach the Governments that went before us, that we should do worse for the common Safety. What Condition we are in as to *France* and *Ireland*, the Charge it has been to the People, and how much greater it is like to be, and that we have now a more melancholy Prospect of the Conclusion of the War than we had six Months ago, is felt as well as seen. I need not tell my Countrymen, that our Interest is grounded upon Trade, and that whatever lessens that lessens us; and that That Country that rivals us in that Point is *our Enemy by Interest*, and we can hardly have a greater: But perhaps it may surprize them to tell them at this time, that *Holland* is that Country; but so it is, and the indifferent World sees it, and even the Partial among us begin to feel it. It would have been the Wisdom of this King, as soon as he became so, to have consider'd *his Interest changed* upon his being so; instead of that, we have ever since had our *English* Interest govern'd by *Dutch* Councils, and we have felt the Effects of it; which our Enemies are free to improve to our Dishonour and Danger; as if we had deliver'd up the Wealth and Glory of *England* to *Holland*, instead of making that Country an Handmaid to her Greatness; and truly it is a scurvy Dilemma that we are brought into, that we cannot hope for Peace with *France*, nor to be long at Peace with *Holland* and keep our Trade, nor to support a War with both; if to out-live our own Factions: And this the *Dutch* know as well as we, and therefore you see *they help us* Time, but make the War their great Gain; for, as we let them manage it, they add *our Money* to their own. It is the Language of all Parts, both abroad and at home: Sink therefore we must, when our Friends help to do it, and the King we have made will not see it. If this Partiality proceeded only from the Sense he has of the Kindness the *Estates* have shewn him, one would hope it were but to be once done; but I am told there is more in it: that he intends to purchase them to himself, at our Cost, for a worse Purpose, viz. an unreasonable Greatness: And if fully put with the *Dutch* Interest; for with them it is a Maxim, *the less We are free, the less They have to fear*; nothing being more *prevalent* in *England* than a *Dutch* Republican. That, if I know any thing, completes our Misery, that we are got into a War, for the sake of a Country that is, in Reason of State, the most firm Enemy to our Liberties at home and our Trade abroad, and that they will only be of our Side as long as we let them go away with our Trade; but the Hour we shew we understand them, we may depend upon it they will make up with *France*, and leave us in the lurch. It is not enough that the Parliament will give Money; I do not doubt that; but that may be our Misery, as it may be given: Let us first consider *for what we give it*. It will be task, to *put down* France; but that is the Emperor's Work, whose Competitor he is, and not ours. But, as things now move, shall we not let up *Holland*, that is our Competitor every where, and *in every thing*? Taxes must rise heavily upon such Prospects of our Affairs. There is, in my Opinion, a nearer Way to the Mill than all this, and I think the only one; *Let the Parliament but make it plain to the People that they have the Estate of the Clergy, and I will pay my Head for them they will be at the Charge of it*: But that they should allist such a Revolution, and involve their Person to all Hazards, and their Estates to the Consumptions that will follow it, and at last sit down with a less Trade abroad, and with something worse than the worst Part of King *Charles* II's Reign at home, is, I hope, too gross to put upon the Nation. They that long since ow'd their Heads to the Public must not now think to set up for the Guides of it. The Reflection of a *Commonwealth* is too stale a Calumny to put a zealous and just Claim of Rights out of Countenance.

It was flung at my Lord *Russel*, and at all the Patriots and Martyrs of the People; but in vain are their Attainders reverse'd, while their Endeavours are impeach'd. That a Commonwealth should be an Objection now to such a Settlement of our Freedom as can only save us, is a most severe one against the Government, especially when the same Gentlemen have the Power of making it that made it once before. We can go upon no other Principles, except we will set up that *arbitrary Power* we have ventur'd all to oppose. Nick-names must not scare us, nor vain Flatteries abuse us: We must have our Liberties, or dust for ourselves, and that quickly, before he brings in more foreign Forces upon us: A Reproach we can never wipe off; that what we objected against King *James* should be endur'd from a Stranger, in so unfaithful a Manner, and a Parliament sitting uncontinued.

I will end with this Question: Is it not a Breach of public Faith and Safety, for a Prince, of his own Head, to call in foreign Force to rule a People that call'd him in but Yesterday to rule and protect them by their own Laws and Arms? It shews a plain Diffidation of Truth and Confidence in the People that trusted him, as well as a Violation of the Conditions of the Relation: And if so, are not the Obligations of the People discharg'd; nay, are they not oblig'd before God and Man to take speedy Care of their own future Safety one way or other. [*The* Englishman's *Compleat Folio, p.* 2. *out of* Lord Somers's *Collection, ed.* XXXV. *Treat.* 19.

A.D. 1689. comprehensive, as should render the Former of little Use: It was with this View, that they continued the Persons above-mention'd in Custody; that they labour'd hard to bring other obnoxious Persons of the same Party into the same Circumstances; that they brought in a Bill to forfeit the Estate of the late Lord *Jeffreys* (which was even admitted *nem con.*); that they set on foot an Enquiry into the *Irish* Affairs, together with the Abuses committed in the Victualling, &c; and that they gave all imaginable Countenance to the Complaints of the Merchants of *London*, in relation to the Losses they had sustain'd, by Captures, Want of Convoys, *&c.*

According to the Sense of all Courts, that Time is waited which is not employ'd in their immediate Service; and, agreeable to that Sense, it has been the Fashion to speak of these wayward Proceedings of the House of Commons, with the utmost Bitterness, and to represent them as the Cause of all King *William*'s Misfortunes: But, according to the Constitution, which King *William* at his coming undertook to restore, whenever the Crown demanded Aids, the Subjects had a Right to make the Grant on their own Terms; and even it is the fundamental Duty of their Representatives, to take advantage of the Distresses of the Crown, to provide for the Satisfaction of the People. What indeed is chiefly to be regretted in the Case before us, is, that, except in the *Bill of Rights*, which was held to be very imperfect, the two Parties, during this whole Interval, never thought of the Public, but made use of all their Arts, only to circumvent and supplant each other.

To come to Particulars; and first of the Enquiry concerning *Ireland*, which was narrow'd to the Miscarriages of the *Summer only*: It appear'd, that, according to the Establishment for that Service, Duke *Schomberg* ought to have had twenty-three thousand effective Men under his Command; whereas the House was inform'd, that he had scarce fourteen thousand: That even Those had all along wanted Bread, Shoes, Cloathing, and Medicines: That Numbers had been swept off by Sickness: That the Duke had waited above a Month for his Artillery, Horses and Carriages: That such was the Consternation of the *Irish* at his first Approach, that he might have march'd directly to *Dublin*, in case he had been supply'd as he ought to have been: And that Commissary *Shales*, who had been Purveyor to King *James*'s Army, when encamp'd on *Hounslow-heath*, was answerable for all these Miscarriages. Upon these several Informations, the House made their Application to his Majesty, by one Address, To appoint some fit Person to go over to *Ireland*, to take an Account of the Number of the Army there, and of the State and Condition it was in: By another, To order the said *Shales* to be taken into Custody, his Accounts, Papers, &c. to be secur'd, and also to appoint some other Person or Persons to officiate in his Place; and, by a third, (which was carry'd on the previous Question by forty-six, and on the main Question by forty-nine, Voices, and which was conceiv'd in very (*t*) strong Terms) That he would be graciously pleas'd to let the House know, who recommended the said *Shales*, that they might be the better enabled to give him such humble Advice, as might tend to the Preservation of his Majesty's Person and Government. A.D. 1689. *Several Addresses.*

As every one of these Steps help'd to increase the Ferment of the House, and of course to postpone the grand Affair of the Supply, his Majesty found it no easy Matter to conceal the Displeasure they gave him: Such, however, was the critical Situation of Things, and so far did his Policy get the better of his Resentment, that to the first he reply'd, That he would forthwith send some Persons to *Ireland*, according to the Desire of the House; and, to the second, That being appriz'd of *Shales*'s Misdemeanours, he had already order'd him to be secur'd, *&c.* But, in his Answer to the third, he could not help discovering himself, by saying bluntly, *Gentlemen, 'tis impossible for me to give you an Answer to this Question*: Which some Persons endeavour to account for, by urging, That *Shales* was nam'd and approv'd of in full Council: The Majority, nevertheless, appear'd so much enflam'd at a Negative of so extraordinary a Kind, that it was thought proper to appease them by a Condescension as extraordinary; namely, by the following Message: *The King's Answers.*

" *W.* R.

His Majesty having already declar'd his Resolution to prosecute the War in *Ireland*, with the utmost Vigour, and being desirous to use the Means that may be most satisfactory and effectual in order to it, is graciously pleas'd, that this House do recommend a Number of Persons, not exceeding seven, to be commission'd by his Majesty, to take care of the Provisions and such other Preparations as shall be necessary for that Service. His Majesty is farther pleas'd to let the House know, That, upon Consideration of the Address of *November* 11, he gives them *His second Message.*

(*t*) *Viz.* " We your Majesty's, *&c.* being filled with the sincerest Affection to your Majesty, and tenderly concern'd for the Safety of your Majesty and your People, and for the Honour of your Government, do most humbly represent the extreme Danger we conceive the Nation and your Majesty's Affairs to be in, by the Employment of Persons in the greatest Trust, who have *corruptly* and *treacherously* endeavour'd the Destruction of both; especially Mr. *John Shales*, who was made Commissary-general in *Ireland*, tho' notoriously known to be *Popishly* affected, *&c.* The Mischiefs which have happen'd by the Employment of this Man are so very great, that without *God*'s infinite Mercy they might have entirely defeated your Majesty's good Intentions, and the Effect of the Resolutions of this House; and in particular, when that experienc'd General Duke *Schomberg* went into *Ireland*, he left strict Orders for the speedy transporting the Ordnance and Horse design'd for the Service of that Kingdom; and it pleas'd *God* to bless his first Attempt in that degree, that had his said Orders been executed, your Majesty's Affairs had been in a better Posture than now they are. But the said Commissary *Shales*, to satisfy his Avarice, and partly out of *Disaffection*, did delay the Execution of the said Orders for several Weeks; by reason whereof your Majesty's Forces were not only disabled from pursuing the Advantages they had gain'd, but were also necessitated to encamp at *Dundalk*; which occasion'd the Loss of some thousands of your Majesty's Subjects: Wherefore, we the Knights," *&c.*

A. D. 1689. them leave to nominate some Persons to go over into *Ireland*, to take an Account of the Number, State, and Condition of the Army, who shall receive his Majesty's Orders accordingly."

This produc'd an unanimous Vote of Thanks: And yet when the Undertakers for the Court would have improv'd this relenting Fit, to the King's Service, by moving the House to enter immediately on Ways and Means for raising the Supply, they lost the previous Question by a Majority of seven Voices: And the Result of all was, that they return'd his Majesty's Compliment, and left the Nomination of those Persons to himself.

Some Days before, *Walker*, the Defender of *Londonderry*, had presented a Petition in behalf of the Widows and Orphans of those slain in the Siege of that Place, and not only procur'd a Grant of ten thousand Pounds for their present Relief, but was honour'd with the Thanks of the House, for his own particular Merits and Services, which Mr. *Powle*, the Speaker, took care to enhance, by an express Mention of the *shameful*, if not *perfidious*, Behaviour of *Lundee*, *Cunningham*, and *Richards*.

A Report was also made, in this Interval, of the Abuses discover'd in the Victualling of the Navy; which were such as did indeed cry aloud not only for Examination but Punishment: The Seamen had been serv'd with great Quantities of corrupt and unwholsome Provisions; Numbers had dy'd; and the rest were dangerously provok'd with such unjust and inhuman Treatment: But then the Contractors seem'd to be more immediately answerable for these Abuses than the Commissioners: The Commons were however of a different Mind; as being more incens'd against the Men than the Crime; and so high did they carry their Resentment, that they order'd Sir *John Parsons*, Sir *Richard Haddock*, Alderman *Sturt*, and Mr. *Nicholas Fenn*, the Commissioners, to be taken into the Custody of the Serjeant at Arms; and it was even with Difficulty that they were admitted to Bail, under the Penalty of ten thousand Pounds each.

Complaints of the London Merchants.

As to the Complaints of the *London* Merchants, they were open'd by a Petition, setting forth, in effect, "That, notwithstanding the great Customs which they paid for the Guard of the Seas, when the War with *France* was declar'd, (which they had no Foreknowledge of, nor were prepar'd for) the very Mouth of the Channel was so infested with Privateers, that they lost near a hundred Sail of Ships, to the Value of 600,000*l*; that many of those which escap'd the Enemy had lain in the western Ports near three Months, for want of Convoy; that others had been forc'd to hire Foreigners, or pay considerable Sums to the King's own Ships, to convoy them to the *Downs*." Being called upon to prove the last of these Allegations, they did so, at the Expence of Captain *Charles Churchill*, a Member of their House, who had exacted forty Pounds from one *Hudson* and others, who was thereupon committed to the *Tower*, but soon releas'd, without being oblig'd, as far as appears, to make Reparation to the Injur'd. They also charg'd several Captains of Men of War with having acted more like Pirates, with respect to Merchant-ships, than their Guards and Defenders: That, in particular, the Captains *Leyton* and *Beaumont*, had seiz'd on a Ship bound from *Cork* to *Copenhagen*, and confiscated her Cargo, to the Value of three thousand Pounds: That Captain *Guilman* had plunder'd a Pink homeward-bound from *Bourdeaux*, of twenty Casks of Brandy, *&c.*: That Captain *Nevil* had impress'd so many Hands from on board a *Virginia*-Ship of three hundred Tons, (freighted with five hundred and ninety Hogsheads of Tobacco, for which seven thousand Pounds had been paid and secur'd to the King) off of *Beachy*, that she was unable to defend herself against a Privateer of eight Guns, by whom she was taken and carry'd into *Dunkirk*: That two Ships bound to *Barbados* (one of which had on board the Value of twelve thousand Pounds) which had obtain'd a Promise of Convoy, and receiv'd Instructions and sailing Orders from Commodore *Raines*, were detain'd by Captain *Avery*, in order to impress their Hands, tho' the whole Fleet of Merchantmen had weigh'd Anchor, till the Convoy was out of Sight; whereby they lost their Voyage: And that Captain *Leyton*, again, had seiz'd a Ship homeward-bound from *Madeira*, had carry'd her into *Plymouth*, where he plunder'd her, to the Value of two thousand six hundred and sixty-five Pounds, and had refus'd to obey a Decree given against him in the Admiralty-Court, to make Restitution. All these several Complaints were referr'd to the Consideration of a Committee; and the House, in the mean time, resolv'd, That the requiring or receiving Money for Convoys was illegal, oppressive to Merchants, and destructive to Trade.

A. D. 1689.

Lords Enquiry into the Advisers, &c. of the Murder of Russel, *&c.*

But the Party-Mine which was deepest laid, widest spread, and which was calculated to do the most Execution, (as having Relation to every Circumstance in the two last Reigns which might now be improv'd to the defeating of the *Indemnity-Bill*, and establishing that of *Pains* and *Penalties* on its Ruins) was sprung in the House of Lords by the Duke of *Bolton*, and of which a solemn Notice was given to the Commons by the following Message: "We are commanded by the Lords to acquaint this Honourable House, that a Committee being appointed to examine, who were the Advisers and Prosecutors of the *Murders* of the late Lord *Russel*, Colonel *Sydney*, Sir *Thomas Armstrong*, Mr. *Cornish*, and others; who were the Advisers of issuing out the Writs of *Quo Warrantos* against Corporations; who were the Regulators, and also who were the public Asserters, of the dispensing Power; they desire, that Mr. Serjeant *Trenchard*, *John Hampden*, Esq; and such other Members of this House, as can inform the Lords of the said Committee about these Matters, may have Leave to appear when desir'd, to declare their

A.D. 1689. their Knowledge therein." The Commons gave their Consent, and the said two Members did give their Attendance accordingly: But tho' they had both partaken so largely of the same Persecution, and Mr. *Hampden* in particular had all the Reason imaginable to contribute all the Lights in his Power, as having been chiefly brought within the Reach of it, by the Artifices of the Marquis of *Halifax*, (against whom, in the first place, the Enquiry was intended) neither of them now appear'd in a Disposition to take the Revenge which seem'd to be in their Power: Of *Trenchard*'s Informations no Memorial remains: And of *Hampden* it is only said, That he made a long Speech, tending more to magnify his own Concern in the Revolution, than to discover the Advisers of Lord *Russel*'s Murder. Sir *Peter Rich*, Colonel *Godfrey*, and Mr. *Anthony Rowe*, (all Members) were also call'd upon by the Lords, to declare what they knew concerning the several Points, before the Committee; nor was any other Person omitted, who had either acted in, or suffer'd under, the Violences of the late Times: It was the Business of the Latter to accuse, and Endeavours were us'd to make the Former confess: But *Those* were too much upon their Guard, and *Those* were so defective in their Evidence, "that, as Bishop *Burnet* observes, tho' the Enquiry lasted some Weeks, and gave occasion to much Heat, nothing appear'd, that could be prov'd, upon which Votes and Addresses might be founded."

Reflections on Mr. North's Account of it.

According to the Representation of Mr. *North*, both in his *Examen* and in his Life of Sir *Dudley North* his Brother, we are to understand, that the Commons, in a Committee of the whole House, had the very same Matters under their Consideration, at the *very same time:* He names the Month of *November*; and adds, that he was himself in the House when Sir *John Moor*, and his said Brother, were under Examination: But, if he was, his Memory deceiv'd him strangely, for the attentive Reader will recollect, that the Committee of the Commons, which was appointed to enquire who were the Authors and Advisers of several Grievances relating to the City of *London*, and of which Mr. *Foley* was Chairman, deliver'd in their Report on the 29th of *May*, in the midst of the preceding Session. Mr. *North* moreover insinuates, that those two eminent Citizens pass'd the Ordeal of both Committees, not only safely but triumphantly, by insisting, That they were warranted in all they had done, *Moor*, as Mayor, by the *Advice*, and *North*, as Sheriff, by the *Direction*, of the Court of Aldermen, of whom five were present, and were sheltered in the Herd of the prosecuting Party: Whence we are taught to conclude, that because they confess'd no more, and no more could be prov'd against them, they had no more to answer for: Whereas, the same Author, as we have seen in the former Volume, has circumstantially shewn, tho' for a different Purpose, the whole Proceeding to be a Court-Intrigue, and that his Brother *Dudley* consented to serve, on his being convinc'd by the Lord-Keeper (who, at the same time, gave him a thousand Pounds, to be a joint Sharer with him in the Profits of the Adventure) that he was like to be a Gainer by it. Let us have Leave to add, that, speaking yet farther of the abortive Conclusion of these Examinations, he ascribes it, in the most sanguine Terms he can use, to the matchless Innocence of those suppos'd Delinquents, which neither the Power nor Malice of their Prosecutors was able to tarnish: Whereas the plain Truth is, That the King himself, who came over expressly to do Justice to the Nation on their Oppressors, great and small, had stood forth as their Advocate, and, together with a Majority of his Ministers, made it his Business to procure them an Indemnity; with which singular Advantage, it is no Wonder that they obtain'd it. A.D. 1689.

Proceedings of the Commons in the Case of Sir T. Armstrong.

But, to return: While the Lords were thus the principal Figures on the Stage, the Commons did not disdain to act an Under-Part in the same Scene: They resum'd the Consideration of Sir *Thomas Armstrong*'s Verdict, and came to the following Resolutions upon it, *viz.* "1. That Sir *Thomas Armstrong*'s Plea on the Statute 5 *Ed.* VI. ought to have been admitted; and that the executing him upon the Attainder, by Outlawry, was illegal, and a Murder by Pretence of Law. 2. That the Heirs and Executors of the said Sir *Thomas* ought to have Reparation of their Losses, out of the Estates of the four Judges and two Prosecutors. 3. That a Writ of Error, for Reversal of Judgment in Felony or Treason, is the Right of the Subject, and ought to be granted at his Desire, and is not an Act of Grace or Favour which may be deny'd or granted at Pleasure." In consequence of the second of these Resolutions, they also order'd a Bill of Reparation to be brought in, which was to pass without Fees; and when the Committee, to whom the Case of Lady *Armstrong* and her Daughter Mrs. *Mathews* was referr'd, confirm'd the Allegations contain'd in their Petition, some of which bore hard upon Sir *Robert Sawyer*, they expell'd him the House, by a Majority of sixty Voices.

In this manner the whole Month pass'd, which the King had prescrib'd in his Speech for the Dispatch of the Supply: But, on the 7th of *December*, the Genius of the Court so far prevail'd, that the Land-Tax Bill was brought forward; and almost in the same Breath that a Clause was admitted for appropriating Part of the Product to the Service of the Navy, two others were rejected, *viz.* a Proviso for exempting such Merchandizes from this Tax as should be detain'd in Ships Port-bound, for want of Convoys; and another for a like Exemption in favour of Money lent on Mortgages. On the 9th, the Sum for the Use of the Navy was fix'd at four hundred thousand Pounds. On the 11th, when a Rider was offer'd, importing, that the Money so appropriated should not be diverted to any other Use, it pass'd in the Negative,

A.D. 1689. Negative. A Motion being also made for an additional Clause, to empower Commissioners to review the Assessments, to examine upon Oath, and if they found any Person omitted or under-rated, to re-assess them, by such Ways and Means, and under such Penalties, as had been before provided, the House divided, and the Question was carry'd by nine Voices, *viz.* Yeas 136, Noes 127. And then the Bill was sent up to the Lords.

Proceedings on the Bill of Rights.

It was now reasonable to think, that a more compliant Spirit had taken possession of the House; and no doubt some Temperaments had been apply'd, to qualify thus far the jarring Humours which prevail'd in it: Perhaps the Assent of the Lords to the *Bill of Rights* was one of those Qualifiers: Their Lordships, as it may be remember'd, had in the last Session grafted upon it a Clause in favour of the *Hanover Succession:* This the Commons rejected; and both Houses adhering, with unusual Heat and Obstinacy, the Bill was lost. The Commons, however, began where they had left off: The Bill which they now sent up was a Copy of the former; and possibly was sent up so early as the 6th of *November*, on purpose to convince the Court, and the Lords of the Court-faction, that the Supply depended upon it; for, till their Lordships had pass'd it, the Land-tax Bill, as we have seen, was hung in the Hedge: Their Lordships, on the other hand, we may presume, were appriz'd of this Purpose of the Commons, for they no longer insisted on the *Hanover*-Clause, and contented themselves only with providing, "That the Crown and Government of these Realms should, from time to time, descend to, and be enjoy'd by, such Persons, being Protestants, as should have inherited the same, in case the several Persons who by the same Act were disabled from succeeding, on account of their being Papists, or having marry'd Papists, were naturally dead." Some of their Lordships also, upon this Occasion, made a new Attempt to shew, that there was a dispensing Power in the Crown; but whether it was to countenance the last Reign, or flatter the present, has not been explain'd: Their Arguments, however, had no more Weight with the House, than before; and, on the third reading of the Bill, certain other Lords, who were irreconcileable Enemies to the Marquises of *Halifax* and *Carmarthen (Danby)* offer'd a new Clause, by way of Rider, by which it was to be provided, "That all Pardons upon an Impeachment of the House of Commons should be declar'd null and void, unless granted with the Consent of both Houses of Parliament." This produc'd a long and vehement Debate, but, on the Issue, was over-rul'd by a Majority of thirty-three Voices; upon which, twelve Peers enter'd their Dissent in the following Words:

"1. Because to impeach being the undoubted Right of the Commons of *England*, and by which alone Justice can be had against Offenders that are too big for the ordinary Courts of Justice, Impeachments would be render'd altogether ineffectual, if the King can pardon in such Cases. A.D. 1689.

2. Because such a Power of pardoning would cause a Failure of Justice, which the Law of *England* will not allow of in any case.

3. Because the Government becomes precarious, when there is wanting a sufficient Power to punish evil Ministers of State, the bringing of such Ministers to Justice being then a Matter of Grace, and not of Right.

4. Because such evil Ministers are in a much securer Condition than any other Offenders, it being the Interest of ill-disposed Kings to protect them from Justice, since they are so much the more useful and necessary to such Kings, by how much they have been instrumental in subverting the Government.

5. Because the King can only pardon such Offences as are against himself, but not in case of an Appeal, nor wherever the Wrong or Injury is to a third Person.

6. *A fortiori*, the King cannot pardon an Impeachment, because all the Commons of *England* have an Interest in it, and it is at their Suit.

7. Because it is inconsistent with the Government of *England* to vest a Power any where, that may obstruct the public Justice.

8. Because such a Power of pardoning sets the King's Prerogative above the Government, which is inconsistent with the Reason and Nature of this Constitution.

9. Because the rejecting of the Rider, and the Vote of this House against the dispensing Power in general, don't seem to be very consistent, since the Power of pardoning upon Impeachments is altogether as great as that of a dispensing Power."

The Lords who sign'd this Protest were, *Macclesfield, Ossulstone, Bolton, Warrington, Cornwallis, Bath, J. Lovelace, R. Montagu, Herbert, Stamford, Granville,* and *Crewe*: And, to close on this Head, both the Bill of Rights, and the Land-Tax Bill, receiv'd the Royal Assent on the 16th of *November*.

The Royal Assent given to the Land-Tax Bill and Bill of Rights.

But tho' the Heats of the House of Commons had been somewhat allay'd, they were far from being extinguish'd. A little before the King came to the House on this double Occasion, they had resolv'd themselves into a general Committee on the State of the Nation; in which they came to the following Resolutions; namely, That a Committee be appointed to examine and state the Condition of the public Revenue when his present Majesty accepted the Administration of the Government, and also to and at *Michaelmas* last; and also what Loans have been made thereon, and how the same had been apply'd: And that an humble Address be presented to his Majesty, to lay before him the ill Conduct and Success of our Affairs with respect to *Ireland*, the Armies, and Fleet; and humbly to desire his Majesty that he would be pleas'd to take into Consideration, and in his Wisdom to find out, the Authors of Miscarriages, and to appoint Affairs to be manag'd by *Persons unsuspected*, and more to

Resolutions on the State of the Nation.

A. D. 1689. to the Safety of his Majesty, and Satisfaction of his (*u*) Subjects.

Now the very Words of these Resolutions, which, on the Report, had also the Sanction of the House, are sufficient to shew, that these several Censures of the Administration arose from the *Whigs*: And that, under the Mask of detecting Miscarriages, and proscribing Offenders, the great Point they drove at was, to divide among themselves the whole Power and Profits of the Government.

The *Tories*, in the mean while, who found themselves out-number'd by the *Whigs*, and who had as yet no great Reason to expect, that the King would, on any Terms, consent to turn the Scale in *their Favour*, made their Court on all Occasions to the Princess of *Denmark*, and her Favourite the Countess of *Marlborough*; and at this Crisis, in particular, resolv'd to give the Nation another publick Proof of their seeming Attachment to her Interests. They had, in the former Session, been the first Movers for settling a Revenue on her Highness for Life, independent of the Crown, and had so far prevail'd, in the general Committee, as may be recollected, that forty thousand Pounds was nam'd and agreed to for that Use: But it was post-pon'd on the Report, and in the End, defeated by the Adjournment of the Session. The same Intrigue was now resum'd: The Princess's *Friends*, namely the Lord and Lady *Marlborough*, could not bear to think, that she should depend on the King's (*v*) Generosity, which, it seems, they had no Opinion of, and therefore made a general Muster of all who were willing to be Adventurers in her Service. No Affair of this Nature can long be a Secret: The Court had soon Intimation of it, were alarm'd, and endeavour'd to stifle the Bomb, before it should have Time to burst. Lady *Marlborough* was attack'd on all Sides, and in all Manners; threaten'd with Ruin; wheedled with Promises of Favour; and, at last, told, that, instead of serving, she would undo, the Princess: That she (the Princess) could not hope to carry her Point; and, if she did not, the King would not think himself oblig'd to do any thing for her, &c. Her Ladyship, however, continued immoveable, and, instead of giving over her Pursuits, doubled and re-doubled all her Efforts to render it successful. Finding her thus firm, a new Expedient was put in practice: The Duke of *Shrewsbury* was sent to make her Highness an Offer of fifty thousand Pounds a Year, if she would desist from soliciting the Settlement by Parliament, and undertook of himself to be a sort of Guarantee for his Majesty's Performance, by saying, "That he was confident he would keep his Word; and that, if he did not, he would not serve him an Hour after he broke it." This Message, also, was brought to Lady *Marlborough*, and as she had declar'd herself dissatisfy'd with it, and even insinuated, that his Majesty's Promise was not to be depended on, it may be fairly presum'd, that when she reported it to the Princess, she prevail'd with her to return the following Answer: "That she could not think herself in the wrong to desire a *Security* for what was to support her; and that the Business was now gone so far, that she thought it reasonable to see what her *Friends* could do for her." This was peremptory; and all that the King and his Ministers had now to do was, to manage the Matter as well as possible in the House of Commons: Now it is reasonable to think, that, before this Message was sent, both were convinc'd, that the Princess had already made sure of a formidable Party there; for Sovereigns never stoop to such Expedients, till all others have been found unsuccessful: Instead therefore of making the Princess popular, by rendring her the Object of public Pity, as the opposing her whole Demand would scarce have fail'd of doing, they compounded the Matter with her Partisans: The Latter demanded 70,000 *l.* a Year, and the Former offer'd 50,000; "which was at last accepted, rather than have any farther Struggle, (says the Duchess (*w*) of *Marlborough*) considering the great Power and Influence of the Crown, by reason of its Dependants."

A. D. 1689.

The Princess of Denmark renews her Demand of a parliamentary Settlement.

But

(*u*) "The Member that spoke the loudest on this Occasion was *Mr. Hampden, jun.* who, tho' his Life had been in danger under the preceding Reign, tho' both he and his Father had much contributed to the late Revolution, and tho' both were in favour with the present King, yet made a long Speech against those that had the Management of Affairs, by saying, he could not but wonder to see those very Persons in the Admiralty whom the late King *James* had employ'd, even when his Affairs were most desperate, to treat with the (then) Prince of *Orange*. He alledg'd the Example of *William* first Prince of *Orange*, who never made use of the Duke of *Alva*'s Ministers; of *Henry* IV. of *France*, who never employ'd those of his Competitor the Duke of *Mayenne*, and of several other Princes; and mov'd for an Address, to desire his Majesty to remove the Persons he had mark'd out, from his Presence and Councils. This Speech might, perhaps, have made an Impression on the Minds of some Members, but because at the same time he complain'd, that several Commonwealths-men were employ'd by the Government, the House, who knew both him, his Father, and their Predecessors, to have ever adher'd to the Republican Party, broke out immediately into a general Laughter. As soon as the Commons had recover'd their Gravity, several Members stood up in defence of the illustrious Person on whom Mr. *Hampden* had reflected, alledging, that the Reason why they had been deputed to the Prince of *Orange* was, not because they were in King *James*'s Interest, but rather, because they had all along disapprov'd his Majesty's Conduct, and as such, had the general Approbation of the Nation, and were most likely to be agreeable to his Highness.

"The tune Day Sir *Thomas Clarges* represented to the Commons, that it was dangerous to bring so many foreign Troops into the Kingdom, and that it was both safer and more expeditious to employ *English-men* in the Reduction of *Ireland*. He supported his Opinion by the Example of *Cromwell*, whose *English* Troops not only had a natural Antipathy against the *Irish*, but likewise a constant Ascendant over them; but somebody very justly reply'd, That *Cromwell*'s Army was compos'd of well-train'd, weather-beaten Soldiers, whereas the present *English* Forces were made up of raw, undisciplin'd Men. Sir *Thomas Clarges* made this Motion, upon a false Report, that, besides the seven thousand *Danes*, the King had sent for eight thousand more, either from *Hanover* or *Sweden*." [*Life of King William*, *vol.* ii. *p.* 103, 104.

(*v*) "For, says that Lady, in her *Memoirs*, the late Lord *Godolphin* had told me, that the King, on some Morning at the Treasury, speaking of the Civil List, wonder'd very much how the Princess could spend thirty thousand Pounds a Year; though it appear'd afterwards, that some of his Favourites had more."

(*w*) The same great Lady adds, just after, "That *most* of those who had been prevail'd with to promote it were *Tories*; and that their Zeal, on the present Occasion, was doubtless to *reward* King *William*'s Foes, continues her *Grace*, I never observ'd that, on any other, they discover'd much Regard for the Princess of *Denmark*."

A.D. 1689. But tho' this Compromiſe was the Effect of private Cabals, it ſeem'd, without-doors, to be the Effect of fair and open Deliberations: Lord *Eland*, (the only Son of the Marquis of *Hallifax*) Mr. *Finch*, and Mr. *Godolphin*, ſtickled in the Houſe for ſeventy thouſand Pounds: And others, among whom was the younger *Hampden*, inſiſted, That it was dangerous to ſettle any Revenue on a Princeſs who had ſo near a Clame to the Crown, independently of the King, whoſe very Title was diſputed by the Malcontents: Upon the Reſult of all, it was reſolv'd,

And obtains it. "That an humble Addreſs be preſented to his Majeſty, That he would be pleas'd to make a Proviſion for the Prince and Princeſs of *Denmark* of fifty thouſand Pounds in the whole, in the Year, beginning at *Chriſtmas* next." And ſuch an Addreſs was accordingly preſented by the whole Houſe; to which his Majeſty was pleas'd to anſwer, "Gentlemen, Whatſoever comes from the Houſe of Commons is ſo agreeable to me, and particularly this Addreſs, that I ſhall do what you deſire of me."

It is however acknowledg'd on all hands, that the Conſequence of this Struggle, was a Breach between the Two Royal Siſters, which never was made up: And it is obſervable, that the Queen's particular Complaint, mention'd by *Burnet*, namely, That ſuch a Motion ſhould be made before the Princeſs had try'd, in a *private Way*, what the King intended to aſſign her, has never been anſwer'd.

The Revenue granted for one Year, as before. But tho' it was held reaſonable to render her Highneſs independent of the King, the Majority could not, by any Pretence of a Parity of Reaſon, be brought to think, that the King ought to be render'd independent of his People: Thus, when the Revenue was under Conſideration, their Complaiſance extended no farther than to ſettle it, as before, on his Majeſty for one Year: And the Bill for that Purpoſe was, on the *third* Reading, paſs'd, *nem. con.* and ſent up to the Lords.

Addreſs on the State of the Nation. This was the Buſineſs of *December* 19; and, two Days after, the Addreſs on the State of the Nation was reported by Mr. *Hampden, jun.* who is accus'd of having ſet that Affair in motion, partly out of Diſappointment, and partly out of Pique to the Earl of *Nottingham*, who had croſs'd his Ambition, by ſtepping between him and the Secretary's Office: The ſaid Addreſs contain'd in Subſtance, the deep Senſe the Commons had of the ill Conduct of foreign Affairs, and of the unhappy Succeſs it had produc'd; pleaded, that it was the Duty of their Truſt, to lay before his Majeſty the Wrong done both to him and his People, and the imminent Danger of the Kingdom, from the Want of Ability or Integrity in thoſe who had the Direction of the ſaid Affairs; communicated a great Variety of Particulars, to ſpecify wherein this Want of Integrity or Ability conſiſted; and concluded with declaring, that the Remedy, under *God*, conſiſted in his Majeſty's Wiſdom, and Affection to his People; and recommending to him to find out the Authors, *&c.* according to the Words of the Vote. But tho' this Remonſtrance, for ſuch in effect it was, was exactly agreeable to the Senſe of the Houſe, as it appear'd on the 15th, and that Senſe could no otherwiſe be juſtify'd than by a Deduction of Facts, the Wind was now come about, and, by the ſtrangeſt (*x*) Coalition imaginable, of *Tories* in ſupport of their Leaders, and *Whigs* in Place, who thought it their Duty to ſhew more Concern for the Honour of the Court than the Intereſt of their Country, the Addreſs was recommitted; which was held the decenteſt, and found to be the moſt effectual, Way to ſtifle it for good and all.

A.D. 1689.

Ordered to be recommitted.

A Call of the Houſe. Both Parties however continued ſo fearful of each other, that, in hope of a Reinforcement, they join'd in a Motion for a Call of the Houſe; which was fix'd, on the 23d, for that Day Fortnight; and it was farther reſolv'd, That all ſuch Perſons as ſhould not then appear, or cauſe a ſatisfactory Excuſe to be made for their Abſence, ſhould have their Names printed, to the end that the Nation might know, who attended, and who neglected, their Duty.

Both Parties again make their Court to the King. But now it was that the Struggles of the two Parties, once more, threw the whole Game into the Hands of the King; for both being thoroughly convinc'd, that which ever had his Majeſty on their Side had the other at diſcretion, made their Court not only at each other's Expence, but at the Expence of every other Conſideration: The King was out of meaſure provok'd at the (*y*) Revenue-Bill, by which he was convinc'd, that the *Whigs* were determin'd to keep him to his good Behaviour, by having him *annually* at their Mercy: The *Tories* had either found this out, or had the Secret communicated to them; and, having the Corporations ſtill in their Power, made an Offer to his Majeſty, to make him eaſy in that and every other Point, in caſe he would diſſolve the preſent Parliament, in which both They and He had ſo precarious an Intereſt: The *Whigs* had ſoon Intimation of this Treaty, and, by way of Countermine, out-promis'd the *Tories*, in caſe he would help them, ſays Biſhop *Burnet*, to get the *Corporation-Bill* paſs'd, which, as before-mention'd, was calculated to take the Election out of the Hands of the *Tories*, and put it into Theirs. The King demurr'd on theſe ſeveral Offers, and, to incline him to the *Whiggiſh* Side, the Committee of Ways and Means prepar'd the following new Reſolutions, which were ſeverally agreed to by the Houſe, *viz.* That a Bill be brought in to forbid all Perſons to ſell Beer, Ale, *&c.* or diſtil or ſell Brandy, *&c.* without a Licence: That for every Licence to

(*x*) It is particularly mention'd, that *Hampden*, the Father, appear'd at the Head of the Oppoſition againſt his Son, and ſhew'd himſelf more offended with the Addreſs, than the Miſcarriages complain'd of in it.

(*y*) Which receiv'd the Royal Aſſent on the 23d.

A.D. 1689. to sell Beer, *&c.* an Imposition, not under twenty Shillings, shall be paid; to sell Coffee, *&c.* not under forty Shillings; to distil Brandy, *&c.* not under five Pounds; and to sell Brandy, *&c.* not under twenty Shillings: That an Imposition be laid upon Tea and Coffee, at the Custom-house: That an Imposition of one Quarter of a Year's full Value be laid upon every House erected upon a new Foundation, within the Bills of Mortality; and that the farther Sum of one Shilling in the Pound, for one Year, be laid on all Persons and Estates charg'd by the late two Shilling Act.

Proceedings in the Corporation-Bill.

It ought to be observ'd, that the Recess for the *Christmas*-Holidays was very short; that all these Resolutions, except the last of all, A.D. 1689-90 were made on the 30th and 31st of *December*; that on the 2d of *January*, the Sollicitor-general, *Somers*, who was Chairman of the Committee to whom the important *Corporation*-Bill had been refer'd, made his Report to the House of several Amendments, which he read in his Place, and which were severally agreed to; and that, as the Bill then stood, it contain'd little more than a bare Restitution of Corporations to the State they were in, at the Year 1675. By this time, however, the *Whigs* had some Reason to suspect, that, as a Party, they had lost the King; and, therefore, they thought it high time to take care of themselves, by the following Means: As soon as the House had given their Sanction to the Votes of the Committee, Mr. *Sacheverel* rose up, and mov'd that the following Clause might be admitted:

"And whereas it is necessary, for the sake of public Justice, and securing the Government for the future, that such open Attempts upon the Constitution, and so notorious Violations of Oaths and Trusts, should not go unpunish'd; lest hereafter ill Men might be encourag'd to the like Guilt, in hopes to come off with Impunity, tho' they should fail of Success:

Be it enacted, by the Authority aforesaid, that every Mayor, Recorder, Alderman, Steward, Sheriff, Common-Council-man, Town-Clerk, Magistrate, or Officer, who did take upon him to consent to, or join in, any such Surrender, or Instrument purporting such Surrender as aforesaid; or did sollicit, procure, prosecute, or did pay or contribute to the Charge of prosecuting any *Scire facias*, *Quo Warranto*, or Information in the Nature of *Quo Warranto*, by this Act declared void, shall be, and is declar'd, adjudg'd, and enacted to be, for the space of seven Years, uncapable and disabled, to all Intents and Purposes, to bear or execute any Office, Employment, or Place of Trust, as a Member of such respective Body-Corporate, or in or for such respective City, Town, Borough, or Cinque-Port, whereof or wherein he was a Member, at or before the Time of making such Surrender, or Instrument purporting such Surrender, or the suing out, or prosecuting, such *Scire facias*, *Quo Warranto*, or Information in nature of *Quo Warranto*; any thing in this Act contained, or any other Case, Statute, or any Ordinance, Charter, Custom, or Thing, to the contrary in any wise notwithstanding." A.D. 1689-90

The said Clause was accordingly admitted; and Mr. *Sacheverel* was no sooner set down, than Sir *Robert Howard* propos'd a second, in these Words:

"And be it further enacted, by the Authority aforesaid, That if any Person, hereby enacted and declar'd to be incapable and disabled to bear or execute any such Office, Employment, or Place of Trust as aforesaid, shall at any time after the 25th Day of *March*, 1690, take upon him to bear or execute any such Office, Employment, or Place of Trust, as aforesaid, every such Person shall forfeit the Sum of five hundred Pounds, to be recover'd by any Member or Inhabitant of the respective Body-Corporate, City, Town, Borough, Cinque-Port, who shall sue for the same by Action of Debt, Bill or Plaint, in any of their Majesties Courts of Record at *Westminster*; wherein no Essoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, shall be allow'd. And also, upon Verdict found, or Judgment given by Confession, or otherwise, in such Action against the Defendant, the said Defendant shall be for ever incapable to bear or execute any Office or Place of Trust whatsoever, within this Kingdom of *England*, or Dominion of *Wales*.

Provided also, and be it enacted, that a former Action depending shall be no Plea for the Defendant in any Action to be brought upon this Statute, if such former Action hath depended by the Space of three Terms; nor shall a Nonsuit of the Plaintiff, or a Judgment for the Defendant, in any former Action, be a Bar to the Plaintiff, in any Action to be brought upon this Statute."

This was admitted also, and, together with the Bill thus amended, was order'd to be engross'd; to the infinite Astonishment and Confusion of the few *Tories* present, and whose Objections and Complaints were alike disregarded. The Body of that Party, not dreaming of any such Attempt, had withdrawn from the Town during the Holidays, to visit their Country-seats; and their Adversaries, willing to make the most of the precious Opportunity, push'd it on with so much Expedition, that, on the very next Day but one, it was read a second time, and might have been carry'd thro' at a Heat, if one of the principal Promoters of it had not thought fit to concur in a Motion for Time, and induc'd the rest of his Party to follow his Example. A Concession so sudden, unexpected, and irreconcileable with the rest of the Proceeding, occasion'd much Speculation. The *Tory*-Party gave out, or their Oracle Mr. *Finch* (Sollicitor in the late Reign) for them, That the King having express'd his Dislike of the Bill, the Undertakers, as a Test of its Utility, had affirm'd, That the Majority of the House were for it, and that, to shew they were so, they would consent to the Trial at any indifferent Time, when the House was fullest. The *Whigs*, on the other hand, set forth, "That they were trick'd into the Delay, by one who was thought to

[*A Letter concerning the disabling Clauses, &c.* p. 5.]

[*State Tracts, temp.* W. III. v. 1, p. 706.]

look

A.D. 1689-90 look one Way and row another. However this may be, the farther Conſideration of the Bill was put off till the 10th; at which time the two Parties having completed their Muſters, it fell to Mr. *Sacheverel*'s Lot, as Champion for the *Whigs*, to open the Debate; which he did, by recommending what he call'd a more moderate Clauſe to the Houſe, in lieu of the Former: But on the bare reading it was rejected; the *Tories*, and their Partiſans for the Day, pronouncing it to be ſo, in Shew more than Subſtance. The Aſtoniſhment and Mortification were now on the *Whiggiſh* Side, who, ſcarce believing it poſſible, that they could either be out-number'd or out-reaſon'd, debated the Matter for twelve Hours together, and divided the Houſe ſeveral times, but always with the ſame Succeſs; for they loſt their Clauſes, and were forc'd to be contented with the Bill in its primitive State, which was call'd, *A Bill to reſtore Corporations to their ancient Rights and Priviledges.*

[*V. ii. p.* 39.] Biſhop *Burnet*, who undertakes to give a Summary of this Matter, and who is follow'd *verbatim* by our Cotemporary-Hiſtorian, is pleas'd to ſay, That the Bill (in which he lumps the two Clauſes thus violently conteſted) was carry'd by a great Majority in the Houſe of Commons; whereas the Truth is, that the *Tory*-Party had the Majority on every Diviſion; tho' that Majority was never above eighteen; and the *Whigs*, to countenance their own Defeat, gave out, "That even the unexpected Addition to their Numbers, which the *Tories* that Day receiv'd, had not given them the Balance, if a too great Confidence in the Reaſonableneſs of the thing contended for, had not made others careleſs."

Tindal.

[*State Tracts, ut ſupra, p.* 756.]

In following the Bill to the Houſe of Lords, thus gutted as it was, we find the ſame Prelate ſpeaking of its Fate there, in the following Words: "The firſt Point in debate was, upon the declaratory Part, whether a Corporation could be forfeited or ſurrender'd: *Hole*, and two other Judges, were for the Affirmative; but all the reſt were for the Negative: No Precedents for the Affirmative were brought higher than the Reign of King *Henry* VIII. in which the Abbies were ſurrender'd; which was, at that time, ſo great a Point of State, that the Authority of theſe Precedents ſeem'd not clear enough for more regular Times. The Houſe was ſo equally divided, that it went for the Bill only by one Voice." But, according to the Journals of the Houſe, it appears, that their Lordſhips (being in a general Committee on the ſaid Bill, *January* 23, the Earl of *Mulgrave* in the Chair) were not in a Humour to go ſo far in the Bill as even the Houſe of Commons had done; for they would not allow, that even the firſt enacting Clauſe was rightly founded, or that the Proceedings were illegal which gave riſe to the Bill: And accordingly the Iſſue of the Debate was put on the following Queſtion, *viz.* Whether the Words [declared, and were, and are, illegal] ſhould ſtand in the Bill, which paſs'd in the Negative, both in the Committee and on the Report; on which laſt Occaſion, the Numbers ſtood thus, namely, *Contents* (to agree with the Committee) fifty-one; *Not-contents* forty-three: The Biſhop adds, That *little doubt was made of the paſſing the Act*: But ſurely this Negative ſeem'd to indicate, that nothing leſs was to be expected; for having thus remov'd the Foundation, the Superſtructure was ſure to fall with the next Breath: And it was, probably, in the clear Foreſight of ſuch an Event, that the following ſevere Proteſt, (ſign'd *Bolton*, *Herbert*, *Macclesfield*, *Bedford*, *Aſhburnham*, *Montagu*, *Vaughan*, *Stamford*, *Sydney*) was enter'd in the Journals of the Houſe:

P. 39.

A.D. 1689-90

"Becauſe that there hath been only two Caſes cited, in all the Law-books, towards the maintaining the Surrender of Corporations, *viz. Dyer* 273, 282. The Opinions in theſe Caſes are not taken upon Argument; the firſt of them, as appears by the Book, needed, and had, an Act of Parliament to confirm it, being deny'd to be Law, in my Lord *Coke*'s third Report, in the Dean and Chapter of *Norwich*'s Caſe, 44 *Eliz.* The other of them is deny'd to be Law by the Judges of the King's-Bench, in *Fulcher* and *Heywood*'s Caſe in 2 *Charles* I. in *Palmer*'s Reports; and by the expreſs Reſolution of the Judges in that Caſe, a Corporation cannot, by Surrender, diſſolve itſelf.

2. Becauſe that *Beda*, in the Time of *Henry* V. and the Corporation of *Newbury*, did ſurrender to that King, which was not allow'd; but the Houſe of Commons call'd upon them to ſend up Members, notwithſtanding the ſaid Surrender; and until they petition'd the ſaid Houſe, ſetting forth their Inability of ſupporting that Charge, they were not excus'd; but the Houſe allow'd their Petition, and they have ſent none ſince.

3. Becauſe the Surrenders in debate, being for the Intent and Purpoſe of returning ſuch Parliament-men whom the King ſhould appoint, was for the Subverſion of the Laws and Liberties of *England*, and introducing of Popery and arbitrary Government; and that the putting out theſe Words ſeems to be the juſtifying of the moſt horrid Action that King *James* was guilty of during his Reign; and we humbly conceive, a denying the chiefeſt Grievance mention'd in King *William*'s Declaration when he was Prince, and the greateſt Inducement for the People's taking up Arms in defence of their Liberties and Properties, and Proteſtant Religion, and the eſtabliſhing this King upon the Throne."

In ſhort, never any Bill was more fiercely contended for by one Party, or more fiercely oppos'd by the other; and why it was ſo, thoſe Parties have themſelves explan'd: Says the *Letter-Writer* before-quoted, and his Followers, "It was calculated to exclude the whole Church-of-*England*-Party out of Parliaments, for ſeven Years." And the *Vindicator* acknowledges, "It was levelled againſt them who uſurp, or engroſs to themſelves, the Name of the Church of *England*, and would make a Faction of the national Church, from which they would exclude moſt of the conformable Laity." But then he

OF THE BOMBAY BRANCH OF THE

A.D. 1689-90 he adds, " That none were truer to the Church's Intereſt than thoſe who ſtickled for thoſe Clauſes, as a Means to prevent thoſe Diſturbances, which were contriv'd by Men who us'd the Name of the Church to countenance the worſt of Crimes, and who aim'd at nothing more than the advancing themſelves."

And now, before we finiſh the final Cataſtrophe of this Bill, we muſt return to the Houſe of Commons, where we ſhall find the *Whigs*, who were by this time fully ſenſible, that their *own* King had ſet his Face againſt them, ſtruggling hard to regain the Aſcendancy over their Adverſaries, which they had loſt; but without the deſired Effect; for having been defeated in their main Point, all the *Trimmers* to a Man look'd upon them as undone, and attach'd themſelves to the victorious Side.

The Bills of Indemnity and Pains and Penalties incorporated.

The two Bills, of *Indemnity* and *Pains and Penalties*, had, by Order, been blended into one, and the Well-management of this was the laſt Card which the *Whigs* had to play: On the other hand, while that *Red* hung over the *Tory*-Chiefs, they did not know how to think themſelves ſafe. The Preſs they had made a very free Uſe of; ſometimes to ſoften, ſometimes to terrify, their Adverſaries, and ſometimes to juſtify themſelves. A notable Tract of theirs, formerly quoted under the Title of *The Magiſtracy and Government of* England *vindicated*, was compos'd of all thoſe ſeveral Ingredients. It was divided into three Parts; the firſt of which contain'd an expreſs Defence of all the Proceedings againſt Lord *Ruſſel*: The ſecond, a Defence of that Defence: And the third, ſeveral Reaſons for a general Indemnity: All ſhew'd the Author to be ſufficiently vers'd in the Matters he treated of; and alſo, that his Paſſions were to the full as much concern'd in the Diſpute as his Reaſon: Nor ought we to forget, that, in the Cloſe of all, he diſcourſes as follows:

" But if Vengeance be requiſite, it ought to be without Reſpect of Perſons, the Juſtice of it ought to be impartial, true, and catholic: And then come in the Penſioners and Surrenderers, the Regulators and Promiſers, the old High-Commiſſioners, and the new Creed-Makers, *&c.* and *God* knows, *quis non*, &c. Nay, *ſince* the Revolution ſome muſt come in for a Snack of Cenſure too; the (*z*) Buyers and Sellers of Places, the Members that took (*a*) Offices, contrary to their own Motion and Vote in the *Weſtminſter*-Parliament: The Proclamation-Men for prohibiting of importing *French* Commodities, under pain of Confiſcation of Ship and Goods, three Weeks before a War proclam'd, contrary to eleven Acts of Parliament for free Trade, even in Parliament-time: The Treaſury, for farming Lotteries, which are common Nuſances, contrary to Multitudes of Statutes, and continuing them ſtill with *non obſtante's* in the Indenture, tho' illegal, and void *ab initio*. The great Seal, for paſſing four Patents at one Seal in this *Lent* Vacation, with *non obſtante's*, contrary to the Bill of Rights: The new Sheriffs, for practiſing what themſelves condemn'd in a *Moor* and a *North*, *cum multis aliis, quos nunc deſcribere longum*, &c. To conclude, our *Saviour's* Rule, if obſerv'd, will be the moſt infallible Indemnity that can be contriv'd, and that is, *John* viii. 7. *Let him that is without Sin amongſt you caſt the firſt Stone.* And in truth a Cenſor of the Manners of others ought himſelf to be pure, clean, and innocent *in omni re quacunque*; and if there be no Danger but from ſuch, I'm ſure there's no Danger at all; and that it ſhould be ſo is the trueſt Juſtice in the World, *quod fuit probandum.*

A.D. 1689-90

I'll not mention the Argument from the (*b*) Vacancy, that the Government was diſſolv'd, every thing reduc'd into its primitive State of Nature, all Power devolv'd into Individuals, and the Particulars only to provide for themſelves by a new Contract; for, if ſo, there's yet no new Conſent for Puniſhment of Acts done before the Diſſolution, and conſequently Revenge for that is at an end; Indemnity therefore ought to be promoted by thoſe who made that Vote, for otherwiſe their Truth may be ſuſpected, *&c.*"

How far theſe ſhrewd Recriminations weigh'd within-doors it is hard to ſay; but this is certain, that when the Bill, ſo blended as above, came under Conſideration, on the 21ſt of *January*, and a Motion was made to name particular Perſons, the Houſe divided on the previous Queſtion, and it paſs'd in the Negative, Yeas 170, Noes 190, tho' what was now reqnir'd, the Houſe had actually agreed to, in the former Seſſion.

This ſhew'd, that the Tide was effectually turn'd, and that, in conſequence of it, the *Whiggiſh* Intereſt would ſoon be left aground: A new Trial was however to be made the next Day. Sir *Thomas Pilkington*, and his Fellow-Sufferers in the Affair of the pretended Riot at the Election of the *London*-Sheriffs, in the Reign of *Charles* II. had on the 12th petition'd to be reliev'd out of the Eſtates of their Proſecutors: And on the 22d the Merits of their Plea were argued; and,

(*z*) In the preceding Seſſion, one *Bearcroft*, in a Petition to the Houſe of Commons, after ſetting forth his Sufferings in the former Reigns, proceeds to the following Effect: " That, on this moſt happy Revolution, he did not doubt but Sufferers would have been rewarded: But that he had experienc'd the contrary; his Petitions having been all rejected by thoſe who had the Diſpoſal of Places, who openly ſold them to the higheſt Bidder: That, tho' he wanted Bread, he was order'd to trouble them no more: That therefore he pray'd the Houſe would be pleas'd to call before them *Florentine Shepherd*, *Simon Smith*, and *Richard Colling*, Eſqrs; to account for the many thouſand Guineas they had unjuſtly got, for the Diſpoſal of the ſaid Places; and that he the ſaid Petitioner might be allow'd to produce his Witneſſes to prove the ſame." It ought to be added, That the Practice herein complain'd of was ſo notorious, that a Committee was appointed to enquire into the Particulars; and that a Bill was order'd to be prepar'd to prevent the like Abuſes for the future.

(*a*) In this very Seſſion, a Queſtion had been put, " Whether a Perſon having a Place at Court, or any Dependance on the King, ſhould be a Member of that Houſe?" but was carry'd in the Affirmative: It being alledg'd, " That otherwiſe the fitteſt Perſons for public Employments would be excluded, and be thereby debarr'd the Opportunity of ſerving either King or Country."

(*b*) There is another Pamphlet extant, under the Title of *Indemnity the Effect of Vacancy*.

A.D.1689-90 and, upon the Whole, the Queſtion being put, Whether the ſaid Petitioners ſhould have the Reparation they requir'd, it paſs'd in the Negative, Yeas 152, Noes 169.

On the 23d, the Conſideration of the *Indemnity*-Bill was reſum'd, and, poſſibly in deriſion of that Party, which was of late ſo formidable, and was now ſo impotent, the Houſe agreed, without dividing, in all the ſeveral Articles of Exception formerly enumerated; among which even that relating to the *Surrender of Charters* maintain'd its Place.

Royal Aſſent given to ſeveral Acts.

In this Interval, his Majeſty came to the Houſe, and gave the Royal Aſſent to the additional (*e*) Land-Tax Bill of one Shilling in the Pound, as alſo to the Bill for charging and collecting the Duties upon Coffee, Tea, and Chocolate, at the *Cuſtom-houſe*, the Preamble to which was as follows: "Whereas it has been found by Experience, that the collecting of the Duty ariſing by virtue of ſeveral Acts of Parliament, by way of *Exciſe* upon the Liquors of Coffee, Chocolate, and Tea, is not only very *troubleſome* and unequal upon the Retailers of thoſe Liquors, but requireth ſuch *Attendance of Officers* as makes the neat Receipt very inconſiderable; for Remedy thereof, be it enacted," *&c.* And by way of Equivalent for ſo deſirable an Alteration, an additional Duty, over and beſides what was then payable at the Cuſtom-houſe, for the ſaid Commodities, of five Pounds twelve Shillings a Hundred, was impos'd on Coffee; eight Pounds eight Shillings on every hundred Weight of Cacoa-Nuts; and five Shillings on every Pound of Tea.

This Act was paſs'd on the 16th; and on the 27th, when the Commons were ſtill brooding over the *Indemnity*-Bill, his Majeſty came again to the Houſe, and gave the Royal Aſſent to the Bill for reviewing the Poll, and for an additional Poll, (*d*) a Bill for the better ſecuring, and Relief of, the *Iriſh* Proteſtants, and a Bill to prevent vexatious Suits, againſt ſuch as acted in order to bring in their Majeſties, or for their Service; the Preamble to which is alſo remarkable enough to deſerve a Place in Hiſtory, *viz.* "Whereas, about the Time of his Majeſty's glorious Enterprize for delivering this Kingdom from Popery and arbitrary Power, and in Aid and Purſuance of the ſame, divers Lords, Gentlemen, and other good People, *well-affected to their Country*, did act as Lieutenants, Deputy-Lieutenants, Juſtices of the Peace, or other Officers *civil* or *military*, tho' *not ſufficiently authoriz'd* thereunto, and did A.D.1689-90 apprehend and put into Cuſtody ſeveral *criminous* and *ſuſpected* Perſons, and did ſeize and uſe ſeveral Horſes, Arms, and other things, and did enter into the Houſes and Poſſeſſions of ſeveral Perſons, and did quarter and cauſe to be quartered Soldiers and others there; in which Proceedings ſome *Force* and *Violence* and Defect of Form was unavoidable, which in a Time of Peace and Safety would not have been allowable: And alſo, *ſince* their Majeſties happy Acceſſion to the Crown, by reaſon of the Wars and Troubles rais'd and occaſion'd by the Enemies of their Majeſties and this Kingdom, divers like Matters and Things have been acted and done; all which were neceſſary and allowable, in regard of the *Exigence* of public Affairs, and ought to be juſtify'd, and the Parties concern'd therein indemnify'd: Nevertheleſs, ſome Perſons, *ill-affected* to their Majeſties Government, and the Safety and Welfare of this Kingdom, have commenced and proſecuted, and threaten to commence and proſecute, Actions and Suits againſt their Majeſties good Subjects, for and by reaſon of their Actings and Doings aforeſaid: Therefore, for the preventing the Trouble and Charges which the ſaid good Subjects might be put to, by the means of ſuch vexatious Suits, Be it enacted," *&c.*

Theſe ſeveral Acts being thus paſs'd, his Majeſty was pleas'd, in a moſt gracious Speech, to expreſs himſelf as follows:

"*My Lords and Gentlemen,*

His Majeſty's Speech at the Cloſe of the Seſſion.

I am ſo ſenſible of the Readineſs you have ſhewn to ſupply me with Money for the carrying on the Wars I am engag'd in, that I am glad of this Occaſion to give you Thanks for your chearful Diſpatch, which was abſolutely neceſſary for the common Safety. The beſt Return I can make to your Kindneſs is, to aſſure you, that, *as far as it will go*, it ſhall all be employ'd to the Purpoſes it was given.

It is a very ſenſible Affliction to me, to ſee my good People burthen'd with heavy Taxes; but ſince the *ſpeedy* recovering of *Ireland* is, in my Opinion, the only Means to eaſe them, and to preſerve the Peace and Honour of the Nation, I am reſolv'd to go thither in Perſon, and, with the Bleſſing of *God Almighty*, endeavour to reduce that Kingdom, that it may no longer be a Charge to them.

And as I have already *ventur'd my Life* for the Preſervation of the Religion, Laws, and

---

(*e*) For Defence of the Realm, reducing *Ireland*, and carrying on the War againſt *France*.

(*d*) "By which it is enacted and declar'd, That the Kingdom of *Ireland* being annex'd to the imperial Crown of *England*, by the Laws of both Kingdoms, all Acts paſs'd there, without Authority deriv'd from the Kings and Queens of *England*, are abſolutely null and void; that all Perſons who oppoſe the Authority of their Majeſties are Rebels; and that all Acts by them paſſed ſince the 13th of *February* 1688, are null and void.

All Acts of Attainder, Statutes, Judgments, Outlawries, Decrees, and Sentences, are likewiſe declar'd null.

All Cities, Boroughs, Bodies-Corporate, Eccleſiaſtical, or Temporal, were reſtor'd to the Condition they were in upon the 24th of *June* 1683, and all Proceedings againſt them, Judgments, Seizures, and Executions, are adjudg'd null and void.

No Perſon whatſoever, of the Proteſtant Religion, ſhould be liable to any Loſs, Forfeiture, or Prejudice, in Eſtate, Office, Perſon, or otherways, by reaſon of their Abſence from *Ireland* ſince the 20th of *December* 1685.

All Proteſtant Subjects of *Ireland* are abſolutely diſcharg'd and acquitted from the Payment of all Quit-rents, Crown-rents, Hearth-money, and every thing elſe becoming due to the Crown of *England*, from the 25th of *December* 1688, until the ſaid Kingdom ſhall be by their Majeſties declared to be reduced, and the War and Rebellion there ended."

A.D. 1689-90 and Liberties of this Nation; so I am now willing again to expose it, to secure you the quiet Enjoyment of them.

The Spring draws on, and it being requisite I should be *early* in the Field, I must *immediately* apply my Thoughts to the giving Orders for the necessary Preparations; which, that I may have the *more Leisure* to do, I have thought convenient now to put an end to this Session."

Which was accordingly done by the Lord Chief-Baron *Atkins*, in the Form of a Prorogation to the 2d of *April*.

This was a stunning Blow to the *Whigs*; who had not only the Loss of the Corporation and Indemnity-Bills (or rather of the Exceptions to the last of them) to regret, but that of the King himself: For, notwithstanding the smooth Language he had made use of, it was manifest enough that he had not put an End to the Session with any favourable Intentions towards (*e*) them. Nor was this all; for in a very few Days afterwards, namely *February* the 6th, a Proclamation was issu'd, signifying, That his Majesty, by and with the Advice of his Privy-Council, had thought fit to dissolve the present Parliament; and (notwithstanding the Expediency of his being *early* in the Field, and of his being *at leisure* to make the necessary Preparations) to summon another, to meet on the said 2d of *April* following. It is observable, that the *Letter-Writer* for the *Tories* on the *Corporation-Bill*, reproaches the *Whigs*, with having form'd a Design, to press the Common-Council of *London*, to address the King to dissolve the Parliament, and call a new one, in case that the said Bill had been carry'd; that they, the *Whigs*, might fall at once into the Enjoyment of the Fruits of their Endeavours: And yet, no sooner had the *Tories*, by the help of the Court, got the better of these Endeavours, than they also contracted for a Dissolution, with a View to enlarge their Corps upon a new Election, and be enabled thereby to fulfil their Bargain.

A new Parliament summon'd.

The King resolv'd not to trust the Whigs.

According to Bishop *Burnet*, the King was never under such Distraction of Mind, as when the Fate of the *Corporation-Bill* depended on his Decision. "The passing the Bill, says that Prelate, put the King and the Nation into the Hands of the *Whigs*; as the rejecting it, and dissolving the Parliament upon it, was such a Trusting to the *Tories*, and such a Breaking with the *Whigs*, that the King was long in Suspence what to do. He was once near a very (*f*) desperate Resolution: He thought he *could not* trust the *Tories*; and he resolv'd he *would not* trust the *Whigs*: So he fancy'd the *Tories* would be true to the Queen, and confide in her, tho' they would not in him. He, therefore, resolv'd to go over to *Holland*, and leave the Government in the Queen's Hands: So he call'd the Marquis of *Caermarthen*, with the Earl (Duke) of *Shrewsbury*, and told them, he had a Convoy ready, and was resolv'd to leave all in the Queen's Hands, since he did not see how he could extricate himself out of the Difficulties into which the Animosities of Parties had brought him. They press'd him vehemently to lay aside all such desperate Resolutions, and to comply with the present Necessity. Much Passion appear'd among them. The Debate was so warm, that many Tears were shed. In conclusion, the King resolv'd to change his first Design into another better Resolution, of going over in Person, to put an End to the War in *Ireland*." The Bishop adds, That he was let into these Particulars by Lord *Shrewsbury*; that, such was the King's Reserve, that even the Queen herself was not in the Secret, till he, the Bishop, imparted it to her; and that the immediate Cause of so sudden a Dissolution was the Intelligence which the Court had receiv'd, that a great Party was form'd to oppose his Majesty's Expedition to *Ireland*, by a formal Address from each House, which, by Concert, were to have been presented on the same Day.

A.D. 1689-90

To account for his Majesty's deserting his old Friends, the *Whigs*, or rather to justify it, the same Author moreover intimates, in several other Places of his Work, that those old Friends of his Majesty's, were grown jealous of him, and had propagated Stories to his Disadvantage; that they would make no Advances of Money; that the Supplies they did grant, were on *remote Funds*, which were doubtful in their own Nature, and were half devour'd by Premiums and Interest; and, lastly,

Bishop Burnet's Endeavours to account for that Resolution.

(*e*) Among the Endearments which began now to pass between his Majesty and the *Tories*, the following seems to deserve particular Notice and Mention, since the Persons concern'd thought fit to print it in a single Half-sheet, for the Entertainment of the Public:

"*The Effect of what was spoken by Sir* John Lowther *to the King, at the Desire of several Members of Parliament, that din'd together on* Wednesday, January 29, 1689.

This Day a great Number of Parliament-men din'd together, They thought themselves oblig'd to give your Majesty an Assurance of their Loyalty: now, that by your Majesty's Prorogation they are going into their several Countries where they live, they thought it would be a Trouble to come to attend your Majesty in so great a Body: so commanded me, with the rest of these Gentlemen, to represent the whole, and give your Majesty this Assurance, 'That they present 'their humble Duty to your Majesty, and assure you, Sir, 'they are ready to venture their Lives, and all that is dear 'to them, in your Service; that they will make it their 'Business to see that such Moneys as is given, may be 'speedily and effectually rais'd. And because your Majesty 'is resolv'd in Person to go into *Ireland*, they heartily pray 'for your Majesty's happy Journey, Success in your Arms, 'a speedy and safe Return, a long and happy Reign over 'us."

The Effect of his Majesty's Answer.

Gentlemen,

I take this Address very kindly, and desire you will return my Thanks to all the Gentlemen; and assure them, that as I have *ventur'd my Life* in defence of these Kingdoms, nothing shall be wanting of my Side to compleat their Happiness. I think my going in Person into *Ireland* will be a great Means to put an end to the War, therefore am resolv'd upon it. I also assure you, I will make it my particular Care to protect and defend the Church of *England*, as BY LAW ESTABLISH'D. I shall desire you will, in my Absence, take care that all things be kept in good Peace and good Order; and at my Return, I hope in *God*, all things will be well settled; that we may be happy, and enjoy one another, and every Man his Right." [*Out of Lord* Somers's *Collection, vol.* XXIV. *Tract.* 8.

(*f*) The Earl of *Bellcarres* takes notice, That the Prince of *Orange*, to he calls King *William*, was so weary of both Sides, and so embarrass'd with their Broils, That he told Duke *Hamilton*, "That he wish'd he were a thousand Miles from *England*; and that he had never been King of it."

A.D.1689-90 haſtly, that they actually enter'd into Meaſures for the reſtoring of King *James*.

Sir *James Montgomery*, who had been one of the *Scotiſh* Commiſſioners that came up with the Tender of that Crown, and who had alſo been one of the great Promoters of the Remonſtrance of the *Scotiſh* Members, formerly quoted, having been diſappointed in his Pretenſions, "fell a treating, ſays the Biſhop, with King *James*'s Party in *England*, and came to have great Credit with the *Whigs*, particularly with the Earl of *Monmouth* and the Duke of *Bolton*: And he employ'd it all to perſuade them not to truſt the King, and to animate them againſt the Earl of *Portland*. (Theſe are his Lordſhip's own Words.) This wrought ſo much, that many were diſpos'd to think they would have good Terms from King *James*; and that he was now ſo convinc'd of former Errors, that they might ſafely truſt him. The Earl of *Monmouth* let this out to myſelf twice, but in a Strain that look'd like one who was afraid of it, and who endeavour'd to prevent it. But he ſet forth the Reaſons for it with great Advantage, and thoſe againſt it very faintly. Matters were truſted to *Montgomery* and *Pain* (one of King *James*'s Emiſſaries;) and *Ferguſon* was taken into it, as a Man that naturally lov'd to embroil things. So a Deſign was manag'd, firſt to alienate the City of *London* ſo entirely from the King, that no Loans might be advanc'd on the Money-Bills, which, without Credit upon them, could not anſwer the End for which they were given.-- This corrupted Party had gone ſo far, that they ſeem'd to fancy that the reſtoring him would be not only ſafe, but happy to the Nation." His Lordſhip then proceeds to ſay, That *Montgomery*'s own Brother, on Aſſurance of Pardon, *&c.* came in to him, and inform'd him, That a Treaty was ſettled with King *James*; that Articles were agreed on; that an Invitation was ſubſcrib'd by the whole Cabal to King *James* to come over; that he had ſeen the Writing; and that he undertook to put the Government in Poſſeſſion of it: That he, A.D.1689-90 ſhortly after, did actually give Notice, that one *Williamſon* was on that very Day, ſet out with it in the *Dover* Stage-Coach, in his way to *Flanders*, from whence he was to proceed to *Ireland*; that *Williamſon* being ſeiz'd in Conſequence of this Information, nothing was, however, found upon him; for the Papers had been committed to the care of one *Simpſon*, who was to have gone over with *Williamſon*, but who did not bear him Company to *Dover*, and who made his Eſcape to *France*, while the Latter was in the Meſſenger's Hands; that *Montgomery*, upon this, diſappear'd; that all Diſcoveries of this nature, were treated as the Fictions of the Court; and that the City of *London* were generally poſſeſs'd with a very ill Opinion of the King.

The Mention of all theſe ſeveral Particulars was unavoidably neceſſary; and now it is as unavoidably neceſſary to make ſome Reflections upon them, in order to have a tolerably-true Idea of the Intrigues of theſe Times.

That King *James* had ſtill a very ſtrong Party in both Kingdoms, and that they were ever on the watch for his Service, is indiſputable. That they had alſo a more intimate Communication with the Cabinet, than can be well accounted for, appears from the (*g*) Caſe of Lord *Griffin*, who had obtain'd the Copies of ſome Reſolutions of Council, and among them of one which had been taken by the King and four other Perſons only: And that Sir *James Montgomery* did actually enter into a League with the *Jacobites*, for the reſtoring of King *James*, is ſcarce to be doubted; for Lord *Belcarres* unfolds the Intrigue at large; but then he never once mentions the Names of the Duke of *Bolton* or the Earl of *Monmouth*, or any other *Engliſh Whig* whatſoever; or even ſurmiſes, that the *Whigs* of this Kingdom had any Share in their Cabals, or gave them the leaſt Countenance. It appears, therefore, moſt unreaſonable

animadverted upon.

(*g*) The Whole of which was as follows: "The Lord *Griffin* having been often requir'd by Letters and otherwiſe to attend the Houſe of Lords, and ſtill refuſing to appear, their Lordſhips deſir'd the King by an Addreſs to ſummon him by his Royal Proclamation to render himſelf (at ſuch a Day as his Majeſty ſhould appoint) to their Houſe, if then actually ſitting, or to one of the Secretaries of State. His Lordſhip being accordingly ſummon'd, ſurrender'd himſelf to the Lord *Nottingham*, and on the 19th of *October* having made his Appearance before the Houſe of Lords, the Speaker told him, That he knew what he had to do before his ſitting in that Houſe; whereupon his Lordſhip deſir'd Time to conſider of taking the Oaths, he not being prepar'd for it: Which was readily granted.

The ſame Day the Parliament was prorogu'd a Packet was intercepted, which plainly diſcover'd how little the Lord *Griffin* was inclin'd to own the preſent Government. This Diſcovery happen'd in the following Manner: His Lordſhip having caus'd a large Tin [*Pewter*] Bottle to be made with a double Bottom, order'd his Cook to go to a Pewterer's at an unſeaſonable Hour of the Night, to get the falſe Bottom ſodder'd: The Pewterer finding a Packet between the two Bottoms of the Bottle, began to ſuſpect ſomething; and the Cook not giving him a ſatisfactory Anſwer about its Contents, he made bold to open it. The Superſcription of ſeveral Letters directed to King *James*, the Duke of *Berwick*, *&c.* juſtify'd the Pewterer's Suſpicion, who immediately ſeiz'd the Lord *Griffin*'s Cook, and carry'd him to one of the Secretaries of State; but he being gone to Bed, and his Servants refuſing to admit the Pewterer to their Maſter's Preſence, the Lord *Griffin*, who by this time began to apprehend what had befain his Meſſenger, took this Opportunity to make his Eſcape. Beſides the Letters, there was found an Account of ſome private Reſolutions of the Council, and an exact Liſt of all the Land and Sea Forces of *England*; whereupon the Lord *Griffin*'s Houſe and Papers were ſearch'd, his Lady committed to the *Tower*, ſeveral ſuſpected Perſons arreſted, and the Cuſtom-houſe Officers order'd to ſtop all unknown Perſons, that offer'd to croſs the Seas without Paſſes. The Lord *Griffin* having abſconded himſelf ſome few Days, and finding it difficult to go out of the Kingdom, ſurrender'd himſelf to the Earl of *Shrewſbury*, Secretary of State, who having examin'd him, committed him to the Cuſtody of a Meſſenger, from whence he was ſent into the *Tower*. Thereupon the Commons appointed a Committee to enquire how the Lord *Griffin* came to know a Reſolution, which the King had communicated to four Perſons only; and the Lords addreſs'd his Majeſty to be him underſtand, that the ſaid Lord being one of their Members, they were conſequently his proper Judges. The King having left the Cognizance of this Affair to the Peers, they began to examine the Papers intercepted in the Pewter-Bottle, which were the only Evidence againſt the Lord *Griffin*; and becauſe, ſome few Days before, it had been reſolv'd in that Houſe, that Colonel *Algernon Sidney* was unjuſtly condemn'd, nothing but Writings, found in his Cloſet, having been produc'd againſt him, the Earl of *Rocheſter* argued, from a Parity of Reaſon, in favour of the Lord *Griffin*; who, after ſeveral warm Debates was ſet at liberty upon ſufficient Bail." [*Life of King* Will. *vol.* II. *p.* 152, 153.

A.D.1689-90 able and unjuſt in the Biſhop, to draw any ſuch Inferences from the Intimacy of *Montgomery* with thoſe two Lords, or the private Converſation of the laſt; and to treat of this Conſpiracy in ſo ambiguous a manner, as to leave his Readers to conclude, that all the Anti-court *Whigs* were plotting to undo their own Work, and to re-admit King *James*, in order to be aveng'd on King *William*.

As to his Lordſhip's Accounts of the Money Matters in the Houſe of Commons, they are ſo much the leſs to be regarded, as they are inconſiſtent with each other: For in one Place he ſays expreſly, "The Houſe of Commons granted the Supplies that were demanded for the Reduction of *Ireland*, and for the Quota to which the King was oblig'd by his Alliances." And yet in the next Page but one, to ſet forth the Neceſſity of calling a new Parliament, he ſays as expreſly, "The Seſſion had not rais'd all the Money that was demanded for the following Campaign." And with regard to the *remote Funds* which his Lordſhip talks of, and blames the Court for accepting, we find Mr. *Powle*, the Speaker, at the preſenting the Two-ſhilling Land-tax-bill, telling his Majeſty, "That his faithful and loyal Commons had reſov'd to charge the greateſt Part of the two Millions they had granted, on their Lands, as the moſt ſpeedy and effectual way of raiſing *preſent Money*; and that they had taken up much time in endeavouring to provide againſt the great Abuſes which had been committed in aſſeſſing the late Supply of the like Nature." Then the additional Aid of a third Shilling, which went thro' both Houſes, and receiv'd the Royal Aſſent in leſs than a Fortnight, was render'd yet more acceptable and efficacious, by a Clauſe of a Loan, at ſeven *per cent.* Nor was it then believ'd, that the Reſidue of the Supply could have been rais'd by any Method more certain or expeditious than the ſupplemental Poll-Bill: And beſides all theſe ſeveral Aids, they had yet other Ways and Means to gratify the Court on the Carpet before them, at the time of their Prorogation.

But the *Whigs* themſelves, whom the Biſhop has thus endeavour'd to ſacrifice in ſtark Zeal to the Court, will not allow, that they were defective in any Point of Duty to his Majeſty; and, on the contrary, more than inſinuates, that his Majeſty was guilty of much Ingratitude and Injuſtice towards them, as appears by the following remarkable Paſſages out of the Earl of *Warrington's Impartial Enquiry*:

Lord Warrington's Reflections on the Diſſolution, &c.

(*b*) *Lord Lieut.* Sir, upon our Review of this firſt Year's *Adminiſtration*, it is a Wonder to me, that the King did not ſee how King *James*'s Party flatter'd and betray'd him in his Councils, and Management of his Forces; and while they pretended to come into his Intereſt to *ſettle* him, they had weaken'd him in Reputation, Treaſure, and Force; and more *unſettled* him in *Feb.* 1689, than when he was firſt proclaim'd King in *Feb.* 1688. A.D.1689-90

Dep. Lieut. My Lord, I cannot imagine what *that Party* whiſper'd to our King, to create in him a Diſtruſt of thoſe that had been and were more faithful to him; nor how they gain'd ſuch Credit with him, that, rather than part with them from his Councils, he choſe to diſguſt the principal Noblemen and Gentlemen, who had hazarded their Lives and Fortunes for his Advancement to the Throne.

But it was ſo plain to our Houſe of Commons, that the firſt Councils of the Revolution were declin'd, and all Affairs directed by the Advices of thoſe who had been Inſtruments in the late Subverſions, that there were daily Complaints of it in our Houſe, and many Members ſpoke it out, that ſuch and ſo many Miſcarriages, both at Sea and Land, could proceed from nothing but *Treachery*; from thence aroſe Debates about Addreſſes to remove thoſe from his Councils who had openly oppos'd the Settlement of our King, and formerly betray'd *England* to *France*, and been declar'd Enemies to the Laws and Liberties of *England*, and that they ought to have been remov'd from King *Charles* the Second's Councils and Preſence for ever.

But *that Party* falſely ſuggeſted at Court, that our honeſt Members intended to reſtrain kingly Power, and ſo cry'd out of the Danger, for the King to ſuffer his Servants and Miniſters to be torn from him by Parliament, that at laſt they perſuaded him it was his Intereſt forthwith to diſſolve that *great Convention*: And, to gratify their Revenge upon thoſe who had diſcovor'd their Treacheries, they induc'd the King to diſſolve it *ſuddenly*, without thoſe Reſpects (of declaring his Intentions before-hand, and adviſing them to finiſh the ſeveral Bills before them) which all our Kings, who are well with their People, were wont to pay to Parliaments.

Lord Lieut. Sir, I think Time hath made it manifeſt, that treacherous Councils caus'd the King to diſſolve that Convention; and the Time and Manner of its Diſſolution ſurpriz'd every Man that had been active in the Revolution, with a Senſe of his Danger: Yet I doubt ſome of us, that might have been heard, did not ſhew the King, ſo plainly as we ought, how he was therein betray'd, and the Ground cut from under his Feet, by thoſe wicked *Flatterers*.

He ought to have been told, That he deſtroy'd his own Title and Clame to the Crown, by diſſolving the Convention, before they had provided (by Oath, or Subſcription of a Declaration, as was propos'd, or any other Way proper for a Convention of the People to ſettle a Government, when the Throne is vacant) for the Peoples general Allowance of the Right and Juſtice of the *new* Settlement, and for a perpetual Succeſſion of Authorities to be deriv'd only from them.

He

(*b*) The Reader muſt remember, that this Piece is in the Manner of a Dialogue between a Lord Lieutenant, and one of his Deputies.

A.D. 1689-90

He should have been minded, that some of his own Council had asserted in the Convention, that the People could not make him King, and that there could be no legal Parliament, unless call'd by K. *James*'s Writ, and the Members took the Oaths of Allegiance to King *James*, as the Statute of 5 *Eliz.* requires.

If he believ'd those his Counsellors, he had no Power to call a Parliament, nor was there any lawful Declaration that the Throne was vacant; and all King *James*'s Party were as much at Liberty to maintain his Authority, as when the King landed at *Torbay*.

It ought to have been told him, that the Authors of those Counsels to dissolve that Convention before such a Settlement, knew too well that they made himself cancel all his Proclamations against the *Irish* as Rebels and Traitors to him, and all his Commissions given to suppress and subdue them, as of no Authority.

They knew that by making the Legality of the Acts of the Convention doubtful, they reviv'd the Disputes concerning the collecting and levying the public Revenues payable to the late Kings, and the Legality of all the Taxes impos'd for the Year 1689, which they were confident the Judges durst not have determin'd. Not to mention more Particulars, they gave a fair Occasion for King *James* to play his Game in *Ireland*, and to have sent out his Writs for a Parliament in *England*.

Dep. Lieut. My Lord, has not your Lordship forgotten to mention one Part of the Cunning of the treasonable Advice to dissolve the Convention? was it not, to put it into the Power of the Corporation-men appointed by King *James*'s Charters to chuse the greatest Part of the Members of the Parliament they advis'd our King to call?

When the People chose the Convention, those that had betrayed the Liberties of the Corporations were under the dread of their own Guilt and Punishment, and durst not oppose the Favourers of the Revolution; but they had been so long shelter'd, and so many of their Leaders put into Powers and Trusts under our King, that they durst contest the Validity of King *James*'s Charters, and presum'd to set up for Members of Parliament, such as they hop'd would keep them in the Powers of the Corporations which they had gotten.

Lord Lieut. Sir, There were so many Treacheries in that Advice to dissolve the Convention at that time, that they cannot be all nam'd. It delay'd the Relief of *Ireland* for two or three Months of the Spring of the Year 1690: It lost those Money-bills for that Expedition, which lay upon the Table almost finish'd by the House of Commons.

A.D. 1689-90

It kept the Forces under Duke *Schomberg* in a starving Condition, unable to take the Field against the Enemy.

It prevented the Provision of a sufficient Force at Sea, and so retarded the setting out of our Fleet, as gave the *French* the Boldness to enter our Channel, and attack us almost in our own Harbours, with such Success against us, and our Allies, as lost some thousands of Lives, and many a good Ship, to our eternal Dishonour.

The *French* had such Hopes, that by dissolving the Convention, the Power of King *James*'s Party was reviv'd, that they braved it up and down upon our Coasts, and took up the Harbour where our King landed, and caused such Distractions in the Kingdom as cost at least a Million of Money in drawing out the Militia.

Yet among all the mischievous Intentions of this Advice, I take the worst of all to have been that kind of Necessity which their Councils and Management of Affairs put upon our King, to expose his Royal Person to the Suffering and Hazards of that *Irish* War, from which they wickedly hoped he should never have return'd."

The Facts alluded to in the Close of this Quotation will be explan'd hereafter; and all that remains to be said on the Point immediately before us, is, That the *Jacobites* appear'd as overjoy'd with the Dissolution, as the Tories; and in the bitter Writings which they set forth about this time, made no Difficulty to declare, with an Air of Triumph and Satisfaction, That the Prince of *Orange*, meaning King *William*, having made all the Use he could of those who set the Crown on his Head, had sent them home in Disgrace, by way of Requital.

Proceedings in the general Election.

The general Election became now the general Concern. And such was the Ferment of the two Parties, that it disturb'd the whole Nation from the Bottom to the Surface. The Press had full Employment on both Sides, as usual. It was now the *Letter*, above quoted, appear'd, on the *Corporation-Act*, and the *Answer* in Vindication of the Friends of that Act. In the *State Tracts* we yet see the Names of *Hampden* and *Wildman* prefix'd to a formal Defence of the Convention-Parliament: And as this contains the Glosses of the *Court-Whigs* on the late Proceedings, so there is another *(t)* Paper still extant, which, tho'

(*t*) " *A Letter to a Friend, upon the Dissolution of the late Parliament, and the calling of a new one.*

SIR,

As I do fully acquiesce in the Wisdom and Authority of the King in his dissolving of the late Parliament, so I'm perfectly satisfied, that he did it upon Motives relating to his own Honour, and to the Safety and Happiness of his People, and not in Subserviency to *any Prerogative Design*, nor to please himself with an Exercise of *Royal Power*. And I will venture to say, that nothing could have induc'd him so *abruptly* as well as *unexpectedly*, to have dissolv'd a Parliament, that had *restor'd* him unto, and then by so many free and vast Contributions endeavour'd to support him in, the Throne, but the finding them unservicable to the uniting of Protestants, the vindicating of our Laws and Liberties, and the punishing of those who had subverted our Constitution; which, as they are the only justifiable Grounds both of his coming hither, and of his accepting the Royal Authority, so nothing less than the pursuing of those Ends can vindicate his *Descent into England* from being an unrighteous *Invasion*, and his *ascending the British* Throne, from the Reproach of an ambitious *Usurpation*. How could a Prince of his Integrity and Wisdom think, that the obtaining and wearing of a Crown was honourable and just, while the Reasons upon which he receiv'd and possesseth it were not only controlled and reproach'd, but expos'd and ridicul'd? Not

A.D. 1688-9

tho' levell'd at the very Root of the *Tory* Interest, very artfully upbraids the King with departing from his old Friends and his old Principles; and, at the same time, endeavours to persuade the Public, that his Majesty had dissolv'd the Parliament, only to be in a better Condition of observing the one, and of making up all Breaches with the other. At the End was inserted a List of one hundred and fifty *Tory* Members, who had voted against the *Abdication*: And no Care nor Cost was wanting to circulate this inflammatory Paper all over the Kingdom. The *Tories* also on their Part circulated a List of those who had voted for the Corporation-Bill, who were stigmatiz'd for *Republicans, Fanatics, Latitudinarians*, or *Atheists*, as the *Tories* had been for *Jacobites*: And under the Influence of these mutual Reproaches, and every other unfair and corrupt Practice, the Returns were made on both Sides. As to the Result of all, it is certain, that tho' many of the abovemention'd List were thrown out, and *Whigs* were elected in their Places, the Majority was compos'd of *Tories*, as the Latter had foretold, in case the Corporation-Bill was rejected. Even the City of *London*, alienated in Affection to the King, by the Artifices of the *Whigs*, as it is represented by Bishop *Burnet*, fell into the Court Scheme, and return'd Sir *William Turner*, Sir *Samuel Dashwood*, Sir *William Pritchard*, and Sir *Thomas Vernum*, who were on the *Tory* List, in Opposition to Sir *Thomas Pilkington*, Lord Mayor, Sir *Robert Cloyton*, Sir *Patience Ward*, and Sir *William Ashurst*, the old Members: And tho' the Latter had Pretensions to complain of an undue Election, and did afterwards prefer a Petition accordingly, they found it to no manner of Purpose. In short, Bp. *Burnet* makes no Scruple to say, "The Elections went generally for Men, who, probably, would have declar'd for King *James*, if they could have known how to manage Matters for him."

A.D. 1688-9

The Elections go in favour of the Tories.

The *Whigs*, however, tho' soon sensible of their Inferiority, did not throw up the Cards; but, on the contrary, resolv'd to make their Court to the King, at the Expence of their Adversaries; that is to say, either to oblige them to act as *Whigs*, and thereby bring them into Disgrace and Contempt with their Party without Doors, or from their refusing to do so, to infer they were *Jacobites*, and, by Consequence, to break the new Alliance which had been form'd between them and the Court: And, agreeable to this Plan, when the new Parliament was on the Point of meeting, they set forth a Paper, in which (*k*) they first affected to give a Detail of the Hopes

---

is it possible for his Majesty to believe, that the late King was so unmanly guilty as to forfeit all Right to Sovereignty, while those who advis'd him unto, and were the Ministers of, all his Misgovernment, whom the Law makes clearly, if not only, accountable, were esteem'd guiltless and innocent. He could not but foresee, that the *Abdication* of King *James* is easily reversible, and that he himself holds his Crown very precariously, if there was nothing to justify the *enforcing* the one, and the *declaring* the other, but the hasty and arbitrarious Vote of the Majority of the two Houses. And he must needs look upon all that was allegd'd, concerning the late King's violating the original Contract, and his subverting the Laws of the Constitution, as Fiction and Dream, while there were none to be found that counsell'd him unto, or assisted him in it.

And as this justifies the Wisdom of his Majesty in the dissolving the late Parliament, so we may from hence easily conclude, both upon what Prospect and Hope he hath been pleas'd to call a new one, and by what Measures those to whom the Right of electing Members doth belong, are to guide themselves in the ensuing Choice. Nor do we only want a Parliament that may confirm, establish, and support his Majesty in the Throne, but which may proceed on those Principles, as do render his Accession unto it necessary, as well as honourable and just. And as the Nation is once more furnish'd with an Opportunity of chusing such a *Representative Body*, as may vindicate and assert its ancient Laws, Rights and Liberties; so there is a fresh Advantage afforded us, of testifying our Loyalty to his present Majesty, and of promoting his Greatness, as well as of providing for our own future Safety. I need not tell you that the Ends to be propos'd in the Service of those who are to be elected, are, that the Throne may be settled upon firm and righteous Foundations; and, that all his Majesty's Subjects may live at Ease and Unity under his Government. 'Tis therefore, 1. Incumbent upon all wise and honest Men, that they elect such to represent them as may both allow and confirm unto the King all the ancient and legal Rights of the Crown, and yet at the same time recover and secure all those Privileges unto the People, which the invading and rejecting from them gave occasion unto, and can alone justify, the late Revolution. Whosoever seeks to enrich the King with the Spoils of his Subjects, and to adorn them with what our late Monarchs ravish'd from them, can design no less than that the same Fate should befall him, which overtook his Predecessor, which is the robbing him first of his People's Affections, and then of his own Authority. 2. 'Tis no less the Duty than it is the Interest of all that would have the Nation formidable to its Enemies, and the King successful in his Undertakings, that they depute and authorize those to act for them in Parliament, who, without subverting or undermining the Church, may not only preserve unto Dissenters that Liberty vouchsafed unto them, for worshipping God, but who may restore them unto, and vest them in, all the common Rights and Privileges of Englishmen. Nor will it be easy to persuade to grant a Company of People that they find their Account in the late Revolution, unless they be admitted by Law to enjoy the same Advantages under the present King, which, by dispensing with, and an Usurpation over, the Law, they were possess'd of under the last. 3. We are to chuse them the first of all others to be return'd to serve in the ensuing Parliament, who are likeliest to maintain in our Allies a Confidence of us, and to encourage them both to continue the Confederacy, and to pursue the Ends of it. And therefore, as we would not give Jealousy unto them, and weaken the Union among themselves and with us, we ought to avoid the chusing of those that have heretofore promoted the Grandeur of *France*, or that have either sought the Destruction of the *Dutch*, or express'd a Malice and Rancour towards them. 4. As we would not betray both the King and ourselves, we are to chuse none but such who are entirely in his Majesty's and in the Kingdom's Interest; which, as it is impossible to believe of them who acknowledge him only a King *in fact*, but not *by Right*; so it is not easy to conceive how they should be forward and zealous to support him in the Throne, who oppos'd his coming to it. The Enemies to King *James's Abdication* are not likely to be true and lasting Friends to King *William's Sovereignty*. In brief, it is the Duty of all that love the present Establishment to be against those whom you find them to be for, that refuse to swear Allegiance to their present Majesties. Nor are they worthy of the Vote of an honest Man, who are not satisfy'd with the Protection of the Royal Power, unless they have both the Mastery of it, and the exerting and applying it to the Oppression and Enslaving of their Fellow-subjects. 'Tis not a King, but a Tool under that Name, which they desire; and, instead of allowing him to be the universal and equal Ruler of all his People, they seek to reduce and degrade him to be the Head of a little and peevish Faction: Which that his Majesty may be preserved from all Temptations, and, thro' the wise Choice of those that are to sit in the ensuing Parliament, it the undesigned Desire of,

Sirs, your [illegible]

Here follow'd the List. [illegible]

tleton, and xxiv. Trail [illegible]

(*k*) This Paper was call'd, [illegible] *Expectation of the Enemies to the Church* [illegible] *mind to the Consideration of the present* [illegible] was conceiv'd as follows:

"For the understanding what at this time becomes a [illegible] Representative of this Protestant Nation, which, [illegible] standing all the Arts and Insinuations of the Enemies of its Peace, did, upon the Dissolution of the Contract between the late King and his People, according to that Power which God

A.D.1689-90 Hopes and Views of the Diſaffected, upon the late Diſſolution, and to indicate the Steps neceſſary to be taken, to diſappoint them; which were, in Subſtance, To recognize the Authority of the late Parliament, and the Legality and Equity of the King's Title, and to make ſome Examples of the many Criminals in the two late Reigns. But tho' this Paper was calculated to be a ſort of Teſt of his Majeſty's own Conduct, as well as that of his new Allies, it was no farther conſider'd at Court than it favour'd the Court-views. The Evil Counſellors, againſt whom the Prince of *Orange* had *declar'd*, and whom he came over to puniſh, King *William* had reſolv'd to forgive; and the Party on whoſe Shoulders they ſtood, ſeem'd now to ſtand foremoſt in his Majeſty's Favour. One Part of the Bargain which the *Tories* had made, was, That the Lieutenancy of the City of *London* ſhould be chang'd. "Upon the King's coming to the Crown, ſays the Hiſtorian Biſhop, he had given a Commiſſion, out of which they were all excluded; which was A.D.1689-90 ſuch a Mortification to them, that they ſaid, they could not live in the City with Credit, unleſs ſome of them were again brought into that Commiſſion. The King recommended it to the Biſhop of *London* to prepare a Liſt of thoſe who were known to be Churchmen, but of the more moderate, and of ſuch as were liable to no juſt Exception, that ſo the two Parties in the City might be kept in a Balance." But tho' we have hitherto ſeen that Prelate acting a *Whiggiſh* Part in oppoſing the late Government, and eſtabliſhing the preſent, he was now, it ſeems, a *Tory* again, and as ſuch, without any Regard to the King's Inſtructions, brought in a Liſt of the moſt violent *Tories* in the City (at leaſt, we are ſo told by the Author laſt quoted) who had been engag'd in ſome of the worſt things which had paſs'd in the End of King *Charles*'s Reign: And this Liſt, by the Management of the Marquis of *Caermarthen*, and the Earl of *Nottingham*, was approv'd, to

The Lieutenancy of London put into their Hands. [*V. ii. p. 40.*]

God Almighty has plac'd in all Communities for their Preſervation, declare King *William* and Queen *Mary* King and Queen of this Realm: We are to conſider what were the Hopes and Expectations of the Papiſts and other *Jacobites*, upon his Majeſty's diſſolving the laſt Parliament.

1. They thought it was diſſolv'd, becauſe the *Legality* of it was queſtion'd by ſome of our Miniſters, and others depending upon them, and hop'd, under the Influence of great Men of ſuch an Opinion, to gain a Parliament that ſhould ſpin out the Time for Action in unneceſſary Debates about Forms.

2. They were in hopes, *by a ſeeming falling in* with the Church of *England*, the Indolence of whoſe Members have vented Notions inconſiſtent with our preſent Settlement, and *by* encreaſing the Cry againſt all who have not eſpous'd a ſeparate Church-Intereſt, without regard to the Public-weal, and the Proteſtant Cauſe throughout *Chriſtendom*, to gain one of theſe three Points, either of which would be of great Service to them; but all together would certainly make way for another Change.

3. To get ſeveral choſen whoſoever abſolutely for the late King, and declare that they are for, as they are, true Sons of the Church of *England*, but regard the Church no farther than as it ſerves for a Cloak to their Deſigns.

2. To have many of no Deſigns whatever, but well-meaning Bigots to what is call'd the Church, and who will think themſelves oblig'd to believe as Churchmen tell them they ought, or as perhaps ſome of thoſe Guides, at top to themſelves, muſt; and therefore labour to draw others in to ſtrengthen their Party.

3. To have many to thruſt for the Church-Forms, eſtabliſh'd when popiſh Councils prevail'd, as to be ready to let looſe former Severities againſt all who cannot come up to them; and thereby to diſable Numbers of his Majeſty's good Subjects from acting in the common Cauſe, againſt Popery.

4. Finding that the Surrenderers of Charters were ſtill in the Government of Corporations, and that the Returns of Members to Parliament in many Places would be made by them, and that, if they were truly made, they would be likely to be puniſh'd for their former Violations of the Conſtitution, they did not doubt but the Artifice above-mention'd, join'd with the Intereſt of Criminals to prevent their own Puniſhment, would give them the Majority of fitting Members, who might ſecure their own Places, and vote others in, even where the Returns of fitting Members were fair.

5. They thought, that by the plauſible Pretence of the Deſire of Unity and Moderation, they might diſpoſe the Members of a new Parliament to a general Act of *Indemnity*, without making Examples upon any of thoſe Heads which were agreed on by both Parties in the laſt Houſe of Commons: By which they might not only weaken the Nation by endleſs Diviſions and Competitions, while guilty Men would have the Advantage of thoſe Riches and Honours which they got'd by their Crimes, to enable them ſtill to trample upon every true *Engliſhman*: But they would gain an effectual Advantage againſt this Government, whilſt the open *Violation* of the Contract on which it is founded, would receive a public Approbation, by their *acquitting the Inſtruments of Mal-adminiſtration*; and, by conſequence, this Government might be thought an *unjuſt Uſurpation* upon one, whoſe Right would thereby ſeem to continue.

To doſh ſuch Expectations at the Beginning, it ſeems requiſite,

1. That the firſt thing which this Parliament proceed to, ſetting aſide all other Buſineſs whatever, be to prepare an Act for the Royal Aſſent, declaring the *laſt* Parliament a *true* Parliament, and full Repreſentative of the People of *England*, and that all its Acts ought to be held *valid* and *lawful*.

Some *Firmaſſores* may oppoſe this; but all Men who are *true to this Government* will be hearty in maintaining its *Foundation*. To condemn the Acts of the laſt Parliament; to go about to *confirm* them, as wanting *Confirmation*; would be again to bring our Settlement in queſtion, and to tie Men of Form harangue it to as dangerous a Loſs of Time, as they occaſion'd before.

2. This being over, it may be leſs difficult to paſs an Act to recognize King *William* and Queen *Mary* to be lawful and *rightful* King and Queen, adding *lawful* and *rightful* to the Oath of Allegiance.

Few will dare directly to oppoſe this, but ſome may endeavour to *decent* it, by propounding a Settlement of the Revenue for his Majeſty's Life, or a large Supply for the Wars, which can ſignify nothing, if he leave *England*, before there is Proviſion made againſt receiving the late King, or declaring for him, and ſetting up ſome *Regent* till he come.

Here every Friend to this Government ought to ſet his Foot, and not to advance one Step till this Point is gain'd; whoever propoſed a Settlement of the Revenue, or farther Supplies, till this is paſs'd, or at leaſt without tacking it to the firſt Gift of either kind, in effect, are for another *Abdication*; upon which them would be an eaſy Tranſition of the Revenue and Supplies to *James the 3d*, their ſuppoſed *rightful* King, while they allow this King to be only *in fact*, and by *Uſurpation*.

3. Diſputed Elections ought to be ſettled with all poſſible Diligence and Expedition; and ſevere Enquiries made into all Abuſes in Elections or Returns.

4. For the effectual juſtifying his preſent Majeſty's Declaration, when he was but Prince of *Orange*; and his Title now as King of *England*; and for Admonition to future Ages, as well as ſatisfying the juſt Deſires of an oppreſs'd People, ſome Examples ought to be made, among the many Criminals in the two laſt Reigns.

That the Impunity of Criminals hitherto has encourag'd great Abuſes in relation to the Choice and Returns of Members, even for *this* Parliament, is too evident; yet it is not to be doubted, but thoſe very Means, whereby the Subverters of our Conſtitution have ſought to free themſelves from Puniſhment will draw it more heavily upon them.

And ſuch Men would do well to conſider, that ſome Crimes ſtand in need of a Pardon in Parliament; which will be very evident to them who obſerve the common Form of Pardons out of Parliament, which, as appears by the Records, always had this Clauſe, *If any Suit be or ſhall be proceeded upon to be found to Right, if any body has any thing to ſay againſt him.* [*Sam. Coll. of Pard. 101.*] In which Caſe, if Men, who would maintain another Opinion, ſhall think fit to produce their Precedents, I doubt not to make it manifeſt to them, that they are either miſtaken or perverted, or elſe all ſuch that they are either miſtaken or perverted, or elſe all ſuch that they are either miſtaken or perverted, or elſe all ſuch things conſider'd, cannot be look'd upon to have any Weight with a Parliament. [*Sam. Coll. &c. xxiv. Trial.* 101

,

A.D. 1689-90

to the great Mortification of the *Whigs*, who said, invidiously enough, That his Majesty was now putting himself into his Enemies Hands, and that the Arms of the City were given to those who would be glad of an Opportunity to use them for King *James*. His Majesty, however, either did not heed their Complaints, or thought he had done enough to oblige them in parting with Lord *Halifax*, and (*l*) putting the Privy Seal into Commission: For, as if to mortify them yet farther, two Days before the new Parliament was to meet, he dismiss'd the Lords *Monmouth* and *Warrington*, and Sir *Henry Capel* from the Treasury-Board, and made Sir *John Lowther* first Commissioner, who had risen thus high under the Patronage of the Marquis of *Caermarthen*. He also remov'd Lord *Godolphin*; possibly on account of his Attachment to the Princess of *Denmark*, and her favourite Lady *Marlborough*: But, continu'd Mr. *Hampden*, who had so much the less Reason to repine at *Lowther*'s being plac'd above him, because he was made Chancellor and Under-Treasurer of the *Exchequer*. Sir *Stephen Fox*, and Mr. *Thomas Pelham* made up the rest of the Board, which now consisted of two conformable *Whigs*, and two as conformable *Tories*. About the same time also, *Herbert*, Lord *Torrington*, was remov'd from the Head of the Admiralty, and the Earl of *Pembroke* (who had been the King's Embassador Extraordinary to the *States*) was appointed to succeed him. This drew on the Resignation of Sir *Miles Wharton*, and Mr. *Sacheverel*: And, instead of promoting *two* in their Places, the Commission was clos'd with the Name of Sir *John Chichley* only. *Burnet* adds, "That other lesser Changes were made in inferior Places, so that *Whig* and *Tory* were now pretty equally mix'd; and both study'd to court the King, by making Advances upon the Money Bills."

Several Changes at Court.

It was under this Aspect of things, that the two Houses met at *Westminster* on the 20th of *March*; on which Day the Commons discover'd their Complexion, by the Choice of Sir *John Trevor* for their Speaker, who had been made Master of the Rolls by King *James*, and was remov'd by King *William*, to make Room for *Powle* the late Speaker, who was now, in his Turn, supplanted by the Man whom he had supplanted before. His Majesty, however, was pleas'd to confirm the Choice which the Commons had made; and B. *Burnet* helps us to account for it, by saying, "That he was a bold, dextrous Man, who knew the most effectual way of recommending himself to every Government." And, again, in the same Paragraph, "Being a *Tory* in Principle, he undertook to manage that Party, provided he might be furnish'd with such Sums of Money as might purchase some Votes: And by him began the Practice of *buying off Men*, in which the King, hitherto, had kept to stricter Rules." I took the Liberty once to complain to the King of that Method; he said, He hated it as much as any Man could do; but he saw it was not possible, considering the Corruption of the Age, to avoid it, unless we would endanger the whole.

Sir John Trevor *chosen Speaker.*

[*V. ii. p. 42.*]

And undertakes to buy a Majority.

This Ceremonial being over, his Majesty open'd the Session with the following Speech:

"*My Lords and Gentlemen*,

I am resolv'd to leave nothing unattempted on my part, which may contribute to the Peace and Prosperity of this Nation: And, finding my Presence in *Ireland* will be absolutely necessary, for the more speedy reducing of that Kingdom, I *continue* my Resolution of going thither as soon as may be; and I have now called you together for your Assistance, to enable me to prosecute the War with Speed and Vigour: In which I assure myself of your chearful Concurrence, being a Work so necessary for your own Safeties.

The King's Speech.

In order to this, I desire you will forthwith make a *Settlement of the Revenue*; and I cannot doubt, but you will herein have as much Regard for the Honour and Dignity of the MONARCHY *in my Hands, as has been lately shewed to others*. And I have so great a Confidence in you, that if no quicker or more convenient way can be found, for the raising of *ready Money* (without which, the Service cannot be perform'd) I shall be very well content, for the present, to have it made such a Fund of Credit, as may be useful to yourselves, as well as to me, *in this Conjuncture; not having the least Apprehensions*, but that you will provide for the taking off all such *Anticipations* as it shall happen to fall under.

It is sufficiently known, how earnestly I have endeavour'd to extinguish (or, at least, compose) all Differences among my Subjects, and, to that end, how often I have recommended an *Act of Indemnity* to the last Parliament: But since that Part of it, which related to the preventing of private Suits, is already enacted, and because Debates of that Nature must take up more of your Time than can now be spar'd from the Dispatch of those other things, which are absolutely necessary for our common Safety; I intend to send you an *Act of Grace*, with Exceptions of some *few* Persons only, but such as may be sufficient to shew my great *Dislike* of their Crimes, and, at the same time, my Readiness to extend Protection to all my other Subjects, who will thereby see, that they can recommend themselves to me by no other Methods than what the Laws prescribe, which shall always be the *only Rule of my Government*.

A farther Reason, which induceth me to send you this Act at this time, is, because I am desirous to leave no Colour of Excuse to any of my Subjects, for the raising of Disturbances in the Government, and Peace, in the time of my Absence; and by this both to inform you, and to let [illegible] affected Men see, that I am not unmindful [illegible] love

(*l*) This was on *February* 19, and the Commissioners were *William Cheney*, Esq; Sir *John Knatchbull*, Bart. and Sir *William Portman*, Bart.

A.D. 1689-90 how busy they are, in their preſent Endeavours, to alter it.

Among other Encouragements, which I find they give themſelves, one of the Ways, by which they hope to compaſs their Deſigns, is by creating Differences and Diſagreements in your Counſels, which, I hope, you will be very careful to prevent; for be aſſured that our greateſt Enemies can have no better *Inſtruments* for their Purpoſes, than *thoſe* who ſhall any way endeavour to *diſturb* or *delay* your ſpeedy and unanimous Proceeding upon theſe neceſſary Matters.

I muſt recommend alſo to your Conſideration an *Union* with *Scotland*: I do not mean it ſhould be now entred upon; but they having propos'd this to me ſome time ſince, and the Parliament there having nominated Commiſſioners for that Purpoſe, I ſhould be glad that Commiſſioners might alſo be nominated here, to treat with them, and to ſee if ſuch Terms could be agreed on, as might be for the Benefit of both Nations, ſo as to be ready to be preſented to you in ſome future Seſſion.

My Lords and Gentlemen,

I have thought it moſt convenient to leave the Adminiſtration of the Government in the Hands of the Queen, during my Abſence; and, if it ſhould be judg'd neceſſary to have an Act of Parliament, for the better Confirmation of it to her, I deſire you will let ſuch an one be prepar'd, to be preſented to *me*.

I have this only to add, that the Seaſon of the Year, and my Journey into *Ireland*, will admit but of a very *ſhort Seſſion*; ſo that I muſt recommend to you the making ſuch Diſpatch, that we may not be engag'd in Debates, when our Enemies ſhall be in the Field. For the Succeſs of the War, and the more thrifty Management of it, will both principally depend upon your ſpeedy Reſolutions. And I hope it will not be long before we ſhall meet again, to perfect what the Time will not now allow to be done."

It is not ſaid who compos'd this Speech, the King or his Miniſters: But, whoever compos'd it, we may fairly conclude, that it was the Reſult of the late Bargain with the Tories; ſince the Intereſt of both the contracting Parties is provided for in it. His Majeſty, on one hand, deſires, or rather demands, an immediate Settlement of his Revenue on the old monarchical Footing, and offers an *Act of Grace*, on the other; he wants *ready Money*, and he offers that Revenue, when ſo ſettled, as a Fund upon which to raiſe it.--- Now the laſt of theſe Circumſtances has been treated as a great Condeſcenſion, by the *Whigs* of later Times: But the Convention *Whigs*, who ſet the Crown on his Head, could never be brought to think, that any Condeſcenſion on his Side could be an Equivalent for ſuch a Stretch of Confidence on theirs: And there was, beſides, more of Policy, than Matter of Grace or Favour in it: Some popular as well as Party-inducement was to be made uſe of; and as the King wanted ſtill more Money, and the People had already granted ſo much, that Expedient which ſupply'd him, without impoſing any additional Burthen, immediately upon them, was the beſt.--- As to *Anticipations*, which were ſo dreadful to the *Exchuſioniſts* in the Reign of *Charles* II. and againſt which ſuch thundering Votes are ſtill to be found in the Journals of the Commons, they had loſt their Terror: The King was to be oblig'd at any rate; and even the *Whigs* themſelves, who, till now, had ſome Remains of Modeſty at leaſt, being convinc'd of the Neceſſity of conforming, by the Example and Succeſs of their Adverſaries, reſolv'd to put in for their Share of Merit, by ratifying the Bargain which the others had made. A.D. 1689-90

Unanimous Votes of the Commons to ſupport the Government.

Thus when the Speech was reported, inſtead of making Exceptions, or calling for Explanations, or ſtarting any reaſonable or popular Objection whatſoever, it was reſolv'd, *nemine contradicente*, "1. That the humble and hearty Thanks of the Houſe be preſented to his Majeſty, for his gracious Speech to both Houſes: 2. That the Houſe would aſſiſt and ſupport the Government, under their preſent Majeſties King *William* and Queen *Mary*, both by their Counſel, and with their Aſſiſtance, to the utmoſt of their Power: And, 3. That the whole Houſe ſhould attend his Majeſty with the ſaid Reſolutions. The whole Houſe did accordingly attend; and his Majeſty was moſt graciouſly pleas'd to balance theſe Reſolves of theirs with another of his own, which he had repeated on almoſt every Occaſion ſince his landing at *Torbay*; namely, That as he had *ventur'd his Life* for the Nation, ſo he was reſolv'd always to do; adding, "I hope you will take my Speech into your Conſideration, and that this may be a happy Seſſion."

On the 25th the Speaker reported the Anſwer to the Houſe; on the 27th, it was reſolv'd, *nemine contradicente*, That a Supply be given to *their Majeſties*, to enable *his Majeſty* to proſecute the War againſt *France*, and for reducing *Ireland* with Speed and Vigour; and on the 28th the Houſe agreed with the Committee in the following Reſolutions: 1690

and raiſe a Supply.

"That the hereditary Revenues, which the late King *James* was entitled to *December* 10, 1688, became, and are veſted in, their preſent Majeſties King *William* and Queen *Mary*, in right of the Crown of *England*, except the late Revenue ariſing by Firehearths and Stoves.

That a Bill be brought in to declare that the ſaid Revenues are ſo veſted, and that therein Proviſion be made, that they ſhall not be alienated from the Crown, nor chargeable with any Gift or Grant to be made for the future.

That a Bill be brought in for the ſettling on their preſent Majeſties that Moiety of the Exciſe which was granted to the late Kings, *Charles* and *James*, or either of them, for *their Lives*, and the *Life of the longeſt Liver of them*, with a Clauſe to make the ſaid Revenue a Security for raiſing Money towards a Supply not exceeding the Sum of—

That a Bill be brought in to grant to their Majeſties,

A. D. 1690. Majeſties, for the Term of (*m*) *four Years*, from *Chriſtmas* next, the Cuſtoms which were granted to the late Kings *Charles* and *James* for their Lives, with a Clauſe to make the ſaid Revenue a Security for raiſing Money towards a Supply; not exceeding the Sum of——.

But tho' theſe Votes were carry'd without a Diviſion, they were not carry'd without a Debate: Some thought they were too comprehenſive, and ſome that they were too limited. The *Latter* were for having the Cuſtoms for Life, as well as the Exciſe: Biſhop *Burnet* ſays, "This was much preſs'd; but, continues he, it was taken up as a general Maxim, that the Revenue for a certain and a ſhort Term, was the beſt Security that the Nation could have for frequent Parliaments (*n*)." The *Former*, on the contrary, were for huſbanding the public Stock, and for making thoſe in Office more ſenſible of the Burthen impos'd on the People, by bearing their Share; and, among theſe, Sir *Charles Sedley* diſtinguiſh'd himſelf in a very remarkable Manner (*o*).

On the 1ſt of *April*, the Amount of the Supply for the public Occaſions between that Time and *Michaelmas*, was fix'd at one Million two hundred thouſand Pounds: On the 2d, the Sum to be rais'd on the Credit of the Bill or Bills for ſettling the Revenue, as Part of that Supply, was alſo fix'd at one Million, or, as it was expreſs'd by Amendment, at ten hundred thouſand Pounds: And on the 3d it was agreed, that the remaining two hundred thouſand Pounds ſhould be provided for by another Poll-Bill.

Proceedings in the Bill of Recognition.

In this Interval, agreeable to the Hint in the *whiggiſh* Pamphlet laſt-quoted, a Bill was brought into the Houſe of Lords, for recognizing their Majeſties as the rightful and lawful Sovereign of theſe Realms, and for declaring all the Acts of the laſt Parliament to be good and valid: This put the *Tories* under great Difficulties; for as they were on one hand unwilling to looſen the Hold they had newly acquir'd at Court, ſo, on the other, they were aſham'd thus ſolemnly to retract all their former Arguments and Diſtinctions, under the Umbrage of which they had dextrouſly contriv'd to be ſafe under the preſent Government, and to leave a Door open for the Re-admiſſion of another.

A. D.

According to the *Hiſtorian of his own Times*, the firſt Part however paſs'd with little Contradiction, ſome Exceptions only having been made to the Words *rightful* and *lawful*, as not at all neceſſary; but the ſecond bore a long and warm Debate; the *Tories* offering to enact, that thoſe Laws ſhould be good Laws for the Time to come, yet refuſing to declare them ſo for the Time paſt: But unluckily the Words *rightful* and *lawful* are not in the Act; and the Sequel of his Lordſhip's Account, tho' ſervilely follow'd by our Cotemporary, as uſual, is far from being ſo perfect as it ought to be, or as might have been expected from the Pen of a Perſon who was preſent at the Debate. He takes no notice that the Bill was committed, that the *Whigs* carry'd their Point in that Committee, that they loſt it again on the Report, by ſix Voices; and that, by the dint of one of the warmeſt and moſt alarming Proteſts that ever was made, they recover'd it again, tho' not in the ſame Words as before.

The ſaid Proteſt (which was ſign'd *Bolton*, *Macclesfield*, *Stamford*, *Newport*, *Bedford*, *Herbert*, *Suffolk*, *Monmouth*, *Delamere*, and *Oxford*,) was founded on the following Reaſons:

"1. Becauſe there appears to us no Reaſon to doubt of the Validity of the laſt Parliament; the great Objection inſiſted upon being, the *Want of Writs of Summons*, which we take to be fully anſwer'd, by the State the Nation was in, at that time, which made that Form impoſſible, ſuch Exigencies of Affairs having been always look'd upon by our Anceſtors, (however careful of parliamentary Forms) to be a ſufficient Reaſon to allow the Authority of Parliament, notwithſtanding the ſame, or other Defects in point of Form; as the Parliament which ſet *Henry* the Firſt and King *Stephen* on the Throne; the

(*m*) Biſhop *Burnet* erroneouſly ſays *five*, and that the other Branches were granted for the ſame Term: Whereas the Matter was apparently compromis'd, and the limited Time in the Cuſtoms was made acceptable by the Perpetuity in the Exciſe.

(*n*) His Lordſhip adds, "The King did not like this: He ſaid to myſelf, Why ſhould they entertain a Jealouſy of him, who came to ſave their Religion and Liberties, when they truſted King *James* ſo much, who intended to deſtroy both? I anſwer'd, They were not jealous of him, but of thoſe who might *ſucceed* him: And if he would accept the Gift for a Term of Years, and ſettle the *Precedent*, he would be reckon'd the Deliverer of ſucceeding Ages, as well as the preſent."

(*o*) As appears by the following Speech:

"Mr. Speaker, We have provided for the Army; we have provided for the Navy: And now, at laſt, a new Reckoning is brought us: we muſt likewiſe provide for the Kids. Truly, Mr. Speaker, 'tis a ſad Reflection, that ſome Men ſhould wallow in Wealth and Places, while others pay away in Taxes the fourth Part of their Revenue, for the Support of the ſame Government. We are not upon equal Terms, for his Majeſty's Service: The Courtiers and great Officers are charg[illegible] while the Country-Gentlemen are ſhot through and through by them.—— The King is pleas'd to [illegible] Wants before us, and I am confident, expects our [illegible] by his Wants before us, and I am confident, expects our Advice upon it.—We ought therefore to tell him what Penſions are too great; what Places may be extinguiſh'd, during the Time of the War, and public Calamity. His Majeſty ſees nothing but Coaches and ſix, and great Tables, and therefore cannot imagine the Want and Miſery of the reſt of his Subjects: He is a brave and generous Prince, but he is a young King, encompaſs'd and beſmir'd in by a Company of crafty, old Courtiers. To ſay no more, ſome have Places of 3000 *l.* ſome of 6000 *l.* and others of 8600 *l. per ann.* and I am told, the Commiſſioners of the Treaſury have 1600 *l. per ann.* a-piece. Certainly, public Penſions, whatever they have been formerly, are much too great for the preſent Want and Calamity that reigns every where elſe: And it is a Scandal, that a Government ſo lick as Ours is, ſhould look ſo well in the Face.—We muſt ſave the King's Money wherever we can, ſo I am afraid this War is too great for our Purſes, if things are not manag'd with all imaginable Thrift: When the People of England ſee all things ſav'd, that can be ſav'd; that there are no unneceſſary Penſions, nor unneceſſary Salaries, and all the Expence is to the Uſe to which they are given; we ſhall [illegible] they ſhall pay, whatever his Majeſty can want, to ſecure the Proteſtant Religion, and to keep out the King of France, and King *James* too; whom, by the way, I have not [illegible] nam'd this Seſſion; whether out of Fear, Diſcretion, or Reſpect, I cannot tell. I conclude, Mr. Speaker, let us ſave the King what we can, and then let us proceed to give him what we are able."

the

A. D. 1690. the Parliament held 28 *Edward* I; the Parliament ſummon'd by the Prince of *Wales*, 20 *Edward* II; the Parliament ſummon'd 23 *Richard* II; the Parliament held 1 *Henry* VI; and the Parliament held 28 *Henry* VI; the Acts of which Parliaments have been held for Law.

2. Becauſe the rejecting this Clauſe muſt neceſſarily diſturb the Minds of the greateſt Part of the Kingdom; for if thoſe be not good Laws, all Commiſſioners, Aſſeſſors, Collectors and Receivers of the late Taxes are not only ſubject to private Actions, but to be criminally proſecuted for one of the higheſt Offences againſt the Conſtitution of the *Engliſh* Government, *viz.* the levying Money on the Subject, without lawful Authority; all Perſons who have lent Money, upon the Credit of thoſe Laws, will be in dread of their Security, and impatient to get in their Money; all Perſons concerned in levying the preſent Taxes will be fearful to proceed; all Perſons who have accepted any Offices or Employments eccleſiaſtical, civil, or military, will be under the Apprehenſion of having incurr'd all the terrible Forfeitures and Diſabilities of the Act of 25 *Charles* II. *cap.* 2. and all who have any way concurred to the Condemnation or Execution of any Perſon upon any Act of the late Parliament, will think themſelves in danger of being called to an Account for Murder.

3. Becauſe to leave a Doubt touching the Validity of the laſt Parliament is to ſhake all the Judgments and Decrees given in the Houſe of Peers, or in *Weſtminſter-Hall*, during this Reign; and to bring a Queſtion upon the whole Courſe of judicial Proceedings.

4. Becauſe if the Authority of the laſt Parliament be not put out of the Queſtion, the Authority of the preſent Parliament can never be defended; for the Statute of 5 *Eliz. cap.* 1. makes the Election of every Member of the Houſe of Commons abſolutely void, if he enters into the Houſe without taking the Oath of Supremacy, which no one Perſon having done, there is an End of this Houſe of Commons: And by the Statute made 30 *Car.* II. if any Peer, or Member of the Houſe of Commons, preſume to ſit and vote without firſt taking the Oaths of Allegiance and Supremacy, before the Speaker of the reſpective Houſes, he does not only forfeit five hundred Pounds, and become a popiſh Recuſant, and diſabled to take a Legacy, to hold any Office or Place of Truſt, to proſecute any Suit, to be a Guardian, Executor or Adminiſtrator, but is made for ever incapable to ſit and vote in either Houſe of Parliament; and conſequently this can be no Parliament, nor any who have ſat in either Houſe be capable of ſitting in Parliament hereafter.

3. Becauſe to leave Room to doubt of the Authority of the laſt Parliament is to ſhake the Succeſſion of the Crown, eſtabliſh'd by it, and the Credit and Authority of all Treaties made with foreign Princes and States by King *William*, as the undoubted King of theſe Realms; ſo that if the laſt was no Parliament, and their Acts no Law, this is our Caſe: The Nation is engag'd in a War without the Conſent of Parliament, the old Oaths of Supremacy and Allegiance remain in force, and the Nation forced, under colour of Law, to ſwear Fidelity to King *William*, tho' they can never act as a lawful Parliament without taking the Oaths of Allegiance to King *James*: All Judgments and Decrees in the Houſe of Lords, during the late Parliament, are of no Force; great Sums of Money have been levy'd, without Conſent of Parliament, and Men have been put to death, not only without, but againſt, Law; which is the worſt Sort of Murder: Laſtly, the King upon the Throne, the Peerage of *England*, and the Commons freely elected by the People, have been Parties to all this: The Peers and Commons now aſſembled are under a perpetual Diſability, and the Nation is involv'd in endleſs Doubts and Confuſions, without any legal Settlement, or Poſſibility to arrive at it, unleſs a Parliament be ſummon'd by King *James*'s Writ, and the Oaths of Allegiance taken to him." A. D. 1690.

The firſt Clauſe of the Bill was conceiv'd in theſe Words: "We, *&c.* do beſeech your moſt excellent Majeſty, That it may be publiſh'd and declar'd in this high Court of Parliament, and enacted by the Authority of the ſame, That we do acknowledge your Majeſties were, are, and of Right ought to be, by the Laws of this Realm, our Sovereign Liege Lord and Lady King and Queen of *England*, *France* and *Ireland*, and the Dominions thereunto belonging, in and to whoſe Princely Perſons the Royal State, Crown and Dignity of the ſaid Realms, with all Honours, Styles, Titles, Regalities, Prerogatives, Powers, Juriſdictions and Authorities to the ſame belonging and appertaining, are moſt fully, rightfully and entirely, inveſted and incorporated, united and annexed." And on the Strength of the foregoing Proteſt, the ſecond Clauſe was conceiv'd as follows: "And for the avoiding of all Diſputes and Queſtions concerning the Being and Authority of the late Parliament, aſſembled at *Weſtminſter* the 13th of *February* 1688, we do moſt humbly beſeech your Majeſties, that it may be enacted, and be it enacted, by the King and Queen's moſt excellent Majeſties, by and with the Advice and Conſent of the Lords, *&c.* in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and ſingular the Acts made and enacted by the ſaid Parliament *were* and *are* Laws and Statutes of this Kingdom, and as ſuch ought to be reputed, taken and obey'd, by all the People of this Kingdom." This alſo was oppos'd by the ſame Lords who had oppos'd the former Clauſe, but not with the ſame Succeſs: For the whole Weight of the Court was now collected and thrown in the Scale of the Bill, and the *Tories* found themſelves too light to counter-balance it. As a laſt Reſource, therefore, on the third Reading, they alſo, in Imitation of their Adverſaries, enter'd their Proteſt, which is here inſerted as the Counter-part of the other:

"1. Becauſe we conceive, that ſaying *It*

is

A. D. 1690. *is enacted by the Authority of the present Parliament, That all and singular the Acts made in the last Parliament were Laws*, is neither good *English* nor good Sense.

2. Because, if it were good Sense to enact for the Time past, it must be understood, on this Subject, to be the declaring of Laws to be good, which were pass'd in a Parliament *not called by Writ in due Form of Law*, which is destructive of the legal Constitution of this Monarchy, and may be of evil and pernicious Consequence to our present Government under this King and Queen."

Bishop *Burnet* is positive, that Lord *Nottingham*, notwithstanding his *great Office at Court*, was at the Head of these Protesters: But if he was at the Head of the Debate, the Duke of *Somerset* was at the Head of the Subscribers; and was follow'd by the Lords *Rochester*, *Jermyn*, *Westmorland*, *Huntington*, *Abington*, *Feversham*, *Scarsdale*, *Weymouth*, *Dartmouth*, and *Nottingham*, (who was the last of the temporal Lords in the List) and six Bishops, among whom were *Lloyd* of *St. Asaph*, and *Compton* of *London*, who had set the Crown on the King's Head, by the Authority of that very Assembly, whose Acts they now refus'd to ratify.

But tho' these Lords had, according to Custom, ask'd and receiv'd the Leave of the House to enter their Dissents, the Majority were of opinion, that the Use they had made of it was of such dangerous Consequence to the Safety of the Government, and the Peace of the Nation, that, after another long and fierce Debate, they order'd the Protest to be expung'd; which was done accordingly, and was follow'd by another Protest, in the following Form and Words:

"Whereas the Questions for expunging the Reasons of our Protestation *April* the 8th, were carry'd in the Affirmative; and whereas these Reasons were only against some Words in one Clause in the Bill, intituled, *An Act for recognizing King* William *and Queen* Mary, *and for avoiding all Questions touching the Act made in the Parliament assembled at* Westminster *the 13th Day of* February, 1688, which enacted, That the Acts of the late Parliament *were* Laws and Statutes of this Realm:

And Leave being given to enter our Dissents to those Questions, we do so accordingly, for these Reasons:

1. Because it is the Privilege of the Peers to enter their Dissent; and it has been the ancient Practice to enter also the Reasons of such Dissent, of which the Lords that so dissent are the most proper Judges, as well knowing what Arguments persuaded them to be of that Opinion; and no Reasons can be more proper than such as they conceive are founded upon Matter of Fact and the Law of the Land.

2. Because there is no other Precedent of expunging the Reasons of any Protestation.

3. Because the Protestation was not against the whole Bill, but some particular Words of it; but by expunging the Reasons of that Protestation it appears that we have protested against the whole Bill, which is contrary to our Sense and Intentions.

Nottingham, *J. Jermyn*, *H. London*, *Tho. Mcneu*', *Ed. Wigorn*', *P. Winchester*, *Hum. Bangor*, *Westmorland*, *Chandos*, *Abingdon*, *W. Asaph.*

A. D. 1690.

On the very Day that the Bill pass'd the Lords, it was sent down to the Commons, and on the Morrow it was taken into Consideration by that House. Great and long Debates were expected, "But, to the Wonder of all People, says our Lord of *Salisbury*, it pass'd in two Days, without any Debate or Opposition." His Lordship adds, "The Truth was, the *Tories* had resolv'd to commit the Bill, and, in order to that, some trifling Exceptions were made to *some Words*, that might want Correction: for Bills are not committed, unless some Amendments are offer'd: And when it *was* committed, it was then resolv'd to oppose it. But one of them discover'd this too early; for he question'd the Legality of the Convention, since it was not summon'd by Writ: *Somers*, then Solicitor-General, answer'd this with great Spirit. He said, if that was not a legal Parliament, they who were then met, and who had taken the Oaths enacted by that Parliament were guilty of High Treason: The Laws repeal'd by it were still in force; *so* they must presently return to King *James*: All the Money levied, collected and paid, by virtue of the Acts of that Parliament, made every one that was concern'd in it highly criminal. This he spoke with much *Zeal*, and such an Ascendancy of *Authority*, that none were *prepar'd* to answer it. *So* the Bill pass'd without any more Opposition. This was a great Service done, in a very critical Time, and contributed not a little to raise *Somers*'s Character." It farther appears, by the Journals of the House of Commons, That a Motion was actually made, for committing the Bill, which was over-rul'd without a Division: Whence it follows, that the *Tories* were divided among themselves upon this Subject; for, as they were the Majority, had they been unanimous, they might have rejected it at the first Reading. Lord *Warrington*, in his *Impartial Enquiry*, indeed suggests, That a certain Set of Men were busy in persuading the Members, That all the Convention did was null and void: That when others insisted on the Necessity of confirming their Acts, it was reply'd, That what was void from the Beginning could never be confirm'd: And that there wanted not Whisperers about the King, who insinuated, that it was of dangerous Consequence to offer the Bill, and who treacherously advis'd him to use his Interest among the Members of both Houses to lay it aside; with a Design, says his Lordship, to keep up the Notion of King *James*'s Right, and to make this Parliament, as well as the Convention, to be of no Authority: Knowing, that it had been call'd, and held only by Force of the Acts of the Convention: For, however busy these Men were, it is plain their Labour was without Profit, and that the *Speaker*'s Ascendancy over his Party was greater

A. D. 1699. greater than theirs: For the Bill receiv'd the Royal Assent on the 14th. And thus the *Tories* themselves gave the last Hand to that Settlement, which they had hitherto affected both to consider and represent as illegal.

Vote of Thanks to the King for the Care he had taken of the Church, by the Alterations he had made in the Lieutenancy.

About this time the Alterations in the *London*-Lieutenancy having increas'd the Ferment among the *Whigs*, and it being apprehended that they would endeavour to interest the Parliament in their Quarrel, or, at least, prevail with the King to let them have their Share in that Trust, the *Tories*, by way of Prevention, mov'd, on the 24th, That the humble Thanks of the House be presented to his Majesty, for the great Care he had express'd of the CHURCH of *England*, in the Alterations he had made in the said Lieutenancy. This, as it may be imagin'd, created a long and violent Debate: The *Whigs* were more dispos'd to think, that the Measure in question deserv'd the Censure than the Thanks of the House; nor could be brought to acknowledge, that the King's Care of the Church had any Connection with the new Disposition he had made of the Lieutenancy. But if they could not be out-reason'd, they were out-number'd; for upon the Question it appear'd, that the *Tories* had a Majority of 49: And it was moreover order'd, That the Vote should be presented by the whole House; which was done accordingly. It is however observable, that his Majesty made no Return of Thanks for this Party-Vote; but contented himself with saying, "*It should always be his Endeavour to employ such Persons as should be most serviceable to Church and State.*"

Proceedings on the Abjuration-Bill.

There was at this time also a Bill before the House, which provided, That all Persons in any Employment or Trust, ecclesiastical, civil, or military, should take an Oath of Abjuration of the late King *James*, and his Title: Or, according to a certain *Tory*-Author, that all their Majesties Subjects should do so, "under no less Pain than Imprisonment without Bail or Mainprize. An Attempt, continues he, so dangerous to the public Peace, and so fatal to the Liberties of the Subject, which had lately cost so dear to recover, that had the like been offer'd in any other Reign, or by any other Party, it would have made such a Noise, as would have stunn'd the Ears of future Generations. Yet this good Bill obtain'd a *second* Reading; but, being too gross to pass, it dropp'd thro'." But this is all Misrepresentation; for the Bill related to those in Office only; and consequently could have no such terrible Penalty annex'd to it: Bishop *Burnet* affirms, that some of the *Tories* were at first for it: But even he is mistaken, when he also affirms, That the Clergy were excepted out of it, to *soften* the Opposition that might be made; for we find, by the Journals of the Commons, that Ecclesiastics were comprehended in it at the last Reading, as well as at the first. His Lordship farther says, "But still the main Body of the *Tories* declar'd, they would never take any such Oath; *so* they oppos'd every Step that was made in it, with a great Copiousness of long and vehement

[*Context against the Whigs, Part* iii. *p.* 49, 50.]

arguing: They insisted much on this; that when the Government was settled, Oaths were made to be the Ties of the Subject to it, and that all new Impositions were a Breach made on That, which might be called the Original Contract of the present Settlement: Things of that kind ought to be fixed and certain, and not mutable and endless: By the same Reason that the Abjuration was now propos'd, another Oath might be prepar'd every Year; and every Party, that prevail'd in Parliament, would bring in some discriminating Oath or Test, such as could only be taken by those of their own Side: And thus the Largeness and Equality of Government would be lost, and contracted into a Faction. On the other Side it was said, that this was only intended to be a Security to the Government, during the War; For, in such a time it seem'd necessary, that all who were *employ'd* by the Government should give it all possible Security: It was apparent, that the comprehensive Words in the Oath of Allegiance had given occasion to much Equivocation; many who had taken them having declar'd, which some had done in Print, that they consider'd themselves as bound by the Oaths, only while the King continued in peaceable Possession; but not to assist or support his Title, if it was attack'd or shaken: It was therefore necessary, that Men in *public Trust* should be brought under stricter Ties. The *Whigs* press'd the King to set it forward; they said, every one who took it would look on himself as impardonable, and so would serve him with the more Zeal and Fidelity; whereas those, that thought the Right to the Crown was still in King *James*, might perhaps serve faithfully as long as the Government stood firm; but as they kept still Measures with the other Side, to whom they knew they would be always welcome, so they would never act with that Life and Zeal which the present State of Affairs requir'd. At the same time, the *Tories* were as earnest in pressing the King to stop the further Progress of those Debates: *Much time* was already lost in them; and it was evident that much more must be lost, if it was intended to carry it on, since so many Branches of this Bill, and Incidents that arose upon the Subject of it, would give occasion to much Heat and Wrangling: And it was a Doubt, whether it would be carried, after all the Time that must be bestow'd on it, or not: Those who oppos'd it would grow sullen, and oppose every thing else that was mov'd for the King's Service: And, if it should be carry'd, would put the King again into the Hands of the *Whigs*, who would immediately return to their old Practices against the Prerogative; and it would drive many into King *James*'s Party, who might otherwise stick firm to the King, or, at least, be Neutrals: These Reasons prevail'd with the King to order an *Intimation* to be given in the House of Commons, that he desir'd they would let that Debate *fall*, and go to other Matters that were more pressing."

A. D. 1699.

It was fit to copy his Lordship thus far, because

A. D. 1690. because no other Author gives so full an Account of this critical Affair. But we are not to abandon ourselves entirely to his Direction; for whatever Intimation of his Pleasure his Majesty gave to the House of Commons, it is most certain, that the two Parties contested the Matter with all their Power: That a Motion was made to commit the Bill, which pass'd in the Negative, Yeas 178, Noes 192: And that it was the same Day finally *rejected* by the same 192 against 165. It is also equally certain, that the Dispute was so far from taking up *much Time*, that the Bill was brought in one Day, *viz.* the 25th, when it was read once, and order'd, *Nemine Contradicente*, to be read again, and actually rejected the next; tho' his Lordship farther says, That the King's Interposing was represented as an Artifice to prevent that *Affront*.

Which is rejected.

The same Prelate, moreover, says, "That this Affair of the *Abjuration* was also, at the same time, as violently contested in the House of Lords, with this Difference, That the Debates lasted longer among the Latter than the Former, and that the Object was not altogether the same; for the *Whig* Lords requir'd no more than an Oath of *Special Fidelity* to King *William*, in Opposition to King *James*. But even this the *Tories* thought too much, and offer'd in lieu of it, says our Author, a negative Engagement, against assisting King *James*, or any of his Instruments, knowing them to be such, with severe Penalties on such as should refuse it. In Opposition to which it was said, That this was only an Expedient to secure all King *James*'s Party, whatever should happen; since it left them the entire Merit of being still in his Interests, and only restrain'd them from putting any thing to the Hazard for him." It is added, "That the House was so near an Equality, in every Division, that what was gain'd in one Day, was lost in the next; and that by the Heat and Length of these Debates, the Session continu'd till *June*." But in the last of these Circumstances his Lordship's Memory has deceiv'd him, for the Session was clos'd on the 23d of *May*, and was the shortest in the whole Reign: And, probably, he is not to be thoroughly depended upon in his Account of the Former: For an Oath of *special Fidelity* to King *William* can scarce be call'd an *Abjuration* of King *James*: And scarce any thing can be suppos'd stranger, than that the two several Proposals of the *Whigs* and *Tories* in the House of Lords, which occasion'd such Divisions there, should be incorporated in the House of Commons, and adopted by both Parties. And yet we find, that the next Day but one, after the *Abjuration* Bill was rejected, the Commons, as if to justify themselves at Court, took into Consideration the Heads of a Bill to secure the Government under King *William* and Queen *Mary*, against the late King *James* and all his Adherents; and came to the following Resolutions, *viz.* That, by order of their Majesties, the Lord-Lieutenants be empower'd to assemble the Militia, with a Month's Pay (notwithstanding the Month's Pay already advanc'd had not been reimburs'd) and for a longer time than the Law already allow'd. 2. That all Papists and reputed Papists be oblig'd, forthwith, to repair to their respective Dwellings, &c. 3. That a Test, or Declaration of *Fidelity* to the Government, under their present Majesties King *William* and Queen *Mary*, *against* the late King *James*, and all his Adherents, and all *other* Enemies to the present Government, as it is now establish'd in Church and State, be enjoin'd to be made, repeated, and subscrib'd by all Persons above sixteen Years of Age." And a Committee was appointed to prepare and bring in a Bill accordingly.

A. D. 1690.

Here, however, the Affair stopp'd; and perhaps it was here that the King declar'd himself satisfy'd; for, whereas our Right Reverend Historian farther intimates, That the rejecting the *Abjuration*-Bill had a very ill Effect abroad (both Friends and Enemies looking upon it as a Sign of a great Decline in the King's Interest with his People) it is reasonable to suppose, that these Resolutions were made at his Majesty's Instance, and that the mere Credit of them was all He aim'd at: An Order had been made in the Beginning of the Session for the printing the Votes, which had been over-rul'd in the preceding Parliament; and thro' this Channel every Declaration of the Sense of the House was immediately circulated all over *Europe*.

There is yet another Incident arising out of this Affair, which remains to be mention'd; and for the Particulars of which, we must depend on *Burnet* only, since we have no other Vouchers. "The Earl of *Shrewsbury* (says he) was at the Head of those who press'd the Abjuration most; *so*, upon this Change of Counsels, he thought he could not serve the King longer with Reputation or Success: He saw the *Whigs*, by using the King ILL (*that is to say, by refusing to abandon all to his Discretion*) were driving him into the *Tories*; and he thought these would serve the King with more Zeal, if he left his Post. The Credit that the Marquis of *Caermarthen* had gain'd, was not easy to him; *so* he resolv'd to deliver up the Seals. I was the first Person to whom he discover'd this; and he had them in his Hands when he told me of it; yet I prevail'd with him not to go that Night. He was in some Heat. I had no mind that the King should be surpriz'd by a thing of that kind; and I was afraid that the Earl of *Shrewsbury* might have said such things to him as should have provoked him too much; *so* I sent the King word of it. It troubled him more than I thought a thing of that sort could have done: He lov'd the Earl of *Shrewsbury*, and apprehended, that his leaving his Service at this time, might alienate the *Whigs* more entirely from him; for now they, who had fought him before of too cold a Temper, when they saw how firm he was, came to confide and trust him more than ever. The King sent *Tillotson* and all those who had most Credit with the Earl, to divert him from his Resolution. But all was to no Purpose. The Agitation of Mind that this gave him, threw him into a Fever, which almost cost him

A. D. 1690. *Lord Sunderland resigns the Seals.*

his Life. The King preſs'd him to keep the Seals till his Return from *Ireland*, tho' he ſhould not act as Secretary; but he could not be prevail'd on."

Revenue-Bills paſs'd.

In this Interval, the Commons had not only perfected their Poll-Bill towards the reducing *Ireland*, and proſecuting the War againſt *France*, but alſo That for granting to their Majeſties for their Lives, or the Survivor of them, the *Temporary Exciſe*; with Thankfulneſs and Admiration, according to the Preamble, of his Majeſty's glorious and ſucceſsful Undertakings for the Deliverance of the People of this Nation from Popery and arbitrary Power. The Latter contain'd a Clauſe of Credit for 250,000*l.* at 8 *per cent.* as alſo another for repealing the Act for ſettling the Revenue on King *James*; and a third, for ſettling on the Prince and Princeſs of *Denmark*, and their Children, the additional Allowance of 20,000*l. per ann.* procur'd for them in the laſt Parliament. Both receiv'd the Royal Aſſent on the 23d. On the 28th following, the Commons completed the Tonnage and Poundage-Bill, and ſent it up to the Lords; with Truſt and Confidence in their Majeſties (to it is expreſs'd) for *guarding the Seas, and defending the Trade of their Subjects*, &c. And on the 2d of *May* it was finally paſs'd into a Law.

The Paper, called, A Letter to a Friend, *voted a Libel.*

On the ſame Day the two Parties in the Commons had another Struggle on the following Occaſion. Sir *Edward Seymour* roſe up and charg'd Mr. *Rowe*, a Member, with having diſpers'd the Paper, call'd, *A Letter to a Friend upon the Diſſolution*, &c. together with the Liſt, &c. (inſerted in the Note (*t*) p. 189) which he ſaid reflected highly on his Majeſty's Government, and upon ſeveral Members of the laſt Parliament. The *Whigs*, to a Man, ſided with Mr. *Rowe*; but finding their Adverſaries had the Majority, endeavour'd to defeat their Purpoſe by a Motion to adjourn the Debate; which was over-rul'd by 180 Voices againſt 156. And upon the Iſſue, it was reſolv'd, "That the ſaid Paper was a falſe and ſcandalous Libel, reflecting upon their Majeſties and their Government, and the Rights and Privileges of Parliament."

Bill to reverſe the Judgment in a Quo Warranto againſt the City of London.

After ſo many clear Manifeſtations of their Superiority, the *Tories* now reſolv'd to make a further Uſe of it, by bringing in a Bill to reſtore the City of *London* to its ancient Rights and Privileges, which they had formerly been ſo inſtrumental to ruin and deſtroy. They were *in* Poſſeſſion of the Lieutenancy, but not *of* the Magiſtracy: And in order to facilitate their preſent Views, they made no Scruple to condemn their paſt Practices. Thus, in the Preamble, they admitted, that the Judgment upon the *Quo Warranto* againſt the ſaid City, and the Proceedings thereupon, were illegal and arbitrary; in the ſecond Clauſe they enacted, that the ſaid Judgment and Proceedings were null and void; in the third, they re-erected the Lord Mayor, Commonalty, and Citizens into a Body Corporate and Politic, ſo to continue for ever; and reſtor'd them to all and ſingular their ancient Rights: And in the fourth, That all Charters, Grants, Letters Patents, &c. made or granted by either of the late Kings ſince the ſaid Judgment, were null and void; with a Proviſo, that the Act ſhould not extend to diſcharge any of thoſe Perſons who had acted as Magiſtrates by Authority of the ſaid Charters, &c. without duly qualifying themſelves; and under an expreſs Stipulation, that all Officers, and all Miniſters who rightfully held any Office, &c. in the ſaid City, at the time of the ſaid Judgment, ſhould be confirm'd. A. D. 1690.

The *Whigs*, who clearly ſaw the Driſt of this Bill, did not fail to oppoſe it thro' every Stage, but with no viſible Succeſs; for, all they were able to obtain, was, That the preſent Mayors, Sheriffs, Chamberlain and Common Council, ſhould continue till the uſual Terms of annual Election (which, by the ſame Clauſe, were fix'd on the Days formerly ſet apart for that Purpoſe) and when they divided the Houſe againſt the Bill on the third Reading, they loſt the Queſtion by ninety Voices. All that now remain'd, was to follow it with the like Oppoſition thorough the Houſe of Lords; which was done accordingly, but with no better Succeſs than before, tho' the Mayor, Aldermen, and Common Council join'd in a Petition to be heard by their Council againſt it. This, indeed, was granted; and when the ſaid Council made it their Requeſt on Behalf of the City to be indulg'd with farther time, it was the Opinion of the Committee, that they ought to be ſo indulg'd: But when that Opinion came to be reported to the Houſe, and it had been conſider'd, that ſuch an Indulgence might endanger the Bill, it was over-rul'd by three Voices; Contents forty-four, not Contents forty-ſeven. Upon which, the Lords *Cornwallis*, *Macclesfield*, *Bridgewater*, *Monmouth*, *Bath*, *Manchester*, *Devonſhire*, *Clifford*, *Lovelace*, *Bolton*, *Bedford*, *Clare*, *Carteret*, *Herbert*, *Wharton*, *Newport*, *Montagu*, *Sydney*, *Stamford*, *Vaughan*, *Warrington*, *Offulſtone*, *Eure*, *Oxford*, *Dorſet*, and *Granville*, enter'd their Reaſons for diſſenting, in the following Words:

1. Becauſe it ſeems very hard, that a further time of Preparation ſhould not be allow'd in a Caſe of the higheſt Importance, to which the City, by their whole repreſentative Body, had deſir'd to be heard, eſpecially ſeveral Lords having inform'd the Houſe on their Behalf, that the time granted them was not ſufficient to inſtruct their Council, who, at the Bar, did alſo deſire a further Day to be able to ſpeak to ſuch important Points, declaring themſelves not ſufficiently prepar'd, having their Inſtructions but late the Night before.

2. Becauſe of how much greater Moment any thing is, ſo much the greater Deliberation and Advice ought to be had upon it; and this is of ſuch high Importance, that it not only concerns the City of *London*, but all the Corporations in *England*, that are by Preſcription, and, in Conſequence, the Legiſlative of this Government.

The Truth is, that this Motion for farther time, was, at the Bottom, no better than a Piece

A. D. 1690. a Piece of Parliamentary-Craft, to keep the Bill in Suſpence till the Cloſe of the Seſſion, which was known to be at hand; and it was for that very Reaſon that the other Party were as eager to bring it to an Iſſue.

Proceedings on the 500 l. Forfeitures. There was yet another Point before the Commons which kept the Houſe in a Ferment for ſeveral Days together; and this was a Bill for veſting the 500*l.* Forfeitures (which thoſe Perſons were liable to who had acted as Magiſtrates, or Officers, without duly qualifying themſelves to ſerve, as the Law requir'd) in his Majeſty. The main Drift of this was to make the *Diſſenters* ſmart for their Ductility in the late Reign: And it was the Buſineſs of their Allies in the Houſe to ſhew them all poſſible Countenance and Honour; but then they were out of Heart; the Stream of the Seſſion had ſet againſt them; Numbers were tir'd of a vain Oppoſition, and had made their Retreat to the Country. And hence it follow'd that the Tories had it in their Power to make the Bill as ſevere as they pleas'd. Thus it being apprehended, that if the Forfeitures were left to the Diſcretion of his Majeſty, few would be demanded, and fewer would be paid, a Clauſe was added in the Committee, and afterwards adopted by the Houſe; by which it was provided, That all the Money ariſing from the ſaid Forfeitures ſhould be paid into the *Exchequer*, and that a diſtinct Account ſhould be kept thereof. In vain the *Whigs* try'd all their Arts to evade the Preſſure of this rigid Clauſe. On a Diviſion of the Houſe it appear'd they were but 93 to 176. The Bill and Amendments were order'd to be engroſs'd; and there remain'd ſcarce a Probability either of diverting or withſtanding the Torrent.

In hope, however, that a Diverſion might be obtain'd, and with a View to muſter the whole Strength of their Party, they gave out, that ſeveral Perſons were confederating and deſigning to raiſe a Rebellion, and diſturb the Peace of the Kingdom; and that they would prove it by ſufficient Evidence at the Bar of the Houſe: Accordingly, on the Day appointed for the third Reading of the Bill, theſe Evidences made their Appearance; and did, indeed, give in ſuch (*p*) Informations as produc'd a Vote, That a Bill ſhould be brought in for the more effectual ſecuring their Majeſties Government againſt all ſuch Perſons and Practices: But when this was over, and a Motion was made to adjourn, it was not only over-rul'd, but the prevailing Party carry'd it, on the Queſtion, for reading the Bill the third time. All that now remain'd was, for the Minority to cover their Retreat as well as they could; and, in order thereto, they offer'd two engroſſed Clauſes, A. D. 1690. providing, That no Perſons ſhould be liable to the Penalties to be inflicted, in caſe they took the Qualification-Oaths, or the Oaths appointed in lieu of the Oaths of Allegiance and Supremacy, by a certain Time: But both were rejected; as was alſo a third, for involving the Judges and Barons, who concurred in the Judgment given in *Hale's* Caſe, or who at any time declar'd for the Diſpenſing-Power; nor was it without ſome Difficulty that a Rider was at laſt admitted for excuſing thoſe who had accepted any Office between *October* 8, and *February* 13, 1688, that is to ſay, during the *Inter-regnum*; for, the Houſe dividing, it appear'd, that the Noes were 150, and the Yeas but ten more; and laſtly, the Queſtion being put, that the Bill do paſs, it was carry'd in the Affirmative, by 137 Voices againſt 91.

Hitherto the *Act of Grace*, promis'd in the King's Speech, had not been heard of, and probably this invidious Bill had been thus warmly puſh'd in order to quicken the other. It was the 15th of *May* when the former was paſs'd; on the 20th the King came to the Houſe, and gave the Royal Aſſent to the Act for the Exerciſe of the Government by her Majeſty, during (*q*) the King's Abſence; the Act for reverſing the Judgment on the *Quo Warranto* againſt the City of *London*, &c; and, on the 22d, the Lords ſent down the following Meſſage, to the Commons, by Mr. Juſtice *Eyre*, and Mr. Baron *Turton*, viz. "Mr. Speaker, his Majeſty has been pleas'd to ſend this Bill, intituled, *An Act for the King and Queen's moſt gracious, general, and free Pardon*, which the Lords have paſs'd and accepted, *nemine contradicente*, and now ſend it down to this Houſe." And now all the Roar of Oppoſition ſeem'd to be at an End; the Bill was immediately carry'd thro' all the Forms of the Houſe, and paſs'd without any one Diviſion, Amendment, or Attempt to interrupt its Courſe, tho' they had the faireſt Opportunity before them imaginable: It had never been uſual for either Houſe, in their Intercourſe with the other, to intimate by what Number any Bill had paſs'd; and conſequently the Words *Nemine Contradicente* in their Lordſhips Meſſage might have been repreſented, as an Attempt to over-awe the Opinion and treſpaſs on the Privileges of the Houſe. But no body choſe to hit this Blot, till after the Bill had been return'd to the Lords: And then a Committee was appointed to ſearch Precedents, and draw up Reaſons to be offer'd at a Conference, by way of Proteſt againſt that Innovation, and in bar of its being made an Example. But in the very

Bills paſs'd.

An Act of Grace.

(*p*) "Many Diſcoveries were made of the Practices from *St. Germains* and *Ireland*. But few were taken up upon them: And thoſe were too inconſiderable to know more than, that many were provided with Arms and Ammunition, and that a Method was projected for bringing Men together upon a Call. And, indeed, Things ſeem'd to be in a very ill Diſpoſition towards a fatal Turn." [*Burnet*, vol. ii. p. 46.

(*q*) The Purport of this Act was, That whereas, by the Act of Settlement, the perfect and full Exerciſe of the Regal Power was veſted only in the King, tho' it was to be exerciſe'd in the Names of both King and Queen [illegible] as his Majeſty had reſolv'd to make a Royal [illegible] and had declar'd his Pleaſure to have the Adminiſtration in the Hands of the Queen; it was enacted, That whenever, [illegible] as his Majeſty ſhould be abſent, it ſhould be lawful for the Queen to adminiſter the Government; provided nevertheleſs, that the King's Orders, during his Abſence, ſhould be as good and effectual, as if his Majeſty was within the Realm: and that, on his Return, the whole Adminiſtration ſhould return to, and remain in, his Hands, as before.

A. D. 1690. next Day, before the intended Conference could be held, his Majesty came again to the House, and having given the Royal Assent to his own (*r*) *Act of Grace*, put an End to the Session, with the following Speech:

The King's Speech at the Close of the Session.

"*My Lords and Gentlemen,*

"I have such Assurance of your good Affections to me, that I come now to thank you, particularly for the Supply you have given me. The Season of the Year is so far advanc'd, that I can no longer delay my going into *Ireland*; and therefore I think it necessary to have an Adjournment of the Parliament.

Altho' it shall be but a short Day, yet, unless some great Occasion require it (of which you shall have due Notice) I do not intend you shall sit to do Business until the Winter; and, I hope, by the Blessing of *God*, we shall then have a happy Meeting.

In the mean time, I recommend to you the Discharge of your Duties in your respective Counties, That the Peace of the Nation may be secur'd by your Vigilance and Care in your respective Stations."

It ought not to be forgot, that there were two Bills still depending before the Commons; namely, That, beforementioned, for securing the Government against Rebellions and Conspiracies; which seem'd to be of Importance to the Crown; and a Bill for appointing Commissioners to take the Account of all public Monies, *&c.* which seem'd to be of almost equal Importance to the People: And that as to the *Act of Grace*, it was equally (*s*) complain'd of by the *Whigs* and the *Jacobites*; and with equal Bitterness; tho' upon different Principles, and for the sake of different Conclusions. A. D. 1690.

Before we accompany the King in his Royal Expedition, it will be necessary, by way of Preparation, to take a general Survey of the State of *Europe* at the Opening of the Year; and more especially of his Majesty's Affairs in *Scotland* and *Ireland*.

The first Object of his Imperial Majesty's Attention, was to procure his Son, the Arch-Duke *Joseph*, to be elected King of the *Romans*. It was this which had drawn the Imperial Court to *Augsburgh* in the Close of the last Year; when it was presum'd, from the general Harmony which had reign'd among the Princes of *Germany*, that all the Electors would have assisted at that Solemnity in Person: But the Protestant Electors of *Brandenburgh* and *Saxony* had their Scruples it seems; and could no further be prevail'd upon, than to send thither their Plenipotentiaries to represent them. The Election was, however, made, with one Voice, on the 24th of *January*, N. S. with this favourable Circumstance, That the Electors granted a Dispensation

The Arch-duke Joseph elected King of the Romans.

(*r*) Out of which were excepted by Name, *William* Marquis of *Powis*, *Theophilus* Earl of *Huntington*, *Nathaniel* Bishop of *Durham*, *Thomas* Bishop of *St. Davids*, *Robert* Earl of *Sunderland*, Lord *Thomas Howard*, *Henry* Lord *Dover*, *John* Earl of *Melfort*, *Roger* Earl of *Castlemain*, Sir *Edward Hales*, *Thomas Tilesley*, Esq; *Rowland Tempest*, Esq; Colonel *Robert Lundy*, Mr. *William Mallerton*, Sir *Edward Herbert*, Sir *Francis Wythins*, Sir *Edmund Lutwyche*, Sir *Thomas Tanner*, Sir *Roger Lestrange*, Sir *Richard Hastlerigg*, Sir *Richard Heath*, *Collonel Trevanion*, Sir *Nicholas Butler*, *Edward Morgan*, Esq; *Robert Rowe*, Esq; Mr. *Richard Graham*, Mr. *Philip Burton*, Mr. *Obadiah Walker*, *Edward Petre*, Jesuit, *Matthew Crane*, and *George* Lord *Jeffries*, deceas'd.

The Marquis *de Fresnierre*, in his *Memoirs*, says, that Father *Petre* was hang'd for the Mischiefs he had committed, but does not say where, nor by whose Command: It is certain he made his Escape from hence; and it is very unlikely that he should be executed elsewhere.

(*s*) As is most remarkably illustrated in the two following Passages.

Says Lord *Warrington*, for the *Whigs*, "May I not reckon among these Treacheries, the Advices and Solicitations to our King to send a general Bill of Grace and free Pardon, and without regard to exemplary Justice, for these Treasons and Murders, and other high Crimes, committed before his coming hither?

I am sure the same Sort of Men, that solicited against the *Security* of the Government were those that flatter'd his Majesty by that *Act of Grace* to provide for their Security, if it should fail; they not only deceiv'd the King of the great Forfeitures and Fines that ought in Justice to have borne some Part of the Charge of his Expedition hither; but have set all their Party at least upon even Ground with the most innocent Subjects for their Country, to be preferr'd to all Sorts of Magistracies and Authorities, and sav'd them from making Reparations to Multitudes, whom they had oppress'd, under Colour of Authority, in the two last Reigns.

I have heard some of them laugh at the Desire put upon the King by the *Act of Grace*, and the formal Exception of a few Persons, that were not the greatest Criminals. They know that those Exceptions could be of no Effect for exemplary Justice and Security, as the Convention intended.

Neither Crimes committed in those late Reigns, both in the Councils and Courts of Justice, were Treasons at the Common Law, and triable in Parliament only, (being of a more pernicious Nature than those specify'd in the Statutes) and these Offenders with their Adherents of lesser Guilt, should have been reserv'd for their Trials in Parliament, and Penalties to have been set by them, and exempted from the Power of the King to pardon, as in such Cases has been usual.

But the Exception made of a few, such as *they* are, without naming or distinguishing their Crimes, without enacting any Course for their Prosecution, and without Exemption from common Pardons at Pleasure, could amount to no more than to make the People hope in vain for some Vindication of public Justice.

Time has shew'd the Craft of this Contrivance by the Indemnity of all the Persons excepted, that are not since in Rebellion against our King. No Process has issued against any of them, not a Penny of their Estates, nor one Hair of their Heads hath been touch'd; and several of them have ever since sit in the House of Lords, as our Legislators." [*Impartial Enquiry, p.* 15.

Say the *Jacobites*, "It is a Maxim in our Law, *That the King can do no Wrong*; the Meaning whereof is not, that nothing can be done amiss that he does, in point of Government; but that whatever there is amiss in it is not to be imputed to him, but to those by whose Advice and Ministry he acts; and consequently, that not he, but they are punishable for them. But in this Pretence concerning King *James*, the Case is quite inverted; for here the King himself is charg'd with all the Faults of Government; and not only charg'd with them, but punish'd for them; whereas they that were his Counsellors and Ministers, who were much more to blame than he, inasmuch as they not only persuaded him, that his Royal Prerogative would very warrantably and safely bear him out in all the arbitrary Courses he took, but also push'd him forward to them even contrary to his Inclinations, maliciously suggesting, that the hard Usage that some of his Subjects met with (to which in some Cases he consented with great Reluctancy) was no more than what was necessary for the asserting and vindicating of his Authority, and the chastising of their Stubbornness and Undutifulness: These Men, I say, at least some of *them*, were not only suffer'd to escape Punishment, but were highly preferr'd and rewarded, even by your good King *William*; than which I challenge any Man to give an Instance either of greater Iniquity or deeper Hypocrisy. To punish that openly in one as a grievous Crime, which is secretly approv'd of and rewarded in another as a very acceptable Service. To cry out against Grievances, to pretend a most tender Compassion for those that suffer them, and a mighty Zeal for having them redress'd, when yet it appears, that those very Grievances are chiefly owing to the pernicious Counsels and mischievous Contrivances of such Persons, to for that very Purpose have been employed by Such as prevailed, to such a Measure piece of Hypocrisy and Dissimulation as, I think, none but a *Dutchman* is capable of." [*Apology for the Times, p.* 29.

A. D. 1690.

Dispensation of two Years of Age to the young King (who was then but in his 12th) by which he was authoris'd to act as Emperor at sixteen (in case of his Father's Death) tho' the Constitution of the Empire requir'd, that he should be eighteen. On the 26th, he was crown'd with all imaginable Magnificence; and in a few Days afterwards, the whole Imperial Court set out on their Return to *Vienna*; having first receiv'd the melancholy News, that a large Body of *Hanover* and *Holstein* Horse and Dragoons, with about two hundred Foot, who had been detach'd by the Duke of *Holstein*, to observe the Motions of the *Turks* and *Tartars* in the Neighbourhood of *Kazenecke* in *Albania*, had been totally routed by the Latter, with the Loss of two thousand two hundred Men either kill'd or taken; amongst whom was the Prince of *Hanover*, who was slain at the Head of the Regiment he commanded.

A Party of Imperialists defeated by the Turks in Albania.

But neither this ill Accident, nor the Prospect of a long and doubtful War on the other Side of *Europe*, excited any real Disposition in the Imperial Court towards an Accommodation with the *Porte*. The *Turkish* Envoys were still detain'd; but, instead of pressing their Negociation, as they had formerly done, kept themselves wholly on the Reserve. In order, therefore, to bring them to an Explanation of some kind or another, the following Proposals were made them in the Name of the Allies. 1. That the Kingdom of *Hungary* should be restor'd, with all its Dependencies, and the Principality of *Bosnia*, in such a Manner, that the Grand Signior should never more claim any Right therein. 2. That *Moldavia*, *Walachia*, and the Republic of *Ragusa*, which had put themselves under the Emperor's Protection, should be compriz'd in the Treaty of Peace, and not be disturb'd by the *Turks* in any manner whatsoever. 3. That all the *Tartars* should depart the Countries. 4. That the *Port* should pay 6,000,000 towards the Expences of the War, immediately after the Conclusion of the Peace, and 2,000,000 every Year for free Passage to *Constantinople*. 5. That all the *Christians* that had been taken during the War, which were above one Million, should be set at Liberty. Lastly, That *Teckely* and all his Adherents should be deliver'd up to the Emperor. The King of *Poland* demanded the Restitution of *Caminiec*, and 4,000,000 in Silver. And for the *Venetians*, they requir'd, 1. The Restitution of all the Islands that formerly belong'd to them, and particularly the Island of *Negropont*. 2. The Restitution of the Dukedom of *Athens*. 3. The Exchange of *Lepanto* for *Tragusa*. 4. The Restitution of *Dulcigno* and *Mahona*. 5. A Regulation of the Limits of the conquer'd Cities and Countries. And, lastly, That the Grand Signior should pay to the Republic 400,000 Ducats.

A. D. 1690.

Negociations for a Peace between the Emperor and the Porte.

The *Turks* tore their Beards as they read, and would not hear of a Treaty on such extravagant Terms; on the contrary, they requir'd in their Turn the Restitution of *Transilvania*, *Moldavia*, and *Walachia*, in the same Condition as they were in before the War: That the Emperor should exchange *Belgrade* and all the conquer'd Country beyond the *Save*, for *Temeswaer*, *Giula*, and the other Places possess'd by them on the *Tibissa*. They also reserv'd great *Waradin*; and made no Mention of the Republics of *Poland* and *Venice* at all. Upon which, all Thoughts of Peace were given over: And it was resolv'd, on all hands, to carry on the War with as much Vigour as ever.

As to the Preparations for opening the Campaign, they were talk'd of in very high Terms; but, according to the *German* Custom, they proceeded very slowly. A new System of Action was to be form'd every Year, and every Party concern'd had his own Terms to adjust, before he could be prevail'd upon to co-operate in it. The Affair of *Saxe-Lawenburgh*, in particular, not only embarrass'd the Imperial Court, and the Diet of the Empire, but all the Powers of the Confederacy. All were solicitous to bring the Dispute to an Issue, but none could furnish an Expedient. It was propos'd to appoint the King of *Sweden*, as Duke of *Bremen*; the Elector of *Brandenburgh*, as Duke of *Magdeburg*; and the Princes of *Lunenburgh* to be Guardians of that Duchy, and to divide the chief Places amongst them, which they were to hold with an equal Number of Forces. But the Princes of *Lunenburg*, who were already in Possession of the whole, would not relinquish any Part of it; and the Elector of *Saxony* would hear of no Temperament whatsoever, till those Princes had relinquish'd the whole. But what most of all retarded the Operations of the Year on the *German* Side, was the sudden Death of the gallant Duke of *Lorrain* (*t*) of a Quinsey, in the Beginning of *April*, at a Convent near *Lintz*. The Elector of *Bavaria* had all along aspir'd to the chief Command of the Imperial Army, and not without Reluctance had submitted to the Preference which had been given to the Duke; and which, he suppos'd, was rather the Result of Favour and Policy, than of superior Merit and Service. It was the Interest of the Emperor to hold the Elector in Dependence on him, but not to make him too considerable; and, therefore, it was a Point of the utmost Delicacy, whether to gratify his Electoral Highness in his Pretensions, or to explore some such Expedient as should once more defeat them, without wholly disobliging him.

Death of the Duke of Lorrain.

But while these were the peculiar Embarassments of the Emperor and Empire, the Plenipotentiaries of all the several Powers assembled at the *Hague*, according to Agreement,

Congress at the Hague.

(*t*) He had just before set forth a Manifesto, in which he declar'd War against *France*, in his own Right, as a Sovereign Prince; expos'd the *French* King's Injustice, in detaining his Territories from him; threaten'd to enter them in Person at the Head of forty thousand Men, as soon as the Summer came on, exhorted his Subjects to shake off the Yoke of *France*; and laid his Commands on the Gentry to join him, on pain of being degraded of their Nobility, and depriv'd of their Privileges.

A.D. 1690. ment, to adjust the general Plan of the Year. But tho' King *William* had assur'd his Parliament from the Throne, that these Conferences were to be open'd in *November*, they were not open'd till the sixteenth of *March*, N. S. Lord *Dursly*, who was then his Majesty's Minister to the *States*, appear'd in Public on this Occasion, as the Plenipotentiary of *England*: But whatever his Character was, it is not altogether clear, that his Powers were answerable to it; for, some time before the Lord *Portland*, his Majesty's Bosom-Favourite, had been sent over, as we are told, to pacify the Feuds which had broken out among the Magistrates of *Amsterdam*, upon what Occasion we do not find sufficiently explan'd, either by the *Dutch* Writers or our own; and while he remain'd in *Holland*, which was till the End of that Month, it is reasonable to suppose, that his Ascendancy there, in the Right of the Stadtholder his Master, was as great in all things as it was in *England*: It is certain, that he succeeded in his Commission at *Amsterdam*; that all Memorials of the Contest were raz'd out of the Registers of the States, by express Order; and that, during his Stay at *Loo* and the *Hague*, their High and Mighty Lordships came to all the necessary Resolutions, with regard to the Estimates of the Year, the Ways and Means of providing for them, and whatever had a Relation to the ensuing Campaign.

Of what past at the Congress we have no distinct Account: But 'tis natural to suppose, that the Points principally argu'd therein, were, the several Schemes of the several Powers for carrying on the War, the Quotas they were to furnish, the Time of taking the Field, the Places of Rendezvous, the Disposition of the several Armies; and, in general, the whole Oeconomy of the Year. It is also uncertain, whether the Misunderstandings among the *German* Princes, who had all their Representatives there, were at any time the Subject-matter of their Deliberations. Tho' the Protestant Electors had concurr'd in the Election of the King of the *Romans*, they were so much offended by the Proceedings in relation to the Duchy of *Saxe-Lawenburgh*, that it was long a Doubt, whether they would be prevail'd upon to act with the same Vigour in the common Cause, as they had shewn the Year before; and the Princes of the House of *Lunenburgh*, on the other hand, were too powerful to be disoblig'd: As therefore the Assistance of all was necessary, 'tis not improbable, that the Ways and Means of bringing about an Accommodation, or, at least, of suspending the Contest, were occasionally consider'd; and that, among These, the most Attention was paid to the Project of erecting a new Electorate, in favour of that House, which now, for the first time, began to be the general Talk of *Europe*; and which was contended for, on a Presumption, that the Protestant Interest in the Empire was weaken'd by the Defect of the *Palatinate* to the Catholic Princes of *Newburgh*.

The Northern French continue neuter. As to the Kings of *Denmark* and *Sweden*, they are to be consider'd as Neuters; or rather, Traders in the Business of War; for tho' the Latter, as Duke of *Bremen*, was oblig'd to furnish his Contingent, and the Former had supply'd King *William* with certain of his Troops, as before-mention'd, neither embark'd in the War as Principals, or seem'd in any Disposition to do so: On the contrary, they lent an Ear to the Offers of both Parties, and made Advances to each alternately, as they rose upon each other. Thus, when it was suppos'd that an Agreement was as good as made between the Crown of *Sweden* and the *States*, by which his *Swedish* Majesty, for a valuable Consideration, was to supply their Lordships with a Fleet of twelve Men of War, and eight thousand Land-men, that Prince, for a more valuable Consideration, struck up a Treaty of Commerce with *France*; which produc'd another between him and his *Danish* Majesty, (who was at the same time in Treaty with King *William* for an additional Corps of four thousand Men; and with the Emperor for another of six thousand): And, by this last, we are told, the two Crowns mutually engag'd to set forth an equal Number of Men of War; with Orders to act in concert, in convoying the Merchant-ships of both Nations, to and from *France*, and to protect and defend them against all that should attempt to oppose, or molest them in their Passage: As also, that public Notice of this Treaty was given in all the Ports of both Kingdoms, that the Subjects of each might take the Benefit thereof.

The Conduct of the *Swiss*-Cantons, towards the two Parties at War, was also pretty much the same with that of *Sweden* and *Denmark*: They were beset with the like Importunities, and came to a Resolution to observe the like Indifference: They suffer'd both the Confederates and the *French* to make Levies and recruit in their Dominions: But no Persuasions could induce them to take part on either Side: King *William* had his Resident among them, as well as the *Imperialists* and *Spaniards*, and none was more assiduous than he, in his Endeavours of all kinds, to bring the Cantons into the Measures of his Master: But they were deaf to the Voice of the Charmer, and persisted in their Resolution to maintain a Neutrality; which had this good Effect, that it render'd them respected on both Sides, and preserv'd them from the Resentment of either: The Confederates had indeed their Faction; but that of *France* appears to have been the stronger; and M. *Amelot*, the *French* Minister, lost no Opportunity of convincing his Antagonists, that he was as much a Master in the Arts of negociating as they.

Wherever *France* had an Interest to serve, *Intrigues of the French Minister in Poland.* she had Instruments to promote it: And as those Instruments were generally well chosen, their Undertakings were as generally successful. Thus it was owing to their Intrigues at the *Porte*, That the *Turks* were induc'd to rise so high in their Proposals to the Emperor, and to assert the Pretensions of Count *Teckely* as warmly as ever: And that the King of *Poland* had prosecuted his Share of the War against the common Enemy, in a Way

to

A. D. 1690. so little advantageous to the common Cause. But then it was at the last of these Courts, that they met with one of those few Mortifications which are to be met with in the Course of their Politics.

His *Polish* Majesty had discover'd a strong Inclination to have his Son Prince *James* succeed him in his Throne, and Mr. *de Gravelle*, the *French* Minister, had not only assur'd him of his Master's good Offices, but endeavour'd to convince him, that the Emperor was in a different Interest, and had already engag'd to favour the Election of his Favourite the Duke of *Lorrain*. The Artifice took; the King believ'd; and for a while follow'd implicitly the Directions of his new Guide: Unluckily the Court of *Vienna* found out the Clue to this Labyrinth, and immediately offer'd to lead his *Polish* Majesty a nearer Way: They propos'd a Marriage between Prince *James* and the Princess Palatine of *Newburgh*, who was Sister to the Empress, the Queen of *Portugal*, and the new Queen of *Spain*, with the joint Interest of the whole Alliance for her Dowry: His *Polish* Majesty was all Ear, and, upon so desirable a Condition gave his Consent to all that was demanded of him. While the *Turks* were at once beset with the *Imperialists*, the *Venetians*, and the *Poles*, the *Muscovites*, at the Instance of the Latter, had also broke with them, and, during the last Summer, had done them considerable Mischief: In conformity, therefore, to the mutual Obligations that subsisted between the Grand Signior and his *most Christian* Majesty, Mr. *de Gravelle* made it his Business first to prompt the King of *Poland* to strike up a separate Peace, and when a Negociation was actually open'd to that End, he apprix'd the *Czar* of all that was doing at *Warsaw*, with an Insinuation, that he would do well to get the Start of his Ally, that he might have the better Terms for himself: About the time that the Marriage abovemention'd was propos'd, this under-hand Correspondence was detected, and the Fact made evident under Mr. *de Gravelle*'s own Hand; and if this Discovery did not occasion, it serv'd to excuse, the sudden Alteration which appear'd in the Conduct of his *Polish* Majesty: For the Treaty with the *Turks* was immediately broke off; an Express was sent to the *Czar*, with fresh Assurances, that the King and Republic would punctually fulfil all their Engagements; and the Dyet was assembled, in order to give their Sanction to such Measures, as should most contribute to a vigorous Prosecution of the War.

Mr. *de Gravelle* was now on the Verge of Despair; for, unless he could find Means to defeat the intended Alliance, and break up the Dyet in Confusion, he foresaw the End of his Commission was at hand: To compass both these Points, he, therefore, address'd himself with all the Dexterity he was Master of, but not with the Success he desir'd: For tho', in consequence of his Cabals, Sabres were several times drawn in the Dyet, and once such a Quarrel arose between the *Poles* and *Lithuanians* that several were wounded on both Sides, the King always found Means to compose Matters, and at length to bring the Session to a happy Conclusion: And what was still worse for his Excellency, it was yet farther discover'd, that he was the Author of all this Confusion, that he had endeavour'd to create a Division in the Royal Family; and that he had not only labour'd to dissolve the Diet, but to stir up the *Poles* to a Revolt: All this was expressly laid to his Charge, and he was withal order'd to depart the Kingdom; which he thought proper to obey with the utmost Privacy, after having endeavour'd, tho' in vain, to pacify the King by a Letter, in which he acknowledg'd, That he had endeavour'd to dissuade Prince *James* from intermarrying with the House of *Newburgh*, and that he had perhaps spoken with too much Freedom of those who had promoted that Measure, seeing the Queen was at the Head of them.

Poland was too far off to feel the immediate Vengeance of *France*, for having dealt thus freely with her Embassador: But *Savoy*, which had the Misfortune to be too near a Neighbour to her, had no sooner shewn a Disposition to assert her own Independency, than she was made to feel the whole Weight of her Indignation.

Italy till now had been free from the Contentions and Calamities which rag'd on this Side of the *Alps*, and possibly might have so continued, if the Allies themselves had not made it a Part of their Plan, to form a Diversion on that Side, in order to render their Work so much the easier on the other: The Count *de Fuensalida*, who was Governor-General for the *Spaniards* in those Parts, had not only enter'd very willingly into this Design, but had very confidently undertaken for the Success of it: In this Presumption, he made all imaginable Preparations for an early and vigorous Campaign; but without any sort of Reserve, as if the Enemy could reap no Benefit from their Knowledge, or could make no Disposition to withstand him.

France, on the other hand, kept a watchful Eye on all his Motions; and resolv'd to be ready with a Fence against the Storm, whenever it should fall. But the Conduct of the Court of *Turin* was what they first and principally regarded: Ever since the Duke of *Savoy*'s Adventures at the Carnival of *Venice*, in the Year 1687, they had entertain'd a Jealousy, that his Royal Highness had enter'd into some Engagements with the Emperor, and, according to (*a*) some Accounts,

They grow jealous of the Duke of Savoy.

(*a*) In the Year 1688, and a short time after the League of *Ausburgh*, the Marquis de [illegible] was sent to *Turin* the Count of *B*——, to negociate something there to sift the *German* Ministers, sent to his Royal Highness so well, that the Duke was after, who during [illegible] to the Emperor's Envoy in Presence obliged to give Audience to the Emperor's Envoy in Presence of the *French* Agent, who obstinately insisted upon his Right to be there; and in this Interview, intended for the treating of Affairs of the highest Importance, was spent only in Ceremonies and Compliments.

But afterwards, the Count having dispatch'd himself in the Habit of one of his Pages, by a local Pair of Stairs got into the Duke's Chamber; where all he could do, was only to present him with a seal'd Writing, containing only some

A. D. 1690. Accounts, not without ſufficient Grounds. But, however this may be, during theſe Armings of the *Spaniards*, he affected to avoid every Circumſtance that could poſſibly give any juſt Cauſe of Umbrage to *France*: He gave out Orders, indeed, for the raiſing of twelve thouſand Men; but then it was under a Proteſtation of obſerving an exact Neutrality; and he forbade all foreign Levies in his Dominions, on pain of Death.

But *France* was not to be ſatisfy'd with Appearance and Outſide only, and reſolv'd not only to have it in her Power to come at the Bottom of his Deſigns, but even to force him, if poſſible, to embark in hers. The *Vaudois*, a miſerable People of the Reformed Religion, whom the Duke, at the Inſtance of *France*, had expell'd from their Receſſes among the Mountains, which ſhelter'd them from the Rage of the *French*, were not only permitted to harbour there again, but even to make Inroads on their Perſecutors, by the Aſſiſtance of the *Spaniards*, who furniſh'd them from *Milan* with Arms and Ammunition for that End. This was thought a criminal Connivance in his Royal Highneſs; and what was ſtill more ſuſpicious, there had paſs'd of late certain extraordinary Endearments between him and the Emperor: His Imperial Majeſty had admitted the Duke's Claime to the Kingdom of *Cyprus*, allow'd him to uſe the Style of Royal Highneſs, conſented to receive his Embaſſador with the ſame Honours ſhewn to thoſe of Crowned-Heads; and, for the Conſideration of one hundred and twenty thouſand Piſtoles, moreover, granted him the Inveſtiture of all the Fiefs which he held of the Empire, and which he had long ſollicited in vain. On all theſe Accounts, Mr. *de Rebenac* was diſpatch'd to *Turin*, to demand an immediate Explanation, and met with ſuch a Reception as, at any other Time, or to any other Court, would have been held the moſt ſatisfactory that could have been expected or deſir'd: For the Duke made no ſcruple to declare, That he had no Deſign to forfeit the Friendſhip of *France*, or commit the leaſt Infraction in the Treaties ſubſiſting between that Crown and him. But though fair Speeches are made current Coin in the Payments of *France*, they never receive them as ſuch: And in proportion to the Opinion which that Court had of the Duke's Underſtanding, A. D. 1690. they ſuſpected his Integrity. Upon the Heels, therefore, of Mr. *de Rebenac*, Mr. *de Catinat* was diſpatch'd to his Royal Highneſs, with a Commiſſion of a rougher Tendency: He was appointed Commander in chief of the *French* Forces deſtin'd to act in *Italy*, amounting to about ſixteen thouſand, and had march'd at their Head, with a ſeeming Intention to fall into the *Milaneſe*; but alter'd his Route, all at once, and, having left his Army on the Borders of *Piedmont*, accompany'd by a few Officers only, made his Appearance at the Court of *Turin*; where he gave his Royal Highneſs immediately to underſtand, That the King his Maſter was ſo little pleas'd with his Conduct, and had ſo little Dependance on his Promiſes, that he reſolv'd to have Security for his good Behaviour; and ſuch Security as ſhould put it out of his own Power to be unfaithful: And firſt, by way of Preliminary, he demanded two thouſand Foot, and one thouſand Horſe, to paſs immediately into the *French* Service; becauſe the Duke had already furniſh'd the Emperor with the ſame Number; and, becauſe till this was done, his *moſt Chriſtian* Majeſty could not be brought to believe, that there was any ſuch thing as a Neutrality ſubſiſting between them. He then demanded, that *Verue*, one of the ſtrongeſt Places in *Piedmont*, and the Citadel of *Turin*, might be put into his Hands, together with *Verceil* for a Place of Arms: And concluded, with aſſuring his Royal Highneſs, that theſe were the only Conditions upon which he was to expect to be reſtor'd to the Friendſhip and Confidence of the King his Maſter; and that his Majeſty would not hear of any Abatement. *and demand Security for his good Behaviour.*

The Duke, who was in the Prime of his Youth, could not liſten to ſuch Language as this, without Indignation: But ſo much was he Maſter of himſelf, that none appear'd; and he only ſeem'd ſollicitous to find out ſome middle Way, by which he might recover the good Graces of the *moſt Chriſtian* King, without laying himſelf wholly at his Mercy: With this View, and ſeemingly with this View only, he procur'd the Pope's Nuncio to interpoſe with his good Offices, to ſoften Mr. *Catinat*, and facilitate an Accommodation: He alſo apply'd to the Duke of

---

ſome general Propoſitions, and to get a Promiſe from the Duke to be at *Venice*, in the Carnival-time, under preſence of Diverſement: but indeed to treat more amply with the Duke of *Bavaria*, and ſome other Princes that were to meet him there.

Soon after, the Duke made public the Deſign of his Journey, at what time the Miniſter of *France*, who ſuſpected ſomething more than ordinary, uſed all the Arguments he could to prevent his going; but ſeeing he could not prevail, he reſolv'd to accompany him, which his Royal Highneſs could not refuſe, for fear of augmenting his Suſpicion. The Princes, being come to *Venice*, never met in public, under pretence they could not agree about giving and taking place; but they treated privately together, by means of a cunning Monk; and at that time there was an Alliance concluded upon, between the Emperor, the Duke of *Savoy* and *Bavaria*, and ſome other Princes, conformable to the Treaty of *Ausburgh*. After the Treaty was concluded, the Duke of *Savoy* return'd home (together with the *French* Miniſter, who never left him) well ſatisfy'd that he could do it privately at *Venice*, which he could not do at *Turin*. But this Satisfaction was not of long Continuance; for, upon the very Road, the *French* Miniſter upbraided him with treating with his Maſter's Enemies, which the Duke ſtoutly deny'd, till the Envoy pull'd the Copy of the Treaty out of his Pocket, and preſented it to his Royal Highneſs, who was then forc'd to acknowledge it.

I make no queſtion but that the Curioſity of the Reader is ſuch, that he would fain know, how the Embaſſador found, by his Spies, that the Monk already mention'd frequently went from one Prince to another, and ſuſpecting the Truth he got him to be ſounded, and found that he was not Proof againſt a conſiderable Preſent; nor did he offer the Monk leſs than 200,000 Livres, which were preſently paid down, upon the Delivery of a Copy of the Treaty.

Thus far my *Memoirs* extend. [*State of* Europe, *for* Auguſt, 1690.

A. D. 1690. of *Orleans*, his Father-in-law, to intercede for him with the King his Brother; and he even went so far, as to write to his Majesty with his own Hand, in the most submissive Terms, intimating, That the Troops his Majesty had demanded were at his Devotion; and that he was even ready to give the utmost Proof of his Resignation to his Majesty's Pleasure, by a surrender of the Places in question: Only he besought his Majesty, with all Humility, first to consider, what a Prince, who had the Honour to be so nearly related to him, had to hope from the Goodness and Generosity of so great a King; and whether, on cooler Thoughts, he might not be prevail'd upon to accept of some other Place in *Piedmont*, instead of the Citadel of *Turin*, that he might be left with the Dignity of a Sovereign in his own Capital; in which case, he should acknowledge himself everlastingly oblig'd. But all was without Effect. The King's Answer was as haughty and imperious, as the Duke's Letter was submissive and humble. His Majesty has thought fit (so the Dictate ran) to send a Power to the Sieur *de Catinat*, to take possession in his Name of the Citadel of *Turin* and *Verue*; with this only Qualification, "That it was not without a sensible Regret that his Majesty found himself oblig'd to send his Troops into the Territories of his Royal Highness; and that when he should no longer have any Room to doubt of his Royal Highness's Zeal for his Interests, he would restore his Friendship to him with as much Joy." The Duke, as it is easy to imagine, was more shock'd than ever, to find the Law thus given to him in his own Capital. He remonstrated, That in case he should comply with his Majesty's Commands, he saw no Prospect open'd to him, of his being reinstated in his good Graces, nor any Hope of having his Towns restor'd to him: And if, continu'd he, in the Fulness of his Heart, his Majesty has not wanted an unjust Pretence to get possession of them, will he ever want one to maintain it? Politicians have no Pity; and the Perplexities of the Duke serv'd only to heighten the Joy of *Catinat*: In vain, the Marquises of *Ferrara* and *St. Thomas* sollicited him on the Behalf of the Duke, to soften the Rigour of his Demands: In vain even the Chancellor of *Savoy* propos'd, by way of Medium, That the Citadel should be put into the Hands of the Pope, or the *Switzers*, on condition, that the King would maintain the Garrison, and under an Engagement, that, in case his Royal Highness took any one Step in opposition to the Interest of *France*, his Majesty's Troops should be admitted in their Room: He look'd upon all this as Matter of Amusement only, and would hear of nothing but an exact Conformity to the very Letter of his Orders.

The Duke has recourse to the Confederates.

It must, indeed, be acknowledg'd, that the Duke, not caring to depend wholly on the Mercy of *France*, had all this while been taking such Measures as should preserve him from standing in need of it: He had sent Expresses to the Emperor, the King of *Spain*, the King of *England*, the Pope, the Republics of *Venice* and *Genoa*, the Dukes of *Tuscany* and *Parma*, and, in general, all the Princes of *Italy*, except the Duke of *Mantua*, who had already enter'd into the Service of *France*, setting forth the State of his Case, and aggravating the Necessity of his submitting to a Power so superior to his own, that they might be so much the more eager to take part in his Deliverance, and contribute so much the more largely towards it. Nor was it more his Interest to be succour'd, than theirs to succour him: The Power of *France* was as much dreaded on that Side of the *Alps* as on this: And the *Italian* States were as much concern'd to keep out the Invader, as the Confederates to find him new Employment in *Provence* and *Dauphiny*: All, therefore, understood the Case of his Royal Highness to be their own, and espous'd it accordingly: Some engag'd to aid him with Men, some with Money (among whom were the Maritime Powers); and that he might even find his Account in Honour, as well as Interest, the whole Confederacy agreed to constitute him Captain-General of all their Forces in *Italy*.

Goes into Treaties with the Emperor and Spain.

But the Basis of his whole Procedure were the Treaties which his Royal Highness enter'd into with the Emperor and King of *Spain*; the Substance of which was, That none of the contracting Parties should negociate a separate Peace with the *most Christian* King, nor accept of any Peace, till the Places held by the *French* in the *Milanese* were recover'd out of their Hands, and restor'd to their right Owners: That whatever Acquisitions were made should be divided between *Spain* and the Duke: That the Emperor and the Confederates should, in particular, endeavour to procure the Recovery of *Pignerol* and *Casal*, either by Arms or Treaty; and, in case they should be either Way recover'd, the Latter should belong to his *Catholic* Majesty, and the Former revert to his Royal Highness: That his Imperial Majesty should renounce all his Pretensions to *Montferrat*, and should furnish the Duke with eight thousand of his choicest Troops, to continue in his Imperial Majesty's Pay, without any Claim of Winter-Quarters in *Piedmont*: That the Count *de Fuensalida* should march immediately to the Duke's Relief, with his whole Army of eight thousand Horse, between eight and nine thousand Foot, and twelve Pieces of Cannon; the whole Expence of which was to be defray'd by his *Catholic* Majesty: And that his Royal Highness should be comprehended in the Alliances with his *Imperial* Majesty, his *Catholic* Majesty, his *Britannic* Majesty, the *States-General*, and all their other Allies without Exception.

Having thus taken his Measures, he call'd his whole Council together, and, after enlarging on the haughty Treatment he had received from the *most Christian* King, and the unavoidable Necessity he lay under of declaring himself an Enemy, or becoming a Vassal, of *France*, signify'd, That he had made his Choice; and that he was resolv'd to maintain his Dignity and Independency, at the Expence of every other Consideration: His

A. D. 1690. His Miniſters were all of the ſame Mind; and, upon the Reſult, Orders were ſent to Mr. *Catinat* to quit the Dominions of his Royal Highneſs, with all his Forces, on pain of being treated as an Enemy: Mr. *de Rebenac*, and ſeveral *French* Gentlemen, were put under Arreſt, by way of Hoſtage for the Miniſters and other Subjects of *Savoy*, at that time reſiding in *France*. The whole Country was put in Arms, and authoriſ'd to oppoſe the Attempts of the *French*: An Act of Oblivion was ſet forth in favour of the poor *Vaudois*; ſuch as were abroad were invited home; ſuch as were already in Arms were encourag'd to graft the Quarrel of their Country upon their own; and ſuch as were in Priſon at *Turin*, whether Eccleſiaſtics or Seculars, were not only ſet free, but brought into the Duke's Preſence, who condeſcended to make a ſort of Apology to them for the Perſecution they had undergone, by placing it all to the Account of *France*, and the Neceſſity he was then under, of doing whatever his *moſt Chriſtian* Majeſty requir'd of him.

and declares againſt France.

A. D. 1690.

And now the Conduct of *France* took a different Turn, by which it became plain, that, how determin'd ſoever ſhe had appear'd to drive the Duke into the Toils, ſhe never expected that he would dare to make head againſt her, nor deſir'd to have him encreaſe the Number of her Enemies: For Mr. *Catinat*, on this ſudden Change in the Duke's Behaviour, diſpatch'd an Officer to let him know, That ſuch was the Goodneſs and Condeſcenſion of his Royal Maſter, that, to prevent the Calamities that a Rupture would inevitably bring upon his Royal Highneſs's Dominions, he was willing to accept the Offers which he had already made: The Duke anſwer'd drily, He did not remember the Offers which he had already made. The Envoy thought proper to recapitulate them, and his Highneſs reply'd, "The Time is paſt: Mr. *Catinat* has oblig'd me to take other Meaſures, from which I neither can nor will recede."

Conduct of the Pope at this Criſis.

Still the Diſpute between the Courts of *Rome* and *Paris* hung in ſuſpence: His Holineſs, not ſatisfy'd with the Abolition of the Franchiſes, would not hear of an Accommodation, unleſs the King would conſent, that the Clergy of *France* ſhould make a formal Acknowledgment of the Infallibility of the Chair, and as formally renounce the Propoſitions of the Aſſembly in 1682: In which caſe, he alledg'd, That his Majeſty ſhould enjoy the *Regale* as heretofore. His Majeſty, on the other hand, could not be prevail'd upon to do Violence to his Clergy which was requir'd of him, nor was indeed inclin'd that any ſuch Submiſſion ſhould be made. All this while, however, his Emiſſaries affected to be in ſearch of Expedients to bring Matters to an Iſſue: And as often as he had any Point to carry at *Rome*, or was incumber'd with any new Difficulty, he ſeem'd to be in a relenting Vein, and to be ready to make up with his Holineſs upon any Terms: But no ſooner was that Difficulty remov'd, or that Point obtain'd, than he kept the ſame Diſtance as before. But even the Pontiff himſelf had alſo his Managements: for after having diſmiſs'd the Cardinal of *Furſtenburgh*, and his Pretenſions, to gratify the Houſe of *Auſtria*, he took the Canons of *Cologne*, who had been ejected for adhering to the *French* Intereſt, under his Protection, and ſtickled warmly for their Reſtitution; and yet, in the End, not only dropt both them and their Complaints, but, when they importun'd him for ſuch Dignities in the Church, as ſhould be equivalent to thoſe they had loſt, reſerv'd them to the *moſt Chriſtian* King, in whoſe Service they had ſuffer'd, and who was ſufficiently able to make them amends. When alſo the Duke of *Chaulnes* would have indirectly diſſuaded him from renewing the Grants which the Emperor and the Duke of *Savoy* ſeverally enjoy'd, theo' the Favour of *Innocent* XI, of levying the Tenths of all the eccleſiaſtic Revenues in their Dominions, under the Pretence that the Latter, had forfeited all Title to ſuch a Favour, by the Countenance he had ſhewn to the *Heretic-Vaudois*; and the Former, by miſapplying a Fund which had been given him in ſupport of his War againſt the Infidels, to the Deſtruction of *Catholic-Frenchmen*, his Holineſs turn'd a deaf Ear, and continued to both of them the ſame Powers which they had deriv'd from his Predeceſſor. On the other hand, his Holineſs, as a *Venetian*, was for extinguiſhing the War on that Side of the *Alps*, that the Emperor might be at leiſure to co-operate with the Republic againſt the *Turks* with all his Forces: And this was really the great Scope of all his Endeavours: For this he endeavour'd, with all his Might, to patch up the Breach between *France* and *Savoy*, and continually teaz'd all the Catholic Princes of the Confederacy, with Plans of an Accommodation, and with Offers of acting himſelf as Mediator-General.

It is remarkable, that, in almoſt all theſe ſeveral Scenes, *France* is the foremoſt Figure on the Stage, and plays the moſt conſiderable Part; and that, wherever elſe we turn our Eyes, we ſhall find her doing the ſame, with equal Spirit and equal Succeſs. Thus, at the ſame Inſtant that the Count *de Frainſalida*, by Order of the *Spaniſh* Court, was intriguing at *Turin* to open a Way into *Provence*, that of *France* not only undertook to hold the Duke of *Savoy* in Check, but gave an Alarm to *Spain* itſelf, by ſtirring up a Revolt in *Catalonia*; and while, in every State, Kingdom, and Province of the Continent, they had ſo many Engines at work, and ſo many important Affairs depending, they did not forget, that one of the greateſt of all their Concerns was, to feed the Diſtractions of theſe Iſlands, nor omit to make their Efforts accordingly. Of their abdicated Friend and Confederate in *Ireland*, they thought it behov'd them to take particular Care. King *William* had given public Notice to all *Europe*, that he intended to command there himſelf; which imply'd, that the Service would be hot, and the Campaign deciſive. In order, therefore, to enable King *James* to ſtand his ground, againſt the formidable Power that they were ſure would appear againſt him, in the very Open-

The French ſtir up a Revolt in Catalonia.

And ſend Aſſiſtance to K. James.

ing

A. D. 1690. ing of the Year, they made extraordinary Preparations at *Brest*, for sending him a very considerable Supply of Money, Ammunition, and Troops, to *Ireland*, under the Convoy of a formidable Fleet; and of these Preparations Advice was brought to *England*, by a Vessel from *St. Malo* with *English* Seamen, who had been exchang'd, so early as *March* the 2d; and that Advice was even acknowledg'd in the *London-Gazette*. Notwithstanding which, either so weak or so negligent was our Government, that they took no Precautions to defeat this Purpose of *France*; but left the Seas in a manner open to them. Bishop *Burnet*, who acknowledges, that our naval Affairs were now the *chief thing* to be minded, endeavours to account for this Neglect, by saying, That an unhappy *Compliment* to the Queen of *Spain* had like to have prov'd *fatal* to us. The Truth is, that his *Catholic* Majesty, having espous'd a Princess of the House of *Neuburg*, to avoid applying to the *most Christian* King for the Favour of a safe Conduct thro' his Dominions, chose to commit his Bride to the Mercy of the Winds and Waves, in the most stormy Season of the Year, and accepted of a *British* Squadron to convoy her, from *Holland* to the first Port they could reach in *Spain*. But this Squadron consisted, at first, but of seven Men of War and two Yachts; and though two complete Months were wasted in its Passage to and from *Flushing*, where her Majesty embark'd, that is to say, from the 24th of *November* to the 24th of *January*, when it came to Anchor at *St. Helens*, the Detachment of so small a Part of the Fleet did not hinder the Equipment of the rest, and there was still Time enough to put the whole Navy of *England* in sailing Order: It appears, however, that neither the Possibility, nor apparent Necessity, of doing so, in order to assert the Dominion of the Seas, against the known Designs of *France*, was properly regarded: For Admiral *Russel*, who had the Command in this Expedition of Ceremony, when he set sail the (*w*) last time for the Coast of *Spain*, which was on the 7th of *March*, had no more than thirty Men of War under his Command: And these, together with a small Squadron of six more, which were cruizing in *St. George's* Channel, under the Command of Sir *Cloudesley Shovel*, made up the chief, if not the whole, Strength which our Government had then at Sea, to answer the several Purposes, of cutting off the Communication between *France* and *Ireland*, of convoying the Queen of *Spain*, of protecting four or five hundred Merchant-Ships, and of blocking up the *Toulon*-Squadron: For Admiral *Killigrew*, with a Part of the Fleet, had Orders to proceed on to the *Mediterranean*, on that Service, as soon as her *Catholic* Majesty should be landed, while *Russel* return'd home with the rest.

[Num. 2537.] *without any Interruption from* England.

What was yet further remarkable, the *French* set sail from *Brest* with the Succours for *Ireland*, almost at the same time that *Russel* left *England*; and, in shaping their several Courses, the two Fleets were once within twenty Leagues of each other: For no mention is made of any Instructions given to our Admirals, in relation thereto: Nor was the Nature of their Commission (which was, in the first place, to provide for the Security of their Royal Charge) consistent with such an Adventure. The *French* were besides superior to them in Strength, having thirty-six Men of War, five Fireships, and upwards of five thousand Land-forces on board; and our Court had been fatally misled into an Opinion, that the Enemy could not provide Seamen enough to put such a Fleet to Sea.

A. D.

After the two Fleets had thus narrowly miss'd each other, that of *England* arriv'd at the *Groyne*; where having landed the Royal Bride, *Killigrew* proceeded on for *Toulon*, with his Division; and *Russel*, with only five *English* Ships and two *Dutch*, return'd to *England*; where he arriv'd on the 25th of *April* following.

The *French*, in the mean time, held on their Course to *Ireland*, and happily for *Shovel*, without meeting with him in their Passage. On the 11th, 12th, and 13th, they debark'd their Forces, Ammunition, *&c.* at *Kingsale*, *Cork*, and the Shores adjacent. On the 7th or 8th of the next Month they set sail on their Return for *France*, (having on board as many of the *Irish* Forces, for the Service of *France*, as they had brought of the *French*, for the Service of King *James*) and arriv'd at *Brest* on the 23d: So that by a Comparison of Dates, it yet further appears, that as *Shovel* might have fallen a Sacrifice to them, in their Way to *Ireland*, *Russel* was almost within reach of the same Fate, at their Return.

All this while, it is true, Preparations were making in all the Royal Docks and Yards, for setting forth such a Fleet, as, in conjunction with the *Dutch*, was thought sufficient not only to face, but chastise, the *French*; who had made no scruple to declare, That they would this Summer give the Law to Both. But these Preparations were made in almost as dilatory a Manner, as if they had no such formidable Enemy to deal with. The *Dutch* did not care to leave their own Ports, till they were assur'd that our Fleet was ready to join them; and we seem'd to be in no Disposition to forward that Readiness, till we had the like Assurance, that they were on the point of setting sail. It was also presum'd, that, tho' the *French* had recall'd all their Privateers, &c. (*x*), in order to make use of their Hands, they would not be able to man such a Fleet, as was necessary to make good their Boast, before the End of the Summer; as also, that *Killigrew* would return from the *Straits*, that *Shovel* might be spar'd from the *Irish* Service, and that all the several Convoys would come in, time enough to take their Share in a general Engagement, in case the Enemy

(*x*) The Winds being contrary, they were forc'd almost oblig'd to put back.

A. D. 1690. Enemy had the Boldneſs to give us the Challenge.

But, unluckily, *Killigrew* did not reach the Bay of *Cadiz* till the 8th of *April*, and had ſuffer'd ſo much in his Paſſage, that he was oblig'd to lye there till the 9th of *May* following, in order to refit; nor even then, when he receiv'd Advice that the *Toulon* Squadron had actually paſs'd by *Alicant* and *Malaga*, and were entering the Strait, tho' he ſet ſail at four next Morning, was he able to come up with them; for it being their Buſineſs to make the beſt of their way, they avoided an Engagement, with as much Induſtry as he fought it, and being all clean Ships, had ſo much the Advantage of him in ſailing, that, notwithſtanding his utmoſt Endeavours to overtake them, he was oblig'd to give over the Chace.

Thus, at leaſt, the Story is told on our Side of the Water: But, according to the *French*, *Killigrew* declin'd the Engagement, tho' they had but ſeven Ships, and he had twenty-three: And it muſt be own'd, that there was ſomething ſtrange enough in their being able to make their Eſcape from a Force ſo much ſuperior to them, without firing a Gun: For when the Enemy enter'd the Strait, Commodore *Shelton*, with three *Engliſh* Men of War, *viz.* the *Burford*, *Oxford*, and *Greenwich*, and three *Dutch*, lay at *Gibraltar* to receive them, and might either have held them in Play till *Killigrew* came up; or, at leaſt, furniſh'd him with ſuch Intelligence of their Motions, that he might not have loſt a Moment in his Queſt of them: Whereas, for want of ſuch requiſite Intelligence, he was ſo far miſled, as to ſtretch over to the Bay of *Tetuan*, while they were yet in the Strait; and when, upon his being diſappointed there, he return'd towards the *Spaniſh* Coaſt, it is allow'd, even in our own Accounts, that he came up within two Miles of the Enemy, who had then the Ocean open before them, tho' he had diſcover'd them firſt from his Top-maſt Head; which is a Circumſtance ſcarce reconcileable with what is above ſaid, of the *French* being ſo much the better Sailors. But what is moſt amazing of all, neceſſary as it was held to prevent the *Toulon* Squadron from joining the grand Fleet at *Breſt*, it does not appear that *Killigrew* was furniſh'd with any proviſional Inſtructions, in caſe they ſhould ſlip through his Hands; for, inſtead of holding on his Courſe to *England*, where he could not but foreſee that the Squadron under his Command would certainly be wanted, to make head againſt the ſame Enemy, he return'd to *Cadiz*, *May* 21; detach'd ſeveral of his Ships to take care of the Trade, agreeable to the Letter of his Orders; and did not ſet ſail for *England* with the Reſidue, *viz.* five *Engliſh* and ſix *Dutch*, till ſome Days after.

Of every Neglect and Miſcarriage of ours, the *French* never fail'd to take the Advantage: But before we proceed to the Sequel of the Summer's Operations at Sea, it will be neceſſary to ſpeak of the State of *Scotland* and *Ireland*, that we may have the whole Circuit of our Connections before us at once.

Scottiſh Affairs.

The ill Humour in the *Scotiſh* Parliament, A. D. 1690. which had produc'd the Remonſtrance above-inſerted, ſtill rag'd as violently as ever: The King not only look'd upon the Demands contain'd in it, as extravagant, but thought himſelf inſulted by the Publication of them, and had expreſs'd a Reſentment ſuitable to the Provocation. While, therefore, that ill Humour continued, it was not prudent to ſuffer them to meet again: And yet a Meeting could not long be delay'd: For ſuch were the Diſtractions of that Kingdom, that the new Eſtabliſhment could no otherwiſe be continued, than by the Continuance of the Army; and ſuch had been the Precaution of the Parliament, that they had provided as thriftily as poſſible for the Support of that Army, in order to ſecure to themſelves another Seſſion. Then, as to a Diſſolution, it was no otherwiſe to be thought of, than as the laſt Reſource, when all other Remedies fail'd: For the Majority of the Epiſcopal Party were avow'd *Jacobites*: And the tranſferring the Elections into their Hands would, in effect, have been little better than making a Transfer of the Kingdom back to King *James*.

As the only Medium, therefore, which the Criſis afforded, it was reſolv'd to make ſuch a Diſpenſation of the Power and Profits of the Government, among the Lords and others, who were ſuppos'd to have the greateſt Influence in their ſeveral Cabals, as might help to ſoften the eager Spirit of Oppoſition which poſſeſs'd them, and make way for an Abatement of thoſe Demands, which his Majeſty could neither grant nor refuſe, without the utmoſt Inconvenience to himſelf, either in one Kingdom or the other: For, by refuſing, he was ſure to make the *Scots* deſperate, and by granting he was equally ſure, that he ſhould never be free from the Clamours and Reproaches of the *Engliſh*.

According to this Plan, the great Seal was committed to the Cuſtody of the Duke of *Hamilton*, the Earl of *Argyle*, and the Earl of *Sutherland*; the Privy-Seal to the Earl of *Forfar*, the Earl of *Kintore*, and the Lord *Carmichael*; the Treaſury was divided among the Earl of *Crawfurd*, the Earl of *Caſſils*, the Earl of *Tweedale*, the Lord *Ruthven*, and the Maſter of *Melvil*; and the Clerk-Regiſter's Office, among the Lord *Belhaven*, and four more.

But ſtill the Paſture was too narrow and too poor for the Herd: Many even of thoſe who were admitted were unſatisfy'd with their Allotment; and no Arguments could induce the Excluded to ſit down contented, becauſe their Friends were provided for.

The Duke of *Hamilton*, in particular, thought abundantly more was due to his Rank, Intereſt, and Services, than a Share of the Great Seal, and ſhew'd himſelf almoſt as much diſoblig'd as ever; and as to the Earl of *Argyle*, we ſhall find him running all Lengths to make himſelf more conſider'd: But the Duke had his Meaſures to keep: For, as we have ſeen, he was an Enemy to the Preſbyterians, and moſt of all to the Lord *Melvil*, Lord *Stair*, and thoſe of their Cabal; and, on the other Hand, he conti-

A.D. 1690. nued a fast Friend to the new Establishment, which he had so greatly contributed to raise. At Court, therefore, however disagreeable he had render'd himself to the King by his perpetual Importunities, in relation to his Majesty's *ancient Kingdom*, he was consider'd as the fittest Person to represent the King's Person a second time, and either to balance or break the Fury of that Party: According to *Burnet*, the Offer was actually made him, on condition that he would cooperate with Lord *Melvil*, on the Footing of one common Interest: But he had his Reasons for rejecting it; perhaps foreseeing, that the Government would be forc'd to comply with the Majority, and that in such case he should be set aside as an unprofitable Servant.

However this may be, very early in the Year Lord *Melvil* was sent down to *Edinburgh*, to try every other Expedient that could be devis'd to facilitate an Accommodation. The Prelate last-quoted asserts, "He had full Instructions for the Settlement of Presbytery: For, continues his Lordship, he assur'd the King, That, without That, it would be impossible to carry any thing; only the King would not consent to the taking away the Rights of Patronage, and the Supremacy of the Crown."

The first Step to be taken was, to gain Time for these Practices: Accordingly, the Parliament was adjourn'd from the 1st of *March* to the 18th: And that Interval proving too short, on the 14th of that Month, Lord *Melvil* produc'd his Commission to preside in Parliament, as his Majesty's Representative, and also the King's Letter for another Adjournment to the 27th, which was yet farther prolong'd to the 15th of *April*. But as these repeated Adjournments serv'd yet farther to irritate the Malcontents, who were alike jealous of the Motive, fearful of the Success, and impatient to gratify their Resentment, public Notice was given, That the Parliament was then to sit for the Dispatch of Business, and all the Members were requir'd to give their Attendance as usual.

Lord Melvil the King's Commissioner.

But we are assur'd by Lord *Belcarres*, that so great were the Fears of Lord *Melvil*, and his Partizans, that they would rather have ventur'd on a Dissolution, and the Hazard of a new Election, than the suffering them to meet at all, if by the splitting of Offices, the giving Money to some, and the retaining others in dependence by Promises and Expectations, he had not made some Proselytes to his Measures; or if *all* the *Jacobites* had given their Attendance, as it seems, they were earnestly requir'd, by those who had the most Zeal and the least Conscience of the Party; among whom *Paterson*, Archbishop of *Glasgow*, is particularly mention'd by the *Historian of his own Times*.

Now this Attendance could not be given without taking the Oaths to the present Government; and in the former Session, to avoid doing so, they had, one and all, either left the House, or never made their Appearance there: Some of them had even the Rashness to appeal to the Sword, and nothing but their Fears withheld the rest from following their Example. The *Highlanders* were still in Arms: King *James* had still supply'd them with two Ship-load of Arms and Ammunition, some Money, and about forty Officers: There was a Correspondence between those in Arms, and those who remain'd peaceably at their Houses; and the great Object of their common Attention was, some favourable Opportunity to restore King *James*, and be aveng'd of their Enemies: This is acknowledg'd, *in so many* Words, by the Lord *Belcarres*; and farther, that those who, to qualify themselves to vote in Parliament, did take the Oaths to the new Government, (of whom himself was one) did it with his Royal Licence, and for no other End, than to be so much the more instrumental to his Service. Whence we are to conclude, That, in a Royalist of this Stamp, even the most solemn Perjury is no Sin; and that the *Lord's-Anointed* can dispense with all the moral Obligations, as well as the Laws of the Land.

The Jacobites take the Oaths with a Purpose to break them.

But, unfortunately, many even of these *Royalists* were so thoroughly shock'd at so dishonest a Proposal, that all the wicked Subtilties of the Arch-Prelate above-mention'd could not get the better of their Scruples: And hence it follow'd, that the abdicated King was serv'd only by the most Profligate of his Party, who were regarded with Horrour and Contempt by the rest.

A Coalition between them and the Malcontent Presbyterians.

But this is not the only extraordinary Procedure, at this time, to be trac'd among the *Scots*: For the *Jacobites*, on one hand, being too few of themselves to make any material Use of this *occasional Conformity*, and the *Presbyterians*, on the other, finding their Numbers every day diminishing under the Practices of the Court, a *Coalition* was set on foot: And such is the Force of a present Convenience, that these Opposites were induc'd to meet, and to enter into mutual Engagements; with a View to ruin their common Enemies, if not to assist and serve each other.

Sir *James Montgomery* was the Manager in chief of this delicate Affair: For, tho' the Earl of *Argyle* and Lord *Ross*, upon their Return from *London*, had made an Opening to the *Jacobites*, by exclaming against the Usage they had met with from King *William*, and expressing much Sorrow for the Lengths they had gone in his Service, no formal Treaty was negociated between the two Parties, till Sir *James* arriv'd, and the rest of his Coadjutor.

Montgomery was the Idol of the *Presbyterians*, and, agreeable to a Hint which has already been given, in refreshment of his own Disappointments, had enter'd into a Negociation with King *James*: Which, besides the two Lords just mention'd, had the Countenance of the Duke of *Queensberry*, the Marquis of *Athole*, the Earl of *Arran*, the Viscount *Tarbat*, *&c.*

It was but natural, therefore, that *Montgomery* should have the Ear of both Parties, and that the Affair of the Coalition should pass through his Hands: His known Zeal for Presbytery endear'd him to one Party, and

A. D. 1690. and his Undertakings for King *James* to the other. His Purpose and Endeavour, in the mean time, was, to deceive Both: For, in discovering those his Undertakings to the *Jacobites*, while he profess'd, That the Restoration of King *James* was the great Object he had in view, he took care to suppress the Stipulations he had made in favour of himself, and those of his Cabal; and, above all, for the Re-establishment of *Presbytery*, on which fundamental Condition he had engag'd to bring the Parliament to declare for that Prince, to continue their Sittings in his Name, *&c.* And, on the other hand, in working up the *Presbyterians* to his Purpose, he made no (*x*) mention at all either of his Offers to King *James*, or the real Nature and Tendency of his Engagements with the *Jacobite* Party; but contented himself, with assuring them, That he knew several of the late King's Friends, who would join in any Measures, or with any Persons, to ruin the Lords *Melvil* and *Stair*, and to obtain the several Points specify'd in the Clame of Right, and enforc'd in the Remonstrance: And with setting forth the absolute Necessity of embracing their Assistance, in order to force the King to fulfill the Conditions on which he had accepted the Government.

The *Presbyterians* listen'd, believ'd, and gave themselves up to his Conduct and Directions, in a full Persuation, That the Way he pointed out was as plain and direct as it seem'd to be; and that all he propos'd to himself was, the Honour and Satisfaction of being their Guide. But he, *Montgomery*, meant nothing less than to gratify the Expectations he had rais'd: For he had all imaginable Reason, at that very time, to believe, That the Government, however beset, would never make the Concessions requir'd in the Remonstrance; and his great Purpose was, to take advantage of the Flame which he was sure the Disappointment would not fail to kindle; to make good his Undertakings to King *James*, that is to say, to make his Partizans, all at once, open their Arms once more to that Prince, on his granting them the same Conditions, which King *William* refus'd."

According to Lord *Belcarres*, tho' Lord *Melvil* was at the Head of the *Scotish* Affairs, both as Secretary and Commissioner, the Lord *Tarbat* had a far greater Degree of his Majesty's Favour, as appear'd by the Trust he repos'd in him; which in a manner set him above the Commissioner himself: For he had a Power either to grant a Cessation of Arms to, or conclude a Peace with, the *Highlanders*; to dispose of twenty thousand Pounds Sterling, as he thought fit, for his Majesty's Service; to confer three Titles of Honour on whom he pleas'd; to make a Report of what pass'd in Parliament, and to adjourn and even dissolve it, whenever he found it necessary. And what were the Returns which he made for this almost unprecedented Instance of Confidence in the Faith of a Subject? We have already seen his Name in the List of *Montgomery*'s Coadjutors; and we now find him acting a similar Part in the same Cause: For we are told by the Lord just quoted, That he took more Pains under-hand than any Man, to induce the *Jacobites* to take their Seats in Parliament, and to co-operate with the *Presbyterians*: That to some he avow'd, the Scope of his Endeavours was the Service of King *James*; that, to others, he affected to discourse in the Patriot-Strain, of having nothing at Heart, but the Good of the Nation: That to all he made no Scruple to declare, That the King was fully resolv'd not to grant any of the Points contended for: That the great End he aim'd at, was, to bring about a Dissolution, by the high Hand of an Opposition, which he thought was the best Way to secure himself against the Rage of his Enemies, and rather to expose them to the Resentments of the Court: And, That the *Jacobites* were more determin'd in their Conduct, by this Proceeding of his, than any other Consideration: For being already persuaded, that their new Allies would grant nothing to the King, unless he granted every thing to them, and then assur'd on the other hand by Lord *Tarbat*, that his Majesty was as little dispos'd to make Concessions as those who oppos'd him, they made no doubt but the Army would be disbanded for want of a Provision for their Subsistence; that the King and his Parliament would immediately part in Confusion; and that, what with the Use which might be made of the *Highlanders* already in Arms, and the Succours which might be deriv'd from *Ireland*, they would have it in their Power to make what Use they pleas'd of the general Confusion.

A. D. 1690.

With these Views, and after this Manner, the out-side Shew of a Coalition was at last brought to bear: And the very Possibility that it might be a real one struck both the Commissioner and his Adherents with the most dismal Apprehensions. That, however, they might know the worst of their Situation, they suffer'd the Parliament to meet on the Day appointed; and his Grace the new Commissioner open'd the Session with a Speech from the Throne, in which he enlarg'd on his Majesty's great Regret that he could not be present at their Meeting, according to their Desires and his own Inclinations; and yet more on what his Majesty had done to deliver them from the Yoke, under which he found them groaning. He then demanded such a Supply as might enable his Majesty to secure to them the Possession of the Religion and Liberty he had restor'd. And, for a Close, he exhorted them to lay aside all Animosities, and, instead of pursuing their separate Interests, that they would unanimously concur in their Endeavours to establish the Peace and Welfare of the Public. The Lord President *Crawfurd*

The Parliament open'd.

(*x*) Lord *Belcarres* is express, that not one *Presbyterian*, except the Earl of *Argyle*, the Lord *Ross*, and one Person more, who was a Commoner, were in the Secret of *Montgomery*'s Treaty with King *James*.

A.D. 1690. *furd*, then took the Word, and, having compar'd the Affair of re-ſettling the Church to the re-building the Temple under *Ezra* and *Nehemiah*, illuſtrated and adorn'd every Period, with all the golden Sayings of the Prophets relative to that Occaſion, &c.

We are told by Lord *Belcarres*, that the ceremonial Part being thus diſpatch'd, it was thought proper to try the Temper of the Houſe, by bringing the Merits of an Election to a Hearing; and farther, that if the Court had been outvoted on that Queſtion, they would have adjourn'd the Parliament the next Day; as alſo, that, contrary to their own Expectations, they carry'd their Point on a Diviſion by ſix or ſeven Voices: That this was owing to the Non-Attendance of ſeveral, both of the *Jacobite* Party, and Malcontent-Preſbyterians; among whom was *Montgomery* himſelf: And, that hereupon many of the reſt made no Difficulty to break through their Engagements, and go over to the ſtrongeſt Side.

But his Lordſhip's State of the Matter is not exact in all Circumſtances; for ſuch were the Terrors of the Commiſſioner and his Partizans, on ſeeing the Duke of *Queenſberry*, the the Marquis of *Athol*, the Earl of *Broadalbin*, and other diſoblig'd Lords, take the Oaths and their Seats in the Houſe, that tho' they did carry their Point in the Election, *and adjourn'd.* they adjourn'd the Houſe that very Day to the 22d following: And, probably, it was in this Interval, that his Grace ſent an Expreſs to the King, with a Repreſentation of the Dangers threatning the State, by the Coalition, and requeſting, as the only Remedy, that he might be enabled to break it, by gratifying one Party at the Expence of the other. Biſhop *Burnet* ſays, That he ſent one to *Ireland* for fuller Inſtructions on the Points of the Supremacy and the Rights of Patrimony; and adds: "They were enlarg'd, but in ſuch *general Words*, that the King did not *underſtand* that his Inſtructions could warrant what Lord *Melvil* did; for he gave them both up: And the King was ſo offended with him for it, that he loſt all the Credit he had with him; tho' the King did not think fit to diſown him, or to call him to an Account for going beyond his Inſtructions."

The Reader will draw his own Concluſions from theſe ſtrange Words. Lord *Belcarres* affirms, That Lord *Melvil* having made ſuch a Repreſentation as that above-mention'd, was allow'd to paſs what Acts of Parliament he ſhould think fit, and eſtabliſh what Form of Church-Government the Majority lik'd beſt, in caſe the Dangers he ſet forth could be no otherwiſe avoided. Beſides, the King did not ſet out for *Ireland* till the fourth of *June*, whereas the Act for reſcinding the *The Act for reſcinding the Supremacy paſs'd.* King's Supremacy over the Church, and That for replacing the ſurviving Miniſters of thoſe who had been ejected in the Year 1661, and 1662, were touch'd with the Royal Scepter on the 26th of *April*.

The Truth is, that the Biſhop would fain purge his Majeſty from the Reproach of having given up Epiſcopacy: And even Lord *Belcarres* allows, that it was againſt his Inclination that he did ſo: But then, ſays he, it A.D. 1690. was becauſe he fear'd the Conſequences in *England*, and becauſe he thought it moſt for his Intereſt to keep both Parties in Dependence on him, by keeping that Matter in Suſpence. And in very Deed, as it was for his own Convenience that his Majeſty choſe to be on good Terms with the *Tories* of *England*, ſo it was for the ſame Convenience that he adopted *Preſbytery* in *Scotland*, which is all that need be prov'd to account for the general Conduct of Princes.

And how much ſoever Lord *Melvil* has ſuffer'd from the Imputations of his Countryman *Burnet*, it muſt be acknowledg'd, that he took the only Courſe that the Exigencies of the Times would admit of, to provide for the Security of the Government: For, as on the one hand, the Bulk of the Malcontent-*Preſbyterians* immediately diſcover'd a relenting Diſpoſition towards the Court, ſo, on the other, *Montgomery* and his *Jacobite*-Allies, ſunk into Deſpair; and found no other way either to keep themſelves in Countenance, or proceed with their Oppoſition, than to ſuggeſt, that all that was done was not enough, and to make new Demands from time to time, in hope that the Commiſſioner would find himſelf at the End of his Inſtructions; and conſequently, that the firſt Negative would deprive him of all the Merit of all his former Conceſſions.

But his Grace was reſolv'd not to do his *The Articles repeal'd.* Work by Halves; and, having procur'd a ſecond Adjournment from the 22d to th 25th, at the next Meeting, gave way to the bringing in a Bill for repealing that ſhameful Reſtraint on the Freedom of Parliament, the *Articles*, to which he gave the Royal Aſſent on the eighth of *May*.

Yet farther to confound the *Jacobites* and their Adherents, in this Interval, namely on the fifth, the Lord Commiſſioner receiv'd the agreeable News, that the *Highlanders*, under *The Highlanders defeated by Levingſton.* the Command of Colonel *Buchan*, Colonel *Cannon*, &c. having rendezvous'd at *Strathſpey*, with a Purpoſe to make a Deſcent into the Low Country, were ſurpriz'd by Sir *Thomas Levingſton*, a *Dutchman*, who had the Command of the King's Troops, and entirely defeated with great Slaughter on their Side, but without the Loſs of a ſingle Man on that of the Government.

According to the *Gazette*, their Number [*No.* 2556.] was about two thouſand, which, in a few Days would have been augmented to four thouſand; but, according to Lord *Belcarres*, they were but fourteen hundred; and the Deſign they had in View, was only to amuſe and haraſs the King's Troops, till the Seaſon was farther advanc'd, and they could take the Field with their whole Force, which was to be render'd yet more conſiderable by the Junction of their Friends in the *Lowlands*.

The ſame Lord alſo intimates, that, immediately before this Action, it had been debated among the Heads of the Clans, whether they ſhould not endeavour to make the beſt Capitulation they could for themſelves, ſeeing they were out of all Hopes of the Relief which had been ſo long promis'd them; and

A. D. 1690. and that the Negative had been resolv'd on, at the Instance, and by the Authority, of Sir *E. Cameron* of *Lochiel*, who insisted on waiting for King *James*'s Orders; saying, That in his Royal Brother's Service he had been reduc'd to far greater Streights, without entertaining any such Thought: That, for his Part, he was resolv'd never to hearken to any Conditions without such a Warrant, and that he thought it a Scandal to *Highlanders* to think of laying down their Arms, as long as their Master was at the Head of an Army in *Ireland*, and had so many Friends in *Britain*, who pretended to be so much at his Devotion.

His Lordship adds, in another Place, That when the News of their Defeat came to *Edinburgh*, the *Jacobites* repented their not embracing the Offer of a Cessation which had been tender'd to them on the Behalf of the Government, by the Interposition of the Earl of *Bute*, who was to have had 5000 *l.* Sterling for his Share of the Job; so extremely desirous was the Prince of *Orange*, continues our noble Author, to have all settled, before he pass'd over to *Ireland*: That in their present Difficulties it was thought advileable to resume that Treaty if possible, in hope the *Highlanders* would, thereby, gain time at least, to put themselves in a Posture of Defence: That with this View the Earl of *Bute* made a Journey to *England*; and that the King being gone, before he arriv'd at *London*, the *Highlanders* were left to the Mercy of the Enemy, and might have been ruin'd, in case *Levingston* had pursu'd the Victory he had gain'd.

The Jacobites desire to treat for a Suspension, which they had before refus'd.

For what regarded their Parliamentary Proceedings, he also says, That never Men made a more miserable Figure in any Meeting than the *Jacobites* did in this, after they saw themselves abandon'd and out-voted in every thing: That they had nothing left to do, but to sit and hear Duke (*y*) *Hamilton* bawl and bluster, according to his usual Custom, and then acquiesce to all that was propos'd; and Sir *James Montgomery*, and Sir *John Dalrymple*, in the Heat of Opposition and Recrimination, abuse each other, in the foulest Terms imaginable; insomuch, that *Rogue! Villain! Lyar!* season'd almost every Period of their Altercations.

Still the great Affair of settling the Church was behind; for though the System of King and Bishop was dissolv'd, and the old Presbyters were restor'd to their several Cures, their divine Right of Vicegerency in *Christ*'s Church, had not as yet receiv'd the Sanction of the Law. On the same Day, therefore, that the Act for repealing the *Articles*, was touch'd with the Royal Sceptre, did *Montgomery* rise up, and, in a formal Speech, set forth, That, to his Knowledge, those in Power had Instructions to satisfy the Nation in the Article of Religion: That it was a Reproach to the Parliament that they had not call'd upon the Ministers to fulfil these Instructions: That the Ministers themselves, against their own Principles, had delay'd the Affair to humour the Court, who had no mind to bring it to an Issue, in case it could be avoided: That he also knew they were divided among themselves as to the Mode of Government to be establish'd: That some of them were for a certain kind of Presbytery call'd *Erastianism*, like that of *Holland*; but that he could tell them, That no other Form could, or ought to be, establish'd in *Scotland*, but that of 1648; which was the Government in the World most suitable to the Word of *God*, and best able to correct the extravagant Power, and arbitrary Government of Kings, under which they had groan'd for so many Years.

Montgomery makes a Motion for the Settlement of the Church.

A. D. 1690.

This Speech, says Lord *Belcarres*, to us that knew his Secrets, seem'd a little extraordinary; but he excus'd himself, by saying, He was oblig'd to discourse in that manner, in order to keep up his Credit with his Party; and that it signify'd nothing, because he was assur'd, that Lord *Melvil* never durst pass a Bill upon that Model, even though it should be approv'd by the House.

The House, however, so far adopted his Motions, that a Committee was appointed to consider of a Bill for settling the Government of the Church; with Power to receive all the Schemes or Proposals that should be brought before them; and to make such a Report out of the whole as should seem to them most conducive to the Peace and Welfare of the State.

which is adopted by the House.

On the same Day, also, as if by way of Consideration to the Crown for the new establishment in Embrio, another Bill was order'd in, for giving a Supply to their Majesties; a third for vacating the Fines and Forfeitures, which had been impos'd in the two late Reigns; and a fourth for Freedom of Speech. After which, they again adjourn'd to the 14th.

and accompany'd with a Bill of Supply.

And it was in this Interval, according to Lord *Belcarres*, that *Montgomery* receiv'd his final Dispatches from King *James* (for it seems, several Messages and Answers had pass'd between them) in which were contain'd all the Grants, Instructions, Commissions, *&c.* which had been requir'd by him and his Co-adjutors, in Return for the Services which they had undertaken to perform.

Montgomery receives his final Dispatches from King James.

His Lordship adds, That they were all inclos'd in a large black Box, which was deliver'd into *Montgomery*'s Hands by the Messenger, to whose Care it had been entrusted: That *Montgomery* open'd this Box first alone: That he then sent for the Lords, *Argyle*, *Arran*, and *Ross*, to whom he communicated the Contents; and among whom it was agreed, That several Particulars were not fit to be communicated to the Duke of *Queensberry*, and the Earls of *Linlithgow*, *Broadalbin*, *Belcarres*, and the other Jacobite Peers: That on this Consideration

(*y*) He and his Followers had no Design but the Ruin of the Lord *Melvil* and *Stairs*, and to get the Session fill'd with his own Creatures; having at that time many Law-Suits in hand, *Belcarres*, p. 127.

A.D. 1690. deration they made up another Box of such Papers as they thought fit to shew; and, in all Haste, desir'd a general Meeting at the Marquis of *Athole*'s Lodging: That this being obtain'd, *Montgomery*, in a set Speech, expatiated on the Endeavours he had us'd for the King's Service, ever since he had quitted the Interest of the Prince of *Orange*, and on the Acceptance those Endeavours had found: Signify'd, That he had receiv'd a great Bundle of Papers; and that to shew the entire Trust he had in those present, and the full Persuasion he was in, that they were all engag'd in one and the same Pursuit, he would not open a single Paper, but with the general Concurrence and Participation; and desir'd another Meeting that Afternoon for that End.

His Lordship farther says, That the Earl of *Arran* excus'd himself, under a Pretence, that he was oblig'd to go out of Town; but, in Reality, because he thought himself cheated; for it had been agreed at *London*, that he should have a Commission to be General of the Forces, and no such Commission was come: That the Duke of *Queensberry* also excus'd himself: That those who attended, were only the Lords *Athole*, *Linlithgow*, *Broadalbin*, *Ross*, and himself: That when *Montgomery* brought in the Box, he again declar'd, as in the Presence of *God* Almighty, That except a Letter from the King to himself, he had brought the whole Packet; as also, that he was wholly ignorant of the Contents of it: That the Perfidy was nevertheless apparent to every body, because the Pack-thread had been visibly alter'd; and the Seal which had been clapp'd upon it was *Montgomery*'s own: That upon examining the several Dispatches, they were amaz'd to find, That *Montgomery* had undertaken, by the Dint of Persuasion only, to bring the Parliament, and with them the Nation, back to their Duty; on a Supposition, that the Refusal of the Court to comply with the *Claim of Right*, would dispose the Majority of both to receive any Impression whatsoever: And equally exasperated, that an Undertaking so chimerical should meet with so much Consideration; that Earl of *Argyle* being made the King's Commissioner, and a Marquis, Lord *Ross* and *Montgomery*, Earls; and, in general, all Employments, both Civil and Military, being divided among those who had been the greatest Enemies to the King and his Cause: That *Montgomery* appear'd as much confounded as his Confederates were exasperated and amaz'd; for it being now undeniable, that Lord *Melvil*'s unexpected Concessions had broke all his Measures, the Trusts and Honours he had bargain'd for, only serv'd to ruin him with his Party: That after this there was no longer any Trust or Harmony amongst them: And, finally, that *Ross*, *Montgomery*, &c. took the first Opportunity that offer'd, to make their own Peace, by betraying their *Jacobite*-Allies.

which creates a Breach among the Party.

Bishop *Burnet* also speaks of this Breach, but in a manner somewhat different from Lord *Belcarres*: For after he had observ'd, That the *Jacobites*, with all their wicked Arts, could not obtain a Majority in Parliament, he proceeds to say, "So, other things failing, they saw a Necessity of desiring a Force to be sent over from *France*: This appear'd so odious, and so destructive of their Country, that some of them refus'd to concur in it: Others were not pleas'd with the Answers King *James* had sent to the Propositions they had made him. He had, indeed, granted all that they had ask'd upon their own particular Interests, and had promis'd to settle *Presbytery*; but he rejected all those Demands that imported a Diminution of his Prerogative, in as firm a Manner, as if he had been already set upon the Throne again. They propos'd, finding his Answer so little to their Satisfaction, to send him a *second* Message. Upon this, the Earls of *Argyle*, *Annandale*, and *Broadalbin*, withdrew from them: *Annandale* came up to the *Bath*, pretending his ill Health; both Lord *Argyle* and *Broadalbin* went to *Chester*, pretending, as they said afterwards, that they intended to discover the whole Matter to the King."

A.D. 1690.

Now Lord *Belcarres* gives us to understand, That *Montgomery* had already receiv'd several Letters from King *James*'s Queen, containing repeated Promises of Assistance of Men, Money, and Arms: So that the Performance of those Promises was all that remain'd to be solliciteds: As to the *second Message*, his Lordship intimates, That *four* had already pass'd: That, upon the Eclaircisement of all, but few of the Party would have any thing more to do with *Montgomery*; and that all which was afterwards agreed upon, among those *few*, was, to subscribe a blank Paper, which was to be fill'd up by the Messenger, on his Arrival in *Ireland*, with their Advice to his Majesty, according to the Instructions given him for that Purpose: And that, as to the Consequences of the Breach, Lord *Ross* was the first Person who thereupon put in for the Merit of betraying his Companions.

and occasions a Discovery by Lord Ross, Montgomery, &c.

Again; his Lordship yet farther suggests, That *Ross* had dropt some Hints of this Purpose of his, to the only Commoner besides *Montgomery*, who was in the Secret of the Party: That this Commoner gave an Intimation of it to Lord *Belcarres* himself: That he again communicated it to the rest: That Lord *Linlithgow* was sent by them to sound *Ross*, who deny'd, with deep Imprecations, that ever he had entertain'd any such Thought: That some believ'd him to be sincere, and others were for dispatching him out of the way, for fear he should be otherwise: That *Ross* did indeed lay aside his intended Journey to *Chester*, to avoid a Renewal of their Suspicions, but, nevertheless, reveal'd all he knew to a *Presbyterian* Minister: That he then apply'd to the Lord Commissioner for a Pass to *London*: That he told his Grace in general, that there were dangerous Practices on foot against the King and Government, in which he himself had taken too great a Share: That his Purpose was to make a full Discovery to the Queen: That he accordingly did so, on his Arrival at *London*:

That

A. D. 1690. That he laid the Blame of the whole Proceeding on *Montgomery*: That, however, when he was call'd upon by her Majesty to make the same Recital, in the Presence of the Lords *Carmarthen* and *Nottingham*, he deny'd all again; saying, That tho' he had gone so far, to preserve the King and her from future Danger, no Consideration should induce him to turn Evidence against his Friends: That upon this he was immediately committed to the *Tower*, where he lay for eight or ten Months: That tho' neither Threats nor Promises were spar'd, to bring him to a farther Confession, he had the Grace to keep his Word: That, in the mean time, the Minister, *Ross* had confided in at *Edinburgh*, had, according to the Custom of his Profession, made no Secret of the Story which had been told him: That this taking Air, *Montgomery* thought it high time to make some Provision for his own Security: That accordingly he made his Submission to *Melvill*, his mortal Enemy; and, to merit some Degree of Confidence and Favour, put into his Hands the Queen's Letters, containing her Assurances of Succours from *France*, and also the Instructions sent to the Earl of *Argyle*, when he should be Commissioner to the Parliament: That in return, or rather for Views of his own, *Melvill* furnish'd him also with a Pass to Court, in the Quality of a penitent Discoverer: That being arriv'd at *London*, he refus'd to make his Appearance before the Queen, till he had receiv'd Assurances, that, in case they did not agree, he should not be confin'd: That in his Confession he laid open *most of the Transactions* which had past between King *James* and him: That he also refus'd to be an Evidence, or even to advise how the Mischiefs apprehended from such a Correspondence might be prevented, unless he might have a free and full Pardon of all Crimes whatsoever, and a good Employment into the Bargain: That the Queen was willing to grant him both, and wrote in his Favour to his Majesty, who was then in *Ireland*: "But, continues his Lordship, some things had pass'd between the Prince of *Orange* and Sir *James*, in private, which made the Prince to have such an Abhorrence of him, that he would not hear of employing him, nor even grant him a Remission, except on the Condition of his being an Evidence; which not doing his Business, he absconded, and within a few Months after did all he could to justify himself to his Party, which took with not a few."

The *Historian of his own Times* passes in more haste over these Circumstances, but agrees, that, upon the Breach, *Montgomery* reconcil'd himself to *Melvil*, and discover'd *the whole Negociation* to him; and yet, in the very next Paragraph, represents the King as determin'd not to grant him a Pardon, unless he discover'd the *Bottom of the Plot*, and particularly how far any of the *English* were engag'd in it; and would have his Readers conclude, That *Montgomery* absconded only for their sakes.

But, if he discover'd the *whole Negociation*, he certainly discover'd the *Bottom of the Plot*; and if it should be admitted, that the Words us'd by Lord *Belcarres*, and above-quoted, That he discover'd *most of the Transactions* which had pass'd, do imply, that he had some Reserve, possibly the whole of that Reserve is to be found in the following Passage of the same noble Author's: "But in all their Discoveries, there was never a Word mention'd of their Patents, and the Remissions which were sent to Duke *Hamilton*, and others of their Friends."

A. D. 1690.

The Bishop farther says, "A Warrant was sent to the *Bath* for the Earl of *Annandale*, of which he had notice given him, and went up privately to *London*. *Montgomery* sent *Ferguson* to him, assuring him, that he had discover'd nothing, and desiring him to continue firm and secret; but when he had certain notice, that *Montgomery* had discover'd all the Negociation among the *Scotch*, he cast himself on the Queen's Mercy, asking no other Conditions, but that he might not be made an Evidence against others. He himself had not treated with *any* in *England*, so, as to them, he was only a *second-hand Witness*; only he inform'd against *Nevil Payne*, who had been *sent down* to *Scotland*, to *manage* Matters among them: He was taken *there*, but would confess nothing; upon the Earl of *Annandale*'s Information, which he gave upon Oath, the Earl of *Nottingham* wrote to the Council of *Scotland*, that he had in his Hands a Deposition upon Oath, containing Matter of High-Treason against *Payne*; upon which it was pretended, that, according to the Law of *Scotland*, he might be put to the Torture; and that was executed with Rigour: He resisted a double Question, yet was still kept a Prisoner; and this was much cry'd out on, as barbarous and illegal."

No positive Proof of any Communication with England.

Thus the great Point he still labours, is, to prove a Communication with *England*; and tho' no such Proof arises, still we are to conclude, that there was such a Communication. It has been already hinted, that Lord *Belcarres*, in his whole Detail, mentions no one Circumstance to authorise such a Conclusion: He does, indeed, acknowledge, that the Conspiracy was first hatch'd at *London*; but then he expressly declares, that it took its Rise from the Disappointments and Discontents of the *Scots*; talks of *Ferguson* and *Payne*, as the chief Persons residing here who had any Concern in it; both of whom were *Scots* likewise; and is even so particular as to say, in Effect, that the Treaty was agitated between *Montgomery* and *Payne* only: For, after his Lordship has set forth, that *Montgomery*, by way of Inducement to the Earl of *Argyle* and Lord *Ross*, to co-operate with him, laid before them the Ingratitude of the Prince of *Orange* in not giving them Employments, and the great Offers made by King *James*'s Friends, in case they return'd to their Duty, he makes use of these very Words: "He wanted not Encouragement to say so; for Mr. *Payne* had promis'd him all that his Ambition, Vanity, or Avarice, could suggest; Nor were there ever two better match'd than Mr. *Payne*, and Sir *James Montgomery*;

A. D. 1690. *Montgomery*; for Mr. *Payne* made him believe, that he could diſpoſe of Titles of Honour, Employments, and Money, as he pleas'd; and the Other ſo far impos'd upon him, as to make him believe he was able to turn the whole Nation with a Speech, to do whatſoever he propos'd."

It is, however, extremely probable, that *Fergusſon* had an Underſtanding with the Malcontents of *England*, and that he had engag'd for their Countenance when time ſhould ſerve; but then it is as probable, that he was reſtrain'd from truſting the *Scots* with the Secret of Names; and that upon the whole, there was no other Connection between the two Parties, than aroſe by his Means. Whence it follows, That *Montgomery* had nothing material to diſcover with reſpect to the *Engliſh*; and that all the Compliments paid to his Firmneſs on their Account, by (z) *Burnet*, ought to be plac'd to his Policy; for he could not but ſee, that, on one hand, no Value could be plac'd on any Revelation he ſhould make with reſpect to *Payne* and *Fergusſon*; and that on the other, he ſhould leſſen his own Character and Importance, by ſhewing, that he had march'd thus far under the Banners of a known Spy, and a profeſs'd Incendiary.

The mean Behaviour of Lord Annandale.

Laſtly; to what the ſame Prelate has ſaid with regard to the Earl of *Annandale*, Lord *Belcarres* adds, That he made his Eſcape from *Bath*, by the Means of one who had been the Mayor of that Place: That while he abſconded, which was for ſeveral Weeks, he was maintain'd by *Fergusſon*; and that when he turn'd Diſcoverer, he not only inform'd againſt his Friends, the Mayor, and *Fergusſon*, but alſo ſign'd a Confeſſion the moſt ſcandalous that any thing of the Name of Gentleman ever did: For he not only reveal'd all that had paſs'd in the general Conſults of the Party, but even in their private Converſations; particularly, all that had paſs'd with *Payne* at their firſt Meeting: And that to fill the Meaſure of his Baſeneſs, his own Servants, at his Country-houſe in *Scotland*, whither *Payne* had fled for Sanctuary, deliver'd him up to the Government, tho' certain that his Fortitude would be put to the terrible Trial above ſpecify'd.

Fergusſon was alſo taken into Cuſtody; but, either in regard to his former (a) Services, or for want of ſufficient Evidence againſt him, not proſecuted.

And now, according to the *Hiſtorian of his own Times*, Lord *Melvil* had a clear Majority in Parliament; for ſome withdrew, and others, to make their Peace, comply'd in all things. And yet, in the midſt of the Tranquility thus ſuddenly and effectually reſtor'd, did he venture to give the Royal Aſſent to the Bill for the Eſtabliſhment of Presbytery, as the national Church of *Scotland*; by which the *Reſtor'd Miniſters* (who were about ſixty in Number) were authoriz'd and impower'd to aſſociate with themſelves in the Government of that Church, ſuch as they ſhould deem duly qualify'd. (b) All other Matters took the ſame Direction. The Eſtates of ſuch as had been, or ſtill continu'd, in Arms againſt the Government, were forfeited. The Supply was made good by a Tax upon Chimnies, which was of the ſame nature with the Hearth-money, which had been aboliſh'd with ſo much Oſtentation in *England*: The Army was continu'd; and a Teſt was impos'd on all in Office, or capable of electing or being elected to ſerve in Parliament, declaring the King and Queen to be their rightful and lawful Sovereign, and renouncing, in the moſt explicit manner, the Pretenſions of King *James*.

A. D. 1690. *Preſbytery eſtabliſh'd in Scotland.*

State of Ireland.

During a great Part of this Interval, the Face of Affairs in *Ireland* continu'd pretty much the ſame: The Duke of *Schomberg* had ſuffer'd ſo much in his Winter-Quarters, that notwithſtanding the continual Reinforcements which he every Day received from *Denmark*, *Scotland*, and *England*, he did not find himſelf in a Condition to undertake any thing very conſiderable: And King *James*, on the other hand, gave his *French* Auxiliaries time enough to be ou very ill Terms with the Natives, before he thought of making uſe of them.

Both Sides contented themſelves with ſending out their Parties from time to time, to ſurprize and pillage each other: And on theſe Occaſions were held of Conſequence enough to be recorded in the *London Gazette*. Thus we find Colonel *Wolſey*'s Letter, with the Detail of his defeating the Duke of *Berwick* and a Party of four thouſand *Iriſh*, at *Carlow*, inſerted verbatim. An Attempt to ſurprize *Charlemont* makes another ſubſequent Article, and the Valour of the Aſſailants is to be conſider'd as an Equivalent for the Repulſe they receiv'd. Even the very deſtroying of Magazines, the burning of Villages, and the plundering the poor Ruſtics

(z) "But when he ſaw he could not have his Pardon, but by making a full Diſcovery, he choſe rather to go beyond-ſea. So fatally did Ambition and Diſcontent hurry a Man to Ruin, who ſeem'd capable of greater things. His Art in managing ſuch a Deſign, and his Firmneſs in not diſcovering his Accomplices, ſav'd his Character, as much as it ruin'd his Fortune. He continued in perpetual Plots after this, to no Purpoſe: He was once taken, but made his Eſcape; and, at laſt, Spleen and Vexation put an end to a turbulent Life."

(a) Which had been rewarded by his Majeſty, as we are told by Mr. *Tindal*, with the Place of Houſekeeper to the Exciſe-Office, worth near five hundred Pounds *per annum*, with little Trouble.

(b) "Some furious Men, ſays the Biſhop, who had gone into very frantic Principles, and all thoſe who had been ſecretly ordain'd in the *Preſbyterian* Way, were preſently taken in: This was like to prove a fatal Error, at their firſt ſetting out: the old Men among them, what by reaſon of their Age, or their Experience of former Miſtakes, were diſpoſ'd to more moderate Councils; but the taking in ſuch a Number of violent Men put it out of their Power to purſue them; ſo theſe broke out into a moſt extravagant Way of proceeding againſt ſuch of the Epiſcopal Party, as had eſcap'd the Rage of the former Year. Accuſations were rak'd againſt them; ſome were charg'd for their Doctrine, as guilty of *Arminianiſm*; others were loaded with more ſcandalous Imputations: But theſe were only thrown out to defame them. And where they look'd for Proof, it was in a Way more becoming Inquiſitors, than Judges: So apt are all Parties, in their Turns of Power, to fall into thoſe very Exceſſes, of which they did formerly make ſuch tragical Complaints."

A. D. 1690. Ruſtics of their Cattle, are made political Articles to keep up the Spirits of the People. Sir *Cloudſley Shovel*'s taking King *James*'s only Frigate in King *James*'s Sight, in the Bay of *Dublin*, makes a very pompous Paragraph; in the Cloſe of which, great Care is taken to ſet forth the remarkable Alacrity with which the Seamen perform'd this notable Service. And as to the Reduction of *Charlemont* upon Capitulation (the Garriſon being permitted to march out with all the Honours of War) and of the Caſtle of *Ballingargy*, on granting the Soldiers their Lives, they were treated of not only here, but in all the Courts of the Confederacy, as Acquiſitions that would contribute greatly to the Succeſs of the Campaign.

But whatever Uſe was made of theſe little Incidents without Doors, by way of Amuſement, in the Cabinet their intrinſic Value was known to a Scruple; and both from a true Senſe of it, and his own Impatience to be in Action elſewhere, his Majeſty reſolv'd to deſer his Departure no longer on any Conſideration whatſoever.

Scotland was now eaſy behind him; and *England*, he aſſur'd himſelf, would be the ſame, under the acceptable Dominion of the Queen, who was now become the Idol of the *Tories*. It is true, Informations had been given in upon Oath againſt ſeveral Perſons, for conſpiring together to raiſe a Rebellion, and forming themſelves into Regiments, Troops, and Companies, under Pretence of Commiſſions from King *James*: But as none of thoſe Perſons were of Quality or Conſequence, it was believ'd, that a Proclamation, ſpecifying their Names, ſetting forth their Crimes, and calling upon their Fellow-Subjects to apprehend them, would effectually put an end to their Practices. Then as to the Preparations of the *French* at *Breſt*, which were the only remaining Terror, it was preſum'd, that they were neither ſo forward, nor ſo formidable, but that the *Engliſh* and *Dutch* Fleets would both have time to join, and when join'd, would be able to aſſert the Dominion of the Sea, and provide for the Security of the Coaſt. That the Mouth of the *Thames*, more eſpecially, might be ſufficiently cover'd, the *Downs* was made the Place of general Rendezvous. And, laſtly, to induce his Majeſty to confide in the Love and Loyalty of his Seamen, Rear-Admiral *Delaval* procur'd an Addreſs to be ſign'd by all the Officers (which he preſented himſelf to the King at *Whitehall*, *May* 31, and for which, by way of Recompence, he receiv'd the Honour of Knighthood) acknowledging their Majeſties to be the undoubted, rightful King and Queen of *England*; ſolemnly renouncing all Allegiance and Obedience to the late King *James*; faithfully promiſing to aſſiſt and defend their Majeſties with their Lives, againſt the ſaid late King *James* and all his Adherents; and moſt humbly beſeeching their Majeſties graciouſly to accept of thoſe unfeigned Expreſſions of their Duty, together with their fervent Prayers for their Safety, and Succeſs over all their Enemies; which alone could create the Happineſs of all their Subjects, and, in particular, of them, their Majeſties *moſt* dutiful, and *moſt* loyal Subjects and Servants. A. D. 1690.

A Proclamation againſt certain Conſpirators.

The Navy Addreſs.

Still it ſeems there was one thing more to be done before his Majeſty could begin his Journey, and that was to have a Cloſet-Converſation with Biſhop *Burnet*; which his Lordſhip has thought of Importance enough to make a Part of the Hiſtory of *England*; for what Purpoſe need not be explan'd. Theſe are his Words, which, in his Margin, he is pleas'd to call, *The King's Senſe of Affairs*.

A Cloſet-Converſation between the King and Biſhop Burnet.

"The Day before he ſet out, he call'd me into his Cloſet: He ſeem'd to have a great Weight upon his Spirits, from the State of his Affairs, which was then very cloudy: He ſaid, for his own Part, he truſted in *God*, and would either go through with his Buſineſs, or periſh in it: He only pitied the poor Queen, repeating that twice with great Tenderneſs; and with'd, that thoſe who lov'd him, would wait much on her, and aſſiſt her. He lamented much the Factions and the Heats that were among us; and that the Biſhops and Clergy, inſtead of allaying them, did rather foment and inflame them. But he was pleas'd to make an Exception of *my ſelf*. He ſaid, the going to a Campaign was naturally no unpleaſant thing to him. He was ſure, he underſtood that better than how to govern *England*. He added, that, though he had no Doubt nor Miſtruſt of the Cauſe he went on, yet the going againſt King *James*, in *Perſon*, was hard upon him, ſince it would be a *waſt Trouble* both to himſelf and to the Queen, if he ſhould be either kill'd or taken Priſoner. He deſir'd my Prayers, and diſmiſs'd me, very deeply affected with all he had ſaid (*c*)."

His Majeſty ſets out for Ireland.

The next Morning at four o'Clock, his Majeſty ſet out, with Prince *George* of *Denmark*, the Duke of *Ormonde*, the Earls of *Oxford*, *Scarborough*, *Manchoſter*, Mr. *Boyle*, and many other Perſons of Diſtinction

(*c*) The Biſhop adds the following Story:

"I had a particular Occaſion to know how tender he was of King *James*'s Perſon, having learn'd an Inſtance of it from the firſt Hand. A Propoſition was made to the King, that a Third-Rate Ship, well mann'd by a faithful Crew, and commanded by one, who had been well with King *James*, but was ſuch a one as the King might truſt, ſhould ſail to *Dublin*, and declare for King *James*. The Perſon who told me this, offer'd to be the Man that ſhould carry the Meſſage to King *James* (for he was well known to him) to invite him to come on board, which he ſeem'd to be ſure he would accept of; and when he was aboard, they ſhould ſail away with him, and land him either in *Spain* or *Italy*, as the King ſhould deſire; and ſhould have twenty thouſand Pounds to give him, when he ſhould be ſet aſhore. The King thought it was a well formed Deſign, and likely enough to ſucceed; but would not hearken to it. He ſaid he would have no hand in Treachery; and King *James* would certainly carry ſome of his Guards, and of his Court aboard with him: and probably they would make ſome Oppoſition: And in the Struggle, ſome Accident might happen to King *James*'s Perſon; in which he would have no hand. I acquainted the Queen with this, and I ſaw in her a great Tenderneſs for her Father's Perſon; and ſhe was much touch'd with the Anſwer the King had made."

A. D. 1690.

tion in his Train. And upon this Occaſion a new Miſunderſtanding broke out in the Royal Family: For, we are told by the Ducheſs of *Marlborough*, that the King would not ſuffer his Royal Highneſs to go in the Coach with him; which, according to that great Lady, was ſuch an Affront as was never put upon a Perſon of that Rank before. "The Prince, however, continues her Grace, ſubmitted to the Indignity, it being too late to take any Meaſures to avoid it; nor, during the whole Campaign, did he fail in any Part of Duty or Reſpect, tho' the King never took more Notice of him than if he had been a Page of the Back Staire."

affronts Prince George;

lands at Carrickfergus;

In ten Days from the time of his leaving *London*, his Majeſty landed at *Carrickfergus*; and the ſame Evening proceeded on to *Belfaſt*, where he was met by Duke *Schomberg*, the Prince of *Wirtemberg*, who commanded the *Danes*, General *Kirk*, *&c.*

His next Stage was to *Liſburn*, where the General had his Head-Quarters; and at *Hilſborough* he ſet forth an Order, forbidding the preſſing of Horſes, and the committing of any Violence on the Country People; which had a Tendency both to reſtore Diſcipline among his Troops, and to give the *Iriſh* a favourable Impreſſion of his Government. Some Sayings of his Majeſty's are next taken notice of by our Hiſtorians, namely, That he did not come there to let the Graſs grow under his Feet; and that the Country was worth the fighting for. At *Loughbritland* he took a general Review of his Army, which he found to conſiſt of thirty-ſix thouſand effective Men, *Engliſh*, *Dutch*, *French*, *Danes*, and *Germans*; for of ſo many ſeveral Nations was it compos'd; all in *good Plight*, ſays the *Hiſtorian of his own Times*, and *full of Heart and Zeal*.

reviews his Army.

King James marches to the Boyne,

King *James*, on the other hand, continu'd all this while at *Dublin*, not only without any poſitive Intelligence of his Son-in-law's Landing, but without Apprehenſion of it; for, it ſeems, he had entertain'd a Conceit, that the Diſcontents in *England* and *Scotland* would have prevented his Journey. It was ſix Days before he was convinc'd of his Error by an *Engliſh* Captain, who had been taken Priſoner, by falling into Ambuſcade: And then, not another Moment was to be loſt in taking the neceſſary Precautions againſt him. Accordingly, having committed the Charge of *Dublin* to Colonel *Luttrel*, and the Body of Militia under his Command, he march'd out of that City at the Head of his *French* Auxiliaries, and join'd his own *Iriſh*, who, on King *William*'s Approach, had abandon'd *Ardee*, and encamp'd on the *South* Side of the *Boyne*. Here ſeveral Councils of War were held; in which it was debated, Whether they ſhould make a Stand there, and put all to the Deciſion of a Battle, or whether they ſhould abandon that River, and conſequently, all the Country as far as *Dublin*? "All the Officers, ſays *Burnet*, both *French* and *Iriſh*, who diſagreed almoſt in all their Advices, yet agreed in this, that, tho' they had there a very advantageous Poſt to maintain, yet their Army being ſo much inferior, both in Number, and in every thing elſe, they would put too much to the Hazard, if they ſhould venture on a Battle. They therefore propos'd the ſtrengthening their Garriſons, and marching off to the *Shannon* with the Horſe, and a ſmall Body of Foot, till they ſhould ſee how Matters went at Sea: For the *French* King had ſent them Aſſurances, that he would not only ſet out a great Fleet, but that, as ſoon as the Squadron that lay in the *Iriſh* Seas, to guard the Tranſport Fleet, and to ſecure the King's Paſſage over, ſhould ſail into the Channel to join our grand Fleet, he would then ſend into the *Iriſh* Seas a Fleet of ſmall Frigates and Privateers, to deſtroy the King's Tranſports. This would have been fatal, if it had taken Effect; and the executing of it ſeem'd eaſy and certain. It would have ſhut up the King within *Ireland*, till a new Tranſport Fleet could have been brought thither; which would have been the Work of ſome Months: So that *England* might have been loſt, before he could have paſs'd the Seas with his Army. And the Deſtruction of his Tranſports muſt have ruin'd his Army; for his Stores, both of Bread and Ammunition, were ſtill on board; and they ſail'd along the Coaſt, as he advanc'd on his March. Nor was there, in all that Coaſt, a ſafe Port to cover and ſecure them." But all theſe Conſiderations, it ſeems, had no weight with King *James*, whoſe Family-Miſfortune it was, to be ever moſt poſitive when they were moſt in the Wrong. It was his Opinion, that they ought to defend their Poſt; for, he thought the abandoning *Dublin* would be deem'd an abandoning of his Cauſe: That this would teach his whole Party to do the ſame; and that nothing could be worſe, than to ſhew any Symptom of Weakneſs or Diſmay, when the Eyes of all *Europe* were upon him, and when he had ſo fair an Opportunity to make one great Effort for the Recovery of his Crown. "He ſpoke of this with ſo much ſeeming Pleaſure, ſays *Burnet*, that many about him apprehended, that he was weary of the Struggle, and even of Life, and long'd to ſee an End of it at any rate; and they were afraid that he would play the Hero a little too much. He had all the Advantages he could deſire: The River was deep, and roſe very high with the Tide: There was a Moraſs to be paſs'd after the paſſing the River, and then a Riſing Ground." He might have added, That the Bank of the River was in many Places ſteep and high; that the Ground on the other Side, was not only hilly, but intermix'd with many Hedges and Ditches, as alſo encumber'd with ſeveral Cottages: That King *James* had his Eye on all theſe Advantages, and that, in Reality, they ſerv'd to juſtify him in the Reſolution he had taken.

and againſt the Opinion of his Officers reſolves to give Battle to the Engliſh.

On the other hand, it muſt be admitted, that the ſame Circumſtance which induc'd one King to venture an Action, made the Attempt more difficult, and the Succeſs more precarious to the Other: And of this, Duke *Schomberg* was ſo ſenſible, that when the Latter, in a Council of War, held on the

A. D. 1690. [Impartial History of Irish Affairs, 4to, p. 77.]

laſt of *June*, ſignify'd his Reſolution to paſs the River the next Day, he oppos'd it, tho' his Majeſty was not pleas'd to ſhew any Regard to his Opinion, either in that, or any other Inſtance.

The greateſt Part of that Day had been ſpent in marching from *Ardee*; and, then, the two Armies confronting each other, in reconnoitring and cannonading. And, upon this Occaſion, what has been ſo circumſtantially remember'd by the *Hiſtorian of his own Times*, ought not to be forgot; namely,

King William wounded.

"That with the firſt Firing, a Ball paſs'd along King *William*'s Shoulder, tore off *ſome of his Cloaths*, and about a *Hand-breadth* of the Skin; out of which about a *Spoonful* of Blood came." The ſame *unuſual Accident*, as it is call'd by the ſame Prelate, is alſo recorded in the *Gazette*, and mention'd by almoſt all other (*d*) Authors; with this Difference, indeed, that they ſay, The Ball took his Majeſty at the Rebound from the Bank: And yet, in one of the *Jacobite* Pamphlets of this Reign, it is aſſerted, "That he was never within Reach of King *James*'s Cannon, nor receiv'd any Hurt at all."

Remarks on the Confederacy, 4to, p. 22.

The Biſhop, moreover, adds, That upon the King's firſt alighting from his Horſe, after his Wound, a Deſerter had gone over to the Enemy with the News, which was carry'd (*e*) quickly into *France*, where it was taken for granted, that he could not out-live ſuch a Wound: "So, continues he, it ran over that Kingdom that he was dead; and upon it there were more public Rejoicings than had been uſual upon their greateſt Victories; which gave that Court afterwards a vaſt Confuſion, when they found that he was ſtill alive, and ſaw that they had rais'd in their own People a high Opinion of him by this inhuman Joy, when they believ'd him dead." But, particular as his Lordſhip is on this Topic, he paſſes over another, which [*No.* 249.] has the Authority of the *London Gazette* to ſupport it, that treats of this very Wound; namely, "That *our* Bombs (or rather Cannon) beat down ſeveral Tents, next adjoining to thoſe of the late King *James* and the Count *de Lauzun*." Which, contrary to what we have been taught above, ſeems to indicate, that as little Reſpect was paid to the Perſon of one Prince, as the other.

The Battle of the Boyne.

With reſpect to the Diſpoſition of the two Armies, we are told, that Duke *Schomberg*, when he found the King ſo reſolutely bent to fight the Enemy on the Morrow, at all Diſadvantages, adviſ'd his Majeſty, to ſend a Part of his Army over the River that very Night, at or near *Slane*-Bridge, which was about three Miles above, to facilitate and cover the Paſſage of the River: But the *Dutch* Generals being of a different Opinion, his was rejected. Upon which, finding himſelf of no Conſequence, he retir'd to his Tent; and upon receiving the Order of Battle, which was tranſmitted to him by the King's Order, expreſs'd his Diſguſt, by ſaying, *That it was the Firſt which ever had been ſent to him.* What this Order was, is not over-diſtinctly ſpecify'd; only we find, that the Paſſage of the River was to be forc'd at three Places at once; by the Right Wing at *Slane*-Bridge; by the Left at certain Fords between the Enemy's Camp and *Drogheda*; and by the Main Body, at a Place call'd *Old-Bridge*. A. D. 1690.

King *James*, or his Generals for him, on the other hand, ſuſpecting, that the warmeſt Work would be at the laſt of theſe Places, caus'd ſeveral little Works to be thrown up, both at the Ford, and round a Stone Houſe near it; under the Cover of which, as alſo of the Hedges and Cottages by the River-ſide, he poſted a large Body of his Foot, who were ſupported by a ſuitable Number of Horſe: And the reſt of his Forces were drawn up in ſeveral Bodies, in order to obſerve the Motions of the *Engliſh*, ſo as to be in Readineſs to diſpute every Paſs at which they ſhould attempt to get over. It is ſaid, that General *Hamilton* (the Perſon who undertook to bring over *Tyrconnel* by Treaty) adviſ'd King *James*, to have eight Regiments of Dragoons, ready poſted at *Slane*-Bridge, and another Party below *Drogheda*, but with little better Succeſs than Duke *Schomberg* adviſ'd King *William*; for he was pleas'd to think, that fifty Dragoons was ſufficient for the firſt of theſe Services, and could not be prevail'd upon to ſend more than one Regiment; and, for the laſt, we do not find, that he made any immediate Proviſion at all.

Thus, in the Morning, when King *William*'s Right Wing, under the Command of the Generals, *Douglas*, *Schomberg* (Son of the Duke) *Portland*, and *Overkirk*, began to march towards *Slane*-Bridge, the Left of King *James* did the ſame. But when the *Engliſh* Left, where the King himſelf choſe to charge, having under him the Generals *Kirk* and *Sydney*, mov'd downwards towards *Drogheda*, the *Iriſh* Right kept their Ground at the Ford, as if they had nothing to apprehend elſewhere. It ſo happen'd, moreover, that before the ſingle Regiment of *Iriſh* Dragoons, poſted Over-night at *Slane*, could be reinforc'd, the *Engliſh* took the River, and, after a ſingle Diſcharge, drove them from their Poſt. But tho' this was the chief Oppoſition which they met with in their Paſſage, they had many unforeſeen Difficulties to ſurmount, when they were over. The Enemy, by this time,

(*d*) In particular, the Author of the *Impartial Hiſtory* expreſſes himſelf in theſe very Words: "I have met with ſeveral that will not believe that the King was touch'd with a Cannon Bullet at all; and if ſo, that it was impoſſible it ſhould not kill him. But I was preſent when the thing happen'd, and, therefore, can affirm the Truth of it. *p.* 76.

(*e*) It was about Midnight that the Court (of *France*) receiv'd the News of King *William*'s Death (on the Report of one of King *James*'s Lackeys); yet tho' it is not uſual to make Bonfires for the Death of an Enemy before he is defeated in Battle, the Emiſſaries nevertheleſs immediately ran about the Streets, awaking up the People of the City, and crying out to them, *Riſe and make Bonfires!* So that in leſs than an Hour, all *Paris* was in a Blaze; and nothing was to be heard but Drums, Trumpets, and Hautboys. Afterwards, the Rabble made the Effigies of King *William* and Queen *Mary*, dragg'd them thro' the Dirt, and at laſt threw them into the Fire. The Bells rung in ſeveral Pariſhes; the great Guns roar'd from the *Baſtile*; neither was any thing omitted which is uſually done on ſolemn Occaſions. *State of Europe for* Auguſt, 1690. *p.* 31.

A. D. 1690. time, were drawn up in two Lines, and were ſo ſtrong in Foot, that the *Engliſh*, who had then only ſix Battalions, did not think proper to attack them, till they were reinforc'd by other Corps from the main Body. They had alſo the Corn Fields and Ditches, formerly ſpoken of, to paſs over, and beyond them a large Bog, which the Horſe were oblig'd to wheel round, and the Foot had Orders to march thro'. Theſe ſeveral Embarraſſments not only took up much time, but gave the *Iriſh* all the Advantages they could have deſir'd: And yet, they no ſooner ſaw the *Engliſh* take to the Bog, than, inſtead of charging them in it, they fac'd about, and retreated in Diſorder towards *Duleek*; poſſibly, in fear of being ſurrounded by Colonel *Schomberg* with the Horſe and Dragoons; who, having ſkirted the Bog, came up, nevertheleſs, time enough to fall in with the Rear of their Foot; among whom they did ſome Execution.

But the Tide was ſoon turn'd; for King *James*, apprehending, that the Streſs of the Battle would lye on his Left, had order'd a great Part of his Center to march that way; which oblig'd the Count to ſend to King *William* for Reinforcement, or at leaſt, to intreat his Majeſty to make a Diverſion, that he might not be overpower'd by the Enemy.

And now it was, that the Word was given for the main Body, which conſiſted of the *Dutch* Guards, the *French* Regiments, and ſome Battalions of *Engliſh*, to take the River; which they did accordingly, under the Cover of a continual Diſcharge of Cannon, and which, it ſeems, the Enemy were not in a Condition to return; for, by a ſtrange Fatality, they had rather choſe to provide for the Security of their Cannon, by ſending moſt of them away, than to make uſe of them for their own, when alone they could be of Uſe.

The River, we are told, was Waiſt-high; and when the Men were about half over, they were ſaluted with the whole Fire of all the Troops poſted behind the Hedges, Works, and in the Houſes along the oppoſite Shore: Notwithſtanding which but one Man fell, and one was wounded. A Lieutenant of Grenadiers was the firſt Man who landed; and two Files was the whole Force with which he began the Engagement, while the reſt were yet wading thro' the Stream. But Cowardice on the Enemy's Side, made way for what, perhaps, could not have been accompliſh'd by any Bravery on his; for the *Iriſh*, who were poſted behind the next Hedge, after one Diſcharge, turn'd their Backs; and by their Example, the reſt did the ſame. This gave time for a Succeſſion of Troops to land; but before they could form, they were briſkly charg'd by a Squadron of *Iriſh*, who came down full Speed; and being repuls'd, made off again as faſt. And now no leſs than ſeven Regiments of *Iriſh* Foot, and ſeveral Squadrons of Horſe, A. D. 1690. appear'd from behind certain little Hills, where they had till now been ſtation'd to ſhelter them from the Cannon, under the Command of *Hamilton*, who made a Diſpoſition with Part of them, to attack thoſe of the *Dutch* and *French*, who were already landed; and with the reſt, march'd down into the very River to diſpute the Paſſage with thoſe who were ſtill preſſing over. But theſe Efforts of his were, in a great meaſure, defeated by the Cowardice of his own Foot, who had ſuch a Panic upon them, that they could not be brought to execute his Orders, or make a Stand any where: His Horſe, on the contrary, tho' it does not appear that they were under any regular Command, charg'd deſperately every where; one Squadron in particular, almoſt broke Mr. *la Calimot*'s Regiment of Foot; for about forty of them forc'd their way quite thro' them, and mortally wounded the (*f*) Colonel himſelf: Another Squadron held the *Dutch* Guards in play; a third defended the Shore againſt *Hammer*'s Regiment; and, in general, wherever a Body of our Foot was drawing up, they had a Body of the Enemy's Horſe to oppoſe them.

It ſeems, that King *William*, relying, perhaps, too much on the Goodneſs of the Infantry, which compos'd his Center, had diſtributed all his Cavalry into his Wings, where he thought they would be of moſt Uſe, by out-flanking the Enemy, except a Squadron of *Danes*, who were driven out of the Field almoſt as ſoon as they came into it, and repaſs'd the River again, without once looking behind them. The Conſequence of this Over-fight, was, that the Foot being unſupported, had no time to cloſe their Ranks, but were expos'd both in Front and Flank at once; and, inſtead of attacking, found it no eaſy Matter to defend themſelves. *Horſe! Horſe!* was the Cry from Battalion to Battalion, which was even caught by the Country People, and propagated to the right Wing, where it being underſtood for *Halt!* one Error produc'd another, and thoſe who had Opportunity by the Fore-lock, for a while let it ſlip out of their Hands.

In this tumultuous Interval, when all Conduct ſeem'd to be at an End, Duke *Schomberg* thought it his Duty to paſs the River in Perſon; and, having put himſelf at the Head of the *French* Proteſtants, animated them to the Charge, by ſaying, *Come on, Gentlemen! Behold your Perſecutors* (pointing to their *Papiſt Countrymen* in the *Iriſh* Army.) But no ſooner were theſe Words out of his Mouth, than a Party of thoſe very Horſe who had before broke thro' *la Calimot*'s Regiment, returning the ſame way, fell upon the Duke, and gave him two Wounds in the Head: And what was ſtill more fatal, his own Men, who had made way for theſe Deſperadoes, in a Belief that they were *Engliſh* who had been ſent to their Succour, now convinc'd

(*f*) To whoſe Honour it is remember'd, That, dying, as he was, he encourag'd thoſe who were croſſing the River, in theſe Words, *A la Gloire, mes Enfans, a la Gloire! To Glory, my Boys, to Glory!*

A.D. 1690. convinc'd of their Error, to repair it, fir'd both on him and them; and, in endeavouring to be his Avengers, became his Deſtroyers; for one of their Shot paſs'd thro' the Nape of his Neck, and kill'd him on the Spot.

Thoſe who were diſtreſs'd and diſorder'd before, it muſt be ſuppos'd, were confounded now: And ſuch evident Signs of their Diſtraction appear'd, that even the very Infantry of King *James*, who had ſo ſhamefully abandon'd their Poſts, were induc'd to rally, and return to the Charge, with a Face of Reſolution at leaſt.

By this time, King *William*, himſelf, accompany'd by the Prince of *Denmark*, who ſerv'd as a Voluntier, had paſs'd the River in a very difficult and unaccuſtom'd Place, with the *Daniſh*, *Dutch* and *Iniſkillen* Horſe, who form'd the Left, without Oppoſition; and, after having diſcharg'd himſelf from a Bog on the other Side, drew his Sword, and march'd in the Front towards the Enemy, now ready, both Horſe and Foot, to fall upon his Center: And ſuch an Effect had his very Appearance, that the Latter relaps'd immediately into their former Cowardice; and having made a ſudden Halt, as ſuddenly fac'd about, and retreated up Hill towards a little Village call'd *Dunore*, about Half a Mile from the Paſs at *Old-Bridge*: His Majeſty follow'd; and at the Village, the *Iriſh* once more fac'd about, and acquitted themſelves ſo bravely, that the *Dutch* and *Daniſh* Horſe, tho' headed by the King in Perſon, recoil'd; and his Majeſty, in a Heat, paſs'd on to the *Iniſkilleners*, and then to another Body of *Dutch*, who (*g*) all in turn gave way to the Fury of the Enemy: And if two Parties of *Cunningham*'s and *Levinſon*'s Dragoons, under the Command of a Lieutenant-Colonel and a Captain, had not diſmounted and lin'd the Hedges, as alſo an old Houſe that flank'd the Lane thro' which the Rout paſs'd, poſſibly this Counter-turn had been fatal: But the Execution done by them damping the Ardour of the Purſuers, the Fugitives had time to rally, and, returning to the Charge, in Half an Hour's time, drove the *Iriſh* before them, and became Victors in their Turn; *Hamilton* himſelf being wounded and taken Priſoner, together with ſeveral other Officers.

Here all our Hiſtorians agree to ſpeak of an Interlocutory, that paſs'd between that General and the King, to the following Effect: King. *Do you think the* Iriſh *will fight any more!* Hamilton. *Upon* my Honour *I believe they will; for they have a good Body of Horſe ſtill.* K. Your Honour! Your Honour! And this, which was accompany'd with a Look of Diſdain and Contempt, we are told, was all the Reproof which his Majeſty beſtow'd upon him, for having broke his Truſt in the Affair of the Treaty with *Tyrconnel*, ſo lately alluded to. All theſe Writers, however, A.D. 1690. agree in repreſenting *Hamilton* as a good Officer, and in diſtinguiſhing him above all others in the Duties and Services of the Day; whereas, the *Jacobites* ſtigmatiſe him by the Name of the *Arch Traitor*, and aſcribe the Loſs of the Field, to his deſerting his Poſt, and betraying his Maſter. [Remarkson the preſent Confederacy, 410 *p.* 22.]

It is to be lamented that thoſe who have deſcended to ſuch Minuteneſſes as theſe, ſhould be deficient in the main Circumſtances of their Story. What Part the Center had in turning the Fortune of the Day, after they had been ſo ſeaſonably reliev'd by the Approach of his Majeſty and the Horſe of the Left Wing, is no where explan'd. Again, tho' we are told by one Author, it would have been more for the Advantage of King *James*, to have poſted his *French* and *Swiſs* at the main Paſs, than his *Iriſh* Guards, who inſiſted on it as their Right to have the Poſt of Honour, we are not expreſly told where thoſe foreign Auxiliaries were poſted. And tho' we are told by another, "That they no way derogated from the good Opinion which was generally conceiv'd of their Valour, but ſtood to it till they ſaw themſelves abandon'd of the *Iriſh*; after which, they retreated in good Order," no particular Inſtances are given of the Merit which is thus applauded. [Impartial Hiſtory, *p.* 80.] [*State of Europe*, *Vol.* ii. *p.* 44.]

As to the Right Wing of the *Engliſh*, and the Left of the *Iriſh*, it could ſcarce be ſaid that they were engag'd at all: The Latter, as we have ſeen, retreated before Count *Schomberg*, on his firſt Appearance: And tho' when he halted, they did the ſame, no ſooner was he again in Motion, with a large Reinforcement of Horſe and Foot, than they again turn'd their Backs, and retreated with the utmoſt Precipitation. The Count, who had by this time receiv'd the News of his Father's Death, and who was now doubly animated with Glory and Revenge, did his utmoſt to overtake them: But ſo interſected was the Ground with Bogs and Ditches, that he found it impracticable: At *Duleek* there was, beſides, a Cut thro' the Meadows, ſoft at Bottom, and with high Banks on each Side, in which was one only Interval, broad enough for about ſix to paſs thro' at once. Of this the *Iriſh* had Poſſeſſion. And while the Count was yet floundering thro' the Bogs he was ſurrounded with, they drew up on the other Side, brought the few Field-Pieces they had to bear upon their Purſuers, and thereby held them at Bay till their Foot, and the greateſt Part of their Horſe, had got a full Mile before them. Nor when the Count did, at laſt, force the Paſs, and renew the Purſuit, was he able to ſnatch any farther Advantage; which, as before, is imputed to the Badneſs of the Ground. But ſurely that was not all; for even in this imperfect Account, we may diſcern the Traces of excellent Conduct on the Side of the Enemy. And hence we are authoriz'd

(*g*) But the *Iniſkilleners*, it is ſaid, by *Miſtake*; for thinking they were to obſerve the Motion of his Majeſty, who had condeſcended to lead them up, as he wheel'd, they wheel'd: And it is added, that they afterwards perform'd good Service.

A. D. 1690. authoris'd to conclude, that the *French* and *Swiss* Auxiliaries under the Count *Lauzun*, had the Poſt of Honour on this Occaſion, and cover'd the Rear of thoſe daſtardly Troops that were ſcarce worth ſaving.

After what manner the Center and Right of the *Iriſh* Army left the Field, is not ſpecify'd at all; only we may gather by Circumſtances, that the whole Torrent took the ſame Channel; for, of King *James* it is ſaid, that, during a great Part of the Action, he had his Station at the little old Church upon the Hill of *Dunore*; and that when he ſaw his Troops give way on all Sides, he was prevail'd upon to provide for his own Safety, by retiring thro' the Village of *Duleek*.

Of that Prince's taking any Part in the Action, or making any one Effort, to animate the *Iriſh*, or recover the Day, we find not the leaſt Mention in any Hiſtorian whatever. *Burnet* is expreſs, That he ſtay'd all the while with his Guards at a ſafe Diſtance, and never came into the Place of Danger or of Action: That he was the firſt that run for it; and that he reach'd *Dublin* before the Action was over. [*V.* ii. *p.* 51.]

On the other hand, tho' much is ſaid of King *William's* perſonal Bravery, very few Compliments are beſtow'd on his Conduct. "As for his Majeſty himſelf, ſays the Author of the *Impartial Hiſtory*, he drew up his Army, gave his general Orders to his Officers, and the beſt Orders wherever he was in Perſon: But the greateſt Captain that ever was, or will be, is not, nor can be, of himſelf ſufficient to redreſs all Diſorders, or lay hold on all Advantages in an Inſtant, where Armies are once engag'd. And farther, his Majeſty having committed a conſiderable Part of his Orders to the Care of his General, the Death of him muſt needs be a Diſadvantage to the whole Army."

This is, in Effect, an Acknowledgment, that the Conduct of the Day was far from being faultleſs: And that there was no Reſerve of Horſe to ſupport the Center, is taken notice of as an Error in the firſt Digeſtion of Things, even by this very Author. He alſo acknowledges, that it was Matter of Wonder to ſome, that the Advice of the Lords *Oxford* and *Portland*, to detach three thouſand Dragoons, with each a Foot-Soldier behind him to haraſs the Rear of the Enemy, and make the moſt of the Victory, was not follow'd: But then he ſuggeſts, that the Ground would not admit of an orderly Purſuit, and that any other would have been dangerous, and might have been fatal to the Purſuers. *Burnet* again, after pronouncing that the Horſe and Dragoons *could not* purſue becauſe of their Wearineſs, and becauſe the Camp was unfurniſh'd with the neceſſary Refreſhments, endeavours to turn this very Neglect into a Compliment, by ſaying, "The Army of the *Iriſh* was ſo entirely forſaken by their Officers, that the King thought they would have diſpers'd themſelves, and that the following them would have been a mere Butchery, which was a thing he always abhorr'd." And yet, forgetting all this, in his very next Page, he adds, "The *Iriſh* Army was forſaken by their Officers for two Days: If there had been a hot Purſuit, it would have put an End to the War in *Ireland*." A. D. 1690.

But it is manifeſt from the Order of this Retreat, that they were not forſaken by their Officers in the Field of Battle, conſequently when the Purſuit ſhould have been made, that Argument did not exiſt. Then as to the Loſs on their Side, according to the higheſt Liſt, it did not exceed fifteen hundred; whereas, their whole Number before the Battle amounted to more than twenty-five thouſand; and they had in their ſeveral Garriſons above fifteen thouſand more. As therefore it was ſcarce ſuppoſable then, that King *James* would not rally his ſcatter'd Troops, and reinforce them to the utmoſt of his Power; ſo it is inconceivable now, that King *William*, from the Succeſs of one Day, ſhould conclude the War was at an End.

The very Truth is, that King *James's* own Behaviour in, and after, the Battle, was more detrimental to his Cauſe, than the Loſs of it. As he had preſum'd too much before, he deſponded too ſoon afterwards. And this Deſpondency of his, appearing in his very Face, infected all about him. From the Field he poſted on to *Dublin*, where immediately aſſembling the Magiſtracy, he told them, "That his Army in *England* having made a total Defection againſt him, when he had the greateſt Occaſion for them, he retir'd to *France*, where he was kindly receiv'd by that King, and had all the Aſſurance imaginable to be re-eſtabliſh'd on his Throne: That in ſome time after, he came to this Kingdom of *Ireland*, and found all his *Roman Catholic* Subjects as well equipt and prepar'd to defend his Cauſe, as their Ability would bear: And tho' he had been often told, that when it came to the Touch, they would never bear the Brunt of the Battle, he could never credit the ſame till that Day, when having a good Army, and all Preparations fit to engage a foreign Invader, he found the fatal Truth of what he had been ſo often precaution'd: And tho' the Army did not deſert him, as they did in *England*, yet when it came to Trial, they baſely fled the Field, and left it a Spoil to his Enemies; nor could they be prevail'd upon to rally, tho' the Loſs in the whole Defeat was but inconſiderable; ſo that henceforward he never more determin'd to head an *Iriſh* Army, and did now reſolve to ſhift for himſelf, as they themſelves muſt do. That it had often been debated, in caſe ſuch a Revolution ſhould happen, Whether upon deſerting the City of *Dublin*, the ſame might not be fir'd? That he did therefore charge them, on their Allegiance, That they neither ſhould riſle it by Plunder, nor deſtroy it by Fire; which, in all Kingdoms would be judg'd very barbarous, and muſt be believ'd to be done by his Orders; and if done, there would be but little Mercy to be expected from an enrag'd Enemy; concluding, he was neceſſitated to yield to Force, but would never ceaſe to labour their Deliverance as long as he liv'd."

King James poſts to Dublin.

His Speech to the Magiſtrates of Dublin.

Perhaps, in the whole Compaſs of Hiſtory

A.D. 1690. tory, a more impolitic Speech than this is not to be met with. He condemns the *Irish* in a Body, rejects their Services, and, in Effect, makes a Transfer of their Allegiance to King *William*, as his own Act and Deed; tho' he acknowledges the Loss of the Day was but inconsiderable; tho' he was still in Possession of the Capital, as also of many other important Places; and tho' he had entertain'd such mighty Expectations from the Power and Success of *France* by Sea, which should have induc'd him to continue the Struggle to the last. In short, so low does it sink him in our Esteem, that it almost extinguishes our Compassion: And even the Charge he gives concerning the City of *Dublin*, which is the only meritorious Part of it, more incenses us against his Party, than it reconciles us to himself.

One Night he did venture to stay at *Dublin*, but the very next Morning he made all possible Haste to *Waterford*, attended by the Duke of *Berwick*, Marquis of *Powis*, and *Tyrconnel*; and causing all the Bridges to be broke down behind him, for fear the same Power which had been so anxious to send him out of *England*, should endeavour to detain him in *Ireland*. Here he went on board a Vessel call'd *The Count de Lauzun*, which lay (*b*) *ready* for his Reception; and having put to Sea, fell in with the *French* Squadron, which convoy'd him safe to *France*.

He embarks at Waterford,

and sets sail for France.

What Orders he left for his Army, or whether he left any, has not been ascertain'd: All that we know is, That most of his Cavalry came into *Dublin* the Evening he left it, and most of the Infantry next Morning; That before the next Night they quitted it again, having first releas'd all the Prisoners, without committing any Outrages, and took the City-Militia, who were Papists to a Man, along with them: That they took their Rout to the *Westward*: That the principal Officers who accompany'd King *James* to *Waterford*, having seen him set sail, return'd to the Army, with a Resolution to continue the War as long as they had Means to support it, not so much for his Majesty's sake as their own; and that they were so little discourag'd by his Departure, that they declar'd, They were better without him than with him.

King *William*, on the other hand, had gain'd so much Reputation by his Bravery, even among his Enemies, that *Sarsfield* himself made no Difficulty to swear, That if the two Armies were to change Kings, the *Irish* would fight the Battle over again, and beat us into the Bargain.

But Bravery is only a Second-rate Virtue in a General, and one Master-stroke of Conduct in the Tent, is sometimes worth more than the noblest Effort of a whole Army. Except his General *Schomberg*, who was indeed an irreparable (*i*) Loss, his Majesty did not lose above four (*k*) hundred in the Engagement: So that his Strength, in Comparison with that of the Enemy, was much greater than before: And as well by their Ruin as by the Increase of his own Reputation, he was in a much better Capacity to make use of it. A.D. 1690.

The Value of a Victory is known by the Fruits: All the Night after the Battle, the *English* lay on their Arms, at *Dulork*, having no Tents to cover them, nor Refreshments of any kind. The next Morning a Party out of every Regiment were sent to bring up the Baggage; and Mr. *Meloneere*, with a thousand Horse and Dragoons, three hundred Foot, and eight Pieces of Cannon were sent to reduce *Drogheda*; the Governor of which Place surrender'd it, on being told, That in case he made any Resistance he should have no Quarter.

Athlone, *Limerick*, and *Galkway*, were the next Garrisons; and it became a Question, whether it was most adviseable to reduce these Places also, or to follow the *Irish* Army to *Dublin*. Those who were for the former Opinion urg'd, That the Terror of the late Defeat, and the Example of *Drogheda*, would make the Enterprize easy; more especially as that Army had, in a manner, abandon'd them; and when this was done, the *Irish* would be under a Necessity of fighting another pitch'd Battle, or submitting: And that as to *Dublin*, it was an open Place, and consequently would not refuse Admittance to the Conqueror. Those, who, on the contrary, were for pursuing the *Irish*, alledg'd, That neither the Condition nor Purpose of the Enemy was as yet known: That, possibly, they were then making their Disposition to face them again: That, in such Case, it might be fatal to divide the Army: That as the King had receiv'd Intelligence, that the *French Armada* was at Sea, and it was uncertain where the Storm would fall, it might be equally fatal to withdraw from the Coast: And lastly, that the taking Possession of the Capital of the Kingdom would be of more Credit and Importance to his Majesty's Service, than any other Successes whatsoever.

The last of these Opinions had the Royal Sanction, tho' it is said, the Places in question would

(*b*) Which, according to the *London Gazette*, No. 2574. Sir *Patrick Trant* had been sent the Day *before* the Battle to provide.

(*i*) "This I am certain of, that we never knew the Value of him till we really lost him; which often falls out in such Cases: And since it was in our Quarrel that he lost his Life, we cannot too much honour his Memory; which will make a considerable Figure in History whilst the World lasts. He was certainly a Man of the best Education in the World, and knew Men and Things beyond most of his Time, being courteous and civil to every body, and yet had something always that look'd so great in him, that he commanded Respect from Men of all Qualities and Stations. Nor did we know any Fault that he had, except we might be jealous he sometimes was too obliging to the *French*. As to his Person, he was of a Middle Stature, well proportion'd, fair complexion'd, a very sound hardy Man of his Age, and fit an Horse the best of any Man. He lov'd constantly to be near in his Cloaths; and in his Conversation he was always pleasant: He was fourscore and two when he dy'd, and yet when he came to be unbowel'd, his Heart, Intrails, and Brain, were as fresh and found as if he had been but twenty: So that in probable he might have liv'd several Years, if Providence had not order'd it otherwise. Monsieur *Gallimet*, an honest worthy Gentleman, died soon after him of his Wounds, having follow'd that great Man in all his Fortunes." [*Imp. Hist.* p. 85, 86.

(*k*) Among whom was the gallant *Walker*, who had so bravely defended *Londonderry*.

A. D. 1690. would certainly have yielded, if they had been inveſted, while the Terror of the late Victory hung over them.

It is, however, remarkable, that on the very Day after it was obtain'd, *viz. July* 2, the Army being encamp'd about a Mile from *Dulcek*, on what is call'd *convenient Ground*, a Party of the Enemy appear'd in Sight, and were ſuffer'd to go off without Moleſtation; tho' two Spies whom they had ſent into the Camp for Intelligence, were taken and hang'd on the Spot.

The next Day his Majeſty continu'd his March towards *Dublin*; and at a Place call'd *Bally Brigham*, where he halted that Night, receiv'd Advice of the Retreat of the *Iriſh* from that Capital, and the Flight of King *James*. Upon this a thouſand Horſe, under the Command of the Duke of *Ormond*, were diſpatch'd to take Poſſeſſion of it, who were follow'd by the *Dutch* Guards, with Orders to poſt themſelves in the Caſtle, which they did accordingly.

On the fifth, the whole Army encamp'd at *Finglaſs*, two Miles wide of *Dublin*, and the next Day, being *Sunday*, the King aſſiſted at Divine Service in the Cathedral Church of St. *Patrick*'s at *Dublin*, but return'd to the Camp to Dinner, as ſoon as it was over. The next Day the Biſhops of *Meath* and *Limerick*, and moſt of the Proteſtant Clergy, came in a Body to pay their Reſpects to his Majeſty; upon which Occaſion, the firſt of thoſe Prelates, in a ſet Speech, gave him to underſtand, "That they came not to beg his Protection, for he had given ſufficient Demonſtrations of his Affection towards them, by venturing his Royal Perſon for their Deliverance, but they came to congratulate his Arrival, to pray for the Continuance of his good Succeſs, and to give his Majeſty all the Aſſurance poſſible of their Loyalty and Obedience, intreating his Majeſty not to think worſe of them for ſtaying in *Ireland*, and ſubmitting to a Power that it was impoſſible for them to reſiſt, ſince they had been as ſerviceable to the Church's Intereſt and his Majeſty's by ſtaying, as they could have been otherwiſe; with a great deal more to that Purpoſe. The King made Anſwer, that as he had, by the Bleſſing of *God*, ſucceeded ſo far, he doubted not, but by *God*'s Aſſiſtance, to free them abſolutely, and that in a ſmall time, from Popiſh Tyranny, which was his Deſign in coming. Then the Biſhop of *Limerick* deſir'd his Majeſty to give them leave to appoint a Day of public Thankſgiving, and to compoſe a Form of Prayer upon that Occaſion; to which his Majeſty aſſented.

King William *enters* Dublin.

Upon the ſeventh his Majeſty ſet forth a Declaration, which, on many Accounts, deſerves to be inſerted intire:

Sets forth a Declaration.

WILLIAM, *R.*

"As it hath pleaſed Almighty *God* to bleſs our Arms in this Kingdom with a late Victory over our Enemies at the *Boyne*, and with the Poſſeſſion of our Capital City of *Dublin*, and with a *general Diſperſion* of all that did oppoſe us; we are now in ſo happy a Proſpect of our Affairs, and of extinguiſhing the Rebellion of this Kingdom, that we hold it reaſonable to think of *Mercy*, and to have Compaſſion upon thoſe whom we judge to have been SEDUCED. Wherefore we do hereby declare, We ſhall take into our Royal Protection, all poor Labourers, common Soldiers, Country Farmers, Plowmen, and Cottiers, whatſoever: As alſo, all Citizens, Tradeſmen, Townſmen, and Artificers, who either remain'd at home, or having fled from their Dwellings, ſhall, by the firſt of *Auguſt* next, repair to their uſual Places of Abode, ſurrendring up what Arms they have to ſuch Juſtices of the Peace as are or ſhall be appointed by us, not only to receive the ſame, but alſo to regiſter the Appearance of ſuch of the ſaid Perſons as ſhall come and ſubmit to our Authority. For our Royal Intention is, and we do hereby declare, That we will not only pardon all thoſe ſeduced People, as to their Lives and Liberties, who ſhall come in by the time aforeſaid, for all Violences they have committed by the Command of their Leaders during the time of the War: But we do alſo promiſe to ſecure them in their Goods, their Stocks of Cattle, and all their Chattels Perſonal whatſoever, willing and requiring them to come in; and where they were Tenants, there to preſerve the Harveſt of Graſs and Corn, for the Supply of the Winter. But foraſmuch as many of them have a legal Right to the Tenancy of ſeveral Lands, ſome holden from Proteſtants, and ſome held from Popiſh Proprietors, who have been concern'd in the Rebellion againſt us: Our WILL and PLEASURE is, that all thoſe who held from our good Proteſtant Subjects, do pay their Rents to their reſpective Landlords: And that the Tenants of all thoſe who have been concern'd in the Rebellion againſt us, *do keep their Rents in their Hands*, until they have Notice from the Commiſſioners of our Revenue, unto whom they are to account for the ſame. And as we do hereby ſtrictly forbid all Violence, Rapine and Moleſtation, to any who ſhall thus come in, and remain obedient to us; we do hereby charge and require, that they be not diſquieted in any ſort, without our particular Command. For the deſperate Leaders of this Rebellion, who have *violated thoſe Laws*, by which this Kingdom is united and inſeparably annex'd to the Imperial Crown of *England*; who have call'd in the *French*; who have authoriz'd all Violences and Depredations againſt the Proteſtants, and who rejected the gracious Pardon we offer'd them in our Proclamation of the 22d of *February*, 1688; as we are now, by *God*'s great Favour, in a Condition to make them ſenſible of their Errors, ſo we are reſolv'd to leave them to the Event of War, unleſs by great and manifeſt Demonſtrations, we ſhall be convinc'd, that they deſerve our Mercy, which we ſhall never refuſe to thoſe that are truly penitent. Given at our Royal Camp at *Finglaſs*, near *Dublin*, the 7th of *July*, 1690, in the ſecond Year of our Reign."

A. D. 1690.

Two Days after this Declaration was publiſh'd in the Camp, that neither Officers nor Soldier might have the leaſt Pretence to diſobey,

A.D. 1690. obey. And yet so feeble was the King's Authority, or so licentious was the Spirit which had taken possession of his Army, that no Edict was ever less observ'd, or rather more notoriously violated.

reduc'd the Brass Money.

And on the tenth, the (*l*) Brass Money utter'd by King *James*, was, by Proclamation, reduc'd to near its intrinsic Value; that is to say, the large Half-Crown to one Penny Steel. the small one to three Farthings; the large Copper Shilling to a Half-penny; and the small one, and the Six-pence, to a Farthing each.

The Queen's Administration at home.

It is now high time to treat of the Queen's Administration. According to the *Historian of his own Times*, her Cabinet Council was compos'd of four *Tories* and four *Whigs*, on whose Advice she was chiefly to rely. And he farther suggests, that tho' the Numbers were thus equally balanc'd, the Latter were dissatisfy'd, because the Marquis of *Carmarthen* and the Earl of *Nottingham*, were most in Credit and Favour. But even the Numbers were not equally balanc'd, for they were nine in all, and the *Tories* had the Casting-Vote: The List stood thus: The Lord Steward, *Devonshire*, the Lord Chamberlain, *Dorset*, the Earl of *Monmouth*, and Mr. *Edward Russel*, *Whigs*; and the Lord President, *Carmarthen*, the Earl of *Nottingham*, Secretary of State, the Earl of *Pembroke*, first Lord of the Admiralty, Sir *John Lowther*, first Commissioner of the Treasury, and the Earl of *Marlborough*, *Tories*.

The great Object of their Cares was to supply the King in *Ireland*, to make Provision against the Efforts of the *French* Fleet, and to keep the Peace at home. Of the Proclamation to apprehend certain Persons accus'd upon Oath, of conspiring against the Government, Mention has been already made: And soon after, two other Proclamations were set forth to command all Papists and reputed Papists to depart from the Cities of *London* and *Westminster*, and for confining all Popish Recusants within five Miles of their respective Dwellings. As to the Naval Preparations of the *French*, Advice was again receiv'd from *St. Malo*'s, by the Vessel employ'd in Exchange of Prisoners, that they were then, *June* the 2d, *hard at Work* at *Brest* in fitting out their Fleet; and the actual Truth was, that the said Fleet had actually put to Sea before that time, tho' they had been forc'd back by contrary Winds. Still the Disposition on our Side was not so forward as it ought to have been; for Lord *Torrington* did not hoist his Flag on board the *Royal Sovereign* at the *Downs*, till the 30th of *May*, nor set sail for *St. Helen*'s till the 12th of *June* following: But as he had the good Fortune to arrive there on the 14th, and the same Wind which prov'd so favourable to him, equally retarded the *French*, he had been still time enough to have met them Mid-way, if his Strength would have justify'd him for doing so. *Burnet* is indeed extremely willing to burden him with all the Miscarriages of the Year, and in particular says, That he did not make the Haste that was necessary to join his own Squadron with that under *Killigrew* from *Spain*, and that under *Shovel* from *Ireland*; both which, that Author supposes, were waiting for him at *Plymouth*; whereas, neither of them arriv'd there till *July*; which was after the Action between the two Fleets was over: So that the Fact being misrepresented, it follows of course, that the Admiral is not liable to the Inference drawn from it. And, in Reality, had he insisted on waiting till those very necessary Reinforcements had come up, he had, perhaps, been more justifiable, than in obeying those rash Orders which oblig'd him to fight, before he was in a Condition to do so either with Honour or Safety. A.D. 1690.

The French Fleet discover'd off Plymouth.

The *French* Fleet was discover'd off *Plymouth*, *June* 20; and on the 23d, Lord *Torrington* put to Sea with what Force he had, and lay in wait for them at *Dunose*, at the Back of the Isle of the *Wight*, where he was join'd the next Day, by the *Lion*, *Constant*, and *Warwick*, and several *Dutch* Men of War; which is a new Proof, that the *French* were not expected so soon, and that yet more time was requisite to give them a proper Reception. *Burnet* acknowledges, that *Torrington* thought he was not strong enough, and that he signify'd as much to the Admiralty, together with his Opinion, That he ought to return to *Portsmouth*, till his Complement was complete. "Some, continues the Bishop, began to call his Courage in question, and imputed this to Fear: They thought this would too much exalt our Enemies, and discourage our Allies, if we left the *French* to triumph at Sea, and to be the Masters of our Coast and Trade: For our Merchants richest Ships were coming home; so that the leaving them to such a Superiority, would be both very unbecoming, and very mischievous to us. The Queen order'd *Russel* to advise both with the Navy-Board, and with all that understood Sea-Affairs: And, upon a View of the Strength of both Fleets, they were of Opinion, that tho' the *French* were superior in Number, yet our Fleet was so equal in Strength with them, that it was reasonable to send Orders to our Admiral to venture an Engagement: Yet the Orders were not *so positive*, but that a *great deal* was left to a Council of War."

Russel was indeed the only *Seaman* in the Cabinet, and, therefore, it is probable enough, that his Opinion was consulted by her Majesty, tho' not in the manner here set down: But then, it ought to be remember'd, that *Russel* himself aspir'd to the chief Command of the Fleet, and, therefore, no Advice was to be expected from him, that was likely to contribute to the Credit or Importance of the only

(*l*) The *Irish* went away in such Haste, that they left 16000 *l.* Brass Money, in the Treasury, and a great Quantity of *French* Pieces, call'd Souses. [*Imp. Hist.* p. 93.

A. D. 1690. only Man who ſtood in his way. Then as to the Equality of the two Fleets in point of Strength, the *Dutch* Admiral, *Evertſen*, in in his Letter to the *States* after the Action, talks both of the ſuperior Number and Bigneſs of the *French* Ships, as a Reaſon why it was reſolv'd, not to engage them in open Sea. Beſides, it is notorious, That the *French* Fleet conſiſted of ſeventy-eight Men of War, and twenty-two Fire-Ships, carrying in all four thouſand ſeven hundred and two Pieces of Cannon; whereas, the *Engliſh* and *Dutch* together, had but fifty-ſix Men of War, which mounted, in all, but three thouſand four hundred and ſixty-two Guns. And as to the Orders not being *ſo poſitive*, &c. the ſame Officer is expreſs, That *Torrington* on the 29th receiv'd the Queen's Orders not to delay engaging. And all other Authors agree, That thoſe Orders were to fight the Enemy at all Events.

The Fleets had continu'd in Sight of each other for five Days together; during all which time, by the mere Dint of Seamanſhip, *Torrington* had made ſuch a Uſe of the Winds and Tides, that the *French*, with all their Superiority, durſt not attack him; and, poſſibly, if he had been permitted to continue on the Defenſive, they would have had no favourable Opportunity to force him to an Action at all.

But her Majeſty's Command putting an End to this cautious Procedure, on the 30th of *June*, *Torrington*, as ſoon as it was light, gave the Signal for the Line, and bore down upon the Enemy, who made the beſt Diſpoſition they could to receive him. The Signal of Battle was made about Eight; the Engagement began about Nine, and the *Dutch* Squadron, which made the Van of the United Fleets, fell in with the Van of the *French*, and put them into ſome Diſorder. About Half an Hour after, our Blue Squadron engag'd their Rear very warmly; but the Red, commanded by the Earl of *Torrington*, in Perſon, which made the Center of our Fleet, could not come up till about ten; and this occaſion'd a great Opening between them and the *Dutch*. The *French*, making uſe of this Advantage, ſurrounded the Latter, who defended themſelves very gallantly, tho' they ſuffer'd extremely from ſo unequal a Diſpute. The Admiral ſeeing their Diſtreſs, endeavour'd to relieve them (tho' with great *Caution*, according to the *French* Accounts) and while they dropt their Anchors (the only Method they had left to preſerve themſelves) he drove with his own Ship, and ſeveral others, between them and the Enemy; and in that Situation anchor'd about five in the Afternoon, when it grew calm; but perceiving how much the *Dutch* had ſuffer'd, and how little Probability there was of regaining any thing by renewing the Fight, he weigh'd about nine at Night, and retir'd Eaſtward with the Tide of Flood (*m*). A. D. 1

The Sea-Fight off Beachy.

The next Day it was reſolv'd in a Council of War, held in the Afternoon, to endeavour to preſerve the Fleet, by retreating, and rather to deſtroy the diſabled Ships, if they ſhould be preſſed by the Enemy, than to hazard another Engagement, by endeavouring to protect them. This Reſolution was executed with as much Succeſs as could be expected; which, however, was chiefly owing to want of Experience in the *French* Admirals; for by not anchoring when the *Engliſh* did, they were driven to a great Diſtance, and by purſuing in a Line of Battle, inſtead of leaving every Ship to do her utmoſt, they could never recover what they had loſt by their Miſtake. But notwithſtanding all this, they continu'd their Purſuit as far as *Rye* Bay, and forc'd one of our Men of War of ſeventy Guns, call'd the *Anne*, which had loſt all her Maſts, on Shore near *Winchelſea*; they ſent in two Ships to burn her, which the Captain prevented, by ſetting Fire to her himſelf. The Body of the *French* Fleet ſtood in and out of *Bourne* and *Pemſey*, in *Suſſex*, while about fourteen of their Ships anchor'd near the Shore. Some of theſe attempted to burn a *Dutch* Ship of ſixty-four Guns, which at low Water lay dry; but her Commander defended her ſo briſkly every high Water, that they were at length forc'd to deſiſt, and the Captain carry'd her ſafe into *Holland*.

Our Loſs in this unlucky Affair, if we except Reputation, was not ſo great as might have been expected; not above two Ships, two Sea-Captains, two Captains of Marines, and three hundred and fifty private Men. The *Dutch* were much more unfortunate, becauſe more thoroughly engag'd. Beſides three Ships ſunk in the Fight, they were oblig'd to ſet fire to three more that were ſtranded on the Coaſt of *Suſſex*; in all, ſix Ships of the Line. They loſt likewiſe abundance of gallant Officers, particularly their Rear-Admirals, *Dick* and *Brackel*, and Captain *Nordel*, with a great Number of inferior Officers and Seamen.

The *French* giving over the Chace, *Torrington* brought his Fleet, without any farther Interruption, into the Mouth of the *Thames*; and having made the neceſſary Proviſion for the farther Security of it, in caſe the *French* ſhould attempt to follow them, transferr'd the Command to Sir *John Aſhby*, and repair'd to *London*, which he found in as much Conſternation; as if the whole Fleet had been deſtroy'd, as if the *French* had been in a Condition to land twenty thouſand Men immediately; and as if the whole *Jacobite*-Faction were already in Arms, and on the Point of co-operating with them, to bring about another Revolution.

Even the Government itſelf partook of the

(*m*) Theſe Particulars (ſays the Author of the *Lives of the Admirals*, from whom this Account is copy'd) are taken from a very authentic Pamphlet; the Title of which runs thus: The Account given by Sir *John Aſhby*, Vice-Admiral, and Rear-Admiral *Rooke*, to the Lords Commiſſioners, of the Engagement at Sea, between the *Engliſh*, *Dutch* and *French* Fleets, *June* 30, 1690: With a Journal of the Fleet, ſince their Departure from *St. Helen's*, to their Return to the *Buoy in the Nore*, and other material Paſſages relating to the ſaid Engagement. *London*, printed for *Randal Taylor*, 1691, 4to p. 32.

A.D. 1690. the Panic, and affected to be more dismay'd than perhaps they really were, that the supposed Dangers of the Times might justify extraordinary Measures of Prevention. Thus, while the *French* were Lords of the Channel, and a Descent was every Moment expected, it was given out, that the *Jacobites* and *Non-jurors* were of their Party: that there was a Concert actually between them; and that there was to be an Insurrection of the Latter, to facilitate the Efforts of the Former. *Kennet*, *Burchet*, *Boyer*, *Tindal*, and many other Writers, servilely following each other, and all adopting the Forgeries of a Party for the Truth of things, have handed down the Particulars of this Conspiracy in the following Words, without any one Caveat to their Readers, or seeming Doubt in themselves of any one of them. "It was agreed, say they, that while Part of the *French* Fleet should bear up the *Thames*, to countenance the *Jacobites* in *London*, who were grown very bold and numerous, by the flocking of a great many of that Party from all Parts of the Country thither, they should make an Insurrection in several Places at once. Certain Persons were to have taken upon them the Administration of Affairs, till the Return of King *James*, who was to leave the Command of his Army to his Generals, and hasten with all Speed into *England*. The other Part of the *French* Fleet having join'd their Gallies, was to have landed eight thousand Men at *Torbay*, with Arms for a greater Number; after which, the Gallies and Men of War were to sail in the *Irish* Sea, to hinder the Return of King *William* and his Forces. And the discontented *Scotch* were to have revolted at the same time in several Parts of that Kingdom."

The Jacobite *Plot.*

Reflections thereon.

Now, we have already seen, that all the Hopes of the *Jacobites* in *Scotland* were not only at an End, but that the Government was in the whole of the Secret: We have seen King *James*, after his Defeat at the *Boyne*, hasten back to *France*, as if all his Measures, without Exception, were broken to Pieces: We have also left the *French* in a Condition to do whatever they were prepar'd to do: And we shall find that the Use they made of their Victory, had no sort of Agreement with the formal Story above. Besides, even Bishop *Burnet*, who is outdone by no body in Credulity, has not thought fit to give it the least Countenance: On the contrary, he only says, The Militia was rais'd; *suspected* Persons were secur'd; the Cry of the Populace was so much in favour of the new Government, that the *Jacobites* all *England* over, kept out of their way, for fear of being torn to Pieces by them, *&c.* And even in the new Proclamation, set forth by the Queen, *July* 14, for the apprehending the Earls of *Litchfield*, *Aylesbury* and *Castlemain*; the Lords *Montgomery*, *Preston* and *Belasys*; Sir *Edward Hales*, Sir *Robert Thorold*, Sir *Robert Hamilton*, Sir *Theophilus Oglethorp*, Colonel *Sackville*, Lieutenant-Colonel *Abercromby*, Lieutenant-Colonel *Richardson*, Major *Soaper*; Captain *Lloyd*, *Pen*, *Elliot*, *Langdale* and *Rutter*: Tho' it is said, that they had abetted and adher'd to their Majesties Enemies in the present Invasion, it is not said, that the Informations against them were upon Oath; nor is any one Particular advanc'd to justify the Charge: And of this Defect of Proof, Advantage has been taken by Writers of a contrary Sentiment, to suggest, That the whole was a Strain of Policy in the Government, for the sake of uniting its Friends, and confounding its Enemies; for, say they, the Fight was within three Weeks after King *William*'s Departure; the *French* were seen off the Coast a Week before the Engagement; no body knew better than his Majesty what a Length of Time was necessary to prepare for so vast an Enterprize; It was impossible he should be without Intelligence of those Preparations; or that he should leave the Queen expos'd to the Fury of such a Storm, if he knew it was ready to burst upon her: After *Torrington* was beaten, what could have hinder'd the *French* from landing where they had pleas'd, if they had intended to have done so? But, any thing will pass, when People are frighted out of their Wits, *&c.*

[Cavet, *Part* iii. *p.* 51.]

And it must be own'd, that this Strain of Policy had all the Effect that could have been desir'd; as also, that the Credulity of the People was indeed equal to their Fears: For it was universally suppos'd, that the *French*, tho' as yet on board their Ships, design'd forthwith to join their Confederates on Shore; and that it was as necessary to guard against the Treachery of the one, as the open Violence of the other. And on the Strength of these, and such like Conclusions, an Address was presented by *Shadrach Vincent*, Esq; from above ten thousand *Cornish* Tinners, in which, "they beg leave to throw themselves at their Majesties Feet, with all Assurances of Fidelity and Obedience, faithfully promising (notwithstanding the Artifice and ill Designs of Disaffected Men to withdraw them from their Loyalty) That, as they did, without Reserve, make that Protestation of unalterable Allegiance to their Majesties alone, owning them to be their lawful and rightful King and Queen, so, they were ready to give the utmost Proof of it, by opposing every Interest (on what Pretence soever founded) contrary to their Majesties; and particularly by disclaiming all Allegiance to the late King, or to the pretended Prince of *Wales*, *&c.*" The Lieutenancy of *Middlesex* and *Westminster*, took their Turn next, who, *perceiving* by their Majesties late Letters and Proclamations, so they express themselves, That there were many mischievous and dangerous Practices, Consultations, and Contrivances of Papists and many others, disaffected to your Royal Persons and Government proceed thus, "And it being now most notorious, that the *French* King, by Confederacy with the late King and his Adherents, hath made a bold Invasion of your Majesties Dominion of the narrow Seas, designing to destroy your Royal Fleet, and, in Consequence, to bring the Protestants of this Kingdom under his Tyranny and cruel Yoke of Bondage: We hold

Cornish *Address.*

Another from the Lieutenancy of Middlesex.

A.D. 1690.

A. D. 1690. hold ourſelves bound in Duty to ſhew to your Majeſties, upon this Occaſion, our deep Senſe, Hatred, and Abhorrence of the vile Ingratitude of thoſe Papiſts and proſeſs'd Proteſtants, who, notwithſtanding your Majeſties pardoning and protecting them, have, by Conſpiracies with the late King's Adherents, or by their Murmurings againſt your Majeſties and the preſent Government, or by their Refuſal of the Oaths of Fidelity and Obedience to your Majeſties, encourag'd, aſſiſted, or abetted the late King, in his Clames and Pretences of any Right and Title to the Government of theſe Realms, or deſign'd or promoted any Diſturbance of the Peace of your Majeſties happy Government. And being ſatisfy'd in our Conſciences, that your Majeſties are of Right our lawful Sovereign Liege Lord and Lady, King and Queen of theſe Realms, and the Dominions thereunto belonging, as it hath been declar'd and enacted by Parliament; and that all the Subjects of theſe Realms are bound in Conſcience to *God* and Men, to pay your Majeſties entire Obedience, according to the Laws, and to ſupport, defend, and maintain your Royal Perſons in the Royal State and Dignity of theſe Kingdoms. We think it our preſent Duty in this Juncture of Affairs, when ſo many Endeavours are us'd to pervert your Subjects from their due Obedience, to declare, in the Preſence of Almighty *God*, our Fidelity and Stedfaſtneſs in our dutiful Obedience to your Majeſties, and our Reſolution to expoſe ourſelves, and *all we have*, to defend and ſupport your Majeſties in the Adminiſtration of the Government, againſt all that ſhall dare to oppoſe you under any Pretence whatſoever."

and a third from London. And laſtly, the Lord Mayor, Aldermen, and Lieutenancy of *London*, waited on her Majeſty in a Body, and by the Mouth of their Recorder, gave her to underſtand, "That it was the unanimous Reſolution of the City to defend and preſerve their Majeſties, and their Government, with the Hazard of their Lives, and the utmoſt of their Power: That the ſeveral Regiments of the Militia of the City, conſiſting of about nine thouſand Men, were complete in their Numbers, well arm'd and appointed, and ready to be rais'd immediately, and to proceed in their Majeſties Service: That the Lieutenancy alſo had reſolv'd, that ſix Regiments of Auxiliaries ſhould be rais'd for the Service; and that the Lord Mayor, Aldermen, and Commons, in Council aſſembled, had unanimouſly reſolv'd by the voluntary Contribution of themſelves and other Citizens, forthwith to ſet out a large Regiment of Horſe, and a thouſand Dragoons for their Majeſties Service, and to maintain them at their own Charge for a Month, or longer, if there ſhould be Occaſion. And they pray'd her Majeſty to nominate and appoint Officers to command them;" which the Queen promis'd to do; and moreover thank'd them for their Readineſs and Loyalty on this Occaſion.

In this manner, the ſeeming Danger of the Government, ſerv'd to procure it additional Strength; and the baſe Notion of a Conſpiracy, produc'd the moſt authentic Proofs, That the Body of the Nation was, at all Hazards, reſolv'd to maintain the Settlement they had made. Some Waverers, no doubt, there were, and ſome who were already ſufficiently diſpos'd to go any Lengths in their Endeavours to bring about a Change. But whatever Practices they had actually engag'd in, or whatever new Thoughts they had entertain'd, when the combin'd Fleet was defeated, and the *French* were Maſters of the Sea, the News of the Victory at the *Boyne*, which came moſt ſeaſonable to re-animate the Authority of the Queen's Adminiſtration, unhing'd all their Purpoſes, and left them in a more deſponding State than ever.

Remarks on her Majeſty's Conduct at this Criſis. As to her Majeſty's own Behaviour, at this remarkable Criſis, it has been highly extol'd by one Party, and as much decry'd by the other. "In all this time of Fear and Diſorder, ſays *Burnet*, the Queen ſhew'd an extraordinary Firmneſs; for tho' ſhe was full of diſmal Thoughts, yet ſhe put on her ordinary Chearfulneſs when ſhe appear'd in Public, and ſhew'd no indecent Concern." Again, "Her Behaviour was, in all Reſpects, heroical; ſhe apprehended the Greatneſs of our Danger, but ſhe committed herſelf to *God*, and reſolv'd to expoſe herſelf, if Occaſion ſhould require it; for ſhe told me, ſhe would give *me* leave to wait on her, if ſhe was forc'd to make a Campaign in *England*, while the King was in *Ireland*." Others bear witneſs, that ſhe forgot nothing that the moſt active Prudence could ſuggeſt, for putting the Nation in a State of Defence, for re-fitting and re-inforcing the Fleet, and alſo for pacifying the *States General*, who were highly incens'd at *Torrington*'s Behaviour, and the Loſs which their Fleet had ſuſtain'd in the late Engagement. And it is under the laſt of theſe Heads, that her Majeſty has incurr'd the Cenſure of the *Jacobites*.

It is acknowledg'd in the *London Gazette*, *No* 2575, that Lord *Dorſley*, the *Britiſh* Envoy Extraordinary at the *Hague*, had given their Lordſhips ſuch Satisfaction, that they had come to a Reſolution to return her Majeſty their moſt hearty Thanks. And in the very next Paper, we are farther inform'd, that her Majeſty, not content with the Profeſſions made on her Behalf by Lord *Dorſley*, had ſent Mr. *Harboard*, as her own particular Envoy, to their High Mightineſſes; and that being accompany'd to his Audience by that Miniſter, he repreſented, That he was commanded by her Majeſty to let them know, how much her Majeſty was concern'd at the Misfortune that had befall'n their Squadron in the late Engagement, and at their not having been *ſeconded as they ought to have been*; which Matter her Majeſty had directed to be examin'd into, in order to recompenſe thoſe that had done their Duty, and to puniſh ſuch as ſhould be found to have deſerv'd it: That her Majeſty had given Orders for re-fitting the *Dutch* Ships that were diſabled, at her own Charge; and commanded that all poſſible Care ſhould be taken of the ſick and wounded Seamen; and that Rewards ſhould be given to the Widows

A. D. 1690. Widows of thoſe that were kill'd, behaving themſelves bravely in the Fight, to encourage others to do well for the future: That her Majeſty had order'd twelve great Ships to be forthwith fitted out, and that ſhe hop'd the *States* would likewiſe do their utmoſt to reinforce their Fleet in this Conjuncture. And laſtly, he acquainted them with the King's happy Succeſſes in *Ireland*.

In the former of theſe *Gazettes*, public Notice is alſo given, that ſuch of the *Dutch* Seamen as had quitted their diſabled Ships, ſhould receive Conduct-Money of the Commiſſioners of the Navy; and that the Sick and Wounded ſhould be taken due Care of, till they were perfectly recover'd, *&c.*

[Remarks on the preſent Confederacy. *&c.* p. 28.] This, according to the *Jacobites*, was Partiality with a Vengeance; and what was more becoming a Vicegerent for the *States*, than the Head of an independent Government. Our Men, ſay they, in Subſtance, were left to periſh in the Hands of Country Surgeons, who were not a degree above Country Farriers: Inſtead of Rewards, they could never obtain their Arrears; and, when diſabled, inſtead of being honourably maintain'd by the Government, in whoſe Cauſe they had ſuffer'd, they were left adrift on the public Charity. There was indeed a ſort of Poſtſcript annex'd to the Order in relation to the *Dutch*, ſignifying, That the like Care ſhould alſo be taken of the *Engliſh*; but we are told, the *Dutch* had the ſame Preference in our Hoſpitals, *&c.* as they had at Court: And it muſt be own'd, That the formal Acknowledgment made by Mr. *Harboard*, That the *Dutch* had not been *ſeconded as they ought to have been*, was ſuch a Sacrifice of the Grandeur, Dignity, and Glory of the Nation, as could not be eaſily digeſted, nor ought to have been eaſily forgiven.

But, as if all this was not Satisfaction enough, the Accuſations prefer'd by *Evertzeen*, and the reſt of the *Dutch* Officers, againſt Lord *Torrington*, were not only countenanc'd, but publicly authoriz'd by Lord *Nottingham*, then the only Secretary of State; for, in a Letter to Lord *Durſley*, he aſcribes the Miſcarriage of the Day expreſly to the Treachery of that Admiral; which Letter was tranſlated into *Dutch* by Lord *Durſley*'s Conſent, and inſerted in the *Dutch Courant*, to pacify the Clamours of the *Dutch* Mob. The Lords *Devonſhire* and *Pembroke* were alſo appointed to go from Ship to Ship to examine all Circumſtances to the Bottom: And in the mean while *Torrington* was depriv'd of his Commiſſion, and ſent to the *Tower*.

Torrington in Diſgrace.

A. D. 1690. At this Expence, the Union of the two States continu'd on as firm a Footing as before; and to keep pace with the Augmentation promis'd by the Queen, their High and Mighty Lordſhips order'd thirteen capital Ships, and ſix Frigats, to be immediately fitted out, and impos'd an Embargo on all Merchant Ships; which was to continue till they were all mann'd and ready to ſail.

The *French* Fleet, in the mean while, which was become ſo terrible by being victorious, inſtead of adventuring into the *Thames*, gave over the Chace at *Dungeneſs*; and on the eighth of *July*, made ſail for their own Coaſts. After which, no more was heard of them till the 21ſt, when they were diſcover'd to the *South-Eaſt* of *Portland*: And the next Day they came to Anchor in *Torbay*. This renew'd the Panic, which had been for ſome time ſuſpended: The Militia ſwarm'd along the Coaſt: A Camp was form'd in the Neighbourhood of *Torbay*: On the 25th the Lord *Lanſdown* came thither, to take upon him the chief Command: And, on the Morrow, the Enemy, who had till then continu'd quiet in the Bay, made uſe of their Galleys to cannonade a ſmall Town of about forty Houſes, call'd *Tingmouth*; and, finding no Reſiſtance (for the Militia were too remote to be of immediate Service) landed about a thouſand Men, who ſet fire to the Place, as alſo to a few coaſting Veſſels which belong'd to it: After which Exploit they return'd to their Ships. And having thus, as they thought, provided ſufficiently for their Reputation, the ſame Evening the whole Fleet ſet ſail; but the Wind proving contrary, they return'd again next Morning, and continu'd there till the fourth of *Auguſt* following, when they left it for good and all, and return'd to *Breſt*.

The *French* burn Tingmouth.

and return to Breſt.

After this manner the Cloud paſs'd away, which had hover'd ſo long on our Coaſt, and from which ſuch a Deluge of Miſchiefs was expected. And to keep themſelves in Countenance for having boaſted ſo much of a Victory, which had produc'd ſo little Fruit, the *French* Miniſtry ſet forth in the *Paris Gazette* a pompous (*n*) Account of the Deſcent they had made, and the Damages they had done us, which, when the Truth came to be known, only ſerv'd to make them yet more ridiculous all over *Europe*.

But tho' we have done with the Invaſion, we

(*n*) To this Effect: "The Count *de Chateaumorant*, Nephew to the Count *de Tourville*, arriv'd at *Verſailles* the 10th Inſtant, and brought the King an Account, That the Count *de Tourville* arriv'd the fourth Inſtant on the Coaſt of *England* near *Torbay*: That being inform'd there were ſeveral *Engliſh* Ships in the Bay of *Tingmouth*, he reſolv'd to burn them; and accordingly made a Detachment of fifteen hundred and ſeventy Men, under the Command of the Count *d'Eſtree*. The Chaloups and Saiques of the Galleys were commanded for this Deſcent. They anchor'd the fourth at Night, within half Cannon-ſhot of the Town. At break of Day there appear'd on the Shore about a hundred and fifty Horſe, and two hundred Foot, who came out of an Intrenchment, in which there were three Pieces of Cannon, but they retir'd upon the firſt Shot from our Galleys, and abandon'd their Battery, as ſoon as a hundred and fifty Grenadiers, commanded by the Sieur *de Peintis*, had made themſelves Maſters of ſome Houſes, and of a Church. The reſt of the Troops being landed, they poſſeſſed themſelves of the Enemies Intrenchments, their Cannon, and three Flags; after which, a Detachment was ſent to burn twelve Ships that were in the Bay, which was executed without any Reſiſtance. One of them was a new Ship of forty-four Pieces of Cannon, two of thirty, and one of twenty-four, fitted out for the War. The other eight were Merchant-Ships richly laden; and they were all quite burn'd: Which being done, the Troops return'd on board again in good Order, and without the Loſs of a Man."

A. D. 1690.

we have not done with the Uſe that was made of it; for while the Fears of the People were yet upon them, a Pamphlet was ſet forth, from what Quarter need not be explan'd, under the Title of, *A modeſt Enquiry into the Cauſes of the preſent Diſaſters, and who they are that brought the* French *Fleet into the Channel* DESCRIB'D; in which the Notion of a *Jacobite* Plot is not only adopted, but carry'd farther into Uſe and Application than had ever been thought of before: For whereas the Government, in all their Notices to the Public on that Head, had conſin'd themſelves to Generals, and never once ſurmis'd, that any of the Clergy were concern'd in it, the Author of this Piece deſcends to Particulars, and charges them expreſly with being the principal Actors in it. According to him, their *writing* againſt the *new* (*o*) *Oaths* to their Majeſties, enjoin'd by Parliament, and their buzzing into the Ears of their poor, ignorant Votaries, the Unlawfulneſs of thoſe Oaths; and the Continuance of King *James*'s Right to the Crown, was the firſt Step they took towards the Point they had in view: A ſecond Step was, the Diſtinction they had found out of a King *de facto*, and a King *de jure*, by way of Salvo to thoſe who could neither digeſt the new Government, nor part with their Preferments. Proceeding to the third, he ſuggeſts, That the Plot was yet lame, becauſe the Machines which mov'd it, were debarr'd the Uſe of their Pulpits: But that a Flaw having been diſcover'd in the late Act relating to the *Nonjuring* Clergy, by which it was underſtood, that thoſe who *only preach'd*, without having *any Cure of Souls*, were exempted from the Penalties of it, Dr. *Sherlock* broke thro' the Gap (*p*) firſt, and, under the Countenance of the whole Party, enlarg'd on the Bleſſing of *free Preaching*, in ſpite of the Act of Parliament; and was follow'd by the moſt eminent of his Brethren, who, continues he, made it their Buſineſs to trumpet up the People to a Diſſatisfaction with the Government. He farther ſays, That all theſe Steps of the Plot were back'd with the *Hiſtory of Paſſive Obedience*, a Pamphlet which was handed about in triumph among the Party, and in which were muſter'd a great many Expreſſions of *Engliſh* Divines, both ancient and modern, in order to condemn the Doctrine of *Reſiſtance*, altho' moſt of the Citations were wide of the Queſtion, and referr'd only to Obedience to Magiſtracy in general, and the Unlawfulneſs of private Perſons riſing up againſt the Government upon every frivolous Pretence: That the next Engine of the Plot, was the happy Reſult of a kind of Oeconomic Council of the whole Party, namely, the laying aſide the old Liturgy of the Church of *England*, and the framing a new one for the Meridian of King *James*'s tottering Fortune. That in this new Liturgy they prayed thus: *Reſtore us again the Public Worſhip of thy Name, the reverend Adminiſtration of thy Sacraments: Raiſe up the former Government both in Church and State, that we may be no longer without King, without Prieſt, and without* God *in the World*: That when they came to pray for King *James*, the *Jacobite* Club exhauſted all their Rhetoric and Zeal in the following Words: *Protect and defend thy Servant our Sovereign Lord the King; ſtrengthen his Hands, and the Hands of all that are put in Authority under him, with Judgment and Juſtice to cut off all ſuch Workers of Iniquity as turn Religion to Rebellion, and Faith into Faction; that they may never prevail againſt us, or triumph in the Ruin of thy Church among us. To this end, defend the King, bind up his Soul in the Bundle of Life, and let no Weapon form'd againſt him proſper. Be unto him a Helmet of Salvation, and a ſtrong Tower of Defence againſt the Face of his Enemies. Let his Reign be proſperous, and his Days many. Make him glad, according to the Days wherein thou haſt afflicted him, and for the Years wherein thou haſt made him ſuffer Adverſity. Give him the Necks of his Enemies, and alſo every Day more and more the Hearts of his Subjects. As for thoſe that are implacable, cloath them with Shame, but upon himſelf and his Poſterity* (that is, the Prince of *Wales*) *let the Crown flouriſh.* That the General Council having compos'd this new Liturgy, above ten thouſand of them were printed and diſpers'd up and down among the Party, which they uſed in their Cabals, laying aſide a great Part, and ſometimes all, the old Liturgy: That there were many of the Holy Club detach'd up and down, to perſuade Money'd-People, who wiſh'd well to the Cauſe, to contribute for the Subſiſtence of King *James*'s caſhier'd Officers: That, taking Advantage of King *William*'s declar'd Purpoſe to command in *Ireland* in Perſon, and preſuming that the Kingdom would, for that Reaſon, be left bare of Troops, and expos'd both by Sea and Land, it was concluded to preſent a Memorial in the Name of the loyal and diſtreſs'd Subjects of *England* (for ſo they nam'd themſelves) to his *moſt Chriſtian* Majeſty; humbly inviting him, out of his unparallel'd Goodneſs, and for the Affection he always bore to oppreſs'd Virtue, that he would aſſiſt them in reſtoring their lawful King, his ancient Ally and Confederate, to his Throne; and in breaking the Yoke of Uſurpation, under which theſe three Nations were at this time ſo heavily groaning, *&c.* (*q*) That there had been

A. D. 1690.

The ſuſpended Biſhops accus'd of being concern'd in the Plot.

(*o*) The Controverſy on this Subject is voluminous beyond Imagination.

(*p*) And was alſo the firſt to take the Oaths, as ſoon as the News was confirm'd that King *James* had left *Ireland*, which he look'd upon as ſuch an Abdication as authoriz'd every Man to ſeek Protection elſewhere.

(*q*) The Heads of this Memorial were twelve in all; ſeven of which are recited by this Author as follow:

1. "The Prince of *Orange*, the Uſurper, is juſt now on his Journey to *Ireland*; and being once arriv'd in that Kingdom, if a Part of your Majeſty's Fleet were able to block up *St. George*'s Channel, the Uſurper's Army would certainly be

A. D. 1690. been two or three Memorials preſented to the *French* King before this, over and above a conſtant Correſpondence betwixt the *French* Miniſter of State, Monſieur *de Croiſſy*, and them: And that the Clergy, who were the great Contrivers and Managers of this, and who, by their Profeſſion are, for the moſt part, extraordinary credulous of any thing they incline to, did really believe, that immediately upon the appearing of the *French* Fleet, and the burning of ours (which they thought as ſure) there would certainly be a general Inſurrection through a great many Places of the Kingdom, in order to join them at their landing, and to declare for King *James*.

The whole of this extraordinary Piece is to be found in the *State Tracts*: but the moſt extraordinary Part of it is that which follows: "We read of one of the Nations of *Aſia*, that when any ſignal Misfortune befals their State, they immediately thereupon offer up to their angry Deities ſome of their Prieſts, as a Sacrifice to atone their Wrath; becauſe, ſay they, *Thoſe Prieſts ought to have taught us how to have pleaſed the Gods ſo as not to provoke them to inflict ſuch Judgments upon us.* The Truth is, it is a wonder the *Engliſh* Nation, upon the Affront that has befaln them, in being forc'd to turn their Backs to the *French* at Sea, have not in their Fury *De-Witted* ſome of thoſe Men who have brought all this upon us, both by inviting the *French*, and by the Intrigues they have manag'd at home: And I muſt tell them, that the Crimes of the two unhappy Brothers in *Holland*, which gave Uſe to that Word, were not fully ſo great as thoſe of ſome of them; and yet their Puniſhment has been one of the ſevereſt that any Criminals ever met with in this Age."

It is obvious, that a greater Advantage could not have been given to an Enemy, than is given in this unchriſtian Paragraph: And what Uſe was made of it, appears by the Paper, which was ſet forth in anſwer to it by the Archbiſhop of *Canterbury*, the Biſhops of *Norwich*, *Ely*, *Bath* and *Wells*, and *Peterborough*, both in their own, and in the Name of their abſent Brother the Biſhop of *Glouceſter*: For therein they ſolemnly, and in the Preſence of *God*, proteſt and declare, "1. That theſe Accuſations caſt upon them, were all of them malicious Calumnies, and diabolical Inventions. 2. That A. D. 1690. they knew not who was the Author of the new Liturgy, nor had any hand in it, neither did they uſe it at any time. 3. That they never held any Correſpondence, directly or indirectly, with Monſieur *de Croiſſy*, or with any other Miniſter or Agent of *France*; and if any ſuch Memorial had been preſented to the *French* King, they never knew any thing of it; and that they did utterly renounce both that, and all other Invitations, ſuggeſted to be made by them, in order to any Invaſion of this Kingdom by the *French*. 4. That they utterly deny'd and diſown'd all Plots charg'd upon them, as contriv'd or carry'd on in their Meetings at *Lambeth*; the Intent thereof being to adviſe how, in their preſent Difficulties, they might beſt keep their Conſciences void of Offence towards *God*, and towards Man. 5. That they were ſo far from being the Authors or Abettors of *England*'s Miſeries, that they did, and ſhould, to their dying Hour, heartily and inceſſantly pray for the Peace, Proſperity and Glory of *England*; and ſhould always, by *God*'s Grace, make it their daily Practice to ſtudy to be quiet, to bear their Croſs patiently, and to ſeek the Good of their Native Country. They concluded, That, as the Lord had taught them to return Good for Evil, the unknown Author of the Pamphlet having endeavour'd to raiſe in the whole *Engliſh* Nation ſuch a Fury, as might end in *De-Witting* them, (a bloody Word, but too well underſtood) They recommended him to the Divine Mercy, humbly beſeeching *God* to forgive him. And that as they had, not long ſince, either actually, or in full Preparation of Mind, hazarded all they had in the World in oppoſing Popery and Arbitrary Power in *England*; ſo they ſhould, by *God*'s Grace, with greater Zeal, again ſacrifice all they had, and their very Lives too, if *God* ſhould be pleas'd to call them thereto, to prevent Popery, and the Arbitrary Power of *France*, from coming upon them, and prevailing over them; the Perſecution of their Proteſtant Brethren there, being freſh in their Memories."

The Controverſy did not, however, end here, for the very next Day after the Biſhop's Paper was publiſh'd, there came forth a ſort of Anſwer to it, under the Title of, *A Midnight Touch at an unlicens'd Pamphlet, call'd*

---

be ſtarv'd, being that all their Proviſions come by Sea from *Scotland* and *England*; and that Part of the Country they are Maſters of, is already harraſs'd and ruin'd by both Armies, both the laſt Year and this.

2. The Uſurper has partly ſent before, and partly takes along with himſelf, the whole almoſt, and the better diſciplin'd Part of the Army; and leaves behind him but a very few of the *Engliſh* Regiments, who ſerve more out of Neceſſity and Fear, than out of any Love to him or to the Intereſt.

3. The Forces he leaves behind are ſo very few, that they are ſcarce capable to keep Guards in the *Tower*, *Savoy*, *Somerſet-houſe*, and at *Whitehall* altogether; and the three Regiments that are ſent for out of *Holland*, will not be yet ready for ſome Weeks to embark; neither is it thought they will ſtir a Foot, becauſe of want of Pay. Like as both Officers and Soldiers are not intirely devoted to the Uſurper's Intereſt, the moſt of them being in the Service of our lawful King, before he was neceſſitated to leave us.

4. Moſt of our Fleet are at ſo great Diſtance one from another, that they cannot this Year make any conſiderable Body, there being the beſt and ableſt Seamen and Ships with *Killigrew* in the *Streights*, and with *Shovel* in *George*'s Channel, amounting together to no more than nineteen Ships of War.

5. There are likewiſe employ'd for Convoys, and about the Weſtern Coaſts of *Scotland*, to the Number of five or ſix Ships, all ſeparately.

6. The *Dutch* Squadron is in no Appearance to be here, to join ours of a ſudden, both becauſe they are not yet in a Readineſs, and that the Admirals of *Holland* make Scruple, and are highly diſcontented to ſerve under our *Engliſh* Admiral. Moreover, tho' they were join'd us, they will make up at the moſt, but twenty Sail of Ships, and them none of the beſt, conſidering their raſheſt and beſt mann'd Ships are out upon Convoys.

7. Our own Fleet is ill mann'd, and the Soldiers and Seamen extremely diſcontented for want of their Pay; ſeveral of the Officers were thoſe that belong'd to our King before he went away."

A.D. 1690. *call'd*, &c. which, like the firſt, had been much better let alone; for, while it overflows with Rancour, it is deficient in Argument: (*r*) And in Return for the execrable Uſe which had been made of the Word *De-Witting* in both, the *Jacobites* thought themſelves authoris'd to ſuggeſt, that they were Court-Productions, and that thoſe who now adopted the Term, had alſo excited the very Murder from whence it had its Original.

Foreign Affairs.

We muſt now return to the Continent, and the Operations of the War; and at our very Entrance on that diſtracted Scene, we find it acknowledg'd, by one of the moſt ſanguine Partizans of the Confederates, "That till now *France* was not believ'd to be ſo potent as ſhe was found." Of her Forces in *Savoy*, *Catalonia*, *Ireland*, and on board her Fleets, Mention has already been made; but it appears, that ſcarce a third Part of her Strength was employ'd in thoſe ſeveral Services: Her greateſt Efforts were to be made in *Germany* and *Flanders*, and her Preparations and Diſpoſitions were every way equal to the Purpoſes ſhe had to anſwer: At *Landau* ſhe aſſembled an Army of forty thouſand Men, which the *Dauphin* was to command in Perſon: Marſhal *de Boufflers* was at the Head of another on the *Moſelle*: A third was under Mr. *de Humieres* in the Neighbourhood of *Courtray*: Mr. *de Luxemburgh* had the Command of a fourth, which rendezvous'd between *St. Amand* and *Mortagne*. And there were, moreover, ſeveral flying Camps in different Parts, to make Incurſions, levy Contributions, and in general, prevent all Inſults, and improve all Advantages. But then theſe Preparations were not ſo forward as they were great: It was the third of *May*, N.S. before Mr. *de Luxemburgh* arriv'd at *Valenciennes*; and it was the ſecond of *June* before the *Dauphin* arriv'd at *Landau*; and it was yet a great while longer, before they were in a Condition to face the Enemy.

[*State of Europe*, v. ii. p. 19.] *France found to be more powerful than was imagin'd.*

On the other hand, indeed, the Confederates, or at leaſt the *Germans*, were much backwarder; for as it was the great Object of the Congreſs to form ſuch a Connection between the Operations in *Germany* and *Flanders*, that the ſeveral Armies employ'd in each, might be made aſſiſtant to each other; ſo the thwarting Intereſts of the *German* Princes made this Attempt ſo difficult, and their Reſolutions ſo ſlow, that the Summer was far advanc'd before their Troops were put into Motion. The Electors of *Saxony* and *Brandenburgh* were ſtill diſguſted on account of *Saxe Lawenburgh*. It was long a Doubt whether the Former would act at all; and we ſhall find that the Latter, whoſe Poſt was to be between the *Meuſe* and the *Moſelle*, ſuffer'd the only Opportunity he had of being uſeful, to ſlip out of his Hands. Nor was this all; for when the Elector of *Bavaria* ſhould have been at the Head of the Imperial Army in the Field, he was forc'd to poſt to *Vienna*, and aſſiſt at ſeveral Councils of War, to remove the ſeveral Obſtructions which ſtill retarded the Opening of the Campaign. It was the thirtieth of *May*, N.S. when he arriv'd at that Capital, and it was the 20th of *June* before he took upon him the Command of the Army, which was then encamp'd at *Sintzheim*; after which he diſpatch'd Count *Stirum* to the Elector of *Saxony*, with the laſt Expedients of the Imperial Court, to induce him to quicken the March of his Troops. And (notwithſtanding thoſe Expedients had ſo good an Effect, that the Deputy of *Saxony* declar'd to the Diet, That his Maſter, in Conſideration of the preſent Juncture of Affairs, would wave his Pretenſions to *Saxe Lawenburgh*, with a Salvo to his Right, till the Campaign was over) it was almoſt the Middle of *Auguſt*, before the two Armies were in a Condition to join.

A.D. 16[illegible]

In *Flanders*, it muſt be own'd, the Buſineſs of the War was carry'd on with rather more

(*r*) As may be ſeen by the thing itſelf, which is here inſerted as follows:

"We do juſtly term and eſteem him who abdicated the Throne, no other than the *late King*; yet we find in the Paper, this Day publiſh'd, five Clergymen, in Defiance of an Act of Parliament, calling themſelves *W. Cant. W. Norwich. F. Ely. T. Bath* and *Wells. T. Peterborough*. It would have given great Offence, if there had been added, *Richard Baxter*, Rector of *Kedermingſter*: Yet a good Lawyer affirmed in a Coffee-houſe but two hours ſince, that he hath as good a Title to *Kedermingſter* as the other five have to the Names which they aſſume to themſelves, and preſume to write, and that they ought only to have ſubſcrib'd *William Sancroft*, *William Lloyd*, *Francis Turner*, *Thomas Ken*, and *Thomas White*, LATE *Biſhops*, if they pleaſed.

It is as certain that there is a third Plot, as that there is a new Liturgy; and that there is a *Lambeth* Club, the Paper now publiſh'd confeſſes; but whether holy or not, I know not; and for aught I know the inſerting that Epithet, Holy, both to theirs and the *Jacobite*, or Devil-Tavern-Club, may be a good Reaſon for it's abuſive.

It ſeems by their Paper, that they are put under a Neceſſity of holding Meetings, or Conventicles, at *Lambeth*, in their preſent Difficulties; to adviſe how to keep good Conſciences; which looks as tho' it were no eaſy thing to them to do it.

Indeed, they tell us, that they heartily and inceſſantly pray for the Peace, Proſperity, and Glory of *England* (which is well, tho' as to the Words we find them not in their Liturgy) and methinks we want the Addition of theſe Words, Under the auſpicious Government of our dread Sovereign Lord and Lady, King *William* and Queen *Mary*.

We are not to ſeek for their Meaning, when they talk of bearing their Croſs; but their preſſing of ſeeking the Good of their native Country, is ſo ambiguous and uncertain, that for aught I know, ſhould Mareſchal *de Humieres* come (which *God* forbid) *W. C.* (that is *William Canterbury*) would call for the Keys, which he deliver'd to my L. L. (Lord *Lucas*) and put them into his Hands; and then conclude that he had done the Church and his Country a great Piece of Service.

I do think that it was not ſo much for the ſake of Wit or Honeſty, as for the well underſtood Word, as they call it, *De-Witting*, that their Vindication was publiſh'd; and therefore, I declare, that, rather than ſee the Throne of our rightful and lawful King and Queen, who now poſſeſs it, overthrown, I ſhall rejoice to ſee all who refuſe to pray and fight for its Support, *De-Witted*.

Their *late* Reverences declare themſelves ready to ſacrifice their All to prevent Popery, and the arbitrary Power of *France* from prevailing over them; for they have the Perſecution of the *French* Proteſtants freſh in their Memories.

It were to be wiſh'd, that theſe non-reſiſting and non-aſſiſting Gentlemen, would now, in their Difficulties, and whilſt under the Croſs, when they tell us that they remember the Perſecution of the *French* Proteſtants, acknowledge the Error and Wickedneſs of their Perſecuting thoſe of *England*; for, till they do ſo, there are a conſcientious ſort of People amongſt us, who will conclude, that tho' ſome of our Clergy-men would not have the arbitrary Power of *France* to prevail over them; yet they do wiſh and hope, by that Power to prevail over, and yet again to trample upon, *Engliſh* Proteſtants.

When Mr. *Randal Taylor* emits his next Paper, which is to declare the Abſent Brother of *Gloceſter's* Concurrence, I ſhall endeavour to read it at a more ſeaſonable Hour, and to find a little more Leiſure than I now have, to ſpeak to this Point. [*Out of Lord Somers's Collection, Vol.* ii. *Tract* 117.

A. D. 1690. more Expedition; for the Arrival of the Duke of *Luxemburgh* was no ſooner known, than the Marquis *de Guſtanaga* aſſembled the Forces of *Spain*, in the Neighbourhood of *Ghent*, and the Prince of *Waldeck* thoſe of the *States* at *Boneffe*: And while thoſe two Generals made the neceſſary Diſpoſitions to obſerve the Motions of the Enemy on that Side, it was underſtood, that the Forces of *Brandenburgh* ſhould have held Mr. *de Bouffliers* in cheque on the *Moſelle*; and on the right Obſervance of this Concert, the Fate of the Campaign, in a great meaſure, if not wholly, depended.

But his Electoral Highneſs, it ſeems, was more intent on Matters of Amuſement than of War: He had been at *Koningſburg* to receive the Homage of the States of *Pruſſia*; and upon his Return to *Berlin*, which was not till the 10th of *June*, he was ſolemnly inveſted with the Order of the Garter, by the Hands of Mr. *Johnſton* the *Britiſh* Envoy: During the Reſidue of the Month, his Troops did indeed move towards *Schlyderdal*, which was the Place of their Rendezvous; but they did not begin their March towards the *Meuſe*, till the ſixth of *July* following.

The Battle of Fleurus. The Duke of *Luxemburgh*, in the mean while, who had the chief Command in *Flanders*, and who was reſolv'd to ſhew, that he deſerv'd the Preference which had been given him, at the Expence of Mr. *de Humieres*, was all *Vigilance*; and wiſely reſolv'd to make his Puſh, before the Confederate Army was fully form'd, and the proper Meaſures could be taken to prevent him; after what manner is now to be explan'd.

Prince *Waldeck*, having receiv'd a large Reinforcement of *Spaniſh* Horſe, remov'd to *Harlemont*, near the River *Picton*, with a Reſolution to continue there, till he receiv'd Advice, that the *Brandenburghers* had taken the Field, and were ready to co-operate, agreeable to the Concert above ſpoken of: But being inform'd, that the Duke of *Luxemburgh* was making a Diſpoſition to paſs the *Sambre* at *Fremont*, in order to lay the Country under Contribution; and believing, that his whole Force did not exceed twenty thouſand Men, he decamp'd on the 29th of *June*; and having paſs'd the *Picton* that Night, with all his Horſe, and order'd his Foot to follow as faſt as they could, he the next Day detach'd Count *Berlo* with fifteen hundred Horſe, to obſerve the Motions of the Enemy; he alſo appointed Count *Flodrop* with another Body of Cavalry to ſuſtain theſe; and Count *Webbenum* with a third, to ſecure a narrow Lane, thro' which the two former were to paſs, in their way to the Enemy. But when *Berlo* was advanc'd to *Fleurus*, he found that a good Part of the *French* Army had already paſs'd the *Sambre*, and poſted themſelves ſo, as to have the Village behind them. Of this he had ſcarce time to inform Prince *Waldeck*, who was now between *Mellin* and *Fleurus*, before he was attack'd by an advanc'd Party of the Enemy, and ſaw himſelf in danger of being ſurrounded: This induc'd him to ſend for a Reinforcement of Foot; but none was ſent: On the contrary, he had Orders to retreat, and loſt his Life in endeavouring to obey them; for he was by this time beſet almoſt on all Sides; and *Flodrop* was alſo too much diſtreſs'd, to give him Aſſiſtance. In ſhort, both theſe Parties were driven out of the Field; nor had any Number of either recover'd the Army, if *Webbenum* had not made good his Poſt, and thereby cover'd their Retreat. A. D. 1690.

This was a bloody Prologue; and a general Action as bloody, was expected to follow immediately. Prince *Waldeck* made his Diſpoſitions accordingly; and his Army continu'd in Battalia all Night: But the Duke of *Luxemburgh* had his Reaſons for delaying it; and Prince *Waldeck*, it ſeems, after the Shock he had already receiv'd, was not inclinable to venture any farther, unleſs compell'd to it. He was yet farther embarraſs'd in the Morning by two contrary Pieces of Intelligence; for by a Deſerter he was inform'd, that the Duke of *Luxemburgh* was reſolv'd to fight; but two Spies, who made it their Buſineſs to betray both Armies, reported preſently after, that he was re-paſſing the *Sambre*. Till eight he continu'd in this Uncertainty; and by that time the *French* had taken their Meaſures ſo, that he found himſelf under a Neceſſity of engaging. The *Dutch* Army, according to their own Accounts, conſiſted only of about twenty-five thouſand Men; but before the Battle, it was given out to be upwards of thirty thouſand. The *French* Army, on the contrary, they tell us, was above forty thouſand ſtrong; whereas, it was repreſented ſome Days before, to be ſcarce half that Number. *Luxemburgh* had indeed made large Draughts from the *French* Frontier-Towns, and was beſides reinforc'd by eighteen Battalions of Foot, and forty-five Squadrons of Horſe from *Bouffler's* Army, and alſo with the flying Camp of the Count *de Gournay*. It is, therefore, certain, that the Latter were the moſt numerous; and the Ground enabled them to make the beſt of their Advantage. According to the Marquis *de Feuquieres*, Prince *Waldeck* had drawn up his Troops on a Tract of Land, which roſe a little to his Right, and formed a Slope on the other Side, which was unobſerv'd by the Extremity of the Right Wing, and continu'd in an eaſy Declivity to the Level, on which the Duke of *Luxemburgh* was marching to his Enemy. When the Front of the *French* Army arriv'd at the Place, where this Elevation was high enough to conceal the Left Wing of their Horſe from the Prince of *Waldeck* in the Continuation of their March, the Duke improv'd the important Moment with a ſurprizing Capacity, and order'd Monſieur *de Gournay*, a very expert Officer of the Horſe, to take the Advantage of the oppoſite Side, which prevented the Enemy from diſcovering the Motion he was to purſue, and to pour all the Left of his Horſe upon the Enemy's *Right Flank*; with a Particular Caution to order his March ſo, that the Right of his Left might rejoin the Left of

A. D. 1690. the Foot, at the Inſtant they were preparing to charge the Front of the Enemy's Foot. This Motion, which would have prov'd ſo hazardous, had the Enemy diſcover'd it, but which decided the Battle in Favour of the *French*, was executed with a Capacity equal to the Judgment that form'd it. All the Left Wing of the *French* Horſe was diſpos'd into a kind of rectangular Form on the Flank of the Enemy's *Right* Wing, though they extended to the *French* Line of Foot. And thus the *Dutch* ſaw themſelves aſſaulted in Flank by a Front equal to that which they poſſeſs'd. When they therefore found their *Right* charged in Flank, at the ſame time that their Center and Left were attack'd by the Center and Right of the *French* Army, it was impoſſible for the Prince of *Waldeck* to remedy the Diſorder on his *Right*; which was ſoon communicated to the Centre and Left, and ended in their precipitate Retreat from the Field of Battle, with the Loſs of all their Artillery, and the greateſt Part of their Foot; becauſe the Prince had poſted too large a Body of Infantry in the Village of *Ligni*, and could not draw them out, after they were abandon'd by the Horſe.

Other Authors mention this Circumſtance, but make a very different uſe of it; for they ſay, the Enemy, without being perceiv'd, ſlipp'd ſeveral Troops behind a riſing Ground and a ſmall Wood near the *Sambre*, who poſted themſelves behind the ſecond Line of the *Left Wing*, which conſtrain'd that Line to face about, and turn their Backs to the firſt, whereby being very much weaken'd, ſome Battalions of the *Right* Wing were ſent to ſecure the Flank, and aſſiſt them to maintain their Ground. They alſo add, That the Duke of *Luxemburgh* no ſooner obſerv'd that Motion, but he ſaid to the Duke *de Maine*, who was then next him, *See what the Enemy are doing, I foretell they will be beaten.* That he then order'd the *Left Wing* to be attack'd at the ſame time in the Front, Rear, and Flank: That the firſt Line being already weaken'd to reinforce the ſecond, it was ſoon forc'd to give Ground: That Prince *Waldeck* obſerving the *Left Wing* in a ſtaggering Condition, and that the Horſe had, for the moſt Part, given Ground, ſent to their Relief the Horſe of the ſecond Line of the Right Wing, from whence the Foot had already been drawn for the ſame Purpoſe: That while this was doing on that Side, the firſt Line of the Right Wing was alſo engag'd with the Enemy, and had bravely repuls'd and routed them ſeveral times, being ſupported by the *Spaniſh* Horſe, who made themſelves Maſters of ten Pieces of the Enemy's Cannon, and kept them a conſiderable time; but that the *French* having three Lines on that Side alſo (as they had every where elſe, whereas the *Dutch* had but two) and being continually ſupply'd with freſh Men, the *Dutch* Cavalry was diſpers'd and broke, to that degree, that A. D. 1690. the whole Body could never be rally'd again: That indeed Count *Ekdrop* made a Shift to gather about one thouſand two hundred Horſe after an Hour's riding from the Field of Battle, and brought them on again; but then it was too late, for the Infantry was retreated: That as for the *Dutch* Foot, never did any Troops perform greater Wonders; for after they were forſaken by the Horſe, they alone ſuſtain'd the Charges of the *French* Cavalry and Infantry; and being attack'd in Front, Flank, and Rear, all at once, yet they remain'd firm, unbroken and impenetrable: That they let the Enemy's Horſe approach within Piſtol-ſhot of them, and made their Diſcharge with ſuch an unconcern'd and ſteddy Aim, that the whole Squadron together ſeem'd to ſink under the Ground, hardly thirty of the whole Number getting off: And this Courſe they ſo accuſtom'd themſelves to obſerve, that at length they laugh'd at their Enemies, and challeng'd them to advance: That the *French*, on the other Side, were ſo diſmay'd with the Execution done on them, that they fled as ſoon as the *Dutch* began to preſent their Muſkets; nor durſt they any more come near them, but ſuffer'd them to retreat in good order, without offering to purſue them: And this unparallel'd Firmneſs and Bravery of theirs, made the Duke of *Luxemburgh* ſay in their Praiſe, *That they had out-done the* Spaniſh *Infantry at the Battle of* Rocroy; where the *Spaniards* perform'd Wonders: Adding withal, *That Prince* Waldeck *ought ever to remember the* French *Horſe, and himſelf never to forget the* Dutch *Infantry.*

All agree that the Action was obſtinate and bloody; that the Loſs was pretty near (1) equal on both Sides; and that if the *French* had the Honour of the Field, it was a barren one; for it was accompany'd with no material Advantage. Biſhop *Burnet* goes yet farther ſtill, and ſays, They loſt more than they got by the Day. He would have us believe, That the Preſervation of *England* was owing to this Battle: For, ſays he, they ſuffer'd ſo much in it, that they were forc'd to lye on the Defenſive, and were not able to ſpare ſo many Men as were neceſſary for an Invaſion: But, unluckily, the *French* Fleet were in the Channel before this Battle was fought: The Duke of *Luxemburgh* was under no neceſſity of engaging; and if any ſuch great Deſign had been really in Agitation, as the invading *England*, — it ſomewhat extraordinary, that they ſhould drain their Garriſons for the ſake of fighting in *Flanders*, inſtead of having an Army in their own Ports ready to be waited over, as ſoon as their Victory at Sea ſhould have given them ſo fair an Opportunity to make uſe of it.

To proceed: It was now the great Endeavour of Prince *Waldeck*, and the High and Mighty Lords, his Maſters, to reinforce their Army with all poſſible Expedition, and

(1) That of *Holland* is generally computed at about five thouſand; but, according to the *London Gazette*, it was ſeven thouſand, reckoning the Priſoners, as well as the Slain.

1

A. D. 1690. and to re-animate those who had suffer'd so much, and perform'd so well. At *Ham*, the Grand Pensioner, *Heinsius*, and the rest of the *States* Deputies, took a Review of the Army; and, in Acknowledgment of the distinguish'd Bravery of the Foot, order'd a Sum of Money to be distributed among them, after the Proportion of three Franks a Man. They afterwards assisted at a general Council of War, which was held in the *Dutch* Camp, together with the Marquis *de Gastanaga*, Prince *Waldeck*, and all the *Spanish* and *Dutch* Commanders; in which, as it appears by the Event, it was resolv'd, to collect the whole Force of the Confederates on that Side together, in order to prevent the farther Designs of the Enemy, and in hope to redeem the Glory of the Campaign. The *Dutch* Regiments, which had suffer'd most in the late Action, were reliev'd by others, drawn out of the Garrisons: Four Regiments which were in *Flanders*, and five of *English*, which could not come up time enough to *Fleurus*, were also order'd to join Prince *Waldeck* with all possible Expedition; and he was yet farther strengthened by a large Body of Forces, which the *States* had hir'd of the Prince of *Liege*. The Marquis of *Gastanaga*, moreover, assembled a Body of Forces at *Dendermond*, which were soon after join'd by the Troops of *Hanover*, in the Pay of *Spain*: And lastly, the Elector of *Brandenburgh*, who had pass'd the *Meuse* on a Bridge of Boats, between *Viset* and *Nevagne*, on the 22d of *July*, N. S. join'd Prince *Waldeck* at *Waveren*, on the second of *August* following.

The Elector of Brandenburg joins the Allies at Waveren.

It was now computed, that the two Armies thus united, consisted of forty-five thousand effective Men; and that the *Spaniards* and *Hanoverians*, who form'd a separate Corps, were about sixteen thousand more. Great things were now expected: The Duke of *Luxemburgh*, finding himself unable to withstand so great a Force, retreated towards *Maubeuge*, and posted his Troops to the best Advantage behind the River *Hayne*. Mr. *de Boufflers*, who had been detach'd with the flying Camp under his Command towards the *Moselle*, was recall'd, and the *French* Garrisons were, in a manner, drain'd on all Sides round, for the sake of augmenting the Army. The Confederates gave out from Day to Day, that they would force the *French* Camp; and that they were not so good as their Word, was imputed to the heavy Rains which fell about this time. But, according to Bishop *Burnet*, the *States* sent positive Orders to Prince *Waldeck* not to hazard another Engagement till the Fleet should be again at Sea: And when those Orders were superseded, the Elector had alter'd his Mind, and was become as positive not to expose his Army.

When, therefore, the *French* were convinc'd, that they had nothing to apprehend from the Superiority of the Allies on this Side, they again posted Mr. *de Boufflers* to the *Moselle*: And soon after the Entrance of *October*, both Armies broke up and pass'd into their Winter Quarters, without any one Attempt on either Side worth the Remembrance of History. A. D. 1690.

Proceedings of the Upper-Rhine.

In this Interval the Imperial Army, under the Elector of *Bavaria*, had taken Post at *Bruschal*, near *Philipsburg*; and the *Dauphin*, at the Head of the *French*, directed his March towards *Mentz*. These two Princes were nearly ally'd; his Royal Highness of *France* having marry'd the Elector's Sister. But the Tye was broke by the Death of the Lady, who expir'd at *Versailles*, *April* 20, N. S. and all the Concern they ought to have had for each other, was now swallow'd up in the superior Considerations of Glory and Greatness.

It is reasonable to suppose, that the Scheme first form'd by the *Imperialists*, was to attack the strong Fortress of *Hunningben*, and thereby open a Way into *France*: His Electoral Highness of *Bavaria* caus'd several Pieces of battering Cannon to be brought to his Camp from *Mentz* and *Frankfort*; and after having conferr'd at *Eppinglen* with the Elector of *Saxony* and Veldt Marshal *Caprara*, decamp'd *July* 28 from *Bruschal*, and march'd on to *Durlach*. General *Souches*, in the mean time (who commanded a small Army of *Imperialists* at *Schopbeim*, as the Marquis *d'Uxelles* did also on the *French* Side, in the Neighbourhood of *Hunningben*) pass'd the *Rhine* at *Basle*, accompany'd by some of his Officers, and took a Survey of the Fortifications of that Place: And all these several Motions, it is certain, gave such a Jealousy to the *French*, that they call'd upon the *Swiss-Cantons* to secure the Passage of *August*; menacing withal, that, in case they any longer neglected it, they would themselves take Possession of them. They also commanded the Inhabitants of *Durlach*, and the adjacent Country, to carry all their Corn and Provisions to *Brisac*, *Friburg*, and *Hunningben*, that the *Imperialists* might not have the Benefit of them: And lastly, as the Elector of *Bavaria* coasted one Side of the *Rhine* in Prosecution of this Enterprize, the *Dauphin* did the same on the other, to be in Readiness to prevent it.

But the Enterprize fell of itself; for after Mr. *de Souches*'s Return, a general Conference was held at *Knightlingben*, in *August*; at which assisted the Electors of *Bavaria* and *Saxony*, the Landgrave of *Hesse*, the Duke of *Wirtemberg*, the Veldt Marshals *Caprara*, *Dunewaldt*, and *Chauvet*, the Count *de Lippe*; and several other General Officers; and in which the whole Plan of Operations was totally chang'd: For it was resolv'd, That the Elector of *Saxony*, with all his own Forces, and eight thousand *Imperialists*, should continue on the *Upper-Rhine* to cover the *Palatinate*, while the Elector of *Bavaria*, with his own Troops, those of *Hesse*, *Lunenburgh*, and the rest of the *Imperialists*, made the best of his way back towards *Mentz* or *Coblentz*, in order to pass the *Rhine* at one of those Places. Accordingly, the Elector of *Saxony* took Post at *Bretten*, near *Philipsburgh*: The *Hessians* and *Lunenburghers*, who were not as yet

A. D. 1690. yet come up, pass'd the *Maine* at *Francfort*, *Hochst*, &c. and were follow'd by the *Imperialists*, who pass'd the *Neckar* on the 18th, and encamp'd the same Day at *Hendesheim*, within an Hour of *Heydelberg*.

This new Motion of the *Imperialists*, made the *French* as uneasy for *Montroyal*, as they had been before for *Hunningben*; and to give an immediate Diversion, the *Dauphin* having reinforc'd his Army with the Garrisons of *Brisac*, *Strasburgh*, *Friburgh*, &c. pass'd the *Rhine* at *Fort-Lewis*, took up his Quarters at *Stollhoven*, and gave out, That he would fall upon the *Saxons* at *Bretten*. The *Saxons*, hereupon, call'd upon the Elector of *Bavaria* to return to their Assistance, which he did forthwith, with all the Troops under his own immediate Command: For as to the *Hessians* and *Lunenburghers*, they had Orders to proceed to the *Moselle*, to join the Forces of *Munster*, *Newburgh*, and *Liege*.

On the 25th, the two Armies under the two Electors, join'd in the Neighbourhood of *Bruschal*; and the next Day, having first sent all their heavy Baggage to *Heydelburg* and *Hailbron*, march'd to *Etlingen*, with a Resolution to offer the Enemy Battle, who were, by this time, encamp'd at *Rastadt*, behind the River *Murg*: But the *Dauphin* had pass'd the *Rhine* to amuse, not to fight; and, therefore, on the Approach of the Enemy, he retreated again towards *Fort-Lewis*; and, after several other Removes, in the Course of which the Confederates were generally close at his Heels, conducted his Army into the Plains of *Newenburgh*; where, having seen them strongly encamp'd, and provided for their farther Security, by throwing a Bridge near that Place over the *Rhine*, he sent a large Detachment to reinforce Mr. *de Boufflers* on the *Moselle*, transferr'd the chief Command to the Marshal *de Lorge*; and, *October* the first, set out on his Return to *Paris*; soon after which, both Armies went into their Winter-Quarters.

The Swiss-Cantons uneasy.

All this while the *Switzers* were in the most uneasy Situation imaginable; for, the nearer the two Armies approach'd their Territories, and the more they were alarm'd by the Progress of the War in *Savoy*, the more difficult they found it to avoid taking a Part in it. Hitherto the *French* had paid the fifteen hundred Men which guarded the Passes of *Augst*; but now they declar'd they would do so no longer: They had also requir'd Winter-Quarters for their Troops in the Bishopric of *Bale*, and in the Forest-Towns: They had form'd a Design, at least it was so apprehended, of seizing *Geneva*; and under the Pretence of adding a new Redoubt to the Fortress of *Hunningben*, they resolv'd to have it in their Power to bombard the Town, and ruin the Bridge of *Bale*, whenever they pleas'd. On the other hand, the *Imperialists* had offer'd to pay the Troops in question, had made a Merit of providing for the Security of the Forest-Towns; and had protested, in the strongest Terms, against the Addition of any Works of any kind whatever to the Fortress of *Hunningben*: In all these Remonstrances, and all the Uses they could make of them, they were supported in the warmest manner by the Ministers of *England*, *Spain*, and *Holland*, (*t*) and, in general, of the whole Confederacy; yet such was the artful Deportment of *France* towards the *Cantons*, and so successful were her Applications, that in the Diet, which was held at *Baden* during this Conjuncture, they contented themselves with resolving, to adhere to their Neutrality, to defray the Expence of maintaining the Pass of *Augst*, out of their own Purse, to defend the Bishopric of *Bale*, and the Forest-Towns, and not to consent to the raising any new Works at *Hunningben*, under any Pretence whatsoever. A. D. 1690. *yet persist in their Resolutions to observe a Neutrality.*

Two Branches of the War remain still to be discours'd of, namely, That between the Emperor, *Poland*, and *Venice*, on the one Part, and the *Turks* on the other; and That between *France* and *Savoy*. Of the Resolution of the *Turks* to try the Fate of another Campaign, rather than submit to the Prescriptions of the Imperial Court, Notice hath been already taken, but not of the Circumstances which gave rise to it. In the Seraglio, ill Fortune passes for Guilt; the Grand Vizier was unfortunate, and, for that Reason, was disgrac'd and strangled, with the usual Concomitant of having his Estate confiscated, &c. *Cupergli Ogli* was made Prime Vizier in his stead, and enter'd on his Ministry with a Declaration, which had the Sanction of the whole Divan, That the War should be continu'd till the Emperor would agree to more reasonable Terms of Peace. In this it is suggested, that the *French* Embassador Count *Tekeli* were his Prompters; as also, that the Latter was hinder'd from making his Submission to the Emperor by the Intrigues of the Former; and, it is certain, that he (the Vizier) immediately apply'd himself *Progress of the War with the Turks.* *A new Grand Vizier.*

to

(*t*) The Latter of these was so extremely bitter in his Representation to the Diet, of the ambitious Designs of *France*, that it drew from Mr. *Amiot*, the *French* Minister, the following no less bitter Answer:

"*Magnificent Lords*,

"Those excessive outrageous Declarations, or rather that infamous Libel, which was read in your Assembly, contains things so unworthy, not only of a public Minister, but also of any Person pretending to Birth and Education, that they deserve not the Trouble of an Answer. And I am apt to persuade myself, that your Lordships were offended at them. This Declaration is nothing else, to speak properly, but a Recital of a Rabble of Cheats, and Tricks; by Means of which, the Enemies of the King my Master endeavour to insinuate Stories disadvantageous to his Interest; which is the more full of Sting and Hatred, because it proceeds from a Commonwealth, which ought at all times to give that Respect to great Kings, which is due to them; more especially to him by whose Protection it established its free Sovereignty. Nevertheless, it is somewhat a strange thing, that a People who have kindled the Flames of War, by deposing from his Throne a Christian and Lawful Sovereign; and by furnishing his Son-in-law with Means to effect it, dare still presume to talk of unjust Enterprizes, and Overturnings of States. In short, if Men would but once reflect upon the manner of carrying on the War on either Side, there is no more for the giving a true Judgment, than to hear the Complaints of the Inhabitants of *Swabia*, *Flanders*, and *Piedmont*, who cannot forbear from crying loudly out, That they suffer incomparably much more from the *Germans* their Friends, than the *French* their Enemies." [*State of Europe*, *vol.* II.

A.D. 1690. to rectify all Disorders, to replenish his Master's Coffers, to recruit his Armies, and to re-animate the *Janizaries* and *Spahies*, by paying them their Arrears, and providing sufficient Funds for their punctual Payment for the time to come. But, notwithstanding all his Efforts, so enfeebled was the Empire without, and so distracted within, that many Months elaps'd before he could bring his Purposes to bear; for the greater they were, the more time was requisite for suitable Preparations: And while he was thus embarrass'd with the Duties of his new Office, he had besides the Mortification to hear, that *Canissa*, an exceeding strong Town in *Lower Hungary*, was surrender'd to the *Imperialists* by Capitulation, after a Blockade of almost two Years; the Garrison being reduc'd to the last Extremities, before he could make any Provision for its Relief. At length, however, having surmounted all his Difficulties, he took the Field in Person (tho' a Man of the Law, not of the Sword) at the Head of thirty thousand Foot and ten thousand Horse, and invested *Nissa*, while the Serasquier, with ten thousand more, did the same by *Widin*; and Count *Tekeli*, with a mix'd Army of *Turks*, *Tartars*, and *Hungarian* Malcontents, amounting in all to about sixteen thousand, prepar'd to take Possession of *Transilvania*, which had been given to him by the Grand Signior, on the Death of Prince *Abaffi*.

who takes the Field in Person.

The Court of *Vienna*, in the mean time, partly alarm'd with these spirited Proceedings of the Vizier, and partly molify'd by the Sollicitations of the Maritime Powers (who were as anxious for a Peace between the Emperor and the *Turks*, as the *Venetians* and *Poles* for a Peace between the Emperor and *France*) seem'd inclinable to abate their Stiffness, and to give way to an Accommodation, on more tolerable Terms than they had formerly insisted upon: But now these Relentings came too late; the *Turks* had made their Dispositions, and were resolv'd to have the Benefit of them. Nothing remain'd therefore, but to prosecute the Dispute by the Edge of the Sword; and yet so tardy were the Imperial Ministers in their Preparations, and so unequal were those Preparations to the Service of the Year, that it was with the utmost Difficulty Prince *Lewis* of *Baden* was prevail'd upon to resume his Command: It was the ninth of *August* before he took his Leave of the Emperor: It was the 26th before he arriv'd at *Jagodina*, the Place appointed for the Rendezvous of the Imperial Army: And, late as it then was in the Year, he found the Condition of it even worse, if possible, than his Fears had suggested. On the very next Day after his Arrival he receiv'd Advice, that *Tekeli* had entirely defeated the *Germans* and *Transilvanians*, near *Cronstadt*, in *Transilvania*, and had that Province in a manner at his Mercy. Surrounded thus with Difficulties and Perplexities, he call'd a Council of War, laid the general State of Things before them; and, upon the Issue, came to a Resolution to march immediately against *Tekeli*, as being the Enemy he was best able to deal with. Accordingly, he decamp'd the same Day; and, in his March, threw four Regiments, under the Command of Count *d'Aspremont*, into *Belgrade*, and made such other Regulations, and Provisions, as he thought would contribute most to the Preservation of *Hungary*.

Tekeli defeats the Imperialists in Transilvania.

A.D. 1690. *The Prince of Baden goes against him.*

Nissa and *Widin* being thus abandon'd, were oblig'd to surrender upon Articles; and *Semandria* had a worse Fate; for the Garrison, which consisted of five hundred *Germans*, and four hundred Militia, having had the Presumption to withstand the whole *Ottoman* Army for four Days together, were all, except Officers, put to the Sword. The Vizier then set down before *Belgrade*, *October* the first, in which was a strong Garrison of six thousand old Soldiers, well provided with Ammunition and Necessaries of all sorts: Only, the *Imperialists* presuming too much on the Superiority of their Arms, and the Continuance of their good Fortune, had suffer'd the Breaches to lye open, which had been made by the Elector of *Bavaria*, when he reduc'd the Place three Years before; and had now but just time to secure them with a double Row of Pallisadoes. They had also left the Ruins of a Suburb standing; and, under the Cover of these, the Vizier made his Approaches on the second Day within Musquet-shot of the Walls. These were fatal Oversights; and they had an Enemy to deal with, who both discern'd and improv'd all Advantages: His Assaults were also as furious as they were well directed; and if he was repuls'd or dislodg'd one Day, he was sure not only to retrieve all, but to make some new Acquisition, the next. Thus, having been driven by the Besieged from the very Foot of the Pallisadoes on the fifth, the *Turks* regain'd their Post on the sixth; and also, by the Help of their Galleys, &c. cut off all Communication between the Garrison and the *Save* and *Danube*. Never was a Siege carry'd on with more Vigour, and never was so strong a Place so soon reduc'd to Extremities. On the eighth, the Duke *de Croy*, who had been sent Post from *Vienna* to take upon him the chief Command, threw himself into the Place; and the same Day an Officer was posted back, to make a Representation of its Condition, and to beseech immediate Assistance: But this Resolution was scarce taken, before a Bomb fell upon a great Tower, where their Magazines of Powder were lodg'd, blew it up into the Air, destroyed almost seventeen hundred of the Garrison, who were going upon Duty, overthrew the Walls and Ramparts, fill'd the Ditch, and open'd so large a Breach, that the Enemy, who were on the Point of making a general Assault, enter'd by whole Squadrons, and cut to Pieces all they met. At the same time, the Fire spread from Magazine to Magazine, which were eleven in all; and in the midst of the Confusion created by such a Concurrence of Calamities, the Residue of the Garrison, and among them Messieurs *de Croy* and *d'Aspremont*, made their Escapes as well as they could, over the *Danube* and *Save*, to *Peterwaradin*, leaving the Enemy in Possession of all that the Flames had spar'd.

Nissa *and* Widin *reduc'd,* Semandria, *as also* Belgrade *by Storm.*

A. D. 1690. In this Interval, and while the Prince of *Baden* was on his March towards *Tranſilvania*, *Tekeli* had ſent Circular Letters to the States of that Province, directing them to meet him at *Alba Julia*, accompany'd with ſeveral Menaces againſt all ſuch as ſhould preſume to diſobey him; which had ſuch an Effect on many of them, that they not only comply'd, but proceeded to elect and do him Homage as their Prince. He found Means alſo, in his preſent Exaltation, to draw a Reinforcement of ſeveral thouſand Men from *Valachia* and *Moldavia*. But his Reign was of ſhort Continuance, and his Allies were ſoon oblig'd to deſert him, and return to the Defence of their own Country againſt the *Poles*, who, having repuls'd the *Tartars*, fell into *Moldavia*, reduc'd the Capital of that Province, and left in it a Garriſon of eight hundred Men. They alſo gave out, that they would paſs on into *Valachia*; but afterwards excus'd themſelves on account of the Advance of the Seaſon, repaſs'd the *Nieſter*, and ſeparated into their Winter-Quarters.

Tekeli obliges the Tranſilvanian *States to elect him Prince.*

Tekeli being thus depriv'd of his Auxiliaries, was no longer in a Condition to defend his new-acquir'd Principality againſt Prince *Lewis*, at the Hazard of a Battle, and therefore, on his Approach, he caus'd the Suburbs of *Hermanſtadt* to be burn'd, ſent his Baggage, under a Guard of ſix thouſand Men, to a Place of Security among the Mountains, and retir'd with the reſt of his Forces into *Valachia*. The States hereupon thought it adviſeable to take a new Oath of Fidelity to the Emperor, on Condition that they had the Benefit of his Protection againſt their Enemies.

This ſeem'd but a reaſonable Stipulation on the Behalf of the Country; but, under the Pretence of granting Protection, they took Poſſeſſion: Part of them were canton'd at *Cronſtadt*, and Part at *Clauſenburg*; and all ſuch as had held Correſpondence with *Tekeli*, were proceeded againſt as Traitors and public Enemies: But they were not ſuffer'd to carry on theſe Proſecutions long, without Interruption; for while *Tekeli* endeavour'd to make an Incurſion on one Side of the Province, a ſtrong Party of *Turks* did the ſame on the other.

This drew the *Imperialiſts* again into the Field; Prince *Lewis* himſelf undertook the Latter, and wholly diſpers'd them; but Prince *Auguſtus* of *Hanover* who was ſent againſt the Former, having ventur'd into a Paſs ſo narrow, that two Men could ſcarce march abreaſt, was kill'd at the firſt Volley; and his Detachment was glad to make the beſt Retreat they could. *Tekeli* did not, however, proſecute this Advantage; for, having receiv'd Advice of what had befallen the *Turks*, and fearing his Retreat might be cut off by the Snows which frequently choak up the Paſſes of the Mountains, he return'd with all ſpeed into *Valachia*; and Prince *Lewis* made the beſt of his way to *Vienna*.

and is himſelf oblig'd to quit the Country.

To conclude on this Head, the Preſervation of *Tranſilvania*, however magnify'd on this Side of *Europe*, afforded the Imperial Court but a poor Conſolation for their Loſſes in *Hungary*: And, on the other hand, A. D. 1690. the Acquiſitions of the *Turks* abundantly recompens'd all the Misfortunes of the preceding Year: For, over and above the Places already mention'd, they reduc'd *Orſoway*, a fortify'd Iſland oppoſite to *Belgrade*; and *Lippa*: They broke up the ſeveral Blockades of *Themeſwaer* and *Great Waradin*; and by filling all the ſtrong Towns in *Upper Hungary* beyond the *Tibiſcus*, with Troops, they put a large Extent of Territory under Contribution, and were in a Condition to take the Field much earlier, and to more Advantage, than for ſeveral Years before.

The new Vizier, as he deſerv'd, had the Honour of all; and ſo tranſported were the *Turks* with the Senſe of his Merits and Services, and the Fulneſs of their own Acknowledgments, that they ſwore by his Name, call'd him the Deliverer and Reſtorer of the *Ottoman* Empire, the Favourite of their Prophet, the Champion of their Religion, *&c.* No Blemiſh or Reproach would ſtick upon him; for tho' a Party which he ſent to reduce *Eſſeck* rais'd the Siege in a Panic, before any Enemy was in Sight, or even within Reach of them, not a Man was heard to raiſe a Murmur on that Account, or to draw any Inference from it, in Diminution of the Glory of the Campaign. And as to the Succeſſes of the *Venetians*, both at Sea and in the *Morea*, as they were not obtain'd againſt him perſonally, they were ſo far from being made Objections to his Adminiſtration, that they only ſerv'd as a Foil to ſet it off with the greater Luſtre.

The War in Savoy.

As to the Duke of *Savoy*, we left him in the midſt of his new Engagements, and on the Point of entering the Liſts among the reſt of the Confederates, againſt the common Enemy. The War was declar'd in Form, *June* the third, N. S. and to avoid a Detail of inſignificant Motions and Skirmiſhes, on the 18th of *Auguſt* following, the two Armies came to an Action near *Staffarda*. Mr. *Catinat* had form'd a Deſign to make himſelf Maſter of *Saluces*, in hope of finding there a plentiful Supply of Proviſions for his Army: The *Po* lay between him and the Place; and no ſooner had his Van paſs'd that River, than the Duke of *Savoy*, who had made a forc'd March to come up with him, appear'd in Sight, and prepar'd to fall upon his Rear. This induc'd *Catinat* to alter his Meaſures, to recall his Van, and to make a Diſpoſition to give his Royal Highneſs a proper Reception. While this was doing, Night came on; both Armies encamp'd almoſt within Cannon-ſhot of each other; and the next Morning, as if by Agreement, drew out in Battle-Array, and challeng'd each other to engage. That of the Duke, tho' he had never commanded before, was ſkilfully enough diſpos'd; his Right being cover'd with the little River of *Staffarda*, and his Left with Hedges and Marſhes. Unluckily, Mr. *Catinat* having caus'd the Latter to be ſounded, found them hard at Bottom; and while he amus'd the *Savoyards* with a warm Cannonading in Front, caus'd them to be as warmly attack'd in Flank by a ſtrong

The Battle of Staffarda.

A. D. 1690. Party of Foot, from the very Quarter where they thought themſelves moſt ſecure. Surprize is generally fatal upon theſe Occaſions; they were not prepar'd for this double Onſet; and giving way, the *French* redoubled their Efforts, and completed their Victory on that Side. The Duke's Right Wing, in the mean while, maintain'd their Ground, from eleven in the Morning, till three in the Afternoon; but, being at length overpower'd, were oblig'd to follow the Left, and almoſt in the ſame Confuſion; leaving the Field of Battle cover'd with three thouſand of their Dead, and the Enemy in Poſſeſſion of ſeveral Colours, ſeveral Pieces of Cannon, and a great Number of Priſoners.

The Duke retir'd with the Relics of his Army to *Carmagnole*; and while he endeavour'd to repair his Loſs, and ſolicited his new Allies to contribute their ſeveral Quotas towards it, Mr. *Catinat* purſu'd his former Deſign of reducing *Saluces*; which he ſoon effected; together with the whole Marquiſate of that Name. Nor was this all; for *Suſa* being conſiderable for its Situation, in regard that it commanded the Paſſes out of the *Dauphinate* into *Piedmont*, he ſet down before it in the Beginning of *November*; and in a few Hours made himſelf Maſter both of the Town and Caſtle; which ſo incens'd his Royal Highneſs, that when the Governor, and ſome of the principal Officers arriv'd at *Turin*, he caus'd them to be thrown into Priſon, and threaten'd to proceed againſt them, capitally, for having betray'd their Truſt.

Saluces and Suſa reduc'd by Catinat;

In this Interval alſo, that the Duke might ſo much the more ſenſibly feel the Weight of his *moſt Chriſtian* Majeſty's Reſentment, Mr. *St. Ruth*, with another Body of *French* Troops, fell into *Savoy*, and entirely reduc'd that Duchy, and all its Dependencies, except the Fortreſs of *Montmelian*; inſomuch, that a free Communication was open'd between the two Provinces; and the two Commanders had it in their Power to aſſiſt each other, as Occaſion offer'd, or Need requir'd: And this Conqueſt was ſo abſolute, that *St. Ruth* oblig'd the Inhabitants to take an Oath of Allegiance to the King his Maſter; and in his Name took upon him the Government of the Duchy, as if it was to remain for ever annex'd to the *Gallic* Empire.

and all Savoy *by* St. Ruth.

Sequel of King William's *Exploits in* Ireland.

We muſt now return to King *William* in *Ireland*, who, triumphant as he was, had, in this Interval, been ſufficiently humbled by the ill News which he had receiv'd from almoſt every Quarter beſides; more particularly, from *England*, where his new acquir'd Sovereignty, for a while, was repreſented to be in Danger; tho' ſuch was his Equanimity, according to *Burnet*, that he look'd on good and bad Fortune with the ſame ſerene Face, and the ſame compos'd Heart: But then he alſo tells us, that he receiv'd the News of the Battle of *Fleurus* the Day after the Victory of the *Boyne*, and that of the Misfortune at Sea the Day he made his Entrance into *Dublin*: And hence it may be argu'd, that the Accidents of his Life ſet the Balance of his Mind, that he was plac'd between the Extremes of Good and Evil; and that each in turn corrected the Extravagance apt to ariſe from the other. The Biſhop, however, is not altogether ſo accurate as he is circumſtantial; for, as we have ſeen, he enter'd *Dublin* on the fifth of *July*, and he did not receive the bad News from *England* till the eighth or ninth; and we ſhall meet with an Eſcape now and then, which ſhew'd that his Majeſty was not quite ſo much a Philoſopher as a Hero. [Impartial Hiſtory, p. 99.]

A. D. 1690.

His Lordſhip moreover adds, That the Queen and Council preſs'd the King to come over with all poſſible Haſte; becauſe *England* was in ſo much more Danger, and of ſo much more Importance than *Ireland*, &c. And that his Majeſty did not immediately ſet out, he endeavours to account for as follows: "He, the King, had taken all the Earl of *Tyrconnel*'s Papers in the Camp; and he found all King *James*'s Papers left behind him in *Dublin*. By theſe he underſtood the Deſign the *French* had of burning his Tranſport-Fleet; which was, therefore, *firſt to be taken care of*: And ſince the *French* were now Maſters at Sea, he ſaw nothing that could hinder the Execution of their Deſign." It is happy that his Lordſhip afterwards mentions the Reduction of *Waterford*, as the only Means to provide againſt this Deſign of the *French*, or otherwiſe we muſt have concluded from this Paſſage, That the King's *firſt Care* was to attempt what he knew to be impoſſible: But then, we are no where elſe inform'd, that the *Iriſh* Camp fell into his Majeſty's Hands: On the contrary, it is ſaid, That they ſent off their Cannon and Baggage before the Fight began. And that King *James* ſhould leave his Papers behind him at *Dublin*, eſpecially as they contain'd ſuch a *Secret* as we are (*u*) told they did, when

(*u*) In theſe Words: "Among the Earl of *Tyrconnel*'s Papers, there was one Letter writ to Queen *Mary* at *St. Germains*, the Night BEFORE the Battle; but it was not ſent. In it, he ſaid, he LOOK'D ON ALL AS LOST: and ended it thus: *I have now no hope in any thing but in* Jones's *Buſineſs*. The Marquis of *Caermarthen* told me, That ſome Weeks before the King went to *Ireland*, he had receiv'd an Advertiſement, that one named *Jones*, an *Iriſhman*, who had ſerv'd ſo long in *France* and *Holland*, that he ſpoke both Languages well, was to be ſent over to murder the King. And Sir *Robert Southwell* told me, that he, as Secretary of State for *Ireland*, had look'd into all *Tyrconnel*'s Papers, and the Copies of the Letters he wrote to Queen *Mary*, which he had ſtill in his Poſſeſſion; and he gave me the Copies of two of them. In one of theſe he writes, that *Jones* was come; that his Propoſition was more probable, and liker to ſucceed, than any yet made: his Demands were high; but he added, *If any thing can be high for ſuch a Service*. In another he writes, that *Jones* had been with the King, who did not like the thing at firſt; but he added, We have now ſo ſatisfy'd him both in Conſcience and Honour, that every thing is done that *Jones* deſires. *Southwell* further told me, that *Dongle*, the Attorney-General, had furniſh'd him with Money, and a Poignard of a particular Compoſition; and that they fought long for a Bible bound without a Common-Prayer-Book, which he was to carry in his Pocket, that ſo he might paſs, if ſeiz'd on, for a Diſſenter. Some Perſons of great quality waited on him to the Boat that was to carry him over. He was for ſome time delay'd in *Dublin*, and the King had paſs'd over to *Ireland* before he could reach him. *We could never hear of him more*. So it is likely he went away with his Money. A Paper was drawn of all this Matter, and deſign'd to be publiſh'd; but, upon ſecond Thoughts, the King and Queen had that Tenderneſs for King *James*, that

A. D. 1690. when he had so much time to carry them off, or destroy them, and when he knew they would fall into his Enemy's Hands, requires no ordinary Degree of Faith to believe: As also, that the *French* Frigates, which carry'd off King *James*, were the very Ships appointed to burn the Transports; and that the Commander of them, instead of fulfilling his Orders, in a Matter of such Importance, and so easy to be effected, should take that Prince's Word, *That all was lost*, and immediately return with him into *France*. Yet thus the Story is told by the *Historian of his own Times*; and we are oblig'd to follow what we cannot circumstantially disprove.

It is certain, however, that the Author of the *Impartial History*, which has the *Licenser*'s Stamp to authorise it, who says in his Title-Page, That he was an Eye-witness of the principal Facts he treats of, and who betrays no want of Intelligence of any kind, mentions none of these curious Particulars. Satisfy'd with copying what he saw, he tells us in a plain, unaffected manner, That after his Majesty had receiv'd the News from *England*, he divided his Forces; that he sent Lieutenant-General *Douglas*, with five Regiments of Horse and Dragoons, and ten Regiments of Foot, to reduce *Athlone*; and that he himself, with the rest of the Army, march'd Westward, to do the same by *Waterford*; having first sign'd a Commission for seizing the Goods and Estates of Rebels and Absentees, for the Use of the Government; which was very much abus'd: That *Douglas* fail'd in his Expedition: That the King, on his March, having seen a Soldier rob a poor Woman, was so enrag'd, that he beat him with his Cane, and gave Orders, that several other Delinquents of the same Class should be executed on the *Monday* following: That on the 22d of *July*, he summon'd the Governor and Garrison of *Waterford* to surrender: That they did so, on the same Terms that were granted to those of *Drogheda*: That the Garrison march'd out on the 25th: That the same Day, the King held a Council, in which he declar'd his Purpose to return to *England*; which, says our Author, occasion'd various Conjectures, and some Apprehensions, that the Affairs in *England* were in no pleasing Posture: That on the 27th, he accordingly set out for *Dublin*, having left Count *Solmes*, a *Dutchman*, Commander in Chief: That the same Evening he receiv'd fresh Dispatches from *England* at *Carlow*: That hereupon he shew'd some Irresolution whether he should proceed, or return to his Camp: That on the Morrow he did proceed to *Chapel-Izard*, where he spent three Days in hearing Petitions; some of which, says our Author again, related to the Violation of Protections, and the Outrages committed by General *Douglas*'s Division: and others about the Abuses and Inconveniencies of the late Commission: That his Majesty here also gave Orders for the shipping two Regiments of Foot, one of Horse, one of Dragoons, and one Troop of Guards, for *England*: That on the first of *August*, he publish'd a second Declaration, not only confirming and strengthening the Former, but moreover adding, That if any Foreigners in the late King's Service, would lay down their Arms, and surrender themselves, they should be furnished with Passes to return to their own Country: As also, a Proclamation, requiring all Papists to deliver up their Arms, on pain of being esteem'd Rebels and Traitors, and abandon'd to the Discretion of the Soldiers: That about this time the Commissioners of the Great Seal of *Ireland*, receiv'd their Instructions, and began to act: That his Majesty, having receiv'd yet other Advices from *England*, importing, That Lord *Torrington*, and all other suspected Persons, were secur'd; That several wicked Designs were discover'd, and prevented: That the Loss at Sea was not so great as was at first apprehended; and that the *French* Fleet, after burning one little Village, was gone back to *Brest*, resolv'd to return to the Army: That on the second of *August*, he did return accordingly: And that on the ninth he came before *Limerick*; having on the same Day, been rejoin'd by General *Douglas* from *Athlone*.

A. D. 1690.

He sends General Douglas *to reduce* Athlone.

but alters his Mind, and besieges Limerick.

It was to this Place, and the Neighbourhood of it, that the far greatest Part of the *Irish* Army, with all their *French* Auxiliaries and principal Officers, were retir'd, after the Battle of the *Boyne*: And, according to the Account of a *Cornet*, who deserted from the Enemy, the Garrison consisted of no less than fourteen Regiments of Foot, three of Horse, and two of Dragoons; besides which, Lord *Tyrconnel*, with the Residue of the Horse, and a Party of Foot, lay encamp'd about six or eight Miles off; and the *French* at *Galway*. The Town is situated on the *Shannon*, a broad, deep River, and was, in a manner, divided into three Parts; for Part stands on the *Munster*-Side of the River, which is called the *Irish* Town; Part on the Island, in the midst of the River; and a large Fort, which stood on the *Clare*-Side, and which was now enlarg'd with several Outworks, made what might be call'd a third Part. All three were connected by Bridges: And as the King made his Attack only on one Side, and never once thought, as far as it appears, of breaking down those Bridges, the Besieged had it in their Power to admit what Succours they pleas'd, either of Men or Provisions, on the other. They had it also in their Power to have very much distress'd the King's Army in their Approaches; for the only Pass to the Town on that Side, which

Takes Possession of Waterford, *and signifies his Purpose to return to* England.

they stopt the publishing to the World so shameful a Practice. The King said, upon this, to my self, that *God* had preserved him out of many Dangers; and he trusted he would still preserve him. He was sure he was not capable of retaliating in that way. The Escape of a Cannon Ball, that touch'd him, was so signal, that it swallow'd up lesser ones: Yet, in the Battle at the *Boyne*, a Musket Ball struck the Heel of his Boot, and recoiling, kill'd a Horse near him. And one of his own Men, misliking him for an Enemy, came up to shoot him; but he gently put by his Pistol, and only said, *Do not you know your Friend?*" [Burnet, *ubi p.* ii. 55, 56.

A.D. 1690. which lay between two Bogs, was not above an hundred and fifty Yards broad, was encumber'd with Hedges, an Orchard, a Stone Wall, the Ruins of a large Houſe, which the *Iriſh* had burnt the Day before, and was commanded by a Fort call'd *Ireton*'s Fort, which ſtood on a Riſing Ground, and overlook'd the Paſs on one Side, and the Town on the other: But all the Uſe they made of theſe ſingular Advantages, was, to line the Hedges, &c. with Bodies of Foot, and that not ſo much to maintain the Poſt, as to ſell it as dearly as they could to the Enemy, who, on the other hand, advanc'd with as much Caution as Reſolution; for under the Cover of the Van-Guard, the Pioneers had Orders to fell the Hedges, and clear the Paſs from Side to Side; and cloſe behind appear'd the whole Army, drawn up in ſuch Order, as ſuited beſt with the Ground, and the Service of the Day.

The Pioneers, accordingly, clear'd the Way as they went; and ſtill, as one Hedge was fell'd, the *Iriſh* poſted behind it, after one Diſcharge, fled to the next; and, in leſs than Half an Hour, were all driven into their Entrenchments under the Cannon of the Town: There were alſo ſeveral Companies in *Ireton*'s Fort, who behav'd yet worſe than theſe; for, on the very Approach of the *Engliſh*, they retreated as faſt as they could, without firing a Gun.

This ſeem'd to be a fortunate Beginning, and what promis'd an Event as fortunate; but Succeſſes ſo eaſily obtain'd, are too apt to create Security: The Beſiegers encamp'd within Cannon-ſhot of the Walls, and yet drew no Lines of Circumvallation, and the next Day ſummon'd the Town to ſurrender, tho' they had no battering Cannon to force an Entrance. Mr. *Boiſleau*, a *Frenchman*, had the Command, as Governor; and his Anſwer, in Subſtance, was, That he thought the beſt way to gain the Prince of *Orange*'s good Opinion, was to defend his Poſt; which was no ſooner deliver'd, than the *Iriſh* began to cannonade the King's Forces; and they return'd the Compliment, by pelting the Town with a few inſignificant Field-Pieces.

His Majeſty had, however, a ſmall Train upon the Road, conſiſting of ſix Twenty-four-pounders, and two Eighteen Pounders, which, together with a large Quantity of Ammunition, Proviſions, &c. were under the ſlender Guard of two Troops of Horſe: Of this Incident the Enemy were appriz'd on the ſecond Day of the Siege, by a Runaway-*French* Gunner; as alſo in what Part of the Camp the King's Tent ſtood, with every other Circumſtance of Moment, which had fallen within his Knowledge; and immediately reſolv'd to make the beſt uſe they could of ſuch important Intelligence. Accordingly, all that Day and the next, they ſo warmly plied their Guns againſt the Royal Quarter, that ſeveral Men, and two of the Prince of *Denmark*'s Horſes were kill'd, and his Majeſty thought it adviſeable to remove to a ſecurer Place. Colonel *Sarſfield*, alſo in the Night, paſs'd the *Shannon* at *Killaloe*, with a Body of *Iriſh* Horſe, and made the beſt of his way to intercept the Train, &c. as knowing, that the Fate of the Siege depended upon it. Of this one *Manus O' Brian*, a ſubſtantial Country Gentleman, brought Intelligence to the King's Camp the next Morning, but met with ſo little Countenance at firſt, that he was ſcarce heard; and, inſtead of entering into the Particulars of his Information, one of the General Officers conſulted him, about a Booty of Cattle, which lay in a certain Place. At length, however, having found his way to the King, a Party of five hundred Horſe, to *prevent the worſt*, were order'd out to meet the Train: But either ſo imperfectly were theſe Orders given, or ſo unwillingly were they obeyed, that it was one or two o'Clock in the Morning before they began to march; and they had ſcarce been an Hour upon the Road, before they ſaw a great Light in the Air, which was follow'd by a Noiſe, reſembling Thunder, accompany'd with an Earthquake. No Doubt was then any longer made of *O'Brian*'s Intelligence, or *Sarſfield*'s Succeſs: And theſe Concluſions of theirs were verify'd by the Fact: For the Train having, that very Night, reach'd an old ruinous Caſtle, call'd *Ballenedy*, not ſeven Miles from the Rear of his Majeſty's Camp; and the Guard having turn'd moſt part of their Horſes to Graſs, and laid themſelves down to ſleep, in the Belief that they were now out of the Reach of Danger, *Sarſfield*, who had lurk'd among the Mountains all Day, fell in amongſt them with his Party, cut many of them to Pieces, diſpers'd the reſt, carry'd off as many of their Horſes as they could catch, endeavoured to ſplit the Guns, and finally blew up the whole Convoy; after which they had alſo the good Luck to repaſs the River, and recover *Limerick*, without any material Loſs or Interruption.

A.D. 1690. *Sarſfield intercepts the Kings Artillery.*

It happen'd, however, that two of the Guns receiv'd no Damage; and with theſe, together with two more, and a Mortar-piece, which were brought from *Waterford*, it was reſolv'd to proſecute the Siege: All the Particulars of which are minutely ſet down by our *Impartial Hiſtorian*, and as minutely copy'd by our Cotemporary Mr. *Tindal*.

It is, however, ſufficient for us to remember, that, after the Town had been batter'd for ſeveral Days together, and plied for as many Nights with Fire-balls, Bombs and Carcaſſes, a Breach was made of about twelve Yards in Breadth; and the King gave Orders for a Storm; which was attempted accordingly on the 27th in the Afternoon by the choiceſt Troops of the Army, but without the deſir'd Succeſs; for tho' they carry'd the Counterſcarp, and Lord *Dregheda* actually enter'd the Breach, for want of being properly ſupported, they were driven out again; and the *Iriſh* recovering their Spirit with this unexpected Turn, and led on by their very Women, who were all *Amazons* on this Occaſion, return'd to the Breach, and defended it for three Hours together with ſo much Vigour and Reſolution, that his Majeſty, who was all the time a Spectator

The Town ſtorm'd.

A. D. 1690. without Success.

tor of the Action, caus'd a Retreat to be sounded, having seen five hundred of his best Men kill'd on the Spot, and about a thousand more wounded.

Our Author adds, That he return'd to his Camp, *very much concern'd*; the *Jacobites*, that he suffer'd himself to be very ridiculously transported; and Bishop *Burnet*, on the Authority of Dr. *Hutton*, his Majesty's Physician, continues positive, That he preserv'd *the same Calm, without the least Depression, Disorder, or Peevishness*.

The next Day after this Misadventure, he sent a Drummer to demand a Truce for the Burial of the Dead; but the *Irish* refus'd it: And when the Soldiers were on fire to make a new Effort, in hope of better Success, or, at least, of being aveng'd for their late Disappointment, Orders were given to disarm the Batteries, and raise the Siege: For the Rains already began to fall; and it was concluded, That if they prosecuted the Undertaking any farther, they must either go thro' with it, or leave their Cannon behind them. As it was, they were forc'd to blow up a great Quantity of Hand-granades, Bombs, *&c.* because of the Impossibility of carrying them off. *August* the 30th, the Army began to march, the Regiments that had suffer'd most having the Van, and the Horse bringing up the Rear; and were accompany'd by all the Protestants of the neighbouring Country, with all their Cattle and Moveables, whose Condition was truly deplorable; for, if they staid, they were sure to be given up to the Discretion of the *Irish*; and they were as sure to be plunder'd if they follow'd their Protectors and Deliverers. Even Bishop *Burnet* confesses, That the King's Army study'd more their own Ease, than the Protection of the Inhabitants: That many of them were suspected of robbing, though the *Irish Rapparees* bore the Blame of all: That between both, the poor Inhabitants had a *sad time*, their Cattle and Stock, being *almost quite* destroy'd in many Places. And again, in another Place, That they were almost as heavy to the Country as the Rapparees: That there being great Arrears due to them, the King had not left them under the Civil Government, when he left that Kingdom, for fear of Mutinies: That, on the other hand, the Subalterns finding they were only answerable to their superior Officers, took great Liberties: That the *Danes* were cruel Friends, and thought they were Masters: That the *English* were not much better: And that the *Dutch* were the *least* complain'd of. And to all this, the *Impartial Historian* adds, in Effect, That King *William*'s Protections were as often violated as King *James*'s: That those who put their Trust in his Declaration, had no Benefit from it; and that when the Army went into Winter-Quarters, and several Justices and Deputy Lieutenants made a formal Proposal, That if the Soldiers would be quiet, and not take upon them to be their own Purveyors, the Country would supply them with all Necessaries, some of the Colonels, instead of embracing it, order'd the poor People to bring in their Corn to certain

The Siege rais'd.

Miserable Condition of the Country.

Places, by them specified, which they made Merchandize of, and in the mean time allow'd their Men to commit what Excesses they pleas'd: Whence it follow'd, that both *English* and *Irish* were stript on all hands; and the very Rapparees themselves were plunder'd in the Day of what they had pilfer'd in the Night.

A. D. 1690.

On the very Day that the Siege was rais'd, his Majesty posted on to *Waterford*, accompany'd with the Prince of *Denmark*, the Duke of *Ormond*, *&c.* and set sail with a fair Wind for *England*.

The King sets sail for England.

The Army his Majesty left, as before, under the Comand of Count *Solmes*; and after him under *Ginkle*, another of his Country-men; and the Civil Government under Lord *Sydney*, and *Thomas Cominghsby*, Esq; as Lords Justices; the two first of whom, immediately after the King's Departure, repair'd to the Camp at *Cullen*, to assist in the Disposition of the Army. This, we are told, took up two Days; and, in that Interval, the Soldiers had once more the Pleasure of being made acquainted with Money, which had been very scarce during the whole Campaign, tho' their Wants were no Obstruction to their Duties.

having left the Army under Count Solmes, and the Government under Lords Justices.

The new Lords Justices then repair'd to *Dublin*, took the Oaths, and concerted the necessary Measures for re-establishing a Protestant Civil Government: In order to which, they first took care to put the Lieutenancy into safe Hands; they then invited and encourag'd all Persons to supply the Markets of *Dublin* with Provisions, *&c.* by forbidding all Officers and Soldiers to press their Horses, or give them any other Molestation. They also order'd all Papists to remain in their respective Parishes, from whence they were not to remove above three Miles; nor at all, except to Market. Those who lived near the Frontier, were oblig'd to withdraw ten Miles from thence, to prevent their holding any Correspondence with the Enemy; and for the same Reason, all the Wives, Children, and Dependants of any of the *Irish* in King *James*'s Army, or of those who had been kill'd or taken in that Service, were commanded to pass the *Shannon* by such a Day, on pain of being proceeded against as Spies. By another Proclamation, all Masters of Ships, Seamen, *&c.* were forbid to transport any Officer, Soldier, or any other Person whatever, except known Merchants, and Persons of known Quality, not belonging to the Army, without a Pass from the Lords Justices, or the General of the Army; which was done to prevent Desertion. Lastly, Protections were promis'd to all Ships and Mariners that should be employ'd in transporting Coals from any Port of *England* and *Wales* to *Dublin*; and all clandestine Sales of Goods, Provisions, *&c.* were forbid, because of the Abuses daily committed by the Soldiery, who took away the Properties of some, and sold them at any Under-Value to others.

Regulations of the new Lords Justices.

All this while the Earl of *Marlborough*, who had till now lain idle in *England*, for what Reason is no where satisfactorily explain'd,

Lord Marlborough's Expedition to Cork.

A. D. 1690. plan'd, was forming a Project to raiſe his own Character and Importance, without being over-ſhadow'd by the King's perſonal Interpoſition, or rival'd in it by his Majeſty's more favour'd *Dutch* Commanders: And this was to reduce the Towns of *Cork* and *Kingſale*; Places of great Conſequence, both on Account of their Strength, and their convenient Situation for receiving Succours from *France*. There was now no Danger of the *French* Fleet; That of the *Engliſh* and *Dutch*, completely refitted, and greatly reinforc'd, was ready to put to Sea; all was quiet at Home, and a Body of five thouſand Men could well be ſpar'd for ſuch an Expedition, without any Danger of expoſing the Nation to a new Inſult. Of all theſe Conſiderations, Lord *Marlborough* did not fail to make his own uſe; and was ſo well ſupported in the Privy-Council, that his Project was adopted, and all things were made ready for putting it in Execution. According to ſome Accounts, the King himſelf was preſent when the Affair was debated in the Cabinet; but according to others, his Majeſty was yet in *Ireland*, and was prevail'd upon to give it his Approbation there: And this, it is reaſonable to think, is the Truth; For his Majeſty landed at *Briſtol*, *September* the 6th; and on the 21ſt following, Lord *Marlborough* came to an Anchor in *Cork*-Road; which would have been impoſſible, if the Expedition had not been pre-concerted. It is, beſides, certain, that his Lordſhip was ſome time detain'd by contrary Winds; *ſo long*, ſays Biſhop *Burnet*, *that he did not arrive at Cork till October*: But tho' this latter Circumſtance is falſe, the former is true: which is a farther Proof, that the Troops were on the Point of embarking, if they were not already embark'd, when the King came over; and, probably, the obtaining his Majeſty's Conſent was the moſt difficult Part of the whole Undertaking; for, over and above the Diſpleaſure which the Earl had incurr'd, by taking ſo warm a Part in all the Princeſs of *Denmark*'s Concerns, the King choſe to be ſerv'd by his own Countrymen; and they, who did not care that he ſhould be ſerv'd by any body elſe, made no Difficulty to diſparage the Deſign, by urging, That *Cork* alone could not be reduc'd in leſs than ſix Weeks, which was much longer than the Seaſon would allow.

His Conteſt with the Duke of Wirtemburgh.

However this may be, the Earl made a ſhift to carry his Point; but not without ſome Mixture of Mortification: He found himſelf colleagu'd with the Duke of *Wirtemburgh*, who, upon joining him under the Walls of *Cork* with four thouſand *Danes*, had the Raſhneſs to inſiſt on the chief Command, becauſe he was a Prince: And tho' the Earl pleaded the Priority of his Commiſſion as Lieutenant-General, and that he commanded the Troops of his own Nation, who were Principals in the Quarrel, whereas, the Duke commanded Auxiliaries, or rather Mercenaries only, nothing leſs would ſatisfy his Highneſs than an Equality of Place and Power; which the Earl was forc'd to give way to, that the Continuance of ſuch a Broil might not be fatal to the Service.

A. D. 1690.

On the twenty-third the Troops from *England* landed without Oppoſition, a Party of Seamen having prepar'd their way, by ſtorming a Fort of eight Guns which commanded both the Harbour and Shore: And on the 28th following, a Breach having been made, and the Army making their (x) Approaches under the Fire of their Batteries, and that of two Bomb-Veſſels, in order to a Storm, the Garriſon, which conſiſted of no leſs than four thouſand Men, beat a Parley, and ſurrender'd the Place, on Condition of being made Priſoners of War, and that the General would uſe his Endeavours to obtain his Majeſty's Clemency towards them.

His Succeſs.

Half his Undertaking being thus happily accompliſh'd, on the very next Day his Lordſhip diſpatch'd Brigadier *Villiers* with five hundred Horſe, to ſummon *Kingſale*, who met with the moſt unfavourable Reception imaginable; for the Governor threatened to hang his Trumpet for bringing ſuch a Meſſage; after which, he ſet fire to the old Town, and withdrew his Garriſon into the old and new Forts. But this Appearance of Reſolution did not deter his Lordſhip from proceeding: On the contrary, perceiving that the Weather grew bad, and his Troops began to ſicken; and concluding from thence, that all depended on Expedition, on the 30th he caus'd a Body of Foot to advance; and on the firſt of *October*, he came before the Place himſelf with the reſt of his Army. On the ſecond, Major General *Tettau* carry'd the old Fort by Storm; on the third, his Lordſhip ſummon'd the new Fort to ſurrender; and the Governor anſwering, *It will be time enough to talk of that a Month hence*, made his Diſpoſitions for two Regular Attacks, *viz.* by the *Engliſh* on the Right, and the *Danes* on the left. On the fifth, the Trenches were open'd, and in ten Days more, the Beſiegers being Maſters of the Counterſcarp, and preparing for a general Aſſault, the Enemy beat a Parley, and agreed to deliver up the Place the next Morning, which they did accordingly, and were conducted, together with their Arms and Baggage to *Limerick*; having left behind them a very conſiderable Magazine, and Proviſions ſufficient to ſubſiſt a thouſand Men for a whole Year.

Thus the Earl had the Happineſs and Honour of fulfilling his Engagements, and thereby of making a very conſiderable Step towards the Reduction of *Ireland*. What Acknowledgments he receiv'd from his Majeſty at his Return to Court, we do not find ſpecify'd; but it is certain, he could not have made his Court to the People more effectually, than by ſhewing, they had a General of their own; at a time, when all the

(x) In which the Duke of *Grafton*, who had the Command of the Squadron of Ships left to cover the Siege, was mortally wounded.

A. D. 1690. the principal Military Truſts and Honours were conferr'd on Foreigners.

The reſt of the Year was more remarkable for the Sufferings of the Country, than the Succeſſes of either Party; for which ſoever prevail'd, the Inhabitants were ſtill plunder'd, and both were to be follow'd by the ſame Track of Ruin and Devaſtation.

Of the *Britiſh* Colonies in *America*, we have hitherto been wholly ſilent, becauſe they offer'd nothing material to be treated of. With regard to the Revolution, they had follow'd implicitly the Example of *England*; 'For, ſaid one of their Governors, if the Prince and Princeſs of *Orange*, are King and Queen at *Whitehall*, it is fit they ſhould be ſo here.' But by this time the Storm, which ſhook the whole Continent of *Europe*, alſo reach'd them; and it becomes neceſſary to mention the Effects.

Towards the Cloſe of the preceding Year, a Squadron of Men of War, conſiſting of one Third Rate, ſeven Fourth Rates, and one Fifth Rate, accompany'd with two Fire-Ships and a Bomb-Ketch, and having on board a Regiment of Foot, had been order'd to ſet ſail as ſoon as poſſible to *Barbadoes* and the *Leeward-Iſlands*, under the Command of Captain *Lawrence Wright*; with Inſtructions to provide for the Security of the ſaid Iſlands, to aſſiſt the *Dutch*, and annoy the *French*: In all which Undertaking, he was to take the Advice of Councils of War, and alſo of Colonel *Codrington*, Captain-General of the *Leeward-Iſlands*, and the Governor and Council of *Barbadoes*.

It ſo happen'd, however, that he did not ſet ſail till *March*, 1689-90, and then it was in Company of Admiral *Ruſſel*, and as Part of the Fleet appointed for the Convoy of the Queen of *Spain*: Whence it alſo happen'd, that he did not reach *Nevis* till the eighth of *May* following. But immediately after the News of the Declaration of War againſt *France* had reach'd *America*, the *French*, who held one Part of the *Iſland* of *St. Chriſtophers*, had maſter'd the *Engliſh*, who till then had been in Poſſeſſion of the other: This terribly alarm'd the Inhabitants of the adjacent Iſlands, who dreaded nothing more than any Acceſs of Power to ſuch encroaching Neighbours; and, therefore, partly on a Principle of Self-preſervation, and partly with a View of making Acquiſitions in their Turn, the ſaid Inhabitants, with Colonel *Codrington* their Governor at their Head, made all the Preparations in their Power to reduce that Iſland again. This was the State of Things when *Wright* arriv'd; and in about ſix Weeks afterwards, *Codrington*, and he, as Commanders in Chief, with their whole united Strength, ſet ſail for *St. Chriſtophers*; where, having landed two ſeveral Bodies of Men, they attack'd the *French*, in Front and Rear at once, forc'd them out of their Entrenchments, and the ſame Morning beat them a ſecond time out of a Paſs between two Hills, where they had rally'd, and which they had undertaken to defend. The two Commanders then puſh'd on to reduce the Town of *Backſtar*, but found the Enemy had abandon'd it, and ſet it on fire. Their next Attempt was upon the *Engliſh* Fort; which the Garriſon defended for ſome Days, but ſurrender'd at laſt upon Capitulation, and made their Retreat to the Mountains; whither the reſt of the Inhabitants had fled for Sanctuary before. And now no Enemy appearing, and all the valuable Part of the Iſland being reduc'd, a Regiment was detach'd to reduce the little Iſland of *St. Euſtatia* likewiſe; which being accompliſh'd, and the Hurricane Seaſon being at hand, the Forces were re-imbark'd, and the whole Fleet ſet ſail for *Barbadoes*.

A. D. 1690.

St. Chriſtophers *recover'd from the* French.

This Year, alſo, the Inhabitants of *New-England* became Adventurers in the Trade of War, at their own Expence, and with a Fleet, Army, and General of their own: The *French* had made a Settlement in *Nova Scotia*, call'd *Fort-Royal*, and began to open a Commerce, which the *New-Englanders* rightly conjectur'd, would ſoon interfere with their own; while, therefore, the Colony was yet in its Infancy, they reſolv'd to deſtroy it; and accordingly made a Proviſion of four Ships, and between ſeven and eight hundred Men for that Service. Their General was one Sir *William Phipps*; and, whatever his Conduct was, ſuch was his Succeſs, that he carry'd his Point, oblig'd the Planters and other Inhabitants to take the Oath of Allegiance to their Majeſties, and brought away the Garriſon Priſoners of War.

New and *Fort-Royal in* Nova-Scotia *reduc'd by the* New-Englanders.

Having now before us a general Sketch of all the Military Operations of the Year, it is time to reſume thoſe of the State; and firſt, with reſpect to his Majeſty, Biſhop *Burnet* aſſures us, "That he was ſo little weary'd with the Campaign, that he intended to have gone over to his Army in *Flanders*: But, continues his Lordſhip, it was too late; for they were going into Winter-Quarters." The King, as we have ſeen, landed at *Briſtol*, *September* the ſixth; and the Army in *Flanders* did not break up till above a Month afterwards: If, therefore, his Majeſty left the Campaign unfiniſh'd in *Ireland* with any ſuch Intention, it muſt be preſum'd, it was not merely the Advance of the Seaſon that hinder'd him: But it is plain, he had no ſuch Intention; and that this Surmiſe of the Biſhop's, tho' adopted by Mr. *Tindal*, is no more than a Strain of Fancy, to embelliſh the Character of his Hero; for in the very firſt Council that was held after the King's Return to *Kenſington*, which was on the 10th, it was reſolv'd to iſſue a Proclamation, requiring the Attendance of the Members of both Houſes of Parliament, on the ſecond Day of *October*: This Proclamation was made public the next Day; after which it became the chief Buſineſs of the Cabinet to make the neceſſary Preparations for opening the Seſſion; and at the time appointed, the Seſſion was open'd accordingly by his Majeſty, with the following Speech from the Throne:

The Parliament ſummon'd to meet.

"*My Lords and Gentlemen,*

"Since I laſt met you, I have uſed my beſt Endeavours to reduce *Ireland* into ſuch a Condition this Year, that it may be no longer

The King's Speech to both Houſes.

A. D. 1690. longer a Charge to *England*: And it has pleas'd *God* to bleſs my Endeavours with ſuch Succeſs, that I doubt not but I ſhould have been fully poſſeſt of that Kingdom by this time, had I been enabled to have gone into the Field as ſoon as I ſhould have done, and as is more eſpecially neceſſary in *Ireland*, where the Rains are ſo great, and begin ſo early.

I think myſelf oblig'd to take notice, how well the Army there have behav'd themſelves on all Occaſions, and borne as great Hardſhips with little Pay, and with ſo much Patience and Willingneſs, as could not but proceed from an affectionate Duty to my Service, and a Zeal for the *Proteſtant Religion*.

I have already made it evident how much I have preferr'd the Satisfaction of my Subjects before the moſt ſolid Advantages of the Crown, by parting with ſo conſiderable a Branch of its Inheritance; and it is no leſs apparent, that I have aſked no Revenue for myſelf, but what I have already ſubjected to be charg'd to the Uſes of the War.

I did, at my Departure give Order for all public Accounts to be made ready for me againſt my Return, and I have commanded them to be laid before the Houſe of Commons; by which they will ſee, that the real Want of what was neceſſary beyond the Funds given, and the not getting in due time that for which Funds were aſſign'd, have been the principal Cauſes why the Army was in ſo much Arrear of their Pay, and the Stores, both for the Navy and the Ordinance, not ſupply'd as they ought to be.

Now, as I have neither ſpar'd my Perſon nor my Pains to do you all the Good I could, ſo, I doubt not, but if you will as chearfully do your Parts, it is in your Power to make both me and yourſelves happy, and the Nation great. And, on the other hand, it is too plain by what the *French* had let you ſee ſo lately, that if the preſent War be not proſecuted with Vigour, no Nation in the World is expoſed to greater Danger.

I hope, therefore, there will need no more upon that Subject, than to lay before you, Gentlemen of the Houſe of Commons, the State of what will be neceſſary for the Support of the Fleet and Armies, which cannot poſſibly admit of being leſſen'd in the Year enſuing; and to recommend to your Care the clearing of my Revenue, ſo as to enable me to ſubſiſt, and to maintain the Charge of the Civil Liſt, the Revenue being ſo engag'd, that it muſt be wholly apply'd, after the firſt of *November*, to pay off the Debts already charg'd upon it; and therefore a preſent Conſideration muſt be had of the Arrears of the Army, which ſhall be laid before you; and for all which, I muſt deſire a ſufficient and timely Supply. It is farther neceſſary to inform you, That the whole Support of the Confederacy abroad, will abſolutely depend upon the Speed and Vigour of their Proceedings in this Seſſion.

And here I muſt take Notice, with great Satisfaction, of the Readineſs which my Subjects of all Degrees have ſhewn, both in this City, and in their ſeveral Counties, by giving their Aſſiſtances ſo chearfully as they did in my Abſence, while the *French* Fleet was upon our Coaſts. And, beſides this ſo convincing a Mark of the good Inclinations of my People, I have found through all the Countries where I paſs'd, both at my going into *Ireland*, and in my Return from thence, ſuch Demonſtrations of their Affections, that I have not the leaſt Doubt but I ſhall find the ſame from their Repreſentatives in Parliament. A. D. 1690.

I cannot conclude without taking notice alſo, how much the Honour of the Nation has been expos'd by the ill Conduct of my Fleet, in the laſt Summer's Engagement againſt the *French*: And I think myſelf ſo much concern'd to ſee it vindicated, that I cannot reſt ſatisfy'd till an Example has been made of ſuch as ſhall be found faulty upon their Examination and Trial, which was not practicable while the whole Fleet was abroad, but is now put into the proper way of being done as ſoon as may be.

My Lords and Gentlemen,

I look upon the well-being of this Kingdom to depend upon the Reſult of your Counſels and Determinations at this time; and the Benefit will be double by the Speed of your Reſolutions; inſomuch, that I hope you will agree with me in this Concluſion, That whoever goes about to obſtruct or divert your Application to theſe Matters, preferably to all others, can neither be my Friend nor the Kingdom's."

A certain paſſionate Admirer of King *William*, giving an Abridgment of this Speech, ſays of him in Rapture, "His Memory muſt remain ſacred to the laſt Man on this Earth, who, for *Engliſh* Liberty, and the Proteſtant Religion, goes bravely into Battle! —— May our Gratitude be as laſting as his Merit, and as firmly fix'd as his Mind was! —— His greateſt Enemies muſt admire and love his Virtues!" But ſurely theſe Overflowings of Admiration are not fully warranted by the Piece they ſtand connected with; for the whole Drift of it is manifeſtly to obtain a large and ſpeedy Supply for the Relief of the Civil Liſt, the Payment of the Army, and the Support of the Confederacy: And it can ſcarce be allow'd, that there is any ſuperlative Degree of Merit in ſeeking the Gratification of our own particular Intereſt. His Majeſty would, beſides, have ſhewn rather more Magnanimity in paſſing his own Merits and Services over in Silence: And not to inſiſt on the artificial Uſe which he was pleas'd to make of the late Terrors brought upon the Nation by the *French* Fleet, and the Reception he met with from his People on his Return from *Ireland*, the Cloſe of his laſt Paragraph is ſcarce reconcileable with the Privilege of Parliament, ſince it has a manifeſt Tendency to circumſcribe the Freedom of Debate, and to make the Buſineſs of the Seſſion ſubſervient to the Direction of the Crown. [Crookſhanks *in Anſwer to* Hatchinſon, p. 26.]

The two Houſes were not, however, in a Diſpoſition to ſtart Objections, but, on the contrary, to take whatever Bias ſhould be given them. Thus, after the Example of

A.D. 1690. the City of *London*, the *East-India* Company, &c. who had already waited on his Majesty with their Compliments of Congratulation, they immediately apply'd themselves to draw up Addresses of the like nature, accompany'd with all the Assurances that could possibly be given of their sincere Intentions to support the Government to the utmost of their Power.

The Lords Address to the King and the Queen;

The Lords came first; but, instead of making a joint Compliment to their joint Sovereigns, made their Approaches to the *Conqueror* one Day, and to the *Saviour* the next; either that both might have their distinct Share of Acknowledgment, or that his Majesty might not have the least Occasion to surmise, that they thought he had an *Equal*. To the King they said, "Being extremely sensible of the great Benefit and Advantage that his Majesty's late Expedition into *Ireland* had procur'd to his Subjects in general; as likewise, that the Success of his Majesty's Arms in that Kingdom was due, next to the Providence and Blessing of *God*, to his Majesty's Personal Valour and Conduct, they look'd upon it as their Duty to present their humble and hearty Thanks to his Majesty for all those signal Evidences he had given of his extraordinary Affection for his People, which had carry'd his Majesty in so many Occasions to venture a Life that was so dear to them, and to despise all Hazards to procure the Settlement of his Kingdoms, the Peace and Quiet of his Subjects, and the Establishment of their Religion. And as it was not possible but so much Bravery of Mind, such an undaunted Courage, and a Heart so exalted above any Apprehensions in the midst of all Dangers, must gain his Majesty the Admiration and Reverence of *all the World, and even of his Enemies themselves*, who had felt the Effects of *so great Virtues*, so they did not doubt but that such *extraordinary Qualities* must unite the Hearts of all his People in such a Tenderness, as well as Duty, for his Royal Person, as was necessary for the finishing what his Majesty had so gloriously begun."

But in their Application to the Queen, they contented themselves with acknowledging the great Advantage the Nation had receiv'd by the eminent Resolution, as well as Prudence, her Majesty had shewn in the Absence of the King, and in such Circumstances of Difficulty as would have discompos'd a Mind that had not been rais'd above them, as her Majesty had approv'd hers to be, by this undeniable Evidence; and with declaring, that her Majesty, having preferv'd the Quiet and Peace, by her prudent Administration against the Dangers threaten'd by a powerful Enemy, the Remembrance of such *extraordinary Virtue* must ever dwell in their Minds, and engage them in Justice, upon all Occasions, to express their Gratitude, as became her Majesty's most dutiful Subjects.".

and those of the Commons.

It is remarkable, that the Lords were five Days in preparing and presenting these Court-Offerings, and that the Commons, for what Reason is not specify'd, demurr'd yet two Days longer. The Lords made their Appearance at Court on the fifth and seventh, and the Commons on the ninth; for though they follow'd the Precedent set by their Lordships of two separate Addresses, they chose to present them both on the same Day. As to the Sentiments contain'd in them, They represented to the King their grateful Sense of that unparalell'd Goodness and tender Affection to his People, which, for the rescuing his Kingdom of *Ireland* from a tyrannous and foreign Yoke, and easing his Subjects of this Kingdom of the excessive Charge of a lingring War, had induced his Majesty to undertake a hazardous Voyage, and too freely to expose to all the Dangers of War that invaluable Life, upon which the whole Protestant Interest, and the common Liberty of *Europe* did so much depend: That, next to *God*, it was to his Conduct and Example, that they must ascribe the Success of the Expedition, and to which they must owe their Hopes of the speedy and entire Reduction of that Kingdom, and of seeing themselves in a Condition to make his Enemies sensible of the Strength and Power of *England*, under a King who knew and pursued its Interest. They also, from the Bottom of their Hearts, congratulated his Majesty's Success, and his Return to his People, who were unanimously persuaded, that their Peace, Security, and Happiness, were bound up in his Safety; and they did, in the Name of all the Commons of *England*, assure his Majesty, That they would be ever ready to assist him to the utmost of their Power; and as the best and truest way of expressing their Gratitude, would endeavour effectually to support his Government against all his Enemies."

A.D. 1690.

And to the Queen, They set forth the deep Sense they had of that Goodness, Wisdom, and Courage which her Majesty had manifested in the greatest Difficulties, and most pressing Dangers, during his Majesty's Absence; at a time when a powerful Enemy was upon the Coast, when the Nation was weaken'd in that Part which was its proper Strength, and depriv'd of the Security of his Majesty's Presence. They also declar'd, that the Resolution which her Majesty had shewn in her Administration, had given Life to her Subjects, and made them exert a Strength and Force unknown to the former Reigns: That her Zeal for the Public, encourag'd them to shew such Chearfulness in their Duty, as had disappointed the Hopes and Designs of all the open and secret Enemies of the Government; and that the grateful Remembrance of this, which renew'd the Memory of the most happy times, would for ever remain in the Hearts of her People, and could never fail to be express'd in all Instances of Loyalty and Obedience from themselves, and all the Commons of *England*."

His Majesty's Answer was in these Words: "All Addresses from the House of Commons are agreeable to me, especially such as express such a Respect and Affection for my Person, as this does. I shall always pursue the Good and the Interest of the Nation." And the Queen, in her Turn, tho' abun-

Their Majesties Answers.

A. D. 1690. dantly more conſider'd by the Commons than by the Lords, was only permitted to ſay, "Gentlemen, I thank you for your Addreſs, and I am very glad if I have done any thing to give you Satisfaction."

This Matter of Ceremony being thus at laſt diſpatch'd, the Commons, the ſame Day, proceeded to the great Buſineſs which had been ſo earneſtly recommended to them from the Throne. All the neceſſary Accounts and Eſtimates, or all that were thought of, lay already before them: For the Army, which was to conſiſt of ſixty-nine thouſand ſix hundred and thirty-ſix Men, was demanded 1,910,560*l.* 7*s.* For the Navy, 1,791,695*l.* 12*s.* 6*d.* And for the Ordnance 418,591*l.* 19*s.* 4*d.* Since *November* the 5th, 1688, the Iſſues had exceeded the Product of the Standing Revenue, and all the additional Grants, above two Millions, which Sum had been advanc'd to the Government by way of Loan, and which ſtill remain'd a Debt upon the Nation, at a very exorbitant Intereſt. To theſe Deficiencies, and the Difficulties ariſing from them, the King had plac'd all the Miſcarriages and Misfortunes of the Year: And from thence his Miniſters did not fail to infer the Neceſſity of providing more largely and liberally for the Public Service for the future. Thoſe Members, on the other hand, who had no other Concern in the Public Money than the giving it away, did not care to ſuppoſe, that Thrift on their Side, had been ſo injurious to the King's Affairs, as the Miſmanagement of his Officers. As, therefore, they were call'd upon for ſuch an unprecedented Aid as upwards of four Millions, they choſe to accompany their Grant with a Bill to authoriſe certain of their own Members to examine and ſtate the public Accounts: And this being agreed to, they reſolv'd, "That a Supply ſhould be given their Majeſties, for the entire reducing of *Ireland*, the ſecuring the Peace of this Kingdom, and the carrying on a vigorous War againſt *France*. The next Day, they gave the Sum demanded for the Navy, and on the 14th 2,294,560*l.* for the Army and Ordnance.

[*MSS of L. Halifax. vol.* I.]

The next great Object was Ways and Means to raiſe this mighty Sum; and under this Head it was reſolv'd, 1. That the Sum of 137,641*l.* ſhould be levied by the Month, for one Year, upon all Lands. 2. That an additional Duty be laid on all wrought and raw Silks, and all foreign Linnens. 3. That a Duty of Six-pence *per* Gallon be laid upon all Low-Wines, and Spirits of the firſt Extraction. 4. That an additional Duty of ten *per cent.* be laid upon all foreign Timber and Wood; and the like Duty, above what was already charg'd, upon all wrought Silks, Calicoes, *Indian* Linnens, *&c.* 5. That ſeveral Duties be laid upon foreign Seed-Oyl, Hops, Pepper, and all Grocery-Ware, except Sugar and Tobacco. 6. That the Exciſe upon all Beer, Ale, and other Liquors, be doubled: And 7. That an additional Duty be laid upon foreign Iron, Yarn of Flax or Hemp, and all Manufactures of Glaſs. A. D. 1690.

Thus far the Stream of the Seſſion ran as ſmoothly as the Courtiers themſelves could wiſh; and Biſhop *Burnet*, in his Hiſtory, would have us believe, it had done ſo, becauſe the Adminiſtration was ſo juſt and ſo gentle, that there were no *Grievances* to enflame the Houſe; by which the moſt promiſing Beginnings of ſome Seſſions in former Reigns, had often miſcarry'd: But almoſt in the ſame Breath, he adds, That many Complaints were made of the illegal Commitments of ſuſpected Perſons for High Treaſon, though nothing was ſworn againſt them: (*y*) And in an original Letter of his to Mr. *Johnſton*, then Reſident as the King's Miniſter at *Berlin*, he aſcribes this happy Progreſs of his Majeſty's Buſineſs to another Cauſe. "All that I know, ſays he, ſay plainly, They dare not go back into their Countries, if they do not give Money liberally." And again, "In a word, the *French* Fleet, by lying ſo long on our Coaſt, as it then did us no harm, ſo now produces ſuch Effects, as if we had brought them thither; ſince it has both united and animated the Nation, to a Degree beyond any thing that the moſt ſanguine could ever have promiſ'd themſelves. And the King's Behaviour in *Ireland*, as well as King *James*'s Meanneſs, has made ſo wonderful a Change in all Mens Minds, with relation to them both, that we ſeem not to be the ſame People that we were a Year ago; and the Nation ſeems reſolv'd to ſupport the King in the War to the utmoſt to which it can poſſibly ſtretch itſelf."

Proceedings on a Bill to apply the Forfeitures in Ireland to the uſe of the Public.

But to whatever Cauſe this ſudden Ductility was owing (for we ought not to loſe Sight of what the ſame Author has formerly told us, concerning Sir *John Trevor* the Speaker, and his undertaking to manage his Party, provided he might be furniſh'd with Money to purchaſe Votes) it did not continue to the End of the Seſſion without Interruption: For all the ſeveral Ways and Means above ſpecify'd, not proving ſufficient to anſwer the Grants, it was propos'd, "That the Sum of one Million ſhould be rais'd upon the Credit, or by the Sale of the forfeited Eſtates in *Ireland*; and that an Addreſs ſhould be preſented to his Majeſty, that he would be pleas'd to command the Commiſſioners in *Ireland* to make a Return of the Names of the Perſons in Rebellion in that Kingdom, and of their Eſtates, and the Value thereof, and that the ſame might to be tranſmitted to the Houſe of Commons." Now every Step in this Affair, it ſeems, went

(*y*) "But, continues his Lordſhip, the Danger was ſo apparent, and the public Safety was ſo much concern'd in thoſe Imprisonments, that the *Houſe of Commons* made a Precedent for ſecuring a Miniſtry that ſhould do the like upon the like Neceſſity, and yet maintain'd the *Habeas-Corpus*-Act; they indemnify'd the Miniſtry for all that had been done contrary to that Act."

It ought to be added, that the Indemnity thus looſely diſcours'd of by his Lordſhip, was granted by a ſpecial Act of Parliament, which had it riſe in the *Houſe of Lords*, and extended not only to the ſeizing and impriſoning ſuſpected Perſons, but to the ſeizing Horſes and Arms, and the raiſing and maintaining the Militia, *&c.*

A. D. 1690. went against the Grain of the Court: These Estates had been already destin'd to other Purposes; that is to say, to gratify Favourites; who could not bear to have the Prey wrested out of their Hands, for the sake of the Public. Such Managements were therefore used, that the said Address was rejected on the Report: When also it was farther resolv'd, that a Bill should be brought in for attainting such Persons as had been in Rebellion either in *England* or *Ireland*; as also for confiscating their Estates, and applying the same towards the Charge of the War, it was full six Weeks before any Progress was made in it; and then it was under the following Temperament; that a Clause should be added for reserving a Proportion of the Forfeitures to his Majesty's Disposal: According to the *Historian of his own Time*, this Proportion was afterwards fixed at a third, with this farther Indulgence, That his Majesty should be at Liberty to grant such Articles and Capitulations to those that were in Arms, as he should think fit: But the Truth is, that the House, having alter'd their Minds again, rejected these Clauses; and, after many other Amendments, sent the Bill up to the Lords on the 23d of *December*. The said *Historian* moreover says, That while it was depending before the Commons, many Petitions were offer'd from the Creditors of some, and the Heirs of others, who had continu'd faithful to the Government, and who desir'd Provisoes for their Security: He might have added, from such also as had no other Merit to plead, but that of being *new Converts*, among whom was the Lord *Dover*, who had made his Submission at *Waterford*. And, whereas he suggests yet farther, That the Commons rejected them all, because they saw no End of such Petitions; and that in so doing, they too much imitated King *James*'s Mock-Parliament; the true Reason was, because they knew the Court was at the Bottom of all of them, and espous'd them only to furnish a Handle for setting aside the Bill. His Lordship, indeed, lays on another Gloss, such as it is, in the following Words: "But when this Bill was brought up to the Lords, they thought they were in *Justice* bound to hear all Petitions. Upon this the Bill was like to be clogg'd with many Provisoes, and the Matter must have held long; so, the King to stop this, sent a Message to the Commons." Now, not to insist on the Absurdity of stopping a Proceeding in the House of Lords, by a Message to the Commons, it was *just* in the Lords to receive all Petitions, how is the King to be vindicated for putting a Stop to the Course of that *Justice*? Or how exempted from the Brand which this very Prelate has before fix'd on the House of Commons? But the plain *English* of all is, That the Bill was wilfully delay'd; and knowing it was so, the Commons sent several Messages to put the Lords in Mind of it, without any Effect; which is all that need be said concerning it, till we come to the Close of the Session. A. D. 1690.

In this Interval, the Bill of Aid, by an Assessment upon Lands, having pass'd both Houses, receiv'd the Royal Assent, *November* the 10th. And it ought not to be forgot, that the Preamble sets forth the deep Sense of both Houses, of the abundant Care, Wisdom, and Resolution with which their Majesties had defended these Kingdoms, against the Opposition of open and secret Enemies, and their Resolution effectually to support their Government, and to assist them for the entire reducing *Ireland*, *&c.* according to the Words of the Original Vote of granting a Supply: As also, that the Act itself contain'd a Clause of Loan for any Sum, at an Interest of seven *per cent.* and another of Appropriation for Seamens Wages.

and against the Earl of Torrington.

The Clause of Indignation in his Majesty's Speech against those who had expos'd the Honour of the Nation by their ill Conduct of the Fleet last Summer, came also under Consideration, during the same Interval; when it appear'd, that Lord *Torrington* was to be made the Victim of Propitiation, and that a Law was even to be made on purpose, to place him within the Reach of his Enemies. "The Form of his Commitment, says Bishop *Burnet*, was judg'd to be illegal; and the Martial Law, to which, by the Statute, all in the Fleet were subject, being lodg'd in the Lord-High-Admiral, it was doubted, whether the Admiral, being now in Commission, that Power was lodg'd with the Commissioners. 'Tis (*a*) *Judges were of Opinion that it was*; yet since the Power of Life

(*a*) It is, I think, demonstrable from the last Clause of the Protest, which was enter'd in the Lords Journals, on the Conclusion of this Debate, and which is here inserted for the sake of the many important things contain'd in it, that the Bishop has not the least Authority for this Assertion.

Die Jovis 15° Octobris, 1690. Hodie 3ª vice lecta est Bills, An Act concerning the Commissioners of the Admiralty.

The Question being put, Whether this Bill shall pass into a Law?

It was resolv'd in the Affirmative, Contents 27, not Contents 25

Leave having been given to any Lords to enter their Dissents, if the Question was carry'd in the Affirmative, these Lords following do enter their Dissents in these Reasons:

1. Because this Bill gives a Power to Commissioners of the Admiralty to execute a Jurisdiction, which by the Act of 13 *Car.* II. entitled, *An Act for establishing Articles and Orders for the regulating and better Government of his Majesty's Navys, Ships of War, and Forces by Sea*, we conceive they had not; whereby the Earl of *Torrington* may come to be tried for his Life, for Facts committed several Months before this Power was given or elapsed. We think it reasonable, that every Man should be tried by that Law that was known to be in Force when the Crime was committed.

2. It is by virtue of the said Act of 13 *Car.* II. that the Earl of *Torrington* was judg'd by this House not to have the Privilege of a Peer of this Realm for any Offences committed against the said Act: And there is no other Law, as we conceive, by which the said Earl could have been debarr'd from enjoying the Privilege of a Peer of this Realm; which Act making no Mention of Commissioners of the Admiralty, but of a Lord High-Admiral only, by whose Authority all the Powers given by that Act are to be exercised, and without whose Consent singly, no Sentence of Death can be executed, we think it of dangerous Consequence to expound a Law of this capital Nature otherwise than the literal Words do import; and, as we conceive it without Precedent to pass even explanatory Laws, much less such as have Retrospect in them, in Cases of Life and Death, so we think it now all necessary to make such a Precedent at this time, there being

A. D. 1690. Life and Death was too ſacred a thing to paſs only by a Conſtruction of Law, it was thought the ſafeſt Courſe to paſs an Act, declaring, That the Powers of a Lord-High-Admiral did reſt in the Commiſſioners. *The ſecret Enemies of the Government* [*meaning all thoſe who took the Liberty to oppoſe the Adminiſtration*] mov'd, that the Earl of *Torrington* ſhould be impeach'd in Parliament; Proceedings in that way being always ſlow, Incidents were alſo apt to fall in that might create Diſputes between the two Houſes, which did ſometimes end in a Rupture. But the King was apprehenſive of that, and, therefore, tho' he was much incens'd againſt that Lord, and had reaſon to believe that a Council of War would treat him very favourably, yet he choſe rather to let it go ſo, than to diſorder his Affairs." A Law was accordingly made, tho' Lord *Torrington*, at his own Requeſt, was heard before the Commons, while it was depending, declaring and enacting, That all and ſingular Authorities, Juriſdictions, and Powers, which, by Act of Parliament or otherwiſe, were veſted in the Lord-High-Admiral, appertain'd to, and ſhould be uſed and executed by, the Commiſſioners; with a Proviſo, that all Officers ſitting as Judges in Trials by Court-Martial, under their Authority, ſhould be upon their Oaths to deal uprightly between the King and the Priſoner. This Act receiv'd the Royal Aſſent, *November* the 5th: And, to diſpatch the whole of this Affair at once, tho' the Earl was then indiſpos'd in the *Tower*, the Commiſſioners, immediately after they had receiv'd this Confirmation of their Power, directed a Court to be held for his Trial; which met for the firſt time on board the *Kent* Frigate at *Sheerneſs*, on *December* the 10th following. The Charge againſt him, in Subſtance, was, That in the late Engagement off of *Beachy Head*, he had, through Treachery or Cowardice, miſbehav'd in his Office, drawn Diſhonour on the *Engliſh* Nation, and ſacrific'd our good Allies the *Dutch*: And, after the Eagerneſs which had been ſhewn to bring him to a Trial, the Imputations which had been faſten'd upon him by Lord *Nottingham*, in his Letter to Lord *Durſley*, and the Pains which had been taken to find Evidence againſt him, no Doubt was made, but every Tittle would be inconteſtably prov'd upon him: Notwithſtanding which, upon the Hearing, ſo ſlender did the Grounds appear upon which the Court had proceeded, ſo manifeſt the Rancour which had actuated the Proſecution, and ſo ſtrong was the Defence made by the Priſoner, that he was unanimouſly acquitted: For, in the firſt Place, of the Treachery ſuggeſted, not the ſmalleſt Circumſtance appear'd; and, ſecondly, that which his Accuſers call'd Cowardice, he prov'd to be Diſcretion: He prov'd, that all the Admirals of the Fleet were againſt engaging as well as himſelf, for the ſame Reaſon; namely, becauſe of the great Superiority of the Enemy; and that they engag'd at laſt in Conſequence of the Queen's poſitive Orders: He inſinuated, that the Adviſer of thoſe Orders was then become anſwerable for the Miſcarriage: He aſſerted, That the *Dutch* were deſtroy'd by their own Raſhneſs: And he concluded with ſaying, That as his Conduct had ſav'd the *Engliſh* Fleet, he hop'd an *Engliſh* Court-Martial would not ſacrifice him to *Dutch* Reſentment: And yet Biſhop *Burnet* is pleas'd to pronounce, That the ſaid Court (tho' compos'd of ſuch as were known to be leaſt attach'd to the Earl and his Intereſt) behav'd with ſo groſs a Partiality, that it reflected on the Juſtice of the Nation; adding, "So that if it had not been for the great Intereſt which the King had in the *States*, it might have occaſion'd a Breach in the Alliance between them and us."

who is unanimouſly acquitted.

A. D. 1690.

To conclude on this Head, all Authors agree, that the King was as thoroughly provok'd at the Manifeſtation of his Innocence, as before at the Perſuaſion of his Guilt; and that, forgetful of the Benefit he had formerly receiv'd from his Services, he not only depriv'd him of his Command, but never would ſuffer him to come any more into his Preſence.

By this time another Bill of Supply, namely, that for doubling the Duty of Exciſe upon Beer, Ale, and other Liquors, during the Space of one Year, having gone thro' the Forms of both Houſes, his Majeſty gave the Royal Aſſent to it on the 29th of *November*; and alſo made a Speech from the Throne, to the following Effect: "That he took this Occaſion to aſſure them, that he was extremely ſenſible of the Zeal and Cheerfulneſs in all their Proceedings, as alſo of the Readineſs which the Commons had ſhewn in granting ſuch large Supplies towards the preſſing Occaſions of the Navy and Army; and that he ſhould not be wanting on his Part to ſee them carefully applied to thoſe Uſes for which they intended them."

Royal Aſſent given to the Act for doubling the Exciſe. The King's Speech on that Occaſion.

He moreover obſerv'd to them, "That as the Poſture of Affairs Abroad did neceſſarily require his Preſence at the *Hague*, before the End of the Year, ſo it was neceſſary for him to deſire them, to loſe no time, in diſpatching and perfecting of ſuch farther Supplies as were ſtill neceſſary for the Navy and Army; and not for them only, but it was high time alſo, to put them in mind of making ſome Proviſion for the Expence of the Civil

---

an undoubted legal way already eſtabliſh'd to bring this Earl to a Trial by a Lord-High-Admiral.

3. The Judges having *unanimouſly* declar'd, *That the Law Marine was no where particularized in their Books, adequate the Power or Juriſdiction of the Lord-High-Admiral may be aſſertain'd, ſo that the Practice is all that we know of it*, we conceive it unprecedented, and of dangerous Conſequence, that the Juriſdiction exercised by the Lord-Admiral ſhould, by a Law, be declared to be in the Commiſſioners of the Admiralty, whereby an unknown, and therefore unlimited, Power, may be eſtabliſh'd in them.

Rivers, Huntingdon, Rocheſter, Weymouth, Stamford, Dartmouth, Oxford, Mansfield, Abo. Boſton, Crewe, Bath, Granville, Herbert, Craven, J. Ewer, Bolton, J. Bridgewater.

A. D. 1696. Civil Government, which had no Funds for its Support, ſince the Exciſe, which was deſign'd for that Service, and alſo the other Branches of the Revenue had been apply'd to other public Uſes; and therefore he earneſtly recommended it to their ſpeedy Conſideration."

But the Commons the Day before had reſolv'd, 1. That the ſeveral Duties laid upon Goods imported, and to be imported, ſhould be granted to their Majeſties for the Term of five Years, to commence from the 10th of *November*, and no longer. 2. That the Duties impos'd by an Act made in the firſt Year of the Reign of the late King *James*, entitled, *An Act for granting his Majeſty an Impoſition on all Wines and Vinegars imported the twenty-fourth Day of* June, 1685, *and the twenty-fourth Day of* June, 1693: As alſo thoſe impos'd by another Act made in the ſame Year, entitled, *An Act for granting an Aid to his Majeſty, by an Impoſition on all* French *Linnen, and on all* Eaſt-India *Linnen, and ſeveral other Manufactures of* India, *and on all* French *wrought Silks and Stuffs, and on all other wrought Silks, and on all Brandies imported after the firſt Day of* July, 1685, *and before the firſt of* July, 1690, ſhould be continu'd till the 24th Day of *June*, 1696. 3. That the Duties impos'd upon Tobacco, by an Act made in the firſt Year of King *James* II. entitled, *An Act for granting to his Majeſty an Impoſition upon all Tobacco and Sugar imported after the firſt Day of* July, 1685, *and before the firſt Day of* July, 1690, *be continu'd until the 24th Day of* June, *and no longer*. And they had moreover order'd, at the ſame time, that a Bill or Bills ſhould be brought in for granting to their Majeſties the ſeveral Duties or Impoſitions upon the ſeveral Heads reſolv'd upon by that Houſe.

Two other Bills paſſed, and another Speech made.

Two Bills were accordingly prepar'd on theſe Reſolutions, and paſs'd through both Houſes, with ſuch Expedition, that on the 20th of *December* they receiv'd the Royal Aſſent, together with the Mutiny-Bill; when his Majeſty again ſignify'd to both Houſes, "How ſenſible he was of their good Affections to him, and of their ſincere Endeavours to promote the true Intereſt of their Country, in continuing to provide farther Supplies towards defraying the Charges of the War, which he would take care to ſee diligently and ſtrictly apply'd to the Uſes for which they gave them." He alſo ſaid, "That he had lately acquainted them, that the Poſture of Affairs abroad would not admit of deferring his Journey to the *Hague* much beyond that time; and that he put them in mind of it now, in hopes that that Conſideration would prevail with them to uſe all poſſible Diſpatch in what ſtill remain'd to be done for the more vigorous Proſecution of the War. And he concluded with mentioning to the Houſe of Commons, "That if ſome annual Proviſion could be made for the augmenting of the Navy, and building of ſome new Ships of War, it would be a very neceſſary Care at this time, both for the Honour and Safety of the Nation."

Still the Proceedings of the Commons had, in ſome meaſure, the ſtart of his Majeſty's Demands. Being ſenſible, that the Proviſions they had made would not anſwer the Sums they had voted, they had, on the 19th, reſolv'd, That the Remainder of a Sum, not exceeding 4,086,255*l.* for the Supplies to be granted to their Majeſties, be rais'd by doubling the *Additional Duties* of Exciſe upon Beer, Ale, and other Liquors, mention'd in an Act of the firſt Year of their Majeſties Reign, entitled, *An Act for an additional Duty of Exciſe upon Beer, Ale, and other Liquors; to begin from the time that the Act for doubling the Duty of Exciſe upon Beer, Ale, and other Liquors, during the Space of one Year, did expire.* And now, taking his Majeſty's Speech into Conſideration, particularly the latter Part of it, they unanimouſly reſolv'd, firſt, That a Supply be given to their Majeſties for the building of Ships of War, not exceeding the Sum of 570000*l.* And, ſecondly, That the ſaid Supply ſo to be given to their Majeſties, be for the building of ſeventeen Third-Rate Ships of ſixty Guns a-piece, to be added to the Ships in the Eſtimate, already provided to be built. They moreover reſolv'd three Days after, That this Supply ſhould be rais'd by the additional Duties upon Beer, Ale, and other Liquors; and order'd that an enacting Clauſe ſhould be prepar'd in Purſuance of the ſaid Reſolution." They alſo provided in this Bill, that the Impoſitions on Wines, Vinegar, and Tobacco, ſhould be made a Fund of Credit; that the Surpluſſes of the Grants they had made, after the current Service was provided for, ſhould be applicable to the Payment of the Debts contracted by the War; and that it ſhould be lawful for their Majeſties to make uſe of 500000*l.* out of the ſaid Grants; on Condition, that the ſame ſhould be repaid out of the Monies ariſing by their Majeſties Revenue. Laſtly, they clos'd the grand Affair of Ways and Means, by a Bill for encouraging the home Diſtillery, and for laying ſeveral Duties on low Wines and Spirits of the firſt Extraction. And upon the whole, Biſhop *Burnet* pronounces, "That though they conſented to the Funds propos'd, which, continues he, were thought equal to that which was demanded, they prov'd afterwards to be defective;" whereas it appears, both by Lord *Halifax*'s Books, and by an Account deliver'd by the Treaſury to the Houſe of Commons in 1697, that the ſaid Funds produc'd a Surplus of 77,581*l.* 3*s.* 4½*d.*

A. D. 1696. *Further Proceedings on Ways and Means.*

It is fit in this Place to mention what that notable Prelate has forgot, namely, That all theſe Proviſions for enabling the King to proſecute his Deſigns on the Continent with Vigour, were made under the Direction of that able Undertaker Lord *Godolphin*; who had not only been again brought into the Treaſury, but plac'd at the Head of it: And that Sir *John Somers*, the Sollicitor-General, drew the Bills, and carry'd them thro' all the Forms of the Houſe: That Lord *Sydney* was made Secretary of State, for that Province which had been kept ſo long vacant, on the Reſignation of Lord *Shrewſbury*; and that

Lord Godolphin at the Head of the Treaſury.

A. D. 1698. that Sir *Charles Porter* was made one of the Lords Juſtices of *Ireland* in his Room, as alſo Lord Chancellor of that Kingdom.

But though we are come to a Cloſe of the King's Buſineſs, we cannot as yet cloſe the Seſſion: The *Tories* of the City had not reap'd the Fruits they expected from the Act to reverſe the Proceedings againſt the Charter; and the *Whigs*, or rather the *Occaſional Conformiſts* among the *Diſſenters*, had not only made a ſhift to keep their general hold of the Magiſtracy, but even to continue their own Mayor, *Pilkington*, and their own Chamberlain, *Robinſon*. Full of Reſentment, therefore, for this Diſappointment, and as full of Confidence, that with a Parliament after their own Hearts, which had alſo gone ſuch Lengths to merit the Favour of the Court, they might obtain what farther Explanations they pleas'd; they, the ſaid *Tories*, drew up and preſented the following Petition to the Houſe of Commons:

Petition of the City Common-Council Men to the Commons.

"*The Humble Petition of the Members of the Common-Council of the City of* London, *hereunto ſubſcribing, Sheweth,*

"That your Petitioners humbly conceiv'd and hop'd, That the late Act of Parliament for reverſing the Judgment in the *Quo Warranto* againſt the ſaid City, would have reſtor'd the City to its ancient Rights and Priviledges; but the Contrary happening, your Petitioners beg leave to repreſent to this honourable Houſe,

That notwithſtanding the ſaid Act, ſeveral Aldermen of the ſaid City, made or elected by virtue of Commiſſions or Charters from the late King *James* under his Great Seal, act ſtill as Aldermen by that Authority, under Pretence, That by ſome doubtful Expreſſions in the ſaid Act, they are continu'd, as well as Miniſterial Officers.

That by colour of their aſſum'd Authority and illegal Proceedings, Sir *Thomas Pilkington* was by them, on the Day of Election appointed by the ſaid Act, declar'd and made Mayor, tho' not duly return'd by the Common Hall, according to the Uſage of the City.

That by the Contrivance of the ſaid Mayor and Aldermen, Mr. *Leonard Robinſon* is impos'd on your Petitioners as Chamberlain of the City, notwithſtanding another Perſon was duly elected into that Office, and declar'd ſo to be by the Sheriffs; and the Hall thereupon diſſolv'd.

That divers Members of our Common-Council are illegally excluded, and others, duly elected, are refus'd their Admittances. A. D. 1699.

That the Place of Town-Clerk having been vacant three Months and upwards (an Office of great Truſt in the City), and only elegible by, and in, Common-Council, the ſaid Mayor and Aldermen have, of their own Authority, appointed ſeveral Perſons to the Execution thereof, without the Conſent of the Common-Council, againſt the conſtant known Rights of your Petitioners.

That your Petitioners have not been ſuffer'd to meet and conſult about the neceſſary Affairs of the City, according to their ancient Rights and Cuſtoms.

That a Common-Council being ſummon'd and aſſembled about the third Day of *October*, many Debates ariſing concerning the Premiſes, and ſeveral Motions being made, and the Majority of the Common-Council agreeing, That for ſettling the Rights of the City, an humble Addreſs ſhould be made to this honourable Houſe to explain the ſaid Act: And thereupon the Queſtion being deſir'd to be put, the ſaid Mayor refus'd it; and to prevent any ſuch Application, immediately diſſolv'd the Court, and went away.

Wherefore your Petitioners having, by theſe evil Practices, all their ancient Rights and Priviledges invaded, and neither Mayor, Court of Aldermen, Sheriffs, Chamberlain, Common-Council, or Town-Clerk, as of Right they ought to have; and being elſewhere without Remedy, humbly pray ſuch Relief in the Premiſes, as ſhall conſiſt with the Wiſdom and Juſtice of this honourable Houſe,

And your Petitioners, as in Duty bound, ſhall ever pray, &c. (*a*)

Theſe were the Allegations on the one Side, and on the other, *Pilkington*, and his Allies, undertook to prove, That they were all either falſe or frivolous: That his own Election, and that of *Robinſon*, were fair and unexceptionable: That even thoſe who had demanded a Scrutiny had withdrawn that Demand, and declar'd themſelves ſatisfy'd with the Election: That the Ring-leaders of the Faction clam'd Privileges and Authorities, which they had no Right to: That even the Common-Council themſelves could not agree about the Matter of the Addreſs, or the *Explanations* to be requir'd; and that the Adminiſtration of the City was not only irreproachable but meritorious. To leſſen [*State Tracts, Vol. II.*]

(*a*) It was ſubſcrib'd by *William Daſſen, Ralph Box, Richard Allie, William Wilkes, Richard Holder, Robert Bellingfield, John Midgely, Nicholas Alexander, John Wright, John Gerrow, Michael Perſival, Daniel Tamplenian, Thomas Mills, Thomas Baſſet, James Oudet, John Hardritt, John Owen, Peter Pickering, William Saltmarſh, Edward Aſton, Hugh Strode, William Wadcroft, Thomas Blackmore, Abraham Jaggard, Thomas Rogers, George Beaverſtock, Robert Maſter, James Cooke, Thomas Darwin, Richard Beauchamp, William Thatcher, Iſrael Knowles, John Shford, Thomas Gardner, John Groſſe, John Bland, Iſaac Bread, Henry Lewis, James Hudſon, Benjamin Aſhfit, John Weſt, John Knapp, John Johnſon, Francis Brereton, Richard Goodall, Anthony Gregory, Thomas Bodle, William Iremen, Peter Flyer, Robert Littlebury, John Moore, William Fount, John Webb, Francis Minſhall, William Pate, John Gross, Percival Gilham, Edward Heron, William Rose, Thomas Symons, John Moore, Lawrence Cole, George Newland, James Weſt, John Cooper, Michael Symonds, Charles Feltham, John Slade, James Smith, John Kent, Paul Wicks, Samuel Gerrard, Symon Wilmott, John Dowler, William Strange, John Saunders, Edward Moſs, Nicholas Smith, John Weſtbrooke, Thomas Langham, Walter Coverteye, John Cook, Henry Clarke, Richard Terbury, Ralph Beard, Edward Shaller, Edward Norman, James Clement, Richard Edmonſon, Richard Hors, William Pett, Richard Weedon, Samuel Cogly, George Boſſin, Thomas Short, Samuel Leake, Augeſtin Martin, John Sawyer, William Reeve, Roger Rorer, Francis Griffith, Thomas Temple, Samuel Clarke, George Cole, John Stevenſon, Jer. Wayte, Jeremiah Elmes, Robert Brough, Samuel Walton, Richard Hammed, John Foſter, John Freeman, Daniel Browne, Philip Scarth, James Foulis, Edward Pellill, William Pillatt.*

A. D. 1699. leſſen the Credit of their Adverſaries they, moreover, gave out, that no leſs than ſixty of them were Surrenderers of Charters, and Betrayers of the Rights they now affected to eſpouſe; and that the whole Proceeding was a wicked *Jacobite's* Contrivance, to diſturb the Peace of the City, retard the Supply, and thereby to diſtreſs the Government, and farther the Deſigns of the Common Enemy.

Even theſe petty Factions deal as much in Gloſs and Gilding, as thoſe of the State, and their Pretences are to be decipher'd accordingly: But then, which ever is moſt in the right, Thoſe at the Helm never fail to defend That which they can make the moſt uſe of. Now the late Panic which had ſhook the Government, when a *French* Deſcent was every Moment apprehended, had not only convinc'd the Court, that the *Whigs* were in general the monied Men, but alſo, that they would part with it freely for the Security of the Settlement which they had made: They had, on that Occaſion, offer'd their Aſſiſtance heartily, and had ſubſcrib'd largely; while the *Tories*, on the other hand, had ſubſcrib'd but ſeven thouſand Pounds in all; the greater Part of which, they had recall'd as ſoon as the Miniſters had preſum'd to make an Alteration in the Officers of the Militia. As, therefore, the monied Intereſt was deeply concern'd in this Petition, and no immediate End could be anſwer'd by obliging the contrary Party, it did not meet with the Countenance that was expected, and, of courſe, came to nothing; which is, perhaps, the Reaſon why it is not ſo much as mention'd by any of our Hiſtorians.

A new Deſign againſt the Lord Preſident Caermarthen.

We muſt now take leave to copy a Paſſage from Biſhop *Burnet*, who ſays, "Another Debate was mov'd in the Houſe of Lords (by thoſe who intended to revive the old Impeachment of the Marquis of *Caermarthen*) whether Impeachments continu'd, from Parliament to Parliament, or whether they were not extinguiſh'd by an Act of Grace? Some ancient Precedents were brought to favour this, by thoſe who intended to keep them up: But in all theſe there had been an Order of one Parliament to continue them on to the next: So they did not come home to the preſent Caſe: And how doubtful ſoever it was, whether the King's Pardon could be pleaded in Bar to an Impeachment; yet, ſince the King had ſent an Act of Grace, which had paſs'd in the firſt Seſſion of this Parliament, it ſeem'd very unreaſonable to offer an Impeachment againſt an Act of Parliament. All this diſcover'd a Deſign againſt that Lord, who was believed to have the greateſt Credit, both with the King and Queen, and was again falling under an univerſal Hatred. In a Houſe of Commons, every Motion againſt a Miniſter, is apt to be well entertain'd; ſome envy him; others are angry at him; many hope to ſhare in the Spoils of him, or of his Friends that fall with him: And the Love of Change, and a Wantonneſs of Mind, makes the attacking a Miniſter a Diverſion to the reſt: The thing was well laid, and fourteen leading Men had undertaken to manage the Matter againſt him; in which the Earl of *Shrewſbury* had the chief hand, as he himſelf told me; for he had a very bad Opinion of the Man, and thought his Advices would, in Concluſion, ruin the King and his Affairs."

A. D. 1699.

This, we are to underſtand, is the ſecret Hiſtory of this Proceeding: And no Doubt can be made, that the Breach between the *Whigs* and that Miniſter was irreparable; as alſo, that they would loſe no Opportunity of removing him out of their way. It is, beſides, upon Record in the Lords Journals, That a Committee was appointed to inſpect Precedents, whether Impeachments continued in *ſtatu quo* from Parliament to Parliament; that the ſaid Committee made a Report of ſeveral ſuch Precedents taken out of the Rolls in the *Tower*; that the ſaid Report gave riſe to a long and vehement Debate, and ſeveral Motions; that the main Drift of all, that is to ſay, the Deſign againſt the ſaid Marquis, was evaded by the following Queſtion, *viz.* Whether *James* Earl of *Salisbury*, and *Henry* Earl of *Peterborough* (who had been impeach'd in the former Parliament for being reconcil'd to the Church of *Rome*) ſhould be now diſcharg'd from their Bail? and that it being reſolv'd in the Affirmative, the Lords *Bolton*, *Stamford*, *Bath*, *North and Grey*, *Granville*, *Herbert*, *Bridgewater* and *Macclesfield*, enter'd their Proteſt, for the Reaſons following, *viz.*

Proteſt on the Iſſue of the Debate.

1. Becauſe we conceive it is a Queſtion not at all relating to the real Debate before us, but urg'd upon us, not for the ſake *only* of the two Lords mention'd.

2. Becauſe we ought to have examin'd Precedents of Pardons, to ſee how far an Impeachment was concern'd, before we had adjudg'd the Lords diſcharg'd, or whether an Impeachment could be pardon'd without particular Mention in an Act of Grace, and what Difference there is between an Act of Grace and an Act of Indemnity.

3. Becauſe we did not hear the Houſe of Commons, who are Parties, and who, in common Juſtice, ought to have been heard before we had paſs'd this Vote.

Laſtly, the Commons having completed their Bill for appointing Commiſſioners to take and ſtate the public Accounts, and having alſo choſen, by Ballot, the ſaid Commiſſioners from among themſelves; namely, Sir *Peter Rich*, Sir *Thomas Clarges*, Mr. *Paul Foley*, Colonel *Robert Auſten*, Sir *Matthew Andrews*, Sir *Benjamin Newland*, Sir *Samuel Bernardiſton*, and Sir *Robert Harley*, ſent it up to the Lords: Upon which Occaſion, Lord *Rocheſter* mov'd, that their Lordſhips would alſo add ſome of their own Number, to act jointly with thoſe of the Commons. The Motion was adopted. The Lords made their Choice by Ballot likewiſe; and he who had the greateſt Number of Voices, was Lord *Rocheſter* himſelf: But whatever his Motives were, "he refus'd to ſubmit to this, ſays the *Hiſtorian of his own Times*, with ſo much Firmneſs, that the other Lords who were nam'd with him, ſeem'd to think they were in Honour bound to do the ſame: *So*, con-

Commiſſioners for taking the public Accounts.

A.D.1690-91 tinues his Lordſhip, ſince no Peer would ſuffer himſelf to be nam'd, the Bill paſs'd as it was ſent up."

And now his Majeſty, growing impatient to gratify his Countrymen with a Spectacle they had never ſeen before, that is to ſay, a King of their own, reſolv'd to put an immediate End to the Seſſion. Accordingly, *January* the fifth, he came to the Houſe of Peers, and, having given the Royal Aſſent to ſuch Bills as were (*b*) ready, took his Leave with the following moſt gracious Speech:

King's Speech at putting an end to the Seſſion.

"*My Lords and Gentlemen,*

"Having lately told you, That it would be neceſſary for me to go to *Holland*, much about this time, I am very glad to find, that the Succeſs of your Endeavours to bring this Seſſion to a happy Concluſion has been ſuch, that I am now at Liberty to do it: And I return you hearty Thanks for the great Diſpatch you have made in finiſhing the Supplies you have deſign'd, for carrying on the War; which it ſhall be my Care to ſee duly and punctually apply'd to that Service for which you have given them: And I do likewiſe think it proper to aſſure you, *That I ſhall not make any Grants of the forfeited Lands in* England, or *Ireland, till there be another Opportunity of ſettling that Matter in Parliament in ſuch manner as ſhall be thought moſt expedient.* (*c*)

My Lords and Gentlemen,

As I have Reaſon to be very well ſatisfy'd with the Proofs you have given of your good Affection in this Seſſion of Parliament, ſo I promiſe myſelf the Continuance of the ſame at your Return into your ſeveral Countries: And as every Day produces ſtill freſh Inſtances of the Reſtleſneſs of our Enemies, both at home and abroad, in deſigning againſt the Proſperity of this Nation and the Government eſtabliſh'd, ſo I do not doubt, but the Union and good Correſpondence between me and my Parliament, and my earneſt and conſtant Endeavours for your Preſervation on the one hand, join'd with the Continuance of your Zeal and Affection to ſupport me on the Throne, will, by the Bleſſing of *God*, be at all times too ſtrong for the utmoſt Malice and Contrivance of our Common Enemies."

A.D.1690-91 *His Majeſty ſets out for Holland.*

The Lord Chief Baron *Atkins* then declar'd, by the King's Command, That it was his Majeſty's Pleaſure, that both Houſes ſhould adjourn themſelves till the thirty-firſt of *March*, and that they ſhould have timely Notice, if there was to be a Seſſion. After which both Houſes adjourn'd themſelves accordingly; and the very next Day his Majeſty ſet out for *Holland*. But, Saviour as he was eſteem'd, the Winds and Seas refus'd to obey him; and when he was got as far as *Canterbury*, a ſevere Froſt, and a ſtrong Gale at *Eaſt*, oblig'd him to alter his Courſe, and return to *Kenſington*, where he was forc'd to continue from the ninth to the ſixteenth. The Weather then remitting, he ſet out again, embark'd at *Gravеſend* the ſame Day; and on the eighteenth about Noon, being inform'd by a Fiſherman, that he was within a League and a Half of the *Goree*, to which Place it was difficult for the Ships to get up, becauſe of the Ice with which the Coaſt was then ſurrounded, ſo great was his Impatience to be on Shore, that he left his Yacht, and, accompany'd by the Duke of *Ormond*, the Lord-Steward *Devonſhire*, the Lord-Chamberlain *Dorſet*, the Earls of *Monmouth* and *Portland*, and Meſſieurs *Overkirk* and *Zuleſtein*, went off in a Shallop, or open Boat, thinking to land in an Hour or two at fartheſt: Inſtead of which, what with the Difficulty of making their way thro' the Ice, and even of finding their way at all, by reaſon of the Fogs which intercepted every Object on every Side, it was eight next Morning before they reach'd the *Goree*. And in the room of wondering at the Raſhneſs which induc'd his Majeſty to expoſe himſelf and his Attendants to ſuch a Variety of Perils, we are taught by the *Hiſtorian of his own Times*, to admire the Bravery with which he confronted them; for, in order, as it may be ſuppos'd, to equal him with *Ceſar*, he tells us, "That when the Seamen ſeem'd very apprehenſive of their Danger, the King ſaid in a very intrepid manner, *What! are you afraid of dying in my Company?*" Being, at laſt, arriv'd at *Hounſlaterdyke*, he was receiv'd and complimented by four of the *States* Deputies, and at the *Hague* the ſame Evening by the States General, the States of *Holland*, the Council of

He is in Danger at Sea.

(*b*) Namely, That for granting the additional Exciſe: That for preventing vexatious Suits againſt ſuch as had acted for their Majeſty's Service: That for appointing Commiſſioners to inſpect the public Accounts: That for encouraging the Diſtillery, and laying a Duty on low Wines: A fifth for the more effectual putting in Execution the Act for prohibiting all Commerce with *France*: A ſixth, for raiſing the Militia: And a ſeventh, for the Relief of inſolvent Debtors. Thoſe left unfiniſh'd were, a Bill to regulate Trials in Caſes of Treaſon; another to oblige the Lords Commiſioners of the Treaſury to take the like Oaths as the Lord Treaſurer; another relating to the *Aſſiento* Trade; another againſt Robbers on the High-Way; another for the ſpeedy determining Elections of Members of Parliament; another to charge the Eſtate of the late Lord *Jeffreys* in *Leiceſterſhire*, with the Sum of 14,760*l.* and Intereſt, to *Edmund Prideaux*, Eſq; another for regulating and licenſing Hackney-Coaches: and another for the enabling Surgeons to adminiſter inward Medicines in Caſes of Surgery (which laſt was petition'd againſt by the Phyſicians and Apothecaries.) A Bill was alſo brought in for reducing Intereſt Money from ſix to four *per cent.* which, after the ſecond Reading, was rejected. During this Seſſion alſo, Captain *James Campbell*, a *Scots* Gentleman, Brother to the Earl of *Argyle*, aſſiſted by *Archibald Montgomery* and Sir *John Johnſton*, forcibly ſeized on Mrs. *Mary Wharton*, a rich Heireſs of about the Age of thirteen Years, carry'd her away from her Relations, and married her againſt her Will. Whereupon his Majeſty iſſued out his Royal Proclamation for the apprehending the ſaid Mr. *Campbell* and the Abettors of his unwarrantable way of Wooing. Not long before, there was a Bill brought into the Houſe of Commons to prevent Clandeſtine Marriages, the paſſing of which, People thought would have been forwarded by this Violence committed by Captain *Campbell*; but upon Conſideration that this Bill was attended with many Inconveniencies, and might hinder many Younger Brothers from making their Fortunes, the ſame was let fall. However, another Bill was brought into the Houſe of Commons for making void the Marriage between Mrs. *Wharton* and Mr. *Campbell*, which, notwithſtanding the Earl of *Argyle*'s Petition in his Brother's Behalf, became a Law. And *Johnſton* was try'd at the *Old-Bailey*, and hang'd for his Concern in the Rape.

(*c*) To a common Eye, this looks like an abſolute Promiſe: But, according to Biſhop *Burnet*, his Majeſty had his Reſerves; for he aſſures us, "the King intended only to aſſure them, That he would give none of thoſe Eſtates to his Courtiers or Officers: But he thought he was ſtill at Liberty to paſs ſuch Acts of Grace, or grant ſuch Articles to the *Iriſh* as the State of his Affairs ſhould require."

A.D. 1690-91 of State, the other Colleges, the foreign Ministers, and all the other Persons of Distinction then residing there. That the Populace moreover, might have a Holiday, and the unprecedented Pleasure of feasting their Eyes, with the Pomp of a *Stadtholder-King*, he was prevail'd upon to make a public Entry into the *Hague* on the 26th following, which had very much the Air of a Triumph, and was such a Compliment to the *Dutch*, as he had never vouchsafed to the *English*. Several Triumphal Arches were erected in the Streets through which he pass'd, adorn'd with Types and Trophies in Honour of his Atchievements; the Burghers, in Arms, and, for once, as splendidly habited as so many Bridegrooms, lin'd the Way; the Windows and Balconies were hung with Tapestry, and crowded with the fairest Faces the Seven Provinces had to shew; the very Walls and House-tops were encrusted with Spectators, who were pleas'd in their Acclamations to stile him (*d*) WILLIAM THE CONQUEROR! The Canon roar'd all Day; Fire-works, Illuminations, and Bonfires blaz'd all Night; and even Extravagance itself was every where let loose to proclame that their Joy had no Bounds.

His triumphal Entry into the Hague.

It is now fit to return to the Administration of the Queen, whom his Majesty had artfully left to punish his Enemies, while he was thus happy in the Bosom of his Friends.

A Plot discover'd.

In the very End of *December*, one *Prat* of *Barking* in *Essex*, gave Notice to the Lord President *Carmarthen*, that his Wife had hir'd out a Vessel of his, to carry over certain Persons to *France*, and that they were to embark on the thirtieth. The Lord President immediately imparted this Intelligence to the King and Council, and Orders were given to one Captain *Billop* to watch the Motions of the said Vessel, and to seize and secure such Passengers as he should find on board her. Accordingly, on the thirtieth when she fell down to *Gravesend*, he clapt her on board, and under the Pretence of searching for, and impressing Seamen, drew out three Persons who had hid themselves in the Hold, and who prov'd to be Lord *Preston*, Mr. *Ashton* a Servant of King *James*'s Queen, and one *Elliot*: Certain Papers, as also two Seals (*Burnet* erroneously says King *James*'s Signet, whereas one was the Seal of Lord *Preston*'s Office, when Secretary of State, and the other his private Seal) were seiz'd with them; and all together were immediately brought up to *Whitehall*. "Lord *Preston*'s Mind, says the same Author, sunk so visibly, that it was concluded he would not die, if confessing all he knew would save him. *Ashton* was more firm and sullen, and *Elliot* knew nothing." The Papers contain'd, 1. The Heads of a remarkable Conference, said to have pass'd among certain Lords and Gentlemen, both Whigs and Tories, tending to shew, that if the *most Christian* King intended to impose King *James* upon the Nation as a Conqueror, he would find the bloodiest Resistance imaginable; but that if he would be prevail'd upon to assist him and his Friends on the Principles, and by the Means therein specify'd, many Lords and Gentlemen would shew themselves to his Satisfaction. 2. The Heads of a Declaration proper to prepare the way for the King's Return. 3. A List of the *English* Fleet, as it has been given into the House of Commons *December* the 24th. 4. An Alphabet, *&c.* for carrying on the Correspondence. 5. Two Letters suppos'd to be writ by Dr. *Turner* Bishop of *Ely*, to King *James* and his Queen, and in which the Writer says, *He speaks his elder Brother's Sentiments, and the rest of the Family's*, meaning Archbishop *Sancroft*, as we are told, and the other depriv'd Bishops, *as well as his own*. 6. Several mysterious Letters, some with, and some without, Directions: And, 7. A Paper of Memorandums in Lord *Preston*'s own Hand-Writing (*e*).

A.D. 1690-91 Lord Preston, Ashton and Elliot seiz'd.

But how visibly soever Lord *Preston*'s Mind sunk

(*d*) See *State of Europe* for *January*, 1691, and a Piece call'd, *A late Voyage to Holland*, publish'd in the same Year.

(*e*) The Papers themselves were as follow, viz.

1. *The Resolves of the Conference.*

[France.] "I. *F.* must either oblige or conquer us: If the last, he will find new Helps here, but a bloodier Resistance than ever the *Romans*, *Saxons*, or *Normans* found, it being incredible, how unanimous and obstinate that very Thought renders the People; so that it may make us a heap of Ruin, but no Nation, that can ever help or import any thing to *F.*

[King Lewis.] II. If K. *L.* desires to oblige us, and make the Work easy, that he may be at Leisure to ply the Empire or *Italy*, or to have an advantageous Peace, he must take off the frightful Character we have of him, and shew us he has no such Design, as restoring our offended K. a Conqueror upon us, but that he can and will be our Friend and Mediator; upon which Terms he will find, that many Lords and Gentlemen will speedily shew themselves to his Satisfaction, especially if he makes haste, and loses no approaching Opportunity.

[St. Germains.] III. If he incline to this sort of Sense, he must over rule the Bigotry of St. *G.* and dispose their Minds to think of those Methods that are more likely to gain the Nation; for there is one silly thing or other daily done there, that comes to our Notice here, which prolongs what they so passionately desire.

The Methods thought upon are these:

First, To prevent dangerous and foolish Intelligence, by forbidding all in that Court to write any News hither, and that King *James* only have his Correspondence, by whom to hear from, and speak to, People here; since Letters so often miscarry, and are fill'd with nothing but what we should not hear, and what we have, are Arguments for the most part against the King's Restoration.

Secondly, Since there is a great Body of Protestants, that never defected, and that many thousands are returning, and that they are the natural Weight and Power of their Kingdoms, by having the Heads, Hands, and Wealth of their Side, to the Odds and Advantage of at least two hundred Protestants to one Catholic; that the K. may think of nothing short of a Protestant Administration, nor of nothing more for the Catholics, than a legal Liberty of Conscience; for *multa è multis* is against all other Notions, to which all private Persons and artificial Frames in Government must yield or break. He may reign a Catholic in Devotion, but he must reign a Protestant in Government. *Cromwell* could not, yet on a broader Bottom, with a victorious Army, fulfill or keep what he had got.

[Machiavelism.]

Thirdly, He must give us a Model of this at St. *G.* by preferring the Protestants that are with him, above the Catholics; one being loyal upon ten Fits of Inzeal, and to tell the Nation here what they are to hope for when he comes.

Fourthly, He must give Encouragement to Lords and Gentlemen here to come to him, at least seven or nine for a standing Council, which will make us hear think he is in some Degree our's again, and that we have a Relation to him, and some Interest and Share in him, by the Men of Quality of our own Religion, that are with him. This will incomparably facilitate the Matter here; one will they, when they come, come empty, and in their own Names, which is still better, and will be more satisfactory there.

Fifthly, To insinue that, *Anglish* Protestants should be encouraged by an Edict of Liberty from the K. of *F.* to have Chapels

A.D. 1690-91 sunk under his Misfortunes, it did not sink fast enough to answer the immediate Purposes of the Court; for tho' no Endeavours were wanting to bring him to a Confession of A.D. 1690-91

Chapels at their own Costs, in which to worship *God* after their respective ways; by which that King will make us reflect upon his Conduct towards his Huguenots, rather to flow from the Hazard he thought himself in by their anti-monarchical and refining Principles, than a Desire of Persecution.

Lastly, All other requisite Measures depending upon the Acceptance of this Bill, an Answer hereunto is impatiently desir'd by those that have discern'd the K's Softness to this Maturity. So ended with an unanimous Consent both Tories and Whigs upon this Occasion, that are in a way of closing in his Interest."

2. *The Heads of the Declaration.*

"That the King will return with a Design of making an intire Conquest of his People, is so ridiculous as well as difficult, that it needs not be spoken to.

That the King's Declaration be worded in general Terms, that he will govern by the Laws; that they shall be the Rule of his Actions; that he will endeavour to settle Liberty of Conscience by Law, that whatsoever things were formerly done by him, which occasion'd Jealousies in the Minds of his People, shall be left to the Determination of a Parliament, to be formally and regularly call'd as soon as it possible.

That he has given sufficient Evidence of his Unwillingness to bring an Army of Strangers into his Kingdom, by refusing the Succours of *France* offer'd him, and which were even ready to be embark'd upon the first Notice of the Prince of *Orange*'s intended Invasion.

That he brings with him such an Army only, as is necessary for his own Defence, and for the Security of his loyal Subjects, who shall rejoice to see him; that he will disband them as soon as he shall have rid the Nation of those Foreigners, who have invaded it, and trampled upon the Laws and Liberties of his People.

The King's large Conscience, his dispensing Power, gave the great Alarm to the People, and contributed most of all toward a general Defection. Yet when that Power came to be debated in the last Convention, there appear'd so many Difficulties in the limiting of it, every body, even the present Judges believing it necessary, that a dispensing Power should be in the King, that it was let fall, and that Point remains as it was. And without mentioning that, or any other Particular, the King can be in no Danger by leaving all things, which have been the Occasions of Jealousies, to the Determination of a Parliament, where, besides the King's profess'd Friends and Servants, there will not want others, who will be glad of Opportunity to ingratiate themselves."

3. " *The List of the* English *Fleet.*

Rates.	*Ships.*	*In repair.*	*out.*	*Building.*
1	8	5		
2	12	11	1	
3	35	34	1	
4	38	34	4	4
5	14	14		1
6	9	9		
Fireships.	25	25		8
Bomb Vessels.	1	1		
Ketches.	1	1		8
	143	134	9	21.

Brought in by Admiral *Russel* to the House of Commons, *December* 24th, namely, the Fleet, wherof forty *Dutch*.

Memorandum. The new Ships building are expected will be ready by the End of *March*."

4. " *An Alphabet of Names for carrying on the Correspondence.*

For Mrs. Anne Russel, *to be left with Mrs.* Richelou, *at the* Blue Boar, *in* Ridler Street *near* St. James's.

A —— the King.
B —— the Queen.
C —— the Prince of *Wales*.
D —— the Prince of *Orange*.
E —— *Count* and the *Scots* Officers.
F —— the Duke of *Berwick*.
G —— Duke *Tyrconnel*.
H —— Major General *Sarsfield*.
I —— Lieutenant General *Sheldon*.
L —— King of *France*.
M —— Marshal *Lauzun*.
N —— Marshal *Belfond*.
O —— Duke *Feuch*.
P —— Duchess *Portsh*.

Amsterdam —— *Brest.*
Rotterdam —— *Dieppe.*
Hague —— *Havre de Grace.*
Ecell —— *Dunkirk.*
Harlem —— *Calais.*
Italy —— *England.*
Germany —— *Scotland.*
Spain —— *Ireland.*"

5. *The two Letters supposed to be written by Dr.* Turner, *Bishop of* Ely.

To Mr. Redding.

SIR,

"Tho' the Bearer of this will do us the Justice to assure you, we are as full of Duty, as unfeignedly and unconcernedly yours, as yourself could wish; yet this Gentleman has undertaken ——— You will forgive the Presumption, if I do myself the Honour to give you this fresh Assurance in a few Words, which I hope we do by our Accounts. I shall omit no Occasions, not neglecting the least, and making zealous Wishes for the greatest, to shew ourselves such as we ought to be. Sir, I speak in the plural, because I write *my elder Brother's Sentiments as well as my own, and the rest of the Family*, though lessen'd in Number, yet if we are not mightily out in our Accounts, we are growing in our Interest, that is, in yours. He that delivers this, will, I hope, sufficiently to your Satisfaction, represent us, and me in particular, as with all the Devotion imaginable and unchangeable Affection, Yours. *God* grant the happiest new Year."

To Mrs. Redding.

"As it is impossible for me to express that extraordinary great Satisfaction it gave me this time twelve Months, when I had the Honour to receive that Mark of your Favour, and Goodness under your own Hand; so I have lived in some pain for an Opportunity to write you my humblest Acknowledgments and truest Duty, from which, by the Grace of *God*, I am no more capable of swerving, than of renouncing my Hopes of Heaven. I fay this in Behalf of my elder Brother, and the rest of my nearest Relations, as well as for myself. You may safely depend upon us, not only for a constant Adherence to so well chosen a Principle, but for our utmost Activity to promote your Interests, which are inseparable from our own. I need come to no Particulars by this Bearer, who can and will tell you our whole Hearts; and I wish you could see them, how sincerely they are devoted to your Service. *God* grant you a most happy new Year, and many, very many, and very happy. Our young Master hath all our best Wishes; he daily gains more Friends, and we get Ground of his Adversaries.

News Years Day."

6. THE OTHER LETTERS.

A Letter directed for Mrs. Charlton, Dec. 31, 1690.

"I must not let this Bearer depart, Madam, without assuring you of my best Respects. I have written by him to a Friend of yours, but depend upon you to give my Note Credit.

Tho' my Creditors were no Friends to the Match, which has been so long in Treaty, for your Relations have been very hard upon me this last Summer, yet as soon as I could go safely abroad, I pursu'd the Business, and do beg you to believe, that no Endeavours of mine shall be wanting to perfect the Settlement. You once put me in Hopes of seeing you before this *Christmas*. Your Friends are sorry for the Disappointment, pray lose no more time than is of absolute Necessity. The Bearer will tell you all things may now be easily settled, if the right way be taken. I long to hear how your younger Daughter does; she will find many Friends, and I hope her Portion will be well secur'd. *God* send you a happy new Year, and that I may be merry with you before it be far spent; and I beseech you, keep me in the good Opinion of your Friend. I will always make good what I promise to you."

A Letter directed to Mr. Jackson, Dec. 31, 1690.

"The Bearer can give you so full an Account of all things relating to your Estate here, that I need not have troubled you at this time, but that I am desirous to lay hold of any Opportunity I think safe, to assure you of my Service; and that I will never quit your Interest whatever the rest of the Freeholders do. Your Adversary has been so hard to his Neighbours, that he has extremely disobliged all the old Tenants, and a little Matter would redeem the whole Estate, if you would appear in *Westminster-hall* yourself; the best Council have a good Opinion of your Title, and will assiduously pursue your Instructions. I only beg you would harken them to us, and that you will appear yourself as soon as is possible. No time should be lost, that the Cause may be brought to a final Hearing before the End of *Easter Term*, if it be well followed. I heartily wish you a happy new Year, and I beg you to tell Mr. *Charlton*, that I long to know wherein I may serve him, and that I will follow his Directions to the uttermost, while I live. *God* keep you and yours."

A

A.D. 1690-91 of all he knew, he kept on the Reserve, and seem'd resolv'd to leave the Issue of all to *God* and the Laws. However conscious he was, that he was really embark'd in a treasonable A.D. 1690-91

A Letter without Direction.

December 3.

" The Interruption of the former Correspondency had a very ill Effect many ways, but for that reason no Opportunity ought now to be lost, and I hope this will prove a happy one.

In Trade, as well as in Government, Schemes must be laid; for there is no living from hand-to-mouth any more in Commerce than in Politics. Lay therefore your Designs probably, and pursue them diligently, and with Vigour; though it be a hazardous time, yet by venturing boldly, where venturing is advisable, it often returns great Profit.

There is nothing more to be said but to give the Bearer fit and full Seasons to tell what he knows, both as to the Goods fit for our Market, and when and where to be sent. The Sea will quickly grow so troublesome, that unless you dispatch what you intend for us, you will lose a great Opportunity of Advantage. I hope the Account he has to give of our Negotiation here with the Merchants, that deal with us, especially those that have lately brought us their Custom, will both encourage a larger Trade, and excite the utmost Diligence. I will say nothing of myself; it shall be enough, that I can live in the good Opinion of one I bear so great a Reverence and Affection for. But for this honest Factor, I must own, I can hardly say enough. Truth and Boldness are excellent Qualities in a Servant, and he has shewn both, as Occasion has requir'd him to shew them.

I have but one Word to add, and pray take it as the truest Mark of unalterable Respect. Chuse well, but have to do but with a few; for a Multitude may give, but can never keep Counsel.

I shall, with more Impatience than becomes me, wait the Result of this; and it will be a great Mark of Goodness to let us have the best and safest way.

Once more, let not the Season spend unprofitably, for a more likely one can hardly come than between this and the first of *March*. Interpret this, I pray, as no private Interest of my own, or partial Motion of any other Person. It is my Sense, my Duty, and my Friendship, which will not let me prevaricate, nor suffer *those* I love and honour to lose so happy and pressing an Occasion of Advantage. With the best Wishes I close up this, and am, *&c.*"

A Letter without Direction.

December 31.

" It is a Presumption incident to those, that are any where upon the Spot, to think, that they know better than those, that are not, what is fittest to be done in any Occurrence. This makes me say, that now is the time to make large Advantages by trading, the Sea being freer than two Months past, or we can hope it will be two Months hence. This Gentleman is well instructed in our Markets, and what the Goods are we want, and when and where they shall be sent. It is most earnestly desir'd, that this happy Opportunity may not be lost, especially by the late Undertakers; and I would not for much they should receive the least Disgust. They are somewhat positive in their Terms; but they also say, they will be good and constant Customers; and I have more than once seen the Mischief of over-acting and over-saving the Market. Opportunities are to be used; they cannot be given by Men.

The Bearer needs nothing from me to recommend him, but he is deserving in our Opinion here, and many will take their Measures by the Usage he finds there. And indeed the pressing Posture of our trading Affairs will not permit more Experiments.

If the several Parcels arrive not, that have been promis'd, before the 10th of *March* at farthest (especially the Copper and Linnen, of which the Bearer will be more particular) I am satisfy'd we shall lose this Summer's Profit. I am the more pressing, because I am well assur'd of what I write; and if ever I judge right, it is upon this Occasion.

I have said nothing of another Gentleman, that takes this Opportunity to see those Parts; but he has shewn a Zeal and a Sincerity in this Affair equal to most. *Jo.* is not yet gone, by a Misfortune; but he will follow with a good Postscript to this Affair. Of myself I will say nothing. I hope I need not; for nobody, without Vanity, can be more sincerely and affectionately a Friend and Servant to the Company than myself. I write at large Yesterday, and cannot write what the Hand, that gives this, can say; and therefore will write no more, but that with the greatest Respect I am, *&c.*"

A Letter without Direction.

S. I. P.

I vow to you, I do not repine at having lost all for your sake, which I got by your Favour; but it grieves me extremely, that there is not that left, which can secure me from being troublesome to you; for that is the thing in the World I would not be. I have told my Lord my Condition. What I desire of you, he thinks very moderate; I hope you will. Pray, Sir, be not backward in settling my little Affair, for I have desert'd your Cause. Your Daughter and I must starve, if this Government can make us. I hope our Interests are not divided; that is, you have an equal Tenderness at least for both. If you think fit to speak what I would have you to this Bearer, he will give me a just Account of it. You know he is oblig'd to be my Friend, and I believe him grateful, since he ventures so boldly for you. He brings with him some merry Papers. Adieu, for I dare write no more, but pray send a Messenger on purpose to me, that I may exactly know what you will do, and would have me do. If you send upon no other Business, there will be no Danger. Pray, Sir, ask my Lord, and he will tell you, how I have been used, and upon what Account. I believe you know it not.

December 29.

Your Daughter is very well, very tall, and very pretty, as I am told."

Another Letter without Direction.

December 31, 1690.

" Was my Condition more desperate and uneasy than it is, I desire no greater Satisfaction than to have done my Duty to so good a Master. I wish it was of more use to him; that is not my Fault, nor of those I have acted with. Let it be look'd into what has been foretold both as to *England*, *Scotland*, and *Ireland*, and see, if most of it is not come to pass already, and the rest will follow, if not prevented. I wish it may also be consider'd what Usage we have met with from Men employ'd, and how they left your Business and Friends. How they manag'd it, you will know from all hands. Things they could not do, nor durst not undertake, were better undone, than not done by them: Men in this Place, and in these Times, must have some Courage as well as Sense to do any thing with the People here. It is not my own ill Usage makes me say this, but my Concern for one I wish the best in the World, and will give my Proofs of this upon all Occasions. I need not enlarge, since all our Grievances are known to him, that brings this. For my own Part, I will stay here so long as I can be safe, if with ne'er so great Trouble; but it would be some Comfort to know Men (when driven from hence) may be so. Therefore the Reports of the Peoples Usage are terrible, as well as of the Indiscretion of *Sr. Geru.* Family. We feel the Smart of it by ridiculous Letters falling daily into the Hands of the Government. Their Master and Mistress are little oblig'd by it no more than we. If there is any thing, Sir, you do particularly command, or depend upon me for, let me know it. I cannot undertake much, nor furnish more. I have still help'd every body, and paid to every thing I could; and if a Twelvemonth ago my Condition was what I then represented, you best know, if it has been mended. Use, and considering that of others, makes me grow more contented; and if the Prospect of Misery to us all was any Satisfaction, that is now plainly seen.

Pray *God* direct us all, by reflecting every Man his own, and you with long Life.

He, that gives you this, hath furnish'd for your Use to me, *&c.* two hundred Pounds, which I desire may be repaid.

I only beg, Madam, no ill malicious Report may take any place in your Thoughts, in regard to me. I value your good Opinion, and will endeavour to deserve it. I can do little towards, but with most heartily for, your Happiness. I know no Interest, Madam, but my Master's and your's, nor do I think they are to be made two. If you command me in any thing, I will faithfully obey you, as I ever have done him.

We all depend here upon this Bearer's Accounts of us and Condition, his Faith and Courage hath been enough experienc'd."

7. *Lord* Preston's *Memorandums.*

" Lady *D.* two thousand Pounds, and two hundred Pounds for Shop-debts.

Pension upon the

14 — 3 Deckt Ships—*Britannia*, 2d.

Sovereign out and R. —— *James.*

32 32 Rates make the 14 and 50 sixty-seven.

" Sundry Hospitals and Fire ships, some built on purpose proportionable.

Of Third Rates, most mann'd, 14 not mann'd, great ones.

Rest in some Proportion mann'd, not well mann'd, nor will be.

—— *Britannia* not out till *March*: the rest perhaps in *April*.

The *French* must be out in *April*, and in the *Downs*. Look in at *Spithead* to secure them.

The *Dutch* Fleet cannot then join them.

Carter

A.D. 1690. fonable Design againſt the new Settlement, he flatter'd himſelf there would be a Defect of Proof; and, after the Outcry which had been rais'd againſt the Severities of the former Reigns, and the Sanction which had been given to that Outcry, by the preſent Government, he could not apprehend, that in the very firſt Occurrence of this nature, which had happen'd under it, they would ruſh into all the Violences which they had ſo long and ſo loudly condemn'd.

and arraign'd. His Lordſhip and his Coadjutors were, however, allow'd but very little time to ponder on their preſent Condition; for, on the 1690-91.] fixteenth of *January*, they were brought to their Trials at the *Old-Bailey*, and, in one Indictment, accus'd of compaſſing the Death of their Majeſties King *William* and Queen *Mary*, on the (*f*) twenty-ninth of *December*, at the Pariſh of *St. Clements Danes*, in the County of *Middleſex*, by traitorouſly conſulting and agreeing to raiſe great Numbers of arm'd Men, to make War and Rebellion againſt the ſaid King and Queen; of preparing and compoſing divers treaſonable Letters, Notes, Memorandums and Inſtructions in writing, to inform *Lewis* the *French* King and his Subjects, their Majeſties Enemies, of the State of their Fleet, Caſtles, &c. and how thoſe Caſtles might be taken; as alſo how to invade the Kingdom, depoſe their ſaid Majeſties, inſult the City of *London*, &c. of concealing two Bills of Exchange for the Uſe of the Enemy; of hiring a Ship to tranſport themſelves, together with the ſaid Bills, Writings, &c. Lord *Preſton* alledg'd, that he was a Peer of *England*, by virtue of a Patent under the Great Seal, granted *before* the Vote of Abdication, and white all Writs, Proceſſes, and Commiſſions ran in the late King's Name, and all Officers acted by his Authority: But this Plea was over-rul'd by the Court, upon Mr. Solicitor *Somers*'s declaring, not only A.D. 1690-91 that the Houſe of Lords, after a ſolemn Debate, and taking the Opinion of the Judges, had pronounc'd the ſaid Patent to be null and void, but that the Priſoner had diſclam'd it. His Lordſhip and his Fellow Priſoners then deſir'd, that the Indictment might be read in *Latin*, which was granted; but when they farther deſir'd a Copy of it on the Authority of the Statute, 46 *Ed.* III. and urg'd that it was given as a Reaſon for the Reverſal of Mr. *Cornyſhe*'s Attainder, that it was not a legal Trial, becauſe he had not a Copy of his Indictment, it was refus'd; the Lord Chief-Juſtice *(Holt)* anſwering, in Effect, That Mr. *Cornyſhe*'s Act was a private Act, that he had never ſeen it, nor could take notice of it; that it had not been the Courſe to allow a Priſoner a Copy of the Indictment; and that it had been refus'd to Sir *Henry Vane*, Colonel *Sydney*, and Lord *Ruſſel*. Thus the very Precedents which had been ſo violently complain'd of, were now made Authorities; and when the Priſoners deſir'd to have more time allow'd them to prepare for their Trials, one Day longer was all that was granted; the Solicitor-General ſaying, That was Time enough: And when *Aſhton* reply'd, That ſuch haſty Proceedings were thought very hard in the late Times; and that it was extant in the King's Declaration, that the Hardſhips laid by the Law upon Men in their Trials, was one of the Grievances which he came to remove, the Lord Chief-Juſtice *Pollexfen*, like a ſagacious Politician, reply'd, That when Men were plotting againſt the Government, they ought not to have time given them to carry on their Plots; and that they might deſire the Trial to be put off, in hopes the King of *France* might come and determine the Matter in the mean time.

The next Day being again brought to the Bar, *They are tried ſeparately.*

Carter and others at *Portſmouth*, the likeſt men to come to him——*Dutch* Fleet 36 Sail, 9 from 70, to 60 Guns; 12 from 50 to 60;——the reſt betwixt 60 and 70;——Get to it before the Conjunction, otherwiſe nothing. To ſight in the Chops of the Channel; not to come to high as *Beachy*. *Portſmouth* not mann'd above 500.——One *Gibſon* a *Scots* Pedlar——Lands beyond *South Saxonſtle*.——Nothing but Palliſadoes about *Gofport*——*Jennings* or *Strickland*, or *Trevannion*, comes from *St. Maloes* in one Night——Moſt of the Gentlemen have done him moſt Miſchief; the Tarpaulins his beſt Friends, which diſpirited——*Denby* deſires to be in the Monk, keeps and fortifies *Hull*——King not to be on board the Fleet——Fooliſh Letters from *St. G*'s taken every Days in the D. Poſt, and read in Council.——About *June*——*England* 67 great Ships, *Dutch* 60——commanded 36 to 40, 24 to act by themſelves.——*Ruſſel* in the *Britannia*, Admiral——*Killigrew* the blue——the Duke——*Sidney* the *Royal James*——*Delaval* the *Sovereign*, Vice-admiral blue——*Carter* the Vanguard——Thoſe, who ſhall not oppoſe nor reſiſt him, to be pardon'd——Not 21 Days coming in, or ſhall not help the P. of *O.* 600000 *l.* to the States of *Holland*,——No Taxes in his and the K. of *Fr.* with require nothing——Chimney Money to be taken away——Not excepting Outlaws——*Scotland*——Let know whether the King will come or not ſoon, and acquaint him the Weakneſs of the Fr. Council——; Duke——or the like F. of——That ſome kind Anſwer——Mr. *Eaſt* Merchant of *Briſtol* to be kept till call'd for *William St.*——from *Amſterdam*, *Alexander*——*England*——*George*——*Scotland*——*Darſet*——*Cornwallis*——*Montague*, *Stamford*, *Shrewſbury*, *Macclesfield*, *Monmouth*, *Devonſhire*——In *Feb.* the King come to *Scotland*——Endeavour to unite the Epiſc. and Preſbyt. Parties.——A leſs Sum not interfere with the *Fr. K.* from *Highlanders*——Campaign——land at *Leith*——The *Scots* Army not a French one, 5000 good *Swediſh* Foot; the Reputation of Proteſtant Ally; two Months to ſettle *Scotland*——A Commiſſion given to me from Mr. *P.*——For *Fl.* hinder *Eng.* and *D.* from joining——Two Veſſels of 150 *l.* Price for *Pinkſtowns*, for 13 or 14 Months——*Ormond* and *Branden* diſoblig'd about the Guards.

To have 1200 Seamen from *Denmark* and *Holland*——To ſave *Campbell*——To be left at the Ship in Sheets *Weſtminſter*——*Flanders*——*R*——*Scots* Ships in *Newcaſtle* Harbour to plague *London*——The *modeſt Inquiry*; the Biſhops Anſwer. Not the chilling of them——But ſatisfying of Friends——To tell him, to protect Friends, and as ſoon as Foreigners are gone, he will diſmiſs his.——The Woman that was with the King in *Ireland*, and ſent Commiſſion to *Stafford*, and failing, not to be ſent again; Her Friends life in *Covent Garden*——Private Letters not.——Proteſting Lords againſt the Uſurper; three of five againſt the Vacancy of the Crown, *Beaufort*, *Newcaſtle*, *Thanet*, *Somerſet*, *Lexcelith*, *Peterbro*, *Leiceſter*, *Willoughton*, *Abingdon*, *Yarmouth*, *London* Clergy the moſt; we have their Wiſhes, and they their Oaths——K. betray'd by *J. Porter*; *Seymour* ſaid it——Lord *Nottingham* ſays there will be a Peace with *Fr.* and the K. left out——Bring Foreigners to drive out Foreigners; then diſmiſs them; leave all to free Parliament——No Juſtices of Peace, *&c.* actually in Commiſſion to be criminal."

(*f*) Biſhop *Burnet* ſuggeſts, that the Diſcovery of this Affair put a Stop to the Lord *Shrewſbury*'s Deſign againſt the Lord Preſident; But ſurely this muſt be a Miſrepreſentation, for the ſaid Diſcovery could not be made till after the Bargain for the Veſſel was ſtruck, which was not till the 30th of *December*, and then every body knew, that the Houſe of Commons were putting the laſt Hand to the Baſineſs before them, and that the Seſſion was on the Point of being clos'd.

A.D. 1690-91 Bar, they chose to make their Challenges separately, and, consequently, were to have separate Trials.

Lord *Preston*, as the Chief, led the way. Mr. Solicitor open'd the Evidence against him; that is to say, prepar'd the Minds of the Jury for the Impression that the Evidence was to make. The Witnesses themselves were then brought forward; and first, Mrs. *Prat* depos'd, That *Elliot* had hir'd a Smack of her for one hundred Pounds, to go to *France*, and gave her Directions where she was to call for the Company the next Night: That according to these Directions she went at the time appointed, to one *Rigby*'s, at the Seven Stars in *Covent-Garden*: That there she found *Elliot*, *Ashton*, and two more (which were my Lord and his Man) and that they all set out from thence about eleven at Night. *Pasely* the Master of the Smack then added, That they call'd at the *Seven Stars* for the Company, as above: That they all took Water at *Surrey* Stairs: That they went on board the Smack over against the *Tower*: That in sailing down the River, the Gentlemen hid themselves under the Hatches, as they pass'd by the *George* Man of War, and again, when approaching the *Block House* at *Gravesend*: That there Captain *Billop* came on board and took them all Prisoners, and carry'd them to *Whitehall*: That as they were landing, one of the Gentlemen desir'd him, when he came to be examin'd, to say he was bound to *Flanders*, not to *France*, and gave him half a Crown; and that *Ashton* and my Lord's Man did also give his two Seamen half a Crown apiece. The Waterman that carry'd them from *Surrey* Stairs, then appear'd to the Proof of that Fact, and his putting them on board the Smack. The two Seamen, of *Pasely*'s, confirm'd their hiding themselves under the Hatches; as also, the Circumstance of the Half-Crown, with the Instruction which accompany'd it: And one of them added, That while *Billop* was searching the Prisoners, he heard one of his (*Billop*'s) Watermen tell him, That he saw *Ashton* put something into his Bosom, and that *Billop* thereupon pull'd a Roll of Papers, with a Piece of Lead tied to it, out of *Ashton*'s Bosom. *Billop* himself depos'd, That he receiv'd his Orders to apprehend the Persons on board the Smack, from the Lord President; that he found them hid under the Hatches; that he took all Lord *Preston*'s Papers, as also the Roll, before spoken of, from *Ashton*; that in their Passage up, *Ashton* and *Elliot* courted him to throw the Roll overboard, and to report to the King and Council, That the Letters taken upon Lord *Preston*, which were of no Importance, were the whole Seizure; as also, to go along with them: Asking, what Good it would do him to injure so many honest Gentlemen? and telling him, he had it now in his Power to make himself as great and as rich as he pleas'd; and that his Lordship also pass'd a Compliment upon him, and said, He would do him all the Service in his Power, in case he would sink the Roll. The Watermen of *Billop*'s, before mention'd, confirm'd his Evidence, and moreover swore, That he saw *Ashton* take the Roll off the Balast; that there were a couple of Seals lying by it, which he, the Witness, took up; that Lord *Preston*'s Man offer'd him something to drink, if he would return them, which he refus'd; and that *Elliot* in coming up the River, wish'd a Thunderbolt would sink the Boat, or that *London*-Bridge would fall on their Heads. A.D. 1690-91

The next Course of Evidence was to prove, that the Papers now to be produc'd in Court, were the same which were contain'd in the Roll which had been taken from *Ashton*; and this was done sufficiently by *Billop*, Lord *Nottingham*, the Lord-President, and Lord *Sydney*.

The Papers were then read, that is to say, those already inserted in the Notes; and then certain Persons depos'd, that they believ'd the Memorandums were Lord *Preston*'s Hand-writing. After which his Lordship had Leave given him to enter upon his Defence, which he did accordingly, by saying in Substance, That the Treasons charg'd upon him were none of them done in the County of *Middlesex*, as laid in the Indictment; that none of the Witnesses declar'd he knew any thing of going into *France*, or had any Concern in hiring the Vessel, or that the Papers were found upon him; that there ought to be two credible Witnesses to every Fact; and that, on the contrary, all rested on Similitude of Hands, and mere Suppositions only. The Chief-Justice (*Holt*) then proceeded to direct the Jury, and, upon the whole Matter, signify'd, That if they *thought* his Lordship, the Prisoner, had no Design to go into *France* with those Papers, in order to excite an Invasion, depose the King and Queen, and restore King *James*, but was an utter Stranger to all those things, then they were to acquit him; but if they *believ'd* his Lordship was privy to the hiring of the Vessel, that he went to carry on the Design contain'd in the Papers, that he writ some of them, and was privy to the rest, they were to find him guilty. Lord *Preston*, with the Leave of the Court, as being a thing out of Course, reply'd, That things had been urg'd against him with Severity; that Presumptions were taken for Proofs; that most of the Papers were written in a Cant, &c. And the Chief-Justice, with some Tartness rejoin'd, That if he reflected on the Court, the Court would reflect upon him; that in his Thoughts the Evidence had been stated impartially; that it deserv'd its due Weight; and that whether a Person could go innocently to *France*, at that time of Day, with such Papers, and in such a manner, he should leave to the Consideration of the Jury; who, after withdrawing for about half an Hour, brought in their Verdict, Guilty. *Lord Preston pronounc'd guilty.*

Lord *Preston*'s Trial being on a *Saturday*, *Sunday* prov'd a Day of *Grace* to *Ashton*, who was not put on his Trial till the *Monday* following. The same Indictment serv'd for both; and when the Jurors were call'd, the Prisoner said, He should make no Challenges, but rely on the first twelve in the Pannel, who were sworn accordingly.

The Indictment and Evidence was then open'd

A.D. 1690-91

open'd by the King's Council, and the same Evidences depos'd to the same Effect as before; and all that appear'd directly against the Prisoner was, That he had hir'd the Smack of *Prat*; that he had left the Money, being ninety-three (*g*) Guineas and a Six-pence, with one Mrs. *Burdet*, in Trust for *Prat*, which was to be paid on *Paseley*'s Return; that he broke Six-pence in two, and left one Half with the said Mrs. *Burdet*, and took the other with him, which was to be given to *Paseley* at his Return, as a Token that he had perform'd his Trust, and that *Prat* was entitled to the Money; that he enquir'd, whether there was a Place in the Vessel in which they could hide themselves, and desir'd that Notice might be given them if they saw a Man of War's Boat coming on board; that he took up the Roll of Papers off the Balast, and that he made the Offers to *Billop*, &c. before-mention'd, in their way to *Whitehall*.

In his Defence, which had an Air of Openness that Men in his desperate Condition are seldom Masters of, he ingenuously own'd, That he was going to *France*; tho' in Contradiction to what Mrs. *Prat* had sworn, he protested he had never acknowledg'd so much before; that his Errand to that Kingdom was partly to keep his Word to the late General *Worden* (under whom he had done Business, and to whose Family he had great Obligations) who had, on his Death-bed, engag'd him to take that Journey, in order to finish some Affairs of Consequence which he had left depending there, and partly to recover a very considerable Sum of Money due to himself; that these were the true and only Reasons of his going thither; that he had for these Purposes several times engag'd to find a Passage before, but had always been disappointed. He also own'd, that he did hire the Smack and pay the Money; but then he pleaded, that these were no Acts of Treason, and that even the King's Council themselves did not pretend to urge, that he was privy to any of the Papers found upon him. He then desir'd the Bench to explane the Indictment, which, on account of the great and grievous Aggravations in it, he said was above his Comprehension; and the Lord Chief-Justice *Holt* replying, That he was indicted on the 25th of *Ed.* III. for conspiring, compassing, and imagining the Death of the King and Queen, and for that Purpose going to *France* in order to incite the *French* King to invade the Kingdom, and to enable him to effect it by the Intelligence contain'd in the Papers; he took occasion to put another shrewd Question to the Bench, *viz.* Whether that was all prov'd upon him? And, when the Lord Chief-Justice, in Answer, said, The Jury were to judge of that, upon the Evidence which had been given, he rejoin'd, among other things, "As to the imagining the Death of the King, that is only to be prov'd by some Overt-Act. Now, I think nothing at all has been prov'd of any open Act, conducing to prove the imagining or compassing the Death of the King or Queen, no manner of Consultation or treasonable Act at all; and therefore, my Lord, I do not see that there is any great Matter prov'd upon me."—— Here he suffer'd himself to be misled from the great Conclusion of his own rational Argument, to enlarge on the Hardships which he had suffer'd in relation to the time of Preparation allow'd him for his Trial, and the particular Condescentions he had receiv'd from Lord *Sydney*. He then call'd several Persons to prove he was a Protestant of exemplary Piety and irreproachable Manners; and, after a dangerous Parley with the Bench on the Occasion of his Voyage, his paying the Money for the Smack, his asking for a Place to hide in, &c. in which he nevertheless made no material Escape, the Lord Chief-Justice *Holt* proceeded to sum up the Merits of the Case, for the Information of the Jury, and brought the Matter to this Issue, That if Mr. *Ashton* was not privy to the Design of the others in going to *France*, tho' he was criminal in going thither at all, at such a Juncture, he was not guilty of High Treason; that the Question was, Whether he was in the Secret or not; that unless he was, it was hard to account for his giving so exorbitant a Price for the Vessel, and for his Concern for the Roll in which it was contain'd; and that upon the whole, he was to be deem'd guilty or not, as this should appear to the Consciences of the Jury. Here the Lord Chief-Justice *Polexfen* interpos'd, and in a more thorough-pac'd manner observ'd, first, That the Prisoners had chosen to be try'd separately, that they might shuffle off the Treason from one unto another; and then declar'd, that the Question before the Jury, was, Whether *all* the Prisoners were not equally concern'd? which, as Lord *Preston* was already condemn'd, and *Elliot* had not been try'd, was pre-judging with a Vengeance. Mr. Justice *Eyre* also took care to recollect that Branch of Evidence, in which *Ashton* is charg'd, with importuning *Billop* to throw the Papers overboard, and with using it as an Argument, That it would do him no good to injure three honest Gentlemen. *Ashton*, on the other hand, deny'd, that he had said so, at least that he knew of, tho' the Witness had sworn it; and again call'd upon the Jury to observe, That there was no Privity prov'd; that there was no Proof that any of the Papers were of his writing, and that all the Inferences that were made, were made upon Supposition only.

But tho' all this was undeniably true, and tho' one of the Law-*Rabbies* of the *Whig*-Party had just set forth in Print a Treatise on the Trials of the State-Martyrs in King *Charles*'s Reign, in which he makes use of these very Words, *Of all sorts of Evidence, the finding Papers in a Person's Possession, is the weakest, because no Person can secure himself against Designs upon him in that kind*, so willing were

[Hawlesses's *Remarks on* College's *Trial*.]

[State Tracts, *Vol.* ii. *p.* 25.]

(*g*) Guineas were current then for twenty-one Shillings and Sixpence each.

A.D. 1690-91 and Ashton,

were the Jury to help the Court to a Precedent, that the present Government was to be held as sacred as the former, that, after a short Consultation of half an Hour, they brought in the Prisoner, Guilty.

Bishop *Burnet*'s Representation of this Matter is very remarkable on many Accounts, and therefore is here inserted. "The Prisoners, says his Lordship, were quickly brought to their Trial; their Design of going to *France*, and the treasonable Papers found about them, were fully prov'd; some of them were writ in Lord *Preston*'s, and some in *Ashton*'s Hand. They made but a poor Defence: They said, a Similitude of Hands was not thought a good Proof in *Sydney*'s Case; but this was now only a Circumstance; in what hand soever the Papers were writ, the Crime was always the same, since they were open, not sealed; so they knew the Contents of them, and thus were carrying on a Negotiation of High Treason with the King's Enemies. Upon *full Evidence* they were condemn'd.

Ashton would enter into no Treaty with the Court, but prepar'd himself to die. And he suffer'd with great Decency and Seriousness. He left a Paper behind him, in which he own'd his Dependence on King *James*, and his Fidelity to him: He also affirm'd, That he was sure the Prince of *Wales* was born of the Queen: He deny'd that he knew the Contents of the Papers that were taken with him. This made some conclude, that his Paper was penn'd by some other Person, and too hastily copy'd over by himself, without making due Reflections on this Part of it; for I compar'd this Paper, which he gave the Sheriff, and which was written in his own Hand, with those found about him; and it was visible, both were writ in the same Hand."

Now it seems strange, that his Lordship should assert, That some of the Papers found in the Smack were writ in *Ashton*'s Hand, when no such thing appear'd in Evidence on the Trial; and it will seem so much the stranger, when the following Sketch of the Controversy, which his Paper left with the Sheriff gave rise to, comes to be duly consider'd:

who is accused.

Ashton suffer'd on the 20th of *January*, and in that Paper, after a solemn Profession of his dying in the Faith of the Church of *England*, and of his believing himself oblig'd by that Faith to look upon his rightful, lawful Prince, King *James*, whatever his Principles were, or his Practices might be, as *God*'s Vicegerent, and accountable (if guilty of Mal-Administration) to *God* only; and of whatever else could shew him an honest, blind Devotee, he proceeds as follows:

Controversy about his Paper left with the Sheriff.

"Having thus frankly declar'd my Principles, I know the Inference will be, that I have acted accordingly, and consequently, that I am now justly condemn'd; but as I ingenuously own the Premisses, so I as positively deny the Consequence; for whatever my Inclinations or Actions have been, yet, as to the Matter I was sentenc'd to die for, I declare myself innocent, and will appeal even to the Judges themselves, whether or no, upon my Trial there appear'd the least Proof, that I knew a Tittle contain'd in the Papers; but Presumption was, with the Jury, thought sufficient to find me guilty; though I am told, I am the first Man that ever was condemn'd for High Treason upon bare Suspicion or Presumption, and that contrary to my Lord *Coke*'s and other eminent Lawyers Opinions. The Knowledge of my own Innocency, as to the Indictment and Charge against me, was that that arm'd me with so much Assurance, and occasion'd my casting my Life upon the first twelve Men of the Pannel, without challenging any. But tho' I have, I think, just reason to complain of the severe Charge given by the Judges, and hard Measure I have receiv'd, not to mention my close Imprisonment, the hasty and violent Proceedings against me, nor the Industry used in the Return of fitting Persons to pass upon me, the denying me a Copy of the Pannel, *&c.* yet, as I hope for Pardon and Forgiveness at the Hands of my *God*, so do I most heartily pray for, and forgive them, and all my Enemies, all the World, nay even that Judge and Jury-man, who did, so signally, contrary to common Justice, expose themselves to destroy me, *&c.*

A.D. 1689-91

When it appear'd that there were more Copies of this Speech than one, and that they began to circulate, an Answer was set forth, perhaps by Bishop *Burnet* himself, tho' some lay Bishop *Fowler*; for, after many repeated Efforts to explode *Ashton*'s Principles, and to confute several of his Assertions, such as, that King *James*'s Usage after the Arrival of the Prince of *Orange*, was very hard, severe, and, if he might so say, unjust, and, that all the new Methods of settling the Nation had made it more miserable, poor, and more expos'd to foreign Enemies, than it was before, the Author comes to the Case of the Man, concerning which he writes as follows:

"The Overt-Act, in this case, was the carrying over treasonable Papers into *France*, in order to an Invasion. The sole Question then was, Whether there was manifest Proof as to these Papers? That the Papers were found about him was manifestly prov'd; and he owns, fol. 110 (of the Trial) That they were unfortunately found upon him; but he saith, that he knew not the Importance of them. It was manifestly prov'd, that he had an extraordinary Concernment to have these Papers thrown over-board, which he saith was perfectly out of Friendship; and whether that was a true Answer, was left to the Consciences of the Jury, who were to judge of this by all the Circumstances antecedent, concomitant, and subsequent, by which they did conclude him guilty: And I cannot see how they went against Common Justice therein, especially since Mr. *Ashton* well *knew*, that one of the most material Papers taken, was of his own Hand-writing; not the first Draught, but the Copy which was shew'd him in the Court; and when it was so, he desir'd, fol. 106, that the Originals might be read, and not the Copy; and he had good reason for it; *for, as far as I can judge, upon Perusal of both, it is the very same Hand in which*

A.D. 1690-91 *which this Speech was written.* But what ſaid Mr. *Aſhton* to the Jury to clear this Matter? he ſaith, fol. 129, That his Hand was not prov'd to any of the Papers, and therefore there was nothing but Suppoſition or Suſpicion againſt him. It is true, there was no direct and plain Proof of the Hand, as there was in the Caſe of my Lord *Preſton* (and it is a *Wonder it was omitted*, for that would have been plain Proof of his knowing what was in thoſe Papers.) However, *all the other Circumſtances put together*, were a ſufficient Proof of his Privity to the Contents of them.

And I wonder how Mr. *Aſhton* could ſo confidently in this Paper declare himſelf innocent, as to the Matter for which he was ſentenc'd to die, when he knew the Paper was of his own Hand-writing, and plain Proof hath been ſince made of his own Delivery of it to a third Perſon. Can a Man be innocent and guilty of the ſame thing?"

Now every body is ſenſible, That Juries are by their Oaths to be directed by the Letter of the Evidence, not what the Priſoner himſelf *knows*, as the Point is here fallaciouſly ſtated, or Gloſſes of their own, drawn from all other Circumſtances put together: And that the direct and plain Proof of *Aſhton*'s Hand was omitted, is not ſo much a *Wonder*, as a Demonſtration that it was not in the Proſecutor's Power to produce.

But this Anſwer drew on a Reply (and a moſt ſevere one it is) which is call'd, *The Loyal Martyr vindicated*; and in which the Author, ſpeaking of this very Aſſertion, *viz.* That a *Copy* of one of the moſt material Papers was of the ſame Hand-writing with that deliver'd to the Sheriff, ſays, "But how frivolous is this Pretence of his? Had the Judges, or the Managers of the Trial found the leaſt Ground for ſuch a Suſpicion, it had been the eaſieſt thing in the World to have compar'd that Paper with hundreds of Accompts, Acquittances, and Letters, which were all ſeiz'ed in his Houſe by Order from the State: Nor could they have wanted Witneſſes to have ſworn, that they believed ſuch a Paper was writ by him, as well as they did in the Trial of my Lord *Preſton*, which is a very great Preſumption, that they found no ſuch Paper under his Hand, or ſo near reſembling it as might induce any to ſwear it.

But what matters it what was brought to light about thoſe Papers afterwards? The Queſtion is, What Evidence the Jury then had, when they brought in their lawleſs Verdict? If they had at that time no ſuch Evidence as the Law requires, *i. e.* if they had then no manifeſt Proof, he died innocent in the Eye of the Law; and nothing can acquit his Condemners from being, according to the ſame Law, and God's Law too, unconſcientious Murderers: And it is of this kind of Innocence only the Martyr ſpeaks, when he declares himſelf innocent."

In the ſame Reply, Part of another Paper, ſaid to be *Aſhton*'s, and to have been left by him in the Hands of a Friend, was inſerted; and which may not only ſerve for a Comment on the Aſſertions of his, above quoted, concerning the Perſon there call'd the Prince of *Wales*, but alſo to throw a new Light on *Aſhton*'s Caſe, and to expoſe the falſe Policy of thoſe, who, for Ends of their own, neglecting the great natural Baſis of Forfeiture ariſing from Abuſe of Power, and Breach of Truſt, choſe to build ſo vaſt a Fabric as the Revolution-Settlement on ſo weak a Foundation as a ſuppoſititious Offspring, without once atttempting to keep themſelves in Countenance, and to ſilence all Gainſayers, by ſuch a Diſcuſſion, as their own Engagements, and the Nature of the thing, requir'd. A.D. 1690-91

This Paper was as follows: "Being ſuddenly to give up my Accounts to the Searcher of all Hearts, I think it a Duty incumbent upon me to impart ſome things farther, which neither the Intereſt nor Iniquity of theſe Times will, I conclude, willingly bear the Publication of, and therefore not fit to be inſerted in the Sheriff's Paper.

Some time after the Prince of *Orange*'s Arrival here, when it was expected, that, purſuant to his own Declaration, and the King's Letter to the Convention, an exact Search and Enquiry would have been made into the Birth of the Prince of *Wales*, there was a Scheme drawn up of that whole Matter, and of the Proofs that were then, and are ſtill, ready to be produc'd, to prove his Royal Highneſs's Legitimacy; but no public Examination being ever had, and the Violence of the Times, as well as Intereſt of the preſent Government, not permitting any private Perſon to move in it, thoſe Papers have ever ſince lain by: But it being now thought adviſeable by ſome, to have them printed and publiſh'd, and, as at firſt they were deſign'd, addreſs'd, at their next Meeting, to the Lords and Commons, entreating them to enquire into that weighty Affair, and to call forth, examine and protect (for who elſe dares to appear) the many Witneſſes to the ſeveral Particulars therein offer'd to be legally prov'd, *&c.*

I was order'd to carry thoſe Papers to the King, my Maſter, for his View, that his Leave and Approbation might go along with the Deſires of his good Subjects here; and they being taken with me, with ſome other Papers of Accounts, *&c.* in a ſmall Trunk, amongſt my Linen, and other private things of my own, and not in the Packet (my Lord *Preſton* being altogether a Stranger to the whole Proceeding) by this Means fell into the Hands of our preſent Governors, who, though they wiſely wav'd the producing them as Evidence at my Trial, yet have I juſt Reaſon to believe my greateſt Crimes were contain'd in them; and I do therefore conclude and hope, *&c.*"

To cloſe on the Head of this Controverſy, there is at the End of this Reply, a detach'd Paper, call'd, *An Humble Petition to the preſent Government*, in the Name of King *James*'s Adherents, imploring, That ſome grave and learned Perſon, by their Order, and under their Authority, might compile a Treatiſe, ſhewing the Grounds of their Title; promiſing, that, in caſe his Performance carry'd Conviction along with it, they would,

A.D. 1690-91 on the same Principle of Conscience, submit to that Title, as they had hitherto oppos'd it; and concluding with these Words, "Let the present Governors either satisfy our Consciences, or leave off to persecute us for being conscientious; or else (which is only left) let them speak out, and tell the World, in plain Terms, what this Refusal of theirs will sufficiently intimate, That they will do neither; but that they are resolv'd we shall be punish'd as Traitors, if we will not be Knaves; and that they will only allow us this sad Choice, to be either hang'd or damn'd."

It does not appear that the Government ever condescended to give such an Answer to this Petition as it requir'd; and, possibly, that they did not, was owing to the two excellent Discourses of Mr. *Locke*'s upon Government, which were made public this Year, and which are at this Day esteem'd the Corner-stone, in point of Doctrine, of the Revolution.

As to the Sequel of the Conspiracy, or rather of the Fate of the Conspirators, the *Historian of his own Times* proceeds to say, "Lord *Preston* went backwards and forwards; he had no mind to die; and yet was unwilling to tell all he knew; he acted a weak Part in all Respects. When he was heated by the Importunities of his Friends, who were violently engag'd against the Government, and after he had din'd well, he resolv'd he would die heroically; but, by next Morning that Heat went of; and when he saw Death in full View, his Heart fail'd him: The Scheme he carry'd on, was so foolish, so ill concerted, and so few engag'd in it, that those who knew the *whole Secret*, concluded, that if he had got safe to the Court of *France*, the Project would have been so despis'd, that he must have been suspected, as sent over to draw King *James* into a Snare, and bring him into the King's Hands. The Earl of *Clarendon* was seiz'd, and put into the *Tower*; but the Bishop of *Ely*, *Grahme*, Lord *Preston*'s Brother, and *Penn* (which were the whole Junto) absconded. After some Months, the King, in regard to the Earl of *Clarendon*'s Relation to the Queen, would proceed to no Extremities against him, but gave him leave to live, confin'd to his House in the Country." Now either this Leave to live was no Act of Mercy; or, if it was, it must be understood, that both Lord *Preston* and *Elliot* had agreed to turn Witnesses against Lord *Clarendon*; for without two Witnesses, as the Law directs, or such other Evidence as the Lawyers are pleas'd to pronounce equivalent to two Witnesses, tho' a Sharer of the Guilt, he was out of reach of the Danger: But *Elliot* was under no Temptation to turn Witness; for though he was involv'd in the Indictment, he was never brought to a Trial, for want of sufficient Matter against him: Besides, even the Proclamation against the Bishop of *Ely* and the rest, was not set forth till the (*b*) fifth of *February*; and then it was unaccompany'd with the Offer of any Reward for taking them; which seems to indicate, that the Court had no Desire to carry their Prosecutions any farther, and that the only Design of setting it forth at all, was for the sake of what follows. "The King, continues our *Historian*, had suffer'd the depriv'd Bishops to continue now above a Year in their Sees; they all the while neglected the Concern of the Church, doing nothing, but living privately in their Palaces. I had, by the Queen's Order, mov'd both the Earl of *Rochester*, and Sir *John Trevor*, who had great Credit with them, to try, whether, in case an Act could be obtain'd to excuse them from taking the Oaths, they would go on and do their Functions, in Ordinations, Institutions, and Confirmations, and assist at the Public Worship, as formerly; but they would give no Answer; only they said, *They would live quietly*, that is, keep themselves close, till a proper time should encourage them to act more openly. So all the Thoughts of this kind were, upon that, laid aside." And again, in the Close of the same Section, "The Discovery of the Bishop of *Ely*'s Correspondence in the Name of the rest, gave the King a great Advantage in filling these vacant Sees, which he resolv'd to do, on his Return from the Congress." What Authority his Lordship had, for putting so hard an Interpretation on the Bishops saying, *That they would live quietly*, he does not stay to specify; nor does he explane how they were accountable for neglecting the Concerns of the Church, when they were disabled by their Suspension from interfering with them. It does not even appear, that the Letters directed to Mr. and Mrs. *Redding* were positively prov'd to be the Bishop of *Ely*'s; and not the least Article of Evidence is any where extant, that the said Bishop was really authoriz'd, to carry on such a Correspondence in the name of the rest: All which Omissions, are so many Stumbling-blocks in the plain Man's way, who desires to have the Truth fully clear'd up, and who is unwilling to draw any Conclusion without sufficient Authority.

A.D. 1690-91

A Hint taken from this Conspiracy to deprive the Malcontent-Bishops.

That they were obnoxious to the Government, and that, under their Countenance, the disaffected Clergy kept the Press perpetually employ'd with angry (*i*) Pamphlets, tending to continue the Nation in a divided State, he might

(*b*) Mr. *Tindal* erroneously says the 25th.

(*i*) Among their Efforts of this kind ought to be reckon'd Bishop *Overall*'s Convocation-Book, of which the following Account is given by a Writer of those Times;

"In having been my Purpose to consider all Objections of any weight in themselves, or from the Authority of Persons, which should occur to me against the Right of their present Majesties, and the Justice of their undertaking our Deliverance; I ought not to pass by Bishop *Overall*'s Convocation-Book, compos'd in the time of *James* I. [under his Inspection, if not by his Command, and by his Command laid aside, as will appear below] licens'd by the late Bishop of *Canterbury*, since his disowning this Government, and printed, as it is to be presum'd, with a manifest Intention of undermining it; for every Man may discern, that the Scheme of Government there drawn for the whole World, is contrary to the Foundation of our present Settlement: But tho' the Hypothesis is laid together with much Subtilty, nothing but Infal-

libility

A.D. 1690-1 might as easily have prov'd, as that it was the Interest of the Government, to remove them out of the Church, and to promote Partizans of their own in their Places. But there is a Rule of Right to be observ'd even to our Enemies, and because Men are troublesome and odious, they are not therefore to be treated at Discretion.

Much more remains to be said on this Subject; but as the Catastrophe of these Malcontent-Prelates was postpon'd till his Majesty's Return from the Congress, it is fit we *should attend him thro' the Course of that Proceeding first.*

A.D. 1690

Both Civility and Policy require'd, and, perhaps his (*t*) Duty as Stadtholder, that he

---

libility can give it Authority: and to me it seems a Piece of Presumption, only short of that of the *Romish* Church: For having made a Collection from Sacred and Prophane History, and the Apocryphal Writings (tho' of the last they say, they mean not to attribute any Canonical Authority unto them, nor to establish any Point of Doctrine) they canonically condemn, of Errors, all that agree not to their Inferences and Conclusions, upon a State of Fact, which at least may be false.

The Foundation of all is the Patriarchal Power of *Adam*, which they suppose to have been absolutely monarchical all the World over; that *Noah* had the like Authority all his Life; but that he divided the whole World among his three Sons; upon which they conclude, That if any Man affirm, that *God* ever committed the Government of all the World, after *Adam*'s and *Noah*'s time, to any one Man to be the sole and visible Monarch of it, he doth greatly err. And another Error which they canonically condemn, is of them who hold, that Christ doth not allow the distributing of this his one universal Kingdom, into divers Principalities and Kingdoms, to be ruled by so many Kings, and absolute Princes under him.

Upon the whole they affirm, the fatherly Power was absolute in *Adam*, then in *Noah*, then in his three Sons together; and ever after in all the Princes of the World; and as they affirm, in relation to *Adam*'s Monarchical Power, that it rose not from any Choice of the People, neither say they, is it deduc'd by their Consents naturally from them; which is meant of the Powers which now are in the World."

Again, "If any one shall say, That this Convention-Book was innocently publish'd at this time, let him read the following Canon, *viz.*

If any Man *therefore* shall affirm, either that the Subjects, when they shake off the Yoke of their Obedience to their Sovereigns, and set up a Form of Government among themselves after their own Humours, do not therein very wickedly, or that it is lawful for any bordering Kings, through Ambition and Malice, to invade their Neighbours; or that the Providence and Goodness of *God*, in using of Rebellions and Oppressions to execute his Justice against any King or Country, doth mitigate, or qualify the Offences of any such Rebels or oppressing Kings; or that when any such new Forms of Government, begun by Rebellion, are, after thoroughly settled, the Authority in them is not of *God*; or that any, who live within the Territories of such new Governments, are not bound to be subject to *God*'s Authority, which is there executed, but may rebel against the same; or that the *Jews*, either in *Egypt*, or *Babylon*, might lawfully for any Cause, have taken Arms against any of those Kings, or have offer'd any Violence to their Persons, he doth greatly err. [*Reflections on Bishop* Overall's *Convocation-Book.*

"These are their own Words, says another Author, meaning the said Canon, as the Book is printed; but here it was they were as a Hand: The King, *James* I. in his Letter before-mention'd [that is to say, to *good Dr. Abbot*, according to the Address of it] calls it a Thorny Business. It seems he had led, if not drove, them into a Labyrinth, out of which neither he nor they knew how to extricate themselves: So hard it is when Men leave honest, plain, and simple Truth to fix upon Principles for a chosen Conclusion, and to form any Pillars which can support a false and deceitful Building. The King had done before what he could in his sly way, *quasi, aliud agens*. He had often told his blind concerning *Jus Regium vs Subditos*, as in *May* last (they are his Words in the Letter) in the *Star-Chamber*, upon the Occasion of *Hoker*'s Pamphlet. 'And Mr. Solicitor, saith he, hath sufficiently express'd my own Thoughts concerning the nature of Kingship in general, and concerning the nature of it, *ut in mea persona*.' And yet, after all, it seems he was at a loss about it, and therefore saith, 'They are Edg'd-tools, or rather like that Weapon that is said to cut with one Edge, and cure with the other;' and bids them meddle no more in it, till he gives them his Orders by Mr. Solicitor. What his Orders were, we know not yet; but whatever they were, we may perceive them all here plainly entangled, confounded, and inconsistent with themselves, and their principal Design: And so are to establish and confirm what they design'd to subvert and abolish; that is, the Peoples Rights and Interest in Government, and that *Jure Divino*, as plainly as any Right of Monarchs; and to subvert what they design'd to build or firmly, *viz.* an essential Absoluteness and Irresistibility of Monarchy *Jure Divino*. [*Spirit of the Church Position devoted*, 4to. p. 31, 32.

(*t*) Among the Articles of Complaint brought by the *Jacobites* against the new Settlement, we find the following:

"That, whereas the sole Power of issuing out Edicts and Placarts, is intirely lodg'd in the States-General, without their being either oblig'd to consult their Stadtholder, or his being vested with any Power to controul them in what they publish, the only Authority of ordaining and emitting Declarations and Proclamations, is plac'd in this *Dutch* Prince and *Belgic* Stadtholder, by virtue of the Right made inherent to him, on the Foot of our having elected him King. For, as all the Privileges appertaining to our Privy Council is only to advise him, but not to club with him in an authoritative Power, so it appears by too many modern Precedents, that few of those that are Members there, have the Integrity and Fortitude to contradict him in what he has a mind to publish; and that his Pleasure is sufficient Reason with most of them to concur, and with others not to be so rude and unmannerly as to oppose him, but silently to acquiesce. And should some be so bold as at any time to express their Dissent, the most Part have that Dependence upon him, in respect of Pensions, Offices, and other gainful Places, that he is always sure to have the Majority of the Board to join with him in what he would have done: So that whensoever the *Dutch* do emit what Edicts they please, in Subserviency to the Interest of their Provinces, preclusive of any Confederation of these Kingdoms, and to their sensible Prejudice, our Monarch, by his Interest in, and Oath and Obligation unto, them, as their Stadtholder, must not only approve, as well as connive, at what is prejudicial to *Great Britain* and *Ireland*, and the Dominions thereunto belonging; but must concur and co-operate in the Execution of what their High and Mightinesses have thought fit to ordain: To which, should I under this Head subjoin, how that while the States of the *United Netherlands*, do retain *fully* and wholly in themselves, the Right of making Peace and War; the Jurisdiction of constituting Ministers to foreign Princes and States; the Power of repealing old, and the enacting new Laws, *&c.* and this, exclusively of the Prince of *Orange*'s having the least authoritative Concernment in any of their Matters, at the same time, this Gentleman hath, under the Notion and Quality of being our King, not only a Negative upon all parliamentary Bills, but the sole Power of nominating and appointing Ambassadors and Envoys, *&c.* and the whole Right and Jurisdiction of making War or Peace: On which respective Differences of his Power there and here, should I insist and enlarge, answerable to the Weight and Merit of those Particulars, it might be made appear what vast Advantages the *Dutch* have of and over us upon all these Accounts; and how they became thence furnish'd with Means of ruining, as well as of weakening and supplanting us in all wherein we are interested, either at home or abroad. Not that I would have the forementioned Prerogatives, which by our Constitution and Laws, stand vested in our Monarchs, withdrawn and pillag'd from the Crown. Seeing not only without them our Supreme Rulers would immediately cease to be Kings, and be reduc'd to no better Condition than that of Doges of *Venice*; but because it is necessary for the Good and Safety of the Subjects, as well as for the Strength and Glory of the Government, that they should remain inseparably settled where they are. But all that I would insinuate is, that it is inconsistent with the Prosperity of these Nations to have one and the same Person allow'd and continu'd to be our King, and yet to remain at the same time Stadtholder of the *Belgic Provinces*: Nor do I need to enumerate, much less to demonstrate the many Prejudices and Mischiefs, which must unavoidably attend our being thus postur'd and stated, in that they not only lie obvious to Persons of the meanest Understanding, who give themselves Liberty to think; but, because we have already felt and experienc'd many of them in divers and repeated Instances: And therefore I shall only make this Reflection upon, and Deduction from, what hath been suggested, namely, that the *Dutch* and we being so differently circumstanc'd, by reason of the discrepant Relations which the Prince of *Orange* stands in to us and to them, there is an absolute and indispensable Necessity, that he renounce being their Stadtholder, or cease to be our King; it being impossible for him, with Justice and Equality, to discharge the Duties of both, to Nations whose Interests are so irreconcilable, as well as different, as ours and theirs are known to be. [*Brief Account of some of the late Encroachments and Depredations of the Dutch*, p. 13, 14.

A.D. 1690-91

he ſhould return the Compliments he had receiv'd from the States-General, the States of *Holland*, and the Council of State: Accordingly, two Days after his Triumphant Entry into the *Hague*, he made a ſeparate Viſit to all thoſe ſeveral Bodies; and in a ſet Speech gave the firſt of them to underſtand, "That the laſt time he had appear'd in the Aſſembly of their High Mightineſſes, he declar'd to them his Deſigns to paſs into *England*, with the Succours which they had lent him, to deliver that Kingdom from the Calamities that threaten'd it, of which he had felt a good Part himſelf: That *God* ſo miraculouſly bleſt his good Deſigns; that he had met with a Succeſs much more ſpeedy and fortunate than he could have expected: That the *Britiſh* Nations had offer'd him the Crown of the Three Kingdoms, which he had accepted, *God* was his Witneſs, not out of any extravagant Ambition, ſince Gold or Silver never yet could dazle his Eyes, but only to ſupport and maintain the Religion, the Tranquility, and Repoſe of thoſe Kingdoms, and that he might be *the better enabled more powerfully to aſſiſt his Allies, and more particularly this State*, againſt the Enterprizes of *France*: That he could have with'd he could have ſuccour'd them ſooner; but the Affairs and Troubles which fell out in *Ireland*, hinder'd his good Intentions till the preſent time: That the Affairs of *Ireland*, and thoſe of his other Kingdoms, being now in a better Condition, he was come into theſe Provinces, not only to conſer with the Confederates about the Affairs of the next Campaign, but alſo to perform the Duties of his Charge, as Captain-General of theſe Provinces: That from his tender Youth he had always had a ſincere Love and Affection for this State; and that if it were poſſible for that Affection to be augmented, it certainly would have been ſo by the real Marks and Teſtimonies of Love, which he had obſerv'd, both in the *States*, and among the People; but that his Love was ſo great, that it would not admit of an Increaſe: That he would ſtill preſerve the ſame, and *ſacrifice all that he had in the World* for the good of this State, without ſparing either his own Body or his own Life: That he hop'd *God* would make uſe of him as an Inſtrument to divert the Danger that threaten'd this State; to eſtabliſh the Repoſe of *Europe*, and to ſettle the *United Provinces* in perfect Security: That he ſhould die well ſatisfy'd, if he could but compaſs this Deſign of his; and that he once more recommended himſelf to the Good-will and Favour of their High Mightineſſes."

King's Speech to the States General. [*State of Europe for* Feb. 1691.]

The Reader who compares this Speech with thoſe made by his Majeſty from the Throne of *England*, will make his own Inferences; and in the mean time, it is fit that we proceed to ſay, That the Preſident return'd his Majeſty Thanks, in the Name of the *States*, for the Honour he had done them to be preſent in their Aſſembly: He declar'd their extraordinary Joy for his happy Arrival in theſe Provinces; and their Acknowledgments of his Majeſty's Care, Zeal, and Affection for this State, ſo generouſly teſtify'd, by expoſing his Perſon to a thouſand Dangers for their Preſervation: That their High Mightineſſes would endeavour, to their utmoſt, to acknowledge the Benefits receiv'd from his Majeſty: That they ardently wiſh'd, that *God* would pour down upon his Sacred Perſon, and his Deſigns, all manner of Bleſſings: And that their High Mightineſſes would concur to the utmoſt of their Power with his Majeſty, to procure the Public Good, and his own particular Satisfaction."

A.D. 1690-91

Of the Princes and Miniſters who attended his Majeſty at the Congreſs, almoſt all Authors affect to give a long and pompous Liſt, in Imitation, perhaps, of the Tricks of the Stage; where it is uſual to form a Court, or a Train, of Scenemen, or other Rabble, to raiſe a higher Idea in the Audience of the Hero, preſented before them. It ſhall ſuffice, therefore, in this Place to ſay, that the principal Perſons of the Drama after his Majeſty, were the Electors of *Brandenburgh* and *Bavaria*, the Landgrave of *Heſſe*, the Princes of the Houſe of *Lunenburgh*, the Princes of *Wirtemberg*, the Landgrave of *Heſſe-Darmſtadt*, the Duke of *Holſtein*, the Duke of *Courland*, the Prince *Palatine* of *Berkenfeldt*, the Landgrave of *Homburg*, the Duke of *Saxe-Eyſenech*, the Princes of *Anſpach*, the Marquis *de Gaſtanaga*, and the ſeveral Miniſters of all the Princes of the Confederacy.

His Majeſty preſided; and open'd the Conference with a Speech, to the following Effect: "That the imminent Dangers they found themſelves in, ſufficiently diſcover'd the Errors which had been already committed, ſo that he needed not uſe any Arguments to ſhew them the Neceſſity of taking more juſt and ſolid Meaſures: That in the Circumſtances they were in, it was not a time to deliberate, but act: That the Enemy was Maſter of all the Chief Fortreſſes which were the Barrier of the Common Liberty; and that he would quickly poſſeſs himſelf of the reſt, if a Spirit of Diviſion, Slowneſs, and particular Intereſt continu'd among them: That every one ought to remain perſuaded, that their reſpective and particular Intereſts were comprized in the general one: That the Enemies Forces were very ſtrong, and that they would carry things like a Torrent before them: That it was in vain to oppoſe Complaints and fruitleſs Clamours, or unprofitable Proteſtations againſt Unjuſtice: That it was neither the Reſolution of a Barren Diet, nor the airy Hopes of ſanguine Men, plac'd on frivolous Foundations, but Soldiers, ſtrong Armies, and a prompt, ſincere Union among all the Forces of the Allies that muſt do the Work; and that theſe too muſt be brought to oppoſe the Enemy without any Delay, if they would put a ſtop to his Conqueſts, and ſnatch out of his Hands the Liberty of *Europe*, which he held already under a heavy Yoke. Concluding, That, as for himſelf, he would never ſpare his Credit, Forces, nor Perſon, to concur with them in ſo juſt and neceſſary a Deſign; and that he would come in the Spring at the Head of the Troops, faithfully to make good his Royal Word which he had ſo ſolemnly engag'd to them."

His Majeſty's Speech to the Congreſs.

Before

A.D.1690-91 Before we enlarge on the Fruits of this Speech, we muſt have recourſe to the *Hiſtorian of his own Times*, who ſays, "The Princes ſhew'd to the King all the Reſpect that any of their Rank ever paid to any Crown'd Head:" And yet adds, "They liv'd together in ſuch an eaſy Freedom, that Points of Ceremony occaſion'd no Diſputes among them; tho' thoſe are often, upon leſs ſolemn Interviews, the Subjects of much Quarreling, and interrupt more important Debates." Again, his Lordſhip farther ſays, "He (the King) ſoon ſettled ſome Points at which the *States* had ſtuck long; and they erected the Funds for that Year:" As alſo, "The (*l*) Duke of *Savoy*'s Affairs were then very low; but the King took care of him, and both furniſh'd, as well as procur'd, him ſuch Supplies, that his Affairs had quickly a more promiſing Face." "Things were concerted (nevertheleſs continues his Lordſhip) among the Princes themſelves, and were kept ſo ſecret, that they did not truſt them to their *Miniſters*; at leaſt, the King did not communicate them to the Earl of *Nottingham*, as he proteſted ſolemnly to me, when he came back." But if the King did not act by, or with, his Miniſters on this great Occaſion, he acted ſo as never King of *England* did before, nor ought to do again: For, according to the very Elements of the Conſtitution, he can do nothing without their Concurrence; and all his Acts and Orders are to be counterſign'd by them in their ſeveral Provinces, becauſe they are anſwerable to the Public for their Contents. It may, however, be ſuppos'd, that the Earl of *Nottingham* gave this Anſwer to the Biſhop, to evade the Attacks of his Curioſity; or elſe, which is more probable, that it is a Stroke of the Biſhop's own Art, to evade a Charge brought by the *Jacobites* againſt his Hero; namely, That he, who had ſo often and ſo ſolemnly proteſted, That his Expedition to *England* was only for the ſake of preſerving the Nation from the double Yoke of Popery and Slavery, now publickly join'd in as ſolemn a Proteſtation to *God*, to deliberate nothing in that Aſſembly but what was very juſt and equitable; as alſo, never to make Peace with *Lewis* XIV. till he had, in the firſt Place, made Repa-ration to the *Holy See*, for whatſoever he had acted againſt it, and till he had annull'd and made void all thoſe infamous Proceedings A.D.1690-91 which he had authoriz'd againſt the HOLY FATHER, *Innocent* XI.

[Caveat againſt the *Whigs*, *part* iii. p. 59.]

This Charge is taken from a Declaration, which was drawn up in the Names of all the Powers concern'd in the Congreſs, and which, however extraordinary, deſerves to much the greater Credit, ſince we no where meet with any Attempt to explode it, *viz.* "Since we look upon the Union that is between us, as the Work of *God* alone, it is but reaſonable that we ſhould make a ſolemn Proteſtation to him, to deliberate nothing in this Aſſembly, but what may be very juſt and equitable. We ſolemnly proteſt before *God*, that our Intentions are, that we will never break off this Union, nor make any Peace with *Lewis* XIV. till the following Articles be executed; to the Execution of which we oblige ourſelves for ever.

Preliminaries agreed upon by the Confederates.

I. Till he has made Reparation to the *Holy See* for whatſoever he has acted againſt it; and till he has annull'd and made void all thoſe infamous Proceedings againſt the Holy Father *Innocent* XI.

II. Till he has reſtor'd to each Party concern'd what he has taken ſince the Peace of *Munſter*; and till he has demoliſh'd *Briſac*, and deliver'd up the Country of *Cray* to the Canton of *Bern*.

III. Till he has reſtor'd to the Proteſtants all their Poſſeſſions and Goods; and till there be an entire Liberty of Conſcience through-out the whole Extent of the *French* Dominions.

IV. Till the Eſtates of the Kingdom be re-eſtabliſh'd in their ancient Liberties, ſo that the Clergy, the Nobility, and the Third Eſtate, may enjoy their ancient and lawful Privileges; and till the King, for the future, ſhall be oblig'd to call together the ſaid Eſtates, when they deſire any Supply, without the Conſent of whom they ſhall not raiſe any Money, after any manner, or for any Pretence whatſoever.

V. Till the Tax upon Salt, that upon the Third Eſtate, and an infinite Number of other unreaſonable Taxes and Impoſitions, be aboliſh'd for ever.

VI. Till he has reſtor'd to the Parliaments their ancient and rightful Authority; that ſo they may be enabled to diſtribute to every one Juſtice freely, and without Conſtraint, according to their Conſciences.

VII.

(*l*) His Royal Highneſs had ſent the Count *de la Tour*, his Envoy Extraordinary to the King, in the preceding *November*; who, at his firſt public Audience, made the following Harangue to his Majeſty, which, ſalſome as it was, was afterwards inſerted in the *London Gazette*:

"*S. I. R,*

"His Royal Highneſs, my Maſter, does by me congratulate your Sacred Majeſty's glorious Acceſſion to the Crown: It was due to your Birth, and deſerv'd by your Virtue, and is maintain'd by your Valour. Providence had deſign'd it for your Sacred Head, for the Accompliſhment of its eternal Decrees, which, after a long Patience, do always tend to raiſe up Choſen Souls to repreſs Violence, and protect Juſtice. The wonderful Beginnings of your Reign are moſt certain Preſages of the Bleſſings which Heaven prepares for the Uprightneſs of your Intentions, which have no other Scope than to reſtore this flouriſhing Kingdom to its firſt Greatneſs, and break the Chains which *Europe* groans under. This magnanimous Deſign, worthy of the Hero of our Age, fill'd his Royal Highneſs with inexpreſſible Joy; but he was conſtrain'd to conceal it in the Secret of his Heart; and, if at laſt he has been free to own it, he is oblig'd to the very Name of your Majeſty for it, ſince that alone has made him conceive ſome Hopes of Liberty, after ſo many Years of Servitude.

My Words, and the *Treaty* which I have ſign'd at the *Hague* with your Majeſty's Miniſters, do but faintly expreſs the Paſſion which my Maſter has to unite himſelf by the moſt inviolable Ties to your Service. The Honour, Sir, which he has to be related to you, has tied the firſt Knots of this Union; the infinite Reſpect which he has for your Sacred Perſon, has, as it were, knit them cloſer, and the generous Protection which you are pleas'd to grant him, will, without doubt, make them indiſſoluble. Theſe are the ſincere Sentiments of his Royal Highneſs, to which I dare not add any thing of mine; for, how ardent ſoever my Zeal may be, and how profound the Veneration which I bear to your glorious Atchievements, I think I cannot better expreſs either, than by a Silence full of Admiration.

A.D. 1690-91 VII. Till all the Towns of the Kingdom be re-eſtabliſh'd in their ancient Privileges, and till their Revenues be reſtor'd, which had been taken from them with ſuch Violence and Injuſtice.

"*God*, who knows the Intention of our Hearts, knows, that we bear no Hatred againſt the *French* Nation; and that we do not aſpire to have the lawful Dominions of the Kingdom of *France*. And if all thoſe, who are Inhabitants, would join with us, we ſhould ſoon diſpatch this Affair without Effuſion of Blood, and without Deſolation of the Kingdom. And we promiſe all thoſe that ſhall do it, that we will treat with them as our particular Friends, and preſerve their Towns and Poſſeſſions, as if they were our own. And as for thoſe that ſhall not do it, we ſhall look upon them as Perſons that have approv'd and abetted all theſe Perſecutions, Burnings, and other Devaſtations that have been made; and we will make them feel, without Mercy, thoſe Pains and Torments which they have been the Occaſion, that ſo many poor People have ſuffer'd.

We are willing that the whole World ſhould have a perfect Knowledge of our Reſolutions, particularly, the *French* Gentlemen and Perſons of Honour, who are oppreſs'd with the heavy Load of the Government, and can no longer endure the Slavery which they lie under, to the end they may be able to take ſuch Meaſures as may be aſſiſtant to us, in recovering for them their ancient Liberty, which has been ſo cruelly and ſo unjuſtly taken from them."

It was ſet alſo forth in the *London Gazette*, that the confederated Powers came to a Reſolution, to employ two hundred and twenty thouſand Men againſt *France*, in the enſuing Campaign, which were to be furniſh'd after the following Proportions; namely, the Emperor, *Spain*, and *England*, twenty thouſand Men a-piece; the States-General thirty-five thouſand; *Savoy* and *Milan*, eighteen thouſand; *Brandenburg*, twenty thouſand; *Bavaria*, eighteen thouſand; *Saxony*, twelve thouſand; the *Palatinate*, four thouſand; *Heſſe*, eight thouſand; *Suabia* and *Franconia*, ten thouſand; *Wirtemberg*, ſix thouſand, *Liege*, ſix thouſand; *Munſter*, ſeven thouſand; and the Princes of *Lunenburg*, ſixteen thouſand.

And with this general Account, we muſt remain ſatisfy'd; for as to the Plan which theſe Troops were to put in Execution, the Place where, and the time when, they were to take the field, as alſo, at what Rate, and by whom, the Mercenaries among them were to be paid, and upon what Principle the Spoils were to be divided, we are left in the Dark, and can be inform'd only by Events. It is true, we find it ſuggeſted, That the great Point reſolv'd on, was to adopt the Conduct which *France* had hitherto obſerv'd, that is to ſay, to be firſt in the Field, and to carry the War into the Enemy's Country, which was to be done on all Sides at once; by the Duke of *Savoy* in the *Dauphinate*, by the Imperialiſts in *Alſace*, by the *Spaniards* in *Catalonia*, by the Combin'd Army in *Flanders*, and by the combin'd Fleet on the *French* Coaſts: But as theſe Suggeſtions are not ſufficiently authoriz'd, they are not wholly to be depended upon. A.D. 1690-91

What, however, redounded infinitely to the Honour of the *French* Court, and manifeſted above all things the ſuperior Genius of the *French* Monarchy, was, that, at this very time, while the *Dutch*, at leaſt the *Orange* Party among them, were almoſt beſides themſelves with Pride and Pleaſure, at ſeeing their *Stadtholder* ſet forth in all the Trappings of the *Britiſh* Monarchy, honour'd by ſo many Princes, and conſider'd on all hands, as the Saviour and Avenger of *Europe*, the *French* Forces took the Field, and inveſted *Mons*.

His Majeſty of *England*, with all his Circumſpection, was ſo little aware of any ſuch Enterprize, ſo early in the Year, that he had retir'd from the *Hague* to *Loo*, accompany'd by the Duke of *Zell*, and ſeveral of his own Nobility: But ſcarce was he arriv'd there, before Courier upon Courier brought him Advice, that the *French* Troops were on Motion on every Side; that their Preparations of all ſorts were ſuch, as argu'd, that they had ſome very important Deſign in hand, and finally, That the Storm was fallen upon *Mons*. *Mons beſieg'd by the French King in Perſon.*

It was the 15th of *March*, N. S. when their Cavalry appear'd before it; in ſix Days more, the *moſt Chriſtian* King in Perſon, accompany'd by the *Dauphin*, the Dukes of *Orleans*, *Chartres*, and *Bourbon*, and great Numbers of his principal Nobility, came into the Field: On the Morrow the Trenches were open'd; and from the Moment the Ground was firſt broke, the Siege, and every Circumſtance relating to it, was carry'd on, with as much Conduct and Vigour as it was undertook.

The Garriſon was computed at about ſeven thouſand Men, but did not amount to above five thouſand Effectives; whereas, the Place was ſo large, and the Works ſo many, that fourteen thouſand were ſcarce ſufficient to maintain it, againſt the Force which was brought againſt it. Some alledg'd, that theſe five thouſand were but the ordinary Garriſon, and that when the Army were diſtributed into their Winter-Quarters, not one additional Corps was directed thither: But others account for this by ſaying, That the Burghers would admit no more, and that they took upon themſelves to be anſwerable for the Security of the Place.

However this may be, his *Britannic* Majeſty, who knew, that every thing was to be apprehended, when the *moſt Chriſtian* King took the Field in Perſon, quitted his Retirement on the 21ſt, and order'd Prince *Waldeck* to repair immediately to *Hall* in the Neighbourhood of *Bruſſels*, which was the Place appointed for the general Rendezvous, and, in concert with the Marquis *de Gaſtanaga*, to aſſemble the Army with all poſſible Diſpatch; as alſo to make all the neceſſary Preparations for putting it in Motion. He, moreover, ſent Couriers to the Elector of *Brandenburg*, and the reſt of the *German* Princes, to quicken the March of their Troops, while Mr. *Opdam* did

A.D. 1690-91 did the ſame by the Biſhop of *Munſter*; and from all theſe Appearances it was univerſally concluded, that his Intentions were to riſque a Battle, in order to raiſe the Siege.

The Prince *de Berghes* had the Command in *Mons*, and made his Diſpoſitions like a Man that was reſolv'd to hold out to the laſt Extremity. The *French*, on the other hand, were Maſters of their Trade, and proceeded in ſuch a manner as ſhew'd they were ſo. The weakeſt Part of the City was cover'd with Moraſſes, and a little River. In order, therefore, to make their Approaches on that Side, they apply'd themſelves to turn that River, and drain thoſe Moraſſes, which, by Degrees, they effected. Hearing alſo, that the Allies were repairing on all Sides to *Hall*, the *moſt Chriſtian* King appointed a Body of Troops under Mr. *de Luxemburgh*, to obſerve their Motions, and made yet other Draughts of freſh Men out of his Gariſons, that he might be able both to give them Battle, in caſe they ventur'd to attack him, and alſo to continue the Siege. On the 26th they began to play on the City with a Battery of twenty-five Pieces of great Cannon; and, as the beſt way to diſpoſe the Burghers and Eccleſiaſtics to a Submiſſion, employ'd twenty-five Mortars, in ruining their Houſes and Churches, which was perform'd with great Succeſs. On the firſt of *April* the Moat being fill'd up, and a ſufficient Breach made in the Horn-work, Orders were given for an Aſſault, which was obey'd with great Spirit and Reſolution; but without Succeſs; for ſo valiantly did the Beſieged defend themſelves, that they repuls'd the Enemy three times, with great Slaughter, and, upon the Iſſue, remain'd in Poſſeſſion of the Poſt. It was not, however, in their Power to maintain it long; for, being the next Day attack'd by eight Companies of Grenadiers, a hundred and fifty of the Muſketiers, and the whole Regiment of *Swiſs* Guards, after a deſperate Reſiſtance, which was fatal to Numbers of brave Men on both Sides, they were overpower'd, and the Beſiegers gain'd their Point. Still, however, there was a great Variety of Works to be ſurmounted, and the Governor and his Gariſon were as reſolute as ever to maintain them all; in full Perſuaſion, that their Deliverer was at hand, and that he wanted nothing but time to bring them Relief.

King William's Efforts to raiſe the Siege fruitleſs.

His Majeſty had remov'd from the *Hague* to *Breda* on the 20th of *March*, from thence to *Vilvoorden* on the firſt of *April*; and on the 26th arriv'd at *Hall*; where he found an Army of between forty and fifty thouſand Men aſſembled, with a Train of ſixty Pieces of Cannon, and twelve Mortars; but, as we are told, ſo utterly unprovided for a March, that they had not even the neceſſary Carriages: Here, therefore, he was oblig'd to wait, within hearing of the *French* Guns, till he was furniſh'd with thoſe Neceſſaries; and the next Morning after his Arrival, a large Detachment of the *French* Houſhold Troops, Cavalry, and Dragoons, with a Body of Grenadiers mounted behind them, came in Sight, under the Command of Mr. *de Luxemburgh*; and, having taken a Survey of the Camp, returnd without Moleſtation. A.D. 1690-91

The Beſiegers, in the mean while, redoubled their Efforts, for fear of being interrupted: But tho' they had on the fifth open'd a conſiderable Breach in one of the Half-Moons, and had fill'd up the Moat underneath it, they ſuffer'd the ſixth, ſeventh, and a great Part of the eighth, to elapſe, without making any Diſpoſition for an Aſſault; the Reaſon of which, we ſhall find in what follows:

It has been already obſerv'd, that the Burghers were in Arms, as well as the Gariſon, and co-operated in the Defence of the Place: But the Trade of War was what they had not been us'd to; neither could they, like the Soldiers, look on the Ruins of their City with Indifference; and they had, beſides, entertain'd a Notion, by the Suggeſtions of their Prieſts, that they ſhould loſe nothing by changing Maſters: Inſtead, therefore, of making good their Engagements to defend the Place to the laſt, they call'd upon the Governor to beat a Parley, and capitulate on the beſt Terms he could get; and upon his refuſing to comply with their Demand, threatened to open their Gates, and deliver up both him and his Gariſon to the Diſcretion of the Beſiegers; which, as they were the moſt numerous, it was eaſy for them to do. In vain, both he, and his principal Officers endeavour'd to bring them to Reaſon: They would hear of nothing but an immediate Surrender; and, in all Conteſts of this nature, thoſe who cannot give the Law, muſt take it. Accordingly on the eighth, about four in the Afternoon, he beat a Parley; Hoſtages were immediately exchang'd; at Midnight the Articles was ſign'd; the next Day one of the Gates was deliver'd up to the Beſiegers; and on the tenth the Governor, with the Remains of his Gariſon, which was reduc'd to two thouſand four hundred private Men, and two hundred and eighty Officers, march'd out with all the Honours of War. *The Place ſurrender'd.*

And now his *moſt Chriſtian* Majeſty, having ſhewn his Contempt of the *Hague* Congreſs, and all that he had to apprehend from it, by this Maſter-ſtroke, and having given his Orders to provide for the Security of his new Acquiſitions, by levelling all his own Lines, and repairing all the Works which had been damag'd in the Siege, return'd in Triumph to *Verſailles*; where he ſoon after caus'd a Medal to be ſtruck on this remarkable Occaſion, repreſenting a Town inveſted, and an Army looking on, with the following explanatory Inſcription, *Amat Victoria Teſtes*; while, on the other hand, the following Article was inſerted in the *London Gazette*: "The King reſolv'd to have march'd laſt *Friday*, had he not been diſappointed of his Carriages; and could the Place have held out a Day or two longer, we ſhould have been very near them, and made a great Effort for their Relief." *A Medal ſtruck by the French in Remembrance of the Exploit.*

What is yet more remarkable, on the very Day that *Mons* capitulated, his *moſt Chriſtian* Majeſty receiv'd an Expreſs from Mr. *Catinat*, *The French Succeſſes in Piedmont.*

A.D. 1690-91

nat, which gave him an Account, that his Arms were as ſucceſsful on the Borders of *Italy*, as in *Flanders*: for, after the reducing of *Villa Franca*, and the Forts of *St. Auſpice*, and *Montalban*, that General ſet down before the City of *Nice*; the Magiſtrates of which, being unwilling to ſuffer a Bombardment, made their Submiſſion, and agreed on a certain Hour, and upon certain Signals, to admit a Detachment of *French*. The Treaty was manag'd with Privacy, and was to be put in Execution under theſe Precautions, becauſe the Caſtle was a ſtrong Place, well garriſon'd, and the Governor of it was reſolv'd to do his Duty. The Secret, however, took Air; he got Notice of it, and endeavour'd to defeat the Purpoſe of the Citizens, by pouring his Soldiers among them to ſecure the Gates: But they having already taken their Meaſures, had recourſe to their Arms, drove out the Governor's Party, and gave the *French* Poſſeſſion, according to their Agreement. This was the 26th of *March*, N. S. and early on the Morrow the Cannon of the Caſtle were turn'd upon the City, and kept playing all Day long againſt the Magazine, and againſt the Houſes of thoſe who were the Ring-leaders in the Revolt, tho' the *French* had threaten'd to give no Quarter to the Garriſon, in caſe they did not give over. On the 28th and 29th the Beſiegers carry'd on three ſeveral Attacks, with great Vigour, tho' without any extraordinary Succeſs, becauſe of the Badneſs of the Ground: But on the 30th, having brought three Bombs to play upon the Magazines, the Powder took fire, and, in a Moment, laid a great Part of the Caſtle in Ruins, and deſtroy'd above three hundred of the Garriſon. On the 31ſt, their Magazine of Bombs and Granades met with the like Fate; and, after two ſuch terrible Misfortunes, ſo cloſe on the Heels of each other, the Governor thought it high time to capitulate; and, notwithſtanding the Menaces of the *French* at the opening of the Siege, having obtain'd his own Terms, march'd out of the Place on the fourth of *April*, and was conducted to *Oneglia*, at the Charges of his *moſt Chriſtian* Majeſty.

Satisfy'd with the Acquiſition of *Mons*, the *French* Army in *Flanders* diſpers'd themſelves into Quarters of Refreſhment; upon which the Allies, either for want of a Scheme to act upon, or the Requiſites to enter upon Action, did the ſame: And as King *Lewis* was return'd to *Paris*, King *William* return'd to the *Hague*; where, having with his own Royal Hands, as it is phras'd in the *London Gazette*, beſtow'd the Garter on his Friend the Duke of *Zell* (who had not only engag'd to aſſiſt in the Common Cauſe with all his Forces, but alſo to induce his Brother the Duke of *Hanover*, who was now again grown refractory, to do the ſame) on the 22d, N.S. he embark'd for *London*, with ſo fair a Wind, that he arriv'd at (*m*) *Whitehall* the next Even-

King William returns to England.

ing; having been convoy'd by Part of the *Dutch* Fleet appointed for the Summer-Service, and having been ſaluted by that of *England*, which he found at the *Buoy of the Nore, completely fitted, full man'd, and ready to put to Sea.*

A.D. 1690-91

And now the great Buſineſs before his Majeſty, was to exert his Supremacy, in re-edifying the Church, after the Model of the State. According to the Act for altering the Oaths, the Nonjuring Biſhops had been long in a State of Deprivation, and their Sees were actually vacant: All, therefore, that was to be done, was to find proper Perſons to fill them; and who theſe proper Perſons were, we find declar'd in the *Gazette* of *April* 27, namely, Dr. *Tillotſon*, Archbiſhop of *Canterbury*, Dr. *Breveridge*, Biſhop of *Bath* and *Wells*, Dr. *Fowler*, Biſhop of *Glouceſter*, Dr. *Cumberland*, Biſhop of *Peterborough*, Dr. *Moore*, Biſhop of *Norwich*, and Dr. *Grove*, Biſhop of *Chicheſter*, in the Room of Dr. *Patrick*, who was tranſlated to the Dioceſe of *Ely*. By a ſecond Liſt, it alſo appear'd that Dr. *Sherlock*'s Converſion was rewarded with the Deanery of *St. Paul*'s; that Dr. *Comber* was advanc'd to the Deanery of *Durham*, Mr. *Talbot* to that of *Worceſter*, and Dr. *Woodward* to that of *Sarum*. But how theſe Liſts were ſettled, or with what Temper the Depriv'd bore their Misfortune, Hiſtory does not over clearly ſpecify.

and fills up the vacant Biſhopricks.

Biſhop *Burnet*, indeed (forgetful of the Merit which he has before aſcrib'd to the King, for ſuffering the depriv'd Biſhops to continue above a Year in their Sees) ſuggeſts, that Dr. *Tillotſon* had been preſs'd by both their Majeſties during that *whole Interval*, to accept of the Archbiſhopric; that he had ſtruggled againſt it with *great Earneſtneſs*, and that it was with *great Uneaſineſs* to himſelf, that he at laſt ſubmitted to the King's Command, becauſe he foreſaw what a Scene of Trouble and Slander he muſt enter upon, for his coming into the Room of one whom the *Jacobites* call'd a *Confeſſor*. His Lordſhip alſo adds, That it was viſible in all the Nominations made by the King in two Years: No Ambition nor Court-Faction appear'd; and that the Perſons ſo nominated, were generally look'd on as the learneſt, the wiſeſt, and beſt Men that were in the Church: "Men, continues he, were not ſcrambling for Preferment, nor uſing Arts, nor employing Friends to ſet them forward; on the contrary, Men were ſought for, and brought out of their Retirements, and moſt of them very much *againſt their own Inclinations*: They were Men both of moderate Principles, and of calm Tempers. This great Promotion was ſuch a Diſcovery of the King and Queen's Deſigns, with relation to the Church, that it ſerv'd much to remove the Jealouſies that ſome other Steps the King had made, were beginning to raiſe in the *Whigs*, and very much ſoften'd the ill Humour that was ſpreading

Obſervations in Biſhop Burnet's Account of that Matter.

(*m*) Which he found almoſt in Ruins, occaſion'd by a great Fire which had broke out four Days before; and which was occaſion'd by the Negligence of a Maid-Servant, who, to ſave herſelf the Trouble of cutting a ſingle Candle from a whole String, burn'd it off, and left the Cotton of the reſt in a Flame.

A.D.1690-91 spreading among them." But then, except in the particular Case of Dr. *Tillotson*, he does not even insinuate from whence this *Disinclination* to Preferment arose; nor does he once mention that Dr. *Beveridge*, after his Name was inserted in the *Gazette*, refus'd the Mitre that was offer'd him, nor that he receiv'd a gentle Rebuke for it in a printed Paper of Dr. *Stillingfleet's*, still extant in the *State Tracts*, and that Dr. *Kidder* was, at some Distance of time, nominated in his stead. His Omissions, are, however, in Part, supply'd in the following Passage, which is to be found in a printed Letter to Dr. *Sharp*, made Archbishop of *York* some time after the filling the vacant Sees, under the Title of, *An Apology for the new Separation*, viz. "I appeal to your worthy Successor in *St. Giles's* Parish, if one of the new Bishops was not in a very disturb'd, uneasy Paroxism of Spirits about accepting his Bishopric, and whether in a great Heat of Passion, he was not ready to go to her Majesty, like Dr. *B.* to desire to be excus'd? None of the depriv'd Bishops parted with their Bishopries with half that Reluctancy, that some of the Acceptors took them: The Episcopal Seals were bespoke and unbespoke; and, at last, after many Agonies and Fluctuations, finally bespoke again. But the *Depriv'd* are calm and smooth and uniform within; their Hearts are fix'd on *God* and their good Principles; they are as free from bitter Zeal, as from Shame and Remorse; and if you do not envy the Felicity of their Deprivations, I dare say they do not envy you their Revenues, and *think* you no Reproach to them, if you do not think them so to you."

It ought to be remember'd, that these are the Words of a profess'd Apologist; and no Proof more convincing can be given either of the Consciousness of the *Preferr'd*, or the Resentment of the *Depriv'd*, than the long, perplex'd, and vehement Controversy which this Change gave rise to. The Latter, having still before their Eyes the splendid Appearance of the Great, which had countenanc'd them under the Persecution they met with in the late Reign, and the Shouts of the People for their Deliverance, still ringing in their Ears, could not tell how to think, that they should now fall, without the least Notice or Observance: And when Experience had made them sensible, that such indeed was the Case, that the popular Tide had taken another Channel, and that they were left to struggle by themselves through their own Shallows, they had recourse to the Press, and made use of all their Learning, and all their Abilities, to embark the Nation once more in their Quarrel; and if they could not re-establish themselves, at least to sink their Adversaries; while Those, on the other hand, together with their Allies, both in Church and State, thought it of Importance both to their Titles and their Possession, to have the last Word in the Dispute.

Controversies which this Event produc'd.

And now every Week, nay, almost every Day, produc'd, some new Pamphlet on one Side or the other. The Malcontents taught in general, That Christianity was a Doctrine of the Cross; that no Pretence of defending our Religion could justify a Rising against our Sovereign; that it was equally unlawful to have recourse to Arms in the Defence of Laws, Liberties, &c. that the Primitive Christians had legal Rights as well as we, and yet thought it their indispensible Duty to be passive under every Invasion of them; that their Practice was suitable to these Principles, even when they had the most reasonable Plea to justify a Departure from them; that, according to our own Constitution, and the Doctrine of our own Church, Resistance was unlawful; that the Pretence, that Acts against Law had no Authority, neither did, nor could, authorise Resistance: And lastly, that the Doctrine of Non-resistance, exploded as it had lately been, had all the Sanctions which could be deriv'd from the Laws of *God* and Man. A.D.1690-91

Thus every Article of their System, had a manifest Tendency to shew, That the new Settlement was unlawful, and, consequently, that they were Sufferers for Righteousness sake.

The conformable Divines, on the other hand, not only made it their Business to shew the Fallacy and Absurdity of these Doctrines, but to expose the principal Use that was design'd to be made of them: They collected all the Reasons, Arguments, and Authorities within the Reach of their Learning and Invention, in support of the common Rights of Mankind: They yet farther took upon them to demonstrate, that with regard to the Hypothesis of Non-resistance, and passive Obedience, it was no longer a Matter of Dispute; that if it was conclusive at all, it was as conclusive with regard to the present Government, as the former, because the Obedience requir'd by Scripture, was indiscriminate; according to the Text. "Let every Soul be subject to the Higher Powers; for there is no Power but of *God*: The Powers that be are ordained of *God*." And from the whole, they inferr'd, that the new Oaths ought to be taken without Scruple; that such as refus'd them, mistook Party for Conscience; that as there was no Ground for a new Separation, so it could produce nothing but Mischief, and that, therefore, those who set it on Foot would remain without Excuse.

The Separatists again branded these Doctrines by the Name of *Latitudinarian*, and urged to the Teachers, That it matter'd not to them, who, or what the King was, whether he was lawful or unlawful, real or titular, rightful or wrongful, provided he had Possession; and that if twenty different Kings should supplant one another, still they could transfer their Allegiance to the last, though they had never so solemnly recogniz'd and sworn Allegiance to his Predecessors, like the Spaniel who follow'd the Thief that had knock'd down his Master, and got upon his Horse.

When also they found that the new Settlement was not to be shook by their Paper-Batteries, nor the People to be made the Tools of a new Revolution, they had recourse to

A.D.1690-91 to another Subterfuge, which was, to aſſert their own Spiritual Rights and Powers againſt a lay Deprivation, and to make the ſame *de jure* and *de facto*-Diſtinctions, with reſpect to the Government of the Church, as they had before done in that of the State: The immediate Conſequence of which was, that their Adverſaries made the ſame uſe of it; and inſiſted, that all the Authority belong'd, and that Obedience only was due to the Poſſeſſor. Nay, they went farther ſtill; for Mr. *Hody* of *Oxford*, having made what he call'd a providential Diſcovery of an ancient *Greek* Manuſcript in the *Bodleian* Library, tending to prove, that, ſuppoſing a Biſhop depriv'd, without any Synod, by the Civil Power, was unjuſtly depriv'd, ſtill neither the Biſhop ſo depriv'd, nor the People, ought to ſeparate from the Communion of his Succeſſor, provided his Succeſſor was not a Heretic, not only ſet forth a *Latin* and *Engliſh* Tranſlation of it, but adopted it as an Authority. This enflam'd the Diſpute, inſtead of ending it: Seven different Anſwers were exhibited; in the firſt of which, it is call'd a *ſurreptitious noiſome Piece*, and a *Farce of notorious Lies and Falſehoods*; and *Hody*, by this time become a Doctor, put in one general Reply to them all, in which he rather ſtrove to maintain the Propoſition evinc'd in his Manuſcript, than to enter into a critical Diſſertation concerning the Manuſcript itſelf; but in all he ſaid, manifeſted the Reading of a Scholar, the (*n*) Candour of a Philoſopher, and the Manners of a Gentleman.

But Time and Neglect can only put an end to the Broils of Eccleſiaſtics; and it was but natural for thoſe that loſt their Livings to loſe their Patience too; and thus, when they found Arguments would not carry their Point, they had recourſe to Scandal and Invective: *Tillotſon* and all the new Biſhops were treated as Intruders; and no kind of Artifice was left untry'd to render them odious. A.D.1690-91

None lay ſo open as *Sherlock*, and none were treated with ſo much Bitterneſs. In the Beginning of the Broil he had been the Champion of the Party againſt all Comers; and now he was become as great an Undertaker on the other Side: They were provok'd at his Apoſtacy; they were more provok'd at the Profit he had made by it, as fearing it would encourage others to follow his Example. That, therefore, his Name might never be mention'd without Reproach, they ſet forth all the Particulars of his double Dealing, in the moſt glaring Colours, and more eſpecially, all that he had ſaid and done againſt the new Settlement, to ſhew what a worthleſs Proſelite they had made. They charg'd him, with lamenting the Paſſiveneſs of the Nation under the *Invaſion* of the Prince of *Orange*, and the Silence of the Clergy on this Occaſion; with ſaying, *That the Revolution was the greateſt Scheme of Villany that ever was contriv'd*; and again, *That he could as ſoon turn* Arian, *as take the Oaths*; with his inducing the Biſhop of *Chicheſter* to make the Death-bed Declaration, formerly inſerted; with going to a learn'd Gentleman on the eighth of *April*, 1689, to diſſuade him from being preſent at the Coronation of their Majeſties; and with telling him, *That he had rather take twenty Oaths, than bear a Part in that Ceremony*: And laſtly, they were at the Pains of giving a (*o*) Review of his whole Conduct, Sherlock's Apoſtacy expos'd.

(*n*) I conclude, ſays he in his Preface, in the Words of *Droſius*, which I here make my own: *Scripſi hæc animo ſereno, non ledendi. Si laſſi quempiam, jam me pœnitet. Si offendi plus æquo, monitus libenter mutabo. Si erravi veſtans, monſtretur mihi error, non ero pertinax.*

And again in the Cloſe of his Work, "I deſire to be pardon'd for offering my Advice: I can truly ſay of thoſe reverend Men (meaning the depriv'd Biſhops) what St. *Cyprian* does of *Maximus* and his Aſſociates, who were e'er-while Confeſſors, and afterwards engag'd in a Schiſm. *I am extremely ſorry that I cannot communicate with thoſe whom I had begun to love. God* grant that *the Maximus* and his Aſſociates, they that were lately our Confeſſors, may be again united to the Church. I cannot but grieve when I conſider thoſe Perſons in a *Meeting Houſe*, whom I ſo much lov'd and reverenc'd in the *Tower*."

(*o*) Of which the following is a remarkable Specimen:

"I ſhall not inſiſt on the Half-Sheet you publiſh'd at the ſitting down of the Convention, againſt making the Prince of *Orange* King; but only obſerve, that then you ſuppos'd the Throne to be full; and aſſerted, That the Eſtates then convened could not give him the Crown, becauſe it was not theirs to give. A little after this, you wrote the Anſwer to Dr. *Burnet*'s Enquiry, which I mention'd before, in which you aſſert, in Oppoſition to the Doctor, That King *James* was a King, not by governing well, but by Birth-right, and could no more ceaſe to be King by governing ill, than a Traitor or a Rebel ceaſe to be a Subject. And this you prov'd from the paternal Relation of a Father, who never ceaſes to be a Father, how great a Tyrant ſoever he be. You alſo challeng'd the Doctor there, to ſhew you any Law of *God*, or our Country, which upon any Cauſe diſſolves our Allegiance, and aſſerted, That the Deſcent of the Crown muſt be governed by the Laws of the Land. I muſt here tell the Reader, that this Anſwer of yours was never publiſh'd, leſt he ſhould loſe his Labour in enquiring after it; for tho' it was printed, yet whether at *Xantippe*'s (Mrs. *Sherlock*'s) Inſtance, or any other Cauſe of fear, you ſuppreſs'd all the Copies but two, which happen'd to get abroad, and one of thoſe fell into my Hands. But about the Beginning of *May*, after you wrote a Diſcourſe for taking the Oaths, entitled, *The Lawfulneſs of taking the new Oath of Allegiance to King* William *and Queen* Mary, *ſtated upon the ſtricteſt Principles of Church of* England *Loyalty*; and after you had finiſh'd it, you ſent it, as I underſtand by a Letter from the *Weſt* to Dr. *Bu*—— (by which I underſtand Dr. *Burnet*) but that Diſcourſe plainly ſuppoſing the Government to be an Uſurpation, and that Non-reſiſtance was reſerv'd as a Duty to King *James*, from whom it could not be ſuſpended, it was not thought fit to be publiſh'd. This Book was ſeen and peruſ'd by many; particularly, two or three Clergymen at *Tewkeſbridge* in *Auguſt* following, ſaid they had read it: But to do you Juſtice, Doctor, before this, you did all you could to ſuppreſs it, becauſe it would not hold; but it was now too late to attempt the Suppreſſion of it, for Copies had got abroad into ſeveral Hands, and I have one of them at your Lady's ſervice, who, I ſuppoſe, was not againſt writing of it. Upon Conviction this Paper would not hold, then you grew very warm againſt the Oath; for in the latter End of *June*, or beginning of *July*, you affirm'd, That the taking of it was not only a recognizing, but making the Prince of *Orange* King (as yet then Providence had not made him ſo); adding, That though you could actually forbear aſſiſting King *James*, yet you could not ſwear never to aſſiſt him, that being not conſiſtent with an Acknowledgment of his Right; and that the more you thought of the Oath, the worſe you liked it, and would have nothing to do with it. Remember this, good Doctor, and then conſider if it doth not become a Man that ſaid and did ſuch things then, to rant and ſwagger againſt ſome among ourſelves now. It was now about this time that you were to the heighth of your Fervour againſt the Government and the Oaths, which diſcover'd itſelf by many Symptoms, upon ſeveral Occaſions. When you firſt heard the News of a Faſt, which, happen'd to be at your Houſe in the *Temple*, "How! a Faſt! ſaid you; I warrant you we ſhall have dainty Prayers." "Prayers, ſaid *Dr. Sharp*, that I am more afraid of than the Oaths. And what! muſt we have Sermon too? I'll give them a Sermon that they ſhall not thank me for." And accordingly you did ſo. Your Text, I remember, was, *The Lord is a Man of War, the Lord of Hoſts*

A. D. 1691. duct, and of making one Part of it a Satire on the other.

But the Rancour of theſe Malcontents was not levell'd at Individuals only; their great Purpoſe was to lay the Ax to the Root of the Government, and ſo to looſen the Connections between them and the People, as ſhould leave them expos'd to the firſt Bluſt of a new Revolution. In order to which, while the Divines were thus tilting at each other, the Politicians made it their Buſineſs to blacken every Meaſure of the Cabinet, to draw invidious Compariſons between this Reign and the laſt, and to put in Practice all the Arts of cultivating Diſaffection, which they had with ſo much Severity condemn'd when Power was on their Side, and when the Abuſe of that Power was the Charge brought againſt them. A. D. 1691.

Thoſe, on the other hand, who had help'd themſelves into the Saddle by theſe very Arts, appear'd to be ſo much the more alarm'd at them, as they were better acquainted with their Force and Efficacy; and, over and above the Encouragement which they gave to *Anſwerers* and *Recriminators* of all ſorts, *Proclamation againſt Libels, &c.*

ſet

Hoſe is his Name. And then you preach'd contrary point-blank to what you have ſince printed; and the Drift of your Diſcourſe was ſo plainly levell'd againſt the Government, and the Intention of the Day, that you gave great Offence to their Majeſties good Subjects, who fill'd the Town with Complaints againſt you; but you valued not that, but was pleas'd with it, delighting to give ſome among us an Account of what you had preach'd, and how you had met with them. About this time alſo you wrote a Diſcourſe againſt taking the Oaths, which you ſhew'd to a learned and reverend Divine on the 29th of *July*. I ſuppoſe it was your Letter to Dr. *Williams*, whoſe Anſwer to it you deſpiſed, as Stuff that did not deſerve a Reply; tho' one who ſaw it, ſaith you ſtole your Argument from *Jaddus*, and other things out of it, which you have put in your Caſe of Allegiance. In *Auguſt* out comes the firſt Part of the Hiſtory of Paſſive Obedience, which you careſs'd into the World, and were ſo taken with it, that you went to a very learned Man, who ſince became your Antagoniſt, to pray him to write a Sheet of Concluſions, not againſt *him*, but againſt *other* Men, upon the Doctrines and Principles collected in it; and that he might not miſtake your Deſign, you left it in Writing with him, and he ſtill hath the Original in the following Words: "The Doctrine of Non-reſiſtance and Paſſive Obedience is founded on an irreſiſtable Authority: conſider then what are the Rights of an irreſiſtable Authority, and what the Duties of Paſſive Obedience. I. The Rights of ſovereign and irreſiſtible Authority are, that he cannot forfeit his Crown; that he cannot be judg'd or depos'd by his Subjects (and Abdication and Deſertion are but other Names for the) and therefore when once King, he is always ſo till death, or voluntary or legal Reſignation. II. Non-reſiſtance does not only ſignify not to fight againſt the King, but 1. That upon no Pretence we muſt renounce his Right. 2. We muſt never ſet his Crown upon another Head. III. We muſt not transfer our Allegiance to another." In this Month alſo died the Biſhop of *Chicheſter*, of everlaſting Memory, to whom a Perſon of Honour can teſtify, you never above four or five Days before he died, to move him to make his Declaration. About the ſame time you ſent a Paper to *Oxford* againſt taking the Oath; I have forgot the Title of it, but I remember a Paſſage in it to this Purpoſe, That as Uſurpers ſeize upon the Lands, and Houſes, and Fortifications of the King for their own Uſe, and to turn them to their own Service againſt Law; ſo againſt Law they ſeize upon the Laws themſelves, and uſe them againſt their firſt Intention to their own Service, and the Deſtruction of the King and his faithful Subjects, for whoſe Defence they were made. About the Beginning of *September* you wrote an Apology for the *Non-ſwearers*, which you deſign'd for your Maſterpiece; and in *December* following, a malicious Pamphlet coming out againſt the Biſhops, entitled, *A Letter out of the Country*, &c. you began an Anſwer to it in Defence of them; but having not too long where you write it, Mrs. *Sherlock* and *Satan* took you to task, and intreated ſo well, as to make you confeſs where you had been, and about what; and then it was no great Conqueſt to make you ſend for your Papers by ſix o'Clock next Morning, and offer them as an Holocauſt to atone her Deſpleaſure. In all this time that you were ſo warm and zealous againſt the Oaths, you help'd to diſperſe the few ſmall Pamphlets that were printed, againſt taking of it, and expreſs'd much Trouble, that others that were larger could not get abroad, particularly, you were very zealous for printing *The Caſe of Allegiance to a King in Poſſeſſion*, which you then thought an admirable Piece; and upon all Occaſions you were wont to expreſs your Affection and Duty to King *James*, and your Deſire for his Return, as by drinking to his Health and happy Reſtauration; and at other times, by ſending up ſeveral Ejaculations for it, and ſaying *Amen* if others did ſo. And, Sir, your own Memory and your Conſcience can inform you that theſe are Truths, and no Inventions; and how they agree with your Preface to your *Caſe of Allegiance*, and the Concluſion of your Vindication of it, let the Readers, and eſpecially the Lawyers, judge. In that Preface you tell us, That you had ſtuck in your former Opinion to this Day, had you not been reliev'd by Biſhop *Oxford*'s *Convocation-Book*. But how did that relieve you? Or when did the pretended Doctrine in it begin to operate on your Underſtanding, and remove your former Difficulty? I am ſure that it was ſent you Sheet by Sheet from the Preſs, and had no Operation upon you at the firſt Reading; but happening to lye in the Bookſeller's Shop ſome time before it was publiſh'd, for want of the Preface, the News of it brought abundance of Clergymen, and others, to read it there, and ſome that had taken the Oaths, thinking theſe Paſſages made for them, they diſcover'd them, and form'd Arguments from them to juſtify their own Compliance, but you deſpiſed them for wreſting the Words of the Convocation, and uſed to obſerve upon that Occaſion, how Men would be glad of any Pretences, and catch at any Twigs to bear up themſelves againſt their own Conſciences. This was in *December* before you took the Oaths, and no body that I ever met with perceiv'd you to be of any other Opinion till after the Victory of the *Boyne*. For in that Interim you behav'd yourſelf among your Brethren, as you had done formerly, particularly, you ſhew'd Complacency enough at the Victory which the *French* had over us by Sea, in hopes it would haſten another Revolution; and accordingly, taking Horſe at a Gentleman's Door, who then thought you deſerv'd a better; you told *him*, that you now hop'd by *Michaelmas* to have a better Horſe. This was but a little while before the News of the *Boyne*-Victory came to *Town*, and then, Doctor, it was, that Biſhop *Oxford*'s Book gave you greater Freedom and Liberty of thinking, then you firſt diſcover'd your new Notions, and Inclinations to your Brethren, then you thought it high time to emancipate yourſelf from your ſtupid Church-of-*England*-Loyalty, and the ſlaviſh Principles of it, the Rights of irreſiſtible Authority, and the Duties of Paſſive Obedience. All vaniſh'd then upon New Light; for *Iperia* appear'd to you upon the Banks of the *Boyne*, and inſpir'd you with new and freer Notions, and ſhew'd you in that glorious Scene, how your former Reaſonings contradicted the general Senſe of Mankind, and had no Foundation in Reaſon or Nature, and revealed unto you a divine and ſafer Principle upon which you might ſwear Allegiance, without the Imputation of Apoſtacy or renouncing the Doctrine of the Church of *England*, to *Wilhelmus Naſſ. Aug. Scot. Hiber. &c. datus Auguſtus*, and alſo ſwear it back again to King *James*, if ever he ſhould recover the Throne in a recuperative War. But to make out your Hypotheſis of a thorough Settlement the better, you were alſo willing to have *Limerick* taken before you took the Oath; and therefore you wrote to a Friend then at *Dublin*, to ſend you word as ſoon as that Town was taken, becauſe, as he knew, it concern'd you much to know it. But, Doctor, as you ſay of the Nature of things, that Town was pretty ſtubborn, and you were in haſte, and could not ſtay for the Surrender of it; but the new Settlement was ſufficient for your Purpoſe without it, or perhaps the R. R. *Welch* Prophet aſſur'd you, it would be taken, and that was enough to a willing and well diſpoſ'd Mind. And now, Doctor, upon a impartial Review of your former Principles and Practices, will you ſeriouſly tell me, did you not think yourſelf as wiſe and conſidering a Man before you took the Oaths as ſince? And could you well have borne it, if any Man had then dogmatically told you, that your Reaſonings were uncertain, and that your Opinion was contrary to the General Senſe of Mankind, or that it was rejected by the moſt ſober and conſidering Men? Alas! What ſhall we, inferior Mortals, and little Writers, do, thus to have *Sherlock* againſt *Sherlock*? Which of the two ſhall we believe? *Sherlock* ſaying, or *Sherlock* unſaying what he ſaid, and for what he ſuffer'd? *Sherlock* confeſſing, or *Sherlock* retracting his Confeſſion? *Sherlock* depriv'd, or *Sherlock* reſtor'd, and higher preferr'd? *Sherlock* baffling others, or *Sherlock* by others miſerably baffled? *Sherlock* with the Generality of Writers, or *Sherlock* againſt the Generality of them? *Sherlock* with the learned and venerable Writers of Authority, or *Sherlock* with a few little, fanatical Writers of no Authority? *Sherlock* ſaying and proving, or *Sherlock* barely ſaying and appealing, but not proving what he ſaith? [*Vindication of ſome among our Divines*, &c. p. 27, 28, 29, 30.

A. D. 1691. set forth a Proclamation, dated *April* the ninth, againſt *Papiſts and other diſaffected Perſons*; the firſt and laſt Paragraph of which were as follow:

"Whereas their Majeſties, as well by the regular and impartial Adminiſtration of Juſtice to all their Subjects, and their abundant Mercy and Grace to ſuch of them as have been liable to Penalties, as alſo by proſecuting a neceſſary War againſt *France* by Sea and Land (on the Succeſs of which the Common Safety of this Realm, and all other their Majeſties Kingdoms and Dominions doth depend) having manifeſted their Princely Care and Zeal for the Preſervation, Eaſe, and Welfare of all their Subjects, might juſtly expect ſuitable Returns of Loyalty and Obedience from every of them, nevertheleſs divers Papiſts and reputed Papiſts, and ſome other Perſons ill-affected to their Majeſties Government, and reſtleſs of Spirit, abuſing the Clemency which hath been uſed, have reſorted to, and aſſembled in, the Cities of *London* and *Weſtminſter*, and other Places, and taken great Boldneſs by *ſeditious Diſcourſes and Libels*, and with *inſolent Behaviour*, to defame and affront the Government; and alſo do conſult and proſe ute divers Miſchiefs and treaſonable Deſigns and Practices tending to the Diſturbance of the public Peace, and the Deſtruction of their Native Country: Their Majeſties, reſolving not to ſuffer ſuch notorious Contempts of the Laws to go unpuniſh'd, and to prevent the evil Conſequences of the ſame, have thought fit (with the Advice of their Privy Council) to iſſue their Royal Proclamation: And do hereby require and command all Lords Lieutenants, Deputy Lieutenants, Juſtices of the Peace, Mayors, Sheriffs, Bailiffs, and all other Officers and Magiſtrates whatſoever, That they be *circumſpect* and *vigilant* in their reſpective Charges and Juriſdictions, and perform their Duties in ſuppreſſing the *Inſolence*, Deſigns and Practices aforeſaid; and that from time to time they cauſe diligent Search and Inquiry to be made after the ſaid Offenders, and they being diſcover'd, cauſe to be proſecuted, and brought to Condign Puniſhment according to Law.

And their Majeſties do hereby charge, and particularly require all Deputy Lieutenants and Juſtices of the Peace, That they do meet monthly to enquire into, and inform themſelves of the Affairs of their reſpective Counties and Diviſions, in Relation to the Premiſſes, and take ſpecial Care to preſerve the Peace, and prevent all *unlawful Aſſemblies* againſt their Majeſties and their Government, and that from time to time they give Information of their Proceedings and Diſcoveries, to the Lords of their Majeſties moſt Honourable Privy Council."

The plain *Engliſh* of all which is, that thoſe who built their whole Syſtem on the Doctrine of *Reſiſtance*, would not connive at any thing which had the leaſt Tendency to encourage the Practice againſt themſelves; and, having aſſerted, that their own Adminiſtration was faultleſs, would not allow the Fact even to be call'd in queſtion: So that what was Patriotiſm before, was Sedition now; and the ſame Subjects were held puniſhable for libellous Diſcourſe and Behaviour, who were before invited to take up Arms, and to act as well as judge for themſelves: So much does Sentiment depend on Intereſt; and ſo little is Conſiſtency regarded by Politicians. A. D. 1691.

But to proceed,---- We have had a tranſient View of the Fleet at the *Nore, completely mann'd*, &c. and it remains to be told, That this great Point was not brought to bear without great Difficulty, and a very extraordinary Exertion of all the Powers of the State. A Bounty of ſix Weeks Pay was firſt offer'd by Proclamation to all able Voluntiers to be paid before they ſet ſail, as alſo Conduct-Money; and this proving ineffectual, a general Embargo was laid on all outward-bound Ships; Warrants to impreſs were iſſu'd out on all Sides; and all Mayors, Sheriffs, Juſtices, Conſtables, &c. were requir'd to ſearch for all Seamen that had abſconded, and to ſeize and ſecure ſuch as they could find: And all Perſons whatſoever were ſtrictly charg'd and commanded not to preſume to conceal any of the ſaid Seamen, or ſuch as might be ſuſpected to be Seamen, on pain of being forthwith committed to Priſon, and proſecuted with all Severity, according to Law, as Perſons *conſpiring* againſt their Majeſties, and the Safety of the Kingdom.---- So ran the Proclamation. And when a ſufficient Number of theſe miſerable, free-born Subjects, had been thus forc'd by their Fellow-Subjects into the public Service, three other Proclamations of a ſofter nature were ſet forth. During the Continuance of the Impreſs, the Coal Trade had been wholly at a ſtand, and the Price of that Commodity had been enhanc'd in Proportion to the Scarcity, and to the Demand, which the Severity of the Seaſon had very much increas'd: Many Branches of Trade were of courſe grievouſly affected: The Diſtreſſes of the Poor in general were redoubled, and even the Rich partook of the Common Calamity. To prevent the Coal Dealers from monopolizing and taking too great an Advantage of the Times, the Magiſtracy had interpos'd, with the Approbation, if not by the Direction, of the Government: But neither Power nor Prudence could ſubdue an Evil, which the neceſſary Conſumption of every Day made greater: And when this became apparent, the firſt of the three Proclamations was iſſu'd, importing, That their Majeſties, in tender Compaſſion and Care of their good Subjects, did thereby declare and command, that unleſs the Proportion of four Men to every hundred Tuns was exceeded, no Seamen, either Native or Foreigner, employ'd in the Coal Ships, ſhould be preſs'd, or otherwiſe hinder'd or moleſted, until the 20th of *July* next enſuing, provided they did not protract their Voyage, in order to raiſe the Price of Coals. Their Majeſties farther certify'd to the Public, That they had given effectual Orders for the providing ſufficient Convoys from time to time; and that ſuch Officers as ſhould any way miſbehave themſelves in that Service,

Methods of manning the Fleet.

Proclamation relating to the Coal Trade.

A. D. 1691. Service, should be punish'd according to their Demerits: And in the Close of all, were pleas'd to adopt and authorise the following *dictatorial* Expressions, *viz.* "And to the end, that all convenient Expedition may be used in discharging all Ships and Vessels, *&c.* we do require and command, that no such Ship or Vessel shall be above ten Days in unlading, the said Days to begin and be reckon'd from the time of coming in to the Pool or Place of unlading. And we do hereby strictly charge and command all our Officers, Ministers, and *Subjects whatsoever*, both by Sea and Land, that they take Notice of our Royal Will and Pleasure, publish'd in this our Proclamation, and give due Obedience thereunto at their Peril."

Two others for suspending the Press, and taking off the Embargo.

This was dated *April* 23; and on the 30th following, the two other Proclamations publish'd the glad Tidings, That the Navy was serv'd; that the Press-Warrants were recall'd, and that the Embargo was taken off. The Words relating to the Navy, are these: "His Majesty, in Consideration, that his Royal Fleet is provided and *completely furnish'd* with Seamen, doth, *&c.*" Which deserve so much the more Notice, because we find it asserted, that it was but *indifferently mann'd*, and also, because of the Complaints which afterwards arose, concerning the Conduct of our Naval Affairs.

[Lives of the Admirals, vol. iii. *p.* 50.]

Russel *succeeds* Torrington *in the chief Command at Sea.* [*See P.* 47.

The Command in chief was given to *Russel*, who succeeded Lord *Torrington* as Admiral of the Red Squadron: And there is a Suggestion in his Lordship's Speech to the House of Commons, that he was put over his Head, before the Fight off of *Beachy*; whence his Lordship infers, that his pretended ill Conduct in that Battle, was not the true Cause of the Prosecution he incurr'd. Sir *John Ashby* and Mr. *Rooke* serv'd under *Russel*, as Vice and Rear Admirals: And the blue Squadron was commanded by *Killigrew*, *Delaval*, and *Shovel*. According to the List annex'd to *Russel's* Instructions, the whole Fleet under his Command was to consist of five First Rates, eleven Second Rates, thirty-two Third Rates, and nine Fourth Rates; nineteen Fireships, six large Frigats, two Yachts, and four Hospital Ships; which mighty Force, was yet farther to be strengthened, according to the *Dutch* Lists, with forty-six Capital Ships, carrying 3000 Guns, and Men in Proportion.

Possibly, the setting this vast Body in Motion was one of the Royal Cares which took up his Majesty's Thoughts during his short Stay in *England*: But his Historian, *Burnet*, upon this Head only says, "That *Russel* had the Command of the Fleet, which was soon ready and well mann'd; that the *Dutch* came over in good time; and that the Proportion of the Quota settled between *England* and the *States*, was, that we were to furnish five, and they three, Ships of equal Rates and Strength." How the old Proportion of Ship for Ship, and Rate for Rate, as settled by Treaty in the Reign of King *Charles* II. came to be alter'd, or whether the new was honestly and punctually observ'd, he does not stay to inform us: And that they did not answer our Expectations *in point of Time*, is not only insinuated by *Burchet*, but proveable by the *London Gazette*, which specifies, as hath been already noted, that the *English* Fleet lay at the *Nore*, *compleatly fitted and mann'd*, *April* 13, when his Majesty pass'd by from *Holland*, as also, that Admiral *Russel* hoisted his Flag (on board the *Britannia*) *May* the fourth: That he set sail on the 14th for the *Downs*, having such of the *Dutch* Ships as had convoy'd the King with him: That in his way, he was join'd by Vice Admiral (*p*) *Allemonde*, the *Dutch* Commander in Chief, with four more: That he continu'd at the *Downs* from the 16th to the 21st, in Expectation of the rest: That being then join'd by nine more, and having waited yet another Day, he set sail for the Westward on the 23d, at which time, the Number of *Dutch* Ships of the Line under his Command, was no more than thirty-seven; which was nine short of their Complement.

A. D. 1691.

The same Author touches also, in the like cursory Manner, on the King's Measures in relation to *Ireland*; for, having said, "That he gave all *necessary Orders* for the Campaign in *Ireland*, in which *Ginkle* had the chief Command," he passes on to another Topic, without affording himself Leisure to throw in a Note of Admiration, that his Majesty should prefer a Countryman of his own, merely because he was so, to Lord *Marlborough*, who had so eminently distinguish'd himself, both at the Revolution, and by his late Services in that Kingdom. And it is certain, that whatever these *necessary Orders* were, while the Admirals *Rooke* and *Delaval* were making short Excursions from the *Downs* to *Dunkirk*, and the Coast of *France*, and back again, the *French* had an Opportunity to send a large Convoy of Provision, Cloaths, and Ammunition to *Limerick*, for the Use of the *Irish*; which arriv'd at that Place in Peace and Safety on the fourth of *May*, together with Mr. *St. Ruth*, and many other *French* Officers, with Commissions from King *James*, and such Instructions from King *Lewis*, as might best serve his own Ends, in maintaining the *Irish* War.

Scotish *Affairs inaccurately stated by B.* Burnet.

Concerning the *Scotish* Affairs, our Author is indeed more particular, but not more accurate; for he repeats what he had told us before, namely, "That many of the Lords who had been concern'd in the *late Plot*, meaning that of *Montgomery*, *Payne*, *&c.* came up and confess'd and discover'd all, and took out their Pardon." After which, he proceeds as follows: "They excus'd themselves, as apprehending that they were expos'd to Ruin; and that they dreaded the Tyranny

(*p*) The famous *Trompe* was to have had the Command, and the *Dutch* expected great things from him: But, instead of following him in Triumph, they follow'd him to his Grave, for, after a long Illness, he dy'd *May* 29. N. S.

A. D. 1691. Tyranny of *Preſbytery* no leſs than they did Popery: And they promis'd, that if the King would ſo balance Matters, that the Lord *Melvill*, and his Party, ſhould not have it in their Power to ruin them and their Friends; and, in particular, that they ſhould not turn out the Miniſters of the *Epiſcopal* Perſuaſion, who were yet in Office, nor force Preſbyterians on them, they would engage in the King's Intereſts faithfully and with Zeal: They alſo undertook to quiet the *Highlanders*, who ſtood out ſtill, and were robbing the Country in Parties: And *they undertook* to the King, that, if the *Epiſcopal* Clergy could be aſſur'd of his Protection, they would all acknowledge and ſerve him: They did not deſire, that the King ſhould make any Step toward the changing the Government, that was ſettled there; they only deſir'd, that *Epiſcopal* Miniſters might continue to ſerve in thoſe Places that liked them beſt; and that no Man ſhould be brought into Trouble for his Opinion as to the Government of the Church; and that ſuch Epiſcopal Men as were willing to mix with the Preſbyterians in their Judicatories, ſhould be admitted, without any ſevere Impoſition in point of Opinion.

This look'd ſo fair, and agreed ſo well with the King's own Senſe of things, that he very eaſily hearken'd to it; and I did believe that it was ſincerely meant; ſo I promoted it with great Zeal, though we afterwards came to ſee, that all this was an Artifice of the *Jacobites* to engage the King to diſguſt the *Preſbyterians*; and by loſing them, or at leaſt rendering them remiſs in his Service, they reckon'd they would be ſoon Maſters of that Kingdom: For the Party reſolv'd now to come in generally to take the Oaths; but in order to that, they ſent (*q*) one to King *James* to ſhew the Neceſſity of it, and the Service they intended him in it; and therefore they aſk'd his leave to take them: That King's Anſwer was more honeſt; he ſaid, he could not conſent to that which he thought unlawful; but if any of them took the Oaths A. D. 1691. on Deſign to ſerve him, and continu'd to advance his Intereſts, he promis'd it ſhould never be remember'd againſt them. Young *Dalrymple* was made conjunct Secretary of State with Lord *Melvil*; and he undertook to bring in moſt of the *Jacobites* to the King's Service; but they entred at the ſame time into a cloſe Correſpondence with *St. Germains*: I believ'd nothing of all this at that time, but went in cordially to ſerve many who intended to betray us.

The Truth was, the Preſbyterians, by their Violence and other fooliſh Practices, were rendering themſelves both odious and contemptible: They had form'd a General Aſſembly in the End of the former Year, in which they did very much expoſe themſelves by the Weakneſs and Peevithneſs of their Conduct: Little Learning or Prudence appear'd among them, poor preaching and wretched haranguing, Partialities to one another, and Violence and Injuſtice to thoſe who differ'd from them, ſhew'd themſelves in all their Meetings. And theſe did ſo much ſink their Reputation, that they were weaning the Nation moſt effectually from all Fondneſs to their Government: But the Falſhood of many, who, under a Pretence of moderating Matters, were really undermining the King's Government, helps in the Sequel to preſerve the Preſbyterians as much, as their own Conduct did now alienate the King from them."

Their rather Political Feuds.

His Lordſhip might have added, that the Outcry rais'd againſt their *fooliſh* and *violent* Proceedings, not only reached *England*, where ſeveral Pamphlets were publiſh'd (at the Deſire of the Diſaffected here, as is acknowledg'd in the Preface of that quoted below) giving an Account of many ſavage Particulars, but contributed greatly to confirm the Prejudices which had been entertain'd againſt the new Government. In theſe Pieces it was ſhewn, that the Difference between Epiſcopacy and Preſbytery, was ſo (*r*) ſmall, that

(*q*) The Reader will poſſibly recollect in this Place, in Contradiction to the Conſcientiouſneſs here attributed to King *James*, that Lord *Belcarres* and his Junto had his leave to temporize with the new Government for his Service: But they, it ſeems, had only Lord *Arran*'s Word for it, and it muſt remain a moot Point, whether his Lordſhip or the Hiſtorian is moſt to be rely'd on.

(*r*) "Any moderate Man will certainly think the Difference between our *Scots Epiſcopacy*, ſays one of theſe Authors, and *Preſbytery* not worth the Heat or Danger of a Diſpute; for, firſt, as to the Doctrine, both Parties are agreed, the Confeſſion of Faith made by Mr. *Knox*, and ratify'd in Parliament by King *James* VI. and revived again in the Teſt Act by King *Charles* II. this, together with the *Weſtminſter*-Confeſſion (both agreed on by the General Aſſembly of Preſbyters) are owned next to the Word of *God* by both Parties, as the Standard of the Doctrine of our Church.

Secondly. As to the Worſhip, it is exactly the ſame both in the Church and Conventicle: In the Church there are no Ceremonies at all join'd or practis'd, only ſome Perſons more reverend, think fit to be uncover'd, which our *Preſbyterians* do but by Halves, even in the time of Prayer; we have no Liturgy nor Form of Prayer; no, not in the Cathedrals; the only Difference in this Point is, our Clergy are not ſo overbold nor aſſume in their extemporary Expreſſions as the others are, nor uſe ſo many vain Repetitions; and we generally conclude one of our Prayers with that which our Saviour taught and commanded, which the other Party decry as ſuperſtitious and formal. *Amen* too, gives great Offence, tho' neither the Clerk nor People uſe it, only the Miniſter ſometimes ſhuts up his Prayer with it. The Sacraments are adminiſtred after the ſame Way and Manner by both; neither ſo much as kneeling at the Prayers, or when they receive the Elements of the Lord's Supper, but all ſitting together at a long Table in the Body of the Church or Chancel. In Baptiſm neither Party uſe the Croſs, nor are any Godfathers or Godmothers requir'd, the Father only promiſing for his Child: The only Difference in this Sacrament is, the Preſbyterians make the Father ſwear to breed up his Child in the Faith and Belief of the *Covenant* or *Solemn League*, whereas the Orthodox cauſe the Father to repeat the Apoſtle's Creed, and promiſe to breed up the Child in that Faith which he himſelf then profeſſes.

Thirdly. As to the Diſcipline, it is exactly ſo our Epiſcopal Church, if it may be ſo call'd, according to the Model of the Preſbyterian Mother Kirk at *Geneva*; for conformable to the conſiſtory Direction, not Rubric, for that is a ſuperſtitious Word, we have in every Pariſh a little Court which we call the *Kirk-Seſſion*, compoſed of the Miniſter or Miniſters, if there be two belonging to that Church; and ſome Lay-men, which we call Elders and Deacons too, forſooth; the Buſineſs of this Court is to enquire into, and puniſh Scandals, and to collect and diſtribute the Money which good People are pleaſed daily to offer at the Church Doors for the Poor. This Court or Seſſion is liable to the Inſpection and Juriſdiction of the Preſbytery, who may viſit the Seſſion, inſpect their Records, and receive Appeals from them upon Occaſion. By Preſbytery we mean again a Court of Preſbyters inferior to the Synod; for every Synod or Meeting of the whole Dioceſe belonging to a Biſhop, is divided into ſeveral Claſſes

A. D. 1691. that it was not worth a Contest: That Petitioners and other Hearers were invited by Proclamation, to inform against Ministers who had not read the Proclamation for declaring the Prince and Princess of *Orange* King and Queen, and who did not pray for their Majesties: That on this Footing innumerable Citations were issu'd: That the Proceedings upon them were as severe as possible; and that when Pretences against an obnoxious Man were not to be found upon this Footing, they never fail'd to find out some other (*s*) that answer'd as well. From all which, a general Conclusion was drawn, that the Spirit of Government was the same in both Kingdoms; and that it was rather for want of Power than Will, that it did not rage with the same Fury in both.

The opposite Faction, on the other hand, were not wanting in Glosses and Colours to justify their Conduct. Sometimes, to shew they had no persecuting Ingredient in their System, they quoted the Act for rescinding all Penal Laws against Separatists, and the taking away all Tests tending to incapacitate, Protestants of any Sect from Employments. Sometimes they alledg'd, that the Clergy, on whose Account, and at whose Instigation, such Clamours were made, suffer'd justly for their Non-Submission to the Laws (which, by the way, would have been an Argument as conclusive in King *Charles*'s Reign, as now) and sometimes they utterly (*t*) deny'd every Fact and Circumstance that was alledg'd against them. A. D. 1691.

To turn away our Eyes from this hateful

---

or Presbyteries: in each Presbytery there is about eighteen or twenty, in some twenty-four Ministers, who with the Consent of the Bishop, chuse their own Moderator or President; they meet ordinarily once every Month, or oftener if they think their Affairs require, for they have Power to adjourn and meet at their own Discretion. As the Sessions are subject to the Presbyteries, so are the Presbyteries to the Synod, which meets always at the Times twice every Year; there the Bishop himself presides, or in case of his necessary Absence, one commissionated by him; and all things are carried by the Plurality of Votes; and the Acts made that way, are the only Canons or Rules we use for Discipline. As the Presbyters are subject to the Synod, so the whole Synods of the Nation are to the General Assembly, where by Law the Archbishop of *St. Andrews* is always to preside; and if I be not mistaken, has a negative Voice, tho' he was never known to use it.

Now I leave the impartial World to judge, whether *Presbyterians* that had any Moderation, would not be well contented, and live quietly under such a moderate Episcopacy, where indeed, except the Power of Ordination, which is always to be perform'd with the Consent and Assistance of the Brethren of the Presbytery, and the Title of Lord, which the King is pleas'd to confer upon them; the Bishops are truly but constant Moderators, which the Presbyterians themselves, because of the great Dryness which often happen'd among them at the closing of Moderators, were at length necessitated to sit down with. Now then let any moderate *Presbyterian* abroad say, whether indeed it be Matter of Conscience or Honour, that makes Presbyterians with us separate from a Church to constitute, or whether the Difference between our Church and their Kirk be such as can justify Men in rising to many public Rebellions, and drawing so much Misery and Confusion upon the Nation and themselves, as our Zealots have often done; and whether their own Consciences can plead, *Not Guilty*, at the last great Tribunal, where they must answer for all those Murthers and Butcheries, all the Cries and Tears of Widows, Orphans, and ruin'd Families, which will then testify against them? Or what can they answer now to the World, for the many late Barbarities they have committed against their Protestant Brethren, themselves knowing not for what; and therefore being asham'd of their Practices, they are fain to conceal and deny them abroad." [*Preface to the Case of the present afflicted Clergy in* Scotland.

(*s*) For Example "Mr. *Ramsey* is called and interrogated, if he did read the Proclamation of the 13th of *April*; he answer'd, 'I did read it.' Again he is question'd, if he Prayed for King *William* and Queen *Mary*, naming them (for it was not enough to use such Expressions as were only to be appropriated to *William* and *Mary*) he said, he had prayed for them by Name. 'But, says the President, you only prayed for them as declar'd King and Queen, not as those that were really such.' Mr. *Ramsey* reply'd, 'That he had prayed for *William* and *Mary*, whom the States of the Kingdom had declared King and Queen, and since they had no Liturgy, and they had given to them no Form of Prayer, he thought being he had prayed for *William* and *Mary*, no more was to be required.' And as for the Words, *declar'd King and Queen*, he had taken them from one of their own Proclamations.' Which when deny'd, as deeming the Proclamation might be produc'd; which was done, and then it appear'd he was in the Right. When he could not be reached in this Point, then the President, the Earl of *Crafford*, said, 'But, Mr. *Ramsey*, you pray for the late King *James*.' 'My Lord, said he, I pray in these Words, Lord bless *William* and *Mary*, whom the Estates of this Land have declared King and Queen, and blast all the Royal Family, Root and Branch, especially him who is now under Ambition; sanctify it unto him while he is under it, and when it seems good to thee, deliver him from it. This, says he, is the Form I made to myself, for you prescribe none; and it is not a fore Matter, that when nothing is left to King *James* in Reversion of three Kingdoms, but the Prayers of poor Men, that you should deny him those." They then order'd him to remove, and consulted by what other way they might reach him, for yet they could not find a Pretence against him sufficient to deprive him. At last, they call'd him in, and the President said, 'But, Mr. *Ramsey*, you did not read from the Pulpit the Proclamation for the Fast.' 'Now, my Lord, reply'd Mr. *Ramsey*, you have nick'd me; indeed I did not intimate that Fast.' 'But why did you not?' 'For many Reasons, my Lord, said he.' 'But pray, said my Lord, let us hear some of those Reasons.' 'Excuse me, my Lord, reply'd he, it is sufficient that I confess that I did not read it.' But, according to the Method of their Inquisition of screwing out Mens Minds, and provoking them to speak, that they might get Occasion against them; they press'd him to name some of his Reasons; he said, being they urg'd, he would give them one. 'That it was against the Practice of the Universal Church, and Primitive Canons, to fast on Sunday.' And he said, 'Tho' there were an other Reason but that one, he could not intimate that Fast.' He gave this Reason, as that which he thought would give them least Offence: They order'd him to remove till they had deliberated what they had to do with him, and then, order call him in, and deprive'd him for not reading the Proclamation for the Fast. Dr. *Gardner*, a Man of great Parts and Piety, and one of the Ministers of the *Tolbooth* Church in *Edinburgh*, was deprive'd upon the same Account of not intimating that Fast, tho' he had complied in every thing else which they demanded." [*Fourth Collection of Papers anent the Case of the afflicted Clergy, p.* 35, 36.

(*t*) As appears from the following Letter of Lord *Crafford*'s to a Gentleman in *London*:

"*SIR*,

"I have this Day seen that Pamphlet, entitled, *An Account of the present Persecution of the Church of* Scotland. And if I had Leisure for such a Task, as the answering of that Paper, I am furnish'd with a better Stock of Knowledge in the Matters there treated of, than any *Scotsman*, having been an Actor in all the Judicatories, and at every Diet since the Change of the Government; and by Informations sent me from all the Corners of the Country, always acquainted with the Truth and Circumstances of all those Transactions. I will be bold to say, That not only there is not one Syllable of Truth in what is affirmed of me in that Pamphlet, but that the very Foundations of Stories reported of others, is, for the most part, false, and as things are in that Paper circumstantiated, in every Instance notoriously mistaken. For Evidence of this, I sent up to the Secretary the whole Proceedings of the Council *in terminis*, without changing one single Word either in the Judgments, Confessions, Probations, or Sentences. And to answer all in one Word, I peremptorily affirm, That neither by the Meeting of Estates nor Privy Council, has any Person been question'd, much less censur'd for their Opinion or Practice in Church-Government, but upon that alone Ground of disowning the King's Authority, either directly or consequentially by denying to pray for him: yet, the Council was so favourable and tender in depriving of Ministers, as if they had been proceeding in Matters of Blood; insomuch, that they acquitted three or four and thirty of them, whose Libels were not distinctly and fully prov'd; tho' at the same time, Crimes of another nature were evidently made out against several of them, the Cognisance whereof did no ways belong to us. The Post is ready to go, and so I take my leave; and am,

SIR, &c.

Edinburgh, March 16, 1690. *Years*, &c.

CRAFORD."

[*Memoirs of* North-Britain, *p.* 86, 87.

A. D. 1691. ful Scene, notwithſtanding the Compromiſe, above prematurely diſcours'd of, between the *Jacobites* and the Court, and the Conceſſions made by Lord *Melvil* during the laſt Seſſion to the *Preſbyterians*, it was not thought advisable to ſuffer the Parliament to meet again, till either the Nation was in better Temper, or the Streights of the Government made their meeting neceſſary: The *Preſbyterians* were diſguſted at the Diſſolution of their General Aſſembly, which had been done by an Act of State in *November*, though by the ſame Act another was appointed to meet in *November* the next following Year: And as to the *Jacobites*, it was not till the Beginning of the next Year that they made their Submiſſion in Form to the new Government: And during that whole Interval it was held as neceſſary to make a Shew at leaſt, of proceeding againſt the rebellious *Highlanders*, by Force of *Arms*, as to try Practices upon them by the ſofter Methods of Treaty and Negotiation.

Means taken to keep the Peace.

Accordingly, the Parliament was adjourn'd by Proclamation to *September* the 16th; and to prevent, as far as poſſible, all Practices againſt the Government in that Interval, by another Proclamation, all Perſons whatſoever were forbid to go out of the Kingdom, without a Paſs from a Privy-Counſellor, or from two Commiſſioners of Supply; and all Perſons coming into the Kingdom were requir'd to produce Paſſes, or to give a ſatisfactory Account of themſelves and their Buſineſs upon Oath, to the next Counſellor, Juſtice of Peace, Magiſtrate, or Officer of the Army, on pain of their being apprehended and committed to Priſon: All Skippers were alſo forbid to tranſport any Paſſengers to or from *Scotland* without Paſſes, and requir'd to give in Liſts upon Oath of the ſaid Paſſengers before they put to Sea, or ſuffer'd any to go on Shore. As a farther Precaution, the Earls of *Crawford* and *Leven*, the Lord Viſcount *Stair*, the Lords *Raith* and *Cardroſs*, and Sir *Thomas Livingſton*, who had the Command of the Forces, or any three of them, were appointed a ſtanding Committee, to exerciſe all the Powers of the Regency, in ſecuring the Enemies of the Government, and alſo for putting their Majeſties Loyal Subjects in a Condition to act for the Defence of it: Several diſaffected Perſons, namely, the Earl of *Hume*, Sir *Peter Frazer*, and Sir *Æneas Macpherſon*, were ſeiz'd; and the firſt of them refuſing to give diſtinct Anſwers to the Queſtions put to him, was alſo committed cloſe Priſoner to the *Tolbooth*.

His Majeſty ſets out a ſecond time for Holland.

We muſt now return to his Majeſty, who having diſpatch'd the great Point of new-modelling the Church, and adjuſted ſuch other State Matters as he judg'd to be of the moſt Importance, ſet out again for *Holland*, *May* the firſt, and embark'd at *Harwich* next Day, under the Convoy of a Squadron of Men of War, commanded by Admiral *Rooke*, with ſo fair a Wind, that he landed the next Morning at *Maeſland Sluyce*, and the ſame Evening reached the *Hague*, from which Place he had been abſent but three Weeks. The Perſons who accompany'd him, were the Lord *Sydney*, as Secretary of State, and the Earls of *Marlborough* and *Portland*. Four Days his Majeſty ſpent at that Place in receiving Compliments, holding Conferences, &c. and that Drudgery being over, on the fifth, before Day-break, ſet out with the ſame Company for *Loo*, to divert himſelf with hunting for ſome time, before he enter'd upon the Fatigues of the Campaign. From the eighth to the ſeventeenth of *May*, O. S. this appears to have been his principal Occupation: But Count *Solmes* then arriving from *Germany*, with a Report of the Diſpoſition made by the Emperor and the Empire for the opening of the Campaign, the ſaid Count and Lord *Marlborough* were diſpatch'd the next Day, to make all things ready for his Majeſty to enter into Action, on the Side of *Flanders*. A. D. 1691.

Diverts himſelf with hunting at Loo.

And here it is proper to obſerve, that the Expectations of *Europe* had never been ſcrew'd to ſo high a Pitch, nor the Downfall of the Power of *France* ſo confidently foretold, as at this Criſis. In all the Courts, and, thoro' all the Dominions of the confederated Princes, things of this arrogant kind were every Day aſſerted, in ſuch Language, as nothing could warrant but an abſolute Inſpection into the Rolls of Fate: And, in particular, the Partizans of King *William*, both at the *Hague* and *London*, carry'd their Preſumption ſo far, as even in Print to beſpeak the Wonders he was to perform: And their Extravagancies riſe in Judgment againſt them even at this very Day.

But while theſe Talkers gave ſuch a Looſe to their Vanity and Indiſcretion, the *French*, as uſual, were already in Motion. After the Loſs of *Mons*, the Confederates had thought it adviſeable to beſtow ſome Fortifications upon *Halle*, in order to retard the Progreſs of the Enemy, in caſe they ſhould think proper to make an Attempt on *Bruſſels*; and theſe Fortifications, tho' almoſt completed, being as yet uſeleſs for want of Cannon, Mr. *de Luxemburgh*, on the 25th, N. S. paſs'd the *Scheld* with forty-three Battalions, and one hundred and one Squadrons, was ſoon follow'd by a Train of ſixty Peices of Cannon, and five Mortars, and on the 30th not only took Poſſeſſion of that Place, but gave it up to be pillag'd by his Soldiers, in Sight of the Confederates, who were as yet ſo little able, either to protect or avenge, that they were forc'd to throw up Entrenchments for their own Preſervation: And that the Enemy did not think fit to attack them in their Lines, nor to puſh on to *Bruſſels*, was thought ſufficient Matter of Triumph.

Duke of Luxemburgh takes Halle.

On the ſecond of *June*, the King, in Perſon, took upon him the Command of the Army, which, in this ſhort Interval, was become ſuperior to that of *France*, and was ſoon made ſenſible, that the Enemy had cut out ſufficient Employment for them all: For, over and above the Oppoſition that he was to expect from Mr. *de Luxemburgh*, whoſe Abilities he had ſufficient reaſon to apprehend, he receiv'd Advice, that the Marquis

King William takes the Field.

A. D. 1691. *de Bouffiers*, after ſeveral forc'd Marches, had ſat down before *Liege*, with ſixty Squadrons and twenty Battalions; and having entrench'd himſelf, was preparing for a Bombardment. His Majeſty knew the Place was but ſlightly fortify'd, and conſequently, without immediate Relief, muſt fall into the Hands of the Enemy; his firſt Care was therefore to ſend a Body of ſeven thouſand Foot, and two thouſand five hundred Horſe, upon that Service: But while they were upon their March, the Marquis made his Effort; and had not the Biſhop of *Liege* taken his Precautions very wiſely, and been ſeconded very bravely by the Troops he had in Garriſon, the Affair had been over, before the Arrival of theſe Succours. The *French* knew that the Burghers of *Liege* were as tenderly concern'd for their Houſes, as thoſe of *Mons*, and in caſe of a Mutiny among them, had very ſufficient Reaſons to conclude, that Cardinal *Furſtemburg*'s Party would give the caſting Vote in their Favour. In this Expectation they not only ply'd their Batteries without Intermiſſion, and kept the Place in continual Alarm, with repeated Attacks, wherever the Place was acceſſible, but pour'd in a Shower of Bombs, red hot Bullets, &c. which ſet fire to the Houſes in ſeveral Quarters, and ſcatter'd Terrors every where: And in the midſt of the Confuſion and Deſolation occaſion'd by this horrible Method of making War, ſlipt in a Trumpeter among certain religious Perſons, who had paſs'd the *Meuſe*, with Propoſals for a Capitulation: But all was without Effect; for the ſaid Trumpeter, not having made his Entrance regularly, at the Gates, was ſtopt before he could open his Commiſſion, the Burghers were diſarm'd under plauſible Pretences, and directed only to attend the Preſervation of their Houſes; in which they were alſo aſſiſted by the Soldiers; and as often as the Enemy renew'd their Aſſaults, they were repuls'd with Loſs. Things being in this Situation, and Mr. *de Bouffiers* having been appriz'd of the Approach of the Detachment from the Confederate Army, he thought it high time to give over his Enterprize, and to think only of ſecuring his Retreat. Accordingly, on the ſixth, he cauſ'd a Camp to be mark'd out at *Beaufaix*; and having drawn off his Mortars, and ſent away his Baggage under the Care of his Infantry, as alſo erected two new Batteries to cover his Rear, he began to decamp; and the next Morning march'd entirely off, before the Count *de Tilley*, who had the Command of the Confederate-Party, could come up to engage him: After which he detach'd Part of the Troops under his Command to reinforce the Marſhal *de Luxemburgh*, and with the Reſidue encamp'd between *Dinant* and *Charlemont*. The Count *de Tilley*, on the other hand, having thrown a Body of Troops into *Huey*, which had been threatned with the like Viſitation that *Liege* had already undergone, rejoin'd the King at *Brewerlehin*, whoſe Army was, about the ſame time, yet farther augmented, by the Arrival of ſix thouſand *Brandenburghers*, and between nine and ten thouſand *Heſſians*, under the Command of the Landtgrave in Perſon.

Liege bombarded by Mr. de Bouffiers.

A. D. 1691.

How it came about, that his Majeſty's Friend, the Duke of *Zell* did not alſo join him in Perſon, according to his Engagement, nor even furniſh his full Quota of Troops, is not ſpecify'd in any of our Writings on this Side of the Water: And we can only ſurmiſe, that poſſibly his Zeal for the Grandeur of his own Houſe, at this Juncture, outweigh'd his Attachment to King *William*.

Politic Behaviour of the Princes of Lunenburgh.

His Highneſs was at the Head of the Princes of *Lunenburgh*; his only Daughter was marry'd to his Nephew the Prince of *Hanover*; and, contrary to the uſual (*u*) Courſe of Succeſſion, it had been ſtipulated by the Marriage Articles, that upon the Death of the Duke of *Zell*, who had no Male Iſſue, the two Duchies of *Zell* and *Hanover*, ſhould concenter in the ſame Perſon. This firſt excited an Opinion in *Europe*, that the exalting their Family was the darling View of both the Courts. The Affair of *Saxe-Lawenburgh* had furniſh'd another Indication of the ſame kind; and the Uſe they made of the preſent Juncture to further the ſame laudable Purpoſe, put the Matter out of all Diſpute; and moreover ſhew'd, that their Addreſs was equal to their Ambition. They had converted a large Body of their Subjects into Soldiers; perhaps foreſeeing, that there would be ſo great a Demand at the two great Markets of *Europe* for that Commodity, that they might almoſt ſet what Price upon it they pleas'd. What they had already gain'd in the Courſe of their Traffic, either in the way of Subſidy, or by the Indulgences they had met with in their Clames on *Saxe-Lawenburgh*, is difficult to aſcertain: But what they propos'd to get by their ſubſequent Adventures, was no leſs than an Electoral Cap in preſent, and the Crown of *England* in Days to come.

We have already ſeen, that Biſhop *Burnet* had made them a Tender of it long ago; but when it appear'd that the Parliament was not in Haſte to authenticate his Negotiations, the Family abated of their Zeal in the Common Cauſe: At leaſt, while the Duke of *Zell* ſeem'd to be, Body and Soul, at the Devotion of King *William*, the Duke of *Hanover* ſent a Miniſter to the Court of *France* (who was receiv'd with particular Marks of Diſtinction) and made a Shew of entering into Meaſures with that Crown; in order, no doubt, to quicken the Advances of the Courts of *Vienna* and *London*.

But

(*u*) Which had been, for the eldeſt Branch of the Family to hold the Dukedom of *Zell*, and the ſecond that of *Hanover*; and it is certain, that both Prince *Auguſtus* and Prince *Maximilian* of *Hanover* could never be prevail'd upon to relinquiſh their Clame to their elder Brother; and that the Latter was forc'd into Exile, for having enter'd into a Conſpiracy to ſupport it.

A.D. 1691. *Efforts of the King to bring Luxemburgh to an Engagement.*

But to resume the Progress of the Campaign; King *William* was now, agreeable to his own Wishes, at the Head of an Army superior to that of *France*, but, unluckily, had an Enemy to deal with, who would suffer him to make no Use of that Advantage. In vain his Majesty made his Dispositions for a Battle: Mr. *de Luxemburgh* kept close within his Lines near *Halle*, which, it seems, were too strong to be forc'd; and at his own time, remov'd to *Bois Seigneur Isaac*. His Majesty then pass'd on to *Auderleck*, and from thence to *Gemblours*, behind *Charleroy* and *Namur*, where he took Post on the twenty-sixth of *June*; and it was given out, that as soon as his heavy Cannon came up, he would make an Attempt on *Dinant*, or some other Place belonging to the Enemy, in order to put Mr. *de Luxemburgh* out of his Play, and draw him to an Engagement. On the 12th and 13th of *July*, the said heavy Cannon arriv'd, and yet his Majesty did not decamp till the 20th. The next Day he pass'd the *Sambre* at *Montigney*, and directed his March to *Gerpines*. Mr. *de Luxemburgh*, on the other hand, who had lain before *Mons* as long as the King continu'd at *Gemblours*, having Intelligence of the Motion of the Confederates, pass'd the *Sambre* also the same Day, at *le Buissiere*, with a Design to occupy the same Post before them. This brought the two Armies within Sight of each other towards Evening: But the King having got Possession of the Camp in Dispute, and being in a Condition to maintain it, the Marshal remov'd first to *Florennes*, then to *Philippeville*, and again posted himself so advantageously, and fortify'd himself so strongly, that tho' the two Armies were but a League asunder, his Majesty still found it impracticable, to put the Fate of the Campaign on the Decision of a Battle, as he ardently desir'd. It was, however, the universal Belief, that some such Opening would be given, or Attempt would be made, as would bring on a general Action: And, to be so much the better provided for it, the Marshal, on one side, call'd in Mr. *de Boufflers*, with his flying Camp to his Assistance; and the King, on the other, did the same by Baron *Fleming*; and the Body of Troops under his Command, which had been posted near *Huy*, to observe the Motions of the said Marquis.

Things continu'd in this Posture till the seventh of *August*, N. S. when the King made another Remove from *Gerpines* to *Court-sur-Heure*, in Sight of the Marshal, who, from the Summit of a Hill near *Walcourt*, made his Observations on the Order of the March (which was in four Columns, and much interrupted by Defiles) with a Resolution to fall upon him, in case he saw the least Opportunity to do it to Advantage: But no such Opportunity offer'd; and he chose rather to withdraw a Party of his Troops out of the little Town of *Beaumont*, and suffer it to fall into his Majesty's Hands, than to run the Risque of an Action, by defending it.

On the ninth, however, at Night, he put his whole Army in Motion, without Beat of Drum, and directed his March towards *Beaumont*; and, early the next Morning, the King, having receiv'd Notice of it, quitted his Camp, with a Resolution to give him a Meeting. About Noon the two Armies once more confronted each other, but still without any Probability of coming to an Engagement: For we are told, that there was a very deep Valley between them, as also a dangerous Stream, that the Hills on both Sides were, in a manner, inaccessible, and that there was but one Pass which led to the *French* Camp, and which was not only narrow, steep, and rocky, but in the very Center of their Lines, and defended by several Pieces of Cannon. A.D. 1691.

We are nevertheless assur'd, That his Majesty employ'd the rest of the Day in viewing the Ground, in laying Bridges over the River, and in raising Batteries to cover them, in order to facilitate the Passage of his Army: That the whole Army lay upon their Arms in the open Fields all Night: That his Majesty supt in a Barn, slept on Straw, was on Horseback again at three o'Clock next Morning, visited and revisited all the Posts, explor'd all the Defiles; and, after wasting the whole Morning in seeming Endeavours to surmount Obstacles, which were apparently insurmountable, resolv'd about Noon to return back to his Camp; which the Enemy suffer'd him to do without attempting to give him any Interruption, except by the Discharge of their Cannon. But though the Day was not distinguish'd by a *Victory*, we are told it was by a Deliverance. "The King, says the Voice of Authority, staid near *Beaumont* till the Army was all march'd by, coming himself in the Rear; and by the wonderful Providence of *God*, which so signally watches over his Majesty, escap'd very narrowly a Cannon Ball. He had sat some-time under a Tree, to see what Motion the Enemy would take; which being observ'd by them, they plac'd a Cannon so that his Majesty was not gone from thence two Minutes, when a Ball fell where he had sat." This is the Language of the *London-Gazette*; [Num. 2686.] and tho' the *Dutch* Author of the *State of Europe*, who seldom lets slip any Opportunity of magnifying King *William*, is wholly silent on this Head, Bishop *Burnet* speaks of the same Circumstance, in the same Strain, as follows: "Signal Preservations of his Person did again shew, that he had a watchful Providence still guarding him." After which, to enhance the Miracle, he adds, "That the Tree was *shot down* two Minutes after the King had left the Place." And again: "There was one that belong'd to the Train of Artillery, who was corrupted to set fire to the *Magazine of Powder*, and he fir'd the Matches of three Bombs; two of these blew up, without doing any Mischief, tho' there were twenty-four more Bombs in the same Waggon on which they lay, together with a Barrel of Powder. The third Bomb was found with the Match fir'd, before it had its Effect. If this wicked Practice had succeeded, the Confusion that was in all reason to be expected, upon such an Accident, while

A treacherous attempt to blow up his Artillery.

A. D. 1691. while the Enemy was not above a League from them, *drawn up*, and *looking* for the Succeſs, muſt have had terrible Effects. It cannot be eaſily imagin'd how much Miſchief might have follow'd upon it, in the mere Deſtruction of ſo many as would have periſh'd immediately, if the *whole Magazine* had taken fire, as well as in the Panick-Fear with which the reſt would have been ſtruck upon ſo terrible an Accident. By the Surprize of it, the *French* might have had an Opportunity to cut off the *whole Army*. This may well be reckon'd one of the Miracles of Providence, that ſo little Harm was done, where ſo much was near being done." His Lordſhip apparently draws his Intelligence, as before, from the ſame *Gazette* above quoted; but then, as before, he chuſes to tell the Story in ſuch a manner as ſhould moſt favour his own Concluſion; for in that Paper, not the leaſt Mention is made of a Magazine of Powder: That the Bombs in burſting did no Miſchief, is expreſly aſcrib'd to the extraordinary Courage of the Artillery-Guard, who immediately drew the Waggons out of the Line, and by overthrowing them down the Side of a Hill, prevented the firing of the reſt of the Bombs, and what further Miſchief might have ariſen from it. Inſtead, alſo, of authoriſing thoſe Aſſertions, that the Enemy was ready *drawn up*, and *looking on*, *&c.* the ſaid Paper is expreſs, that they never quitted the Ground they occupy'd in the Morning; that it was five o'Clock in the Afternoon before the Confederates recover'd their Camp; and that the Evening-Watch was ſet, before the Bombs took fire. His Lordſhip is, however, juſtify'd by a ſubſequent *Gazette* for aſcribing the Attempt to Treachery; for therein we are told, That the Perſon who had attempted the blowing up the Artillery, had confeſs'd, that he had been hir'd to do it by the Duke of *Luxemburgh*; as alſo, that the Sentence paſs'd upon him was, to have his Right Hand cut off, to be half ſtrangled, and afterwards burnt; which was all executed accordingly.

[*Nov.* 1692.]

He diſmantles Beaumont,

It has been already ſuggeſted, that the Duke of *Luxemburgh* had ſuffer'd *Beaumont* to fall into the Hands of the Confederates; and as it was untenable, the King reſolved to diſmantle it in Sight of the Enemy, in hope ſuch a Bravado would draw them out of their Lines: To this end, ſeveral Squadrons and Battalions were poſted between the Camp and the Town, to cover the Retreat of the Garriſon; and about two Hours after, the whole Army was drawn out, to ſupport them in caſe of Need. About Noon the Mines were ſprung, the Forage, which had been laid up there by the *French*, was burnt, and the Garriſon rejoin'd the Army without Interruption; for no body knew better than Mr. *de Luxemburgh*, that no time was ſo improper for a General to be concern'd for his Honour, as that preſcrib'd by an Enemy.

This Device thus failing, his Majeſty, the next Morning, remov'd from *Court-ſur-Heur* to the Plain of *St. Gerard*, where he continu'd till the fourth of *September* to conſume the Forage, and exhauſt the Country; and that being done effectually, he that Day paſs'd the *Sambre* near *Jemeppe* at Night, as the *French* did alſo at *la Buſſiere*: And now both Armies being again in Motion, it became more induſtriouſly than ever the Buſineſs of the one to ſeek, and the other to avoid, an Action. All the Skill that could be practiſ'd in marching, as well as encamping, was now manifeſted on both Sides. On the eighth, we are told, the *French* meaſur'd no leſs than eight Leagues in one March, in much Haſte and Diſorder; and yet the Party that was order'd to obſerve their Motions, could make no other Advantage, than the taking a few Carriages, and about a hundred and fifty Priſoners. On the tenth, both the Generals directed their Courſe to *Enghien*. The *French* arriv'd there firſt, and began to mark out their Lines; but, hearing the Confederates were at their Heels, after a ſhort Halt, puſh'd on towards *Gramont* and *Ninove*; in the Neighbourhood of which Places, they reſted that Night; and, having paſs'd the *Dendre*, finally ſecur'd themſelves in a ſtrong Camp between *Aeth* and *Audenard*. The King alſo paſs'd the *Dendre* on the twelfth, and took his Quarters between *Aeth* and *Leuſe*: And while the two Armies thus lay within a League of each other, the Partizans of the Allies all over *Europe*, were not only induc'd by the Advices from his Majeſty's Camp, to believe, that the *French* were in a Net, and that it was impoſſible for them to eſcape without an Action, but alſo, that they could ſcarce fail to have the worſt of it. They were very apprehenſive of being preſs'd by his Majeſty; they had ſuffer'd greatly in their Efforts to avoid him; their Troops, both Horſe and Foot, were extremely harraſs'd; they would find it difficult to keep their Poſt long, for want of Bread, becauſe the Confederates lay between them and *Mons*, from whence their chief Supplies came, *&c.* So ran the Stream of Intelligence; and yet, in the midſt of the ſanguine Expectations which it rais'd, it appear'd, that the Confederates themſelves were as much fatigu'd, and as much apprehenſive as they: That the Landtgrave of *Heſſe*, with his Forces, together with thoſe of *Liege*, amounting in all to about twelve thouſand Foot, and between ſix and ſeven thouſand Horſe, ſeparated from the Army on the ſeventh, and paſs'd the *Meuſe* at *Namur* on the 12th, and that his Majeſty himſelf, apprehending there was no Glory to be gain'd, gave over the Purſuit on the ſeventeenth, and left Prince *Waldeck* to manage the delicate Concern of withdrawing the Army, which the ſame Day quitted the Neighbourhood of *Aeth*, and remov'd to *Leuſe*, where they remain'd till the 20th, and then made another Remove to *Cambron*.

and leaves the Army.

And now it was, that the Duke of *Luxemburgh*, who had ſhewn ſo great a Maſtery in the Art of War, by maintaining his Ground for ſo long an Interval, againſt a ſuperior Army, reſolv'd to ſnatch ſuch an Advantage, at parting, as, together with the Acquiſition of *Mons*, ſhould place both the Profit and the Honour of the Campaign on the *French* Side.

According

A. D. 1691. According to Mr. *de Feuquieres*, his Forces were drawn up under the Walls of *Tournay*, waiting their Diſmiſſion into Winter-Quarters; and conſidering the Diſtance between that Place and *Leuſe*, the Confederates had reaſon to conclude, that they were out of Danger: But if this military Critic is thus far in the right, he ruſhes into a wilful Error, for the ſake of heightening the Character of Mr. *de Luxemburgh*, by ſuggeſting, that the King, by him call'd the Prince of *Orange*, commanded the Confederates in Perſon, at the time of their quitting the Field.

Mr. de Luxembargh falls on the Rear of the Allies at Leuſe.

All Authors, however, agree, that the Marſhal having been reinforc'd by a choice Body of four thouſand freſh Horſe, commanded by the Marſhal *de Villars*, ſet out on the 19th at Night, towards *Leuſe*, at the Head of fifty-five Squadrons, among whom were the Troops of the Houſhold, with a Purpoſe, to fall on the Rear of the Confederates, at the Rivulet of *Cutoire*: A thick Fog cover'd his Approach; and ſo little were they apprehenſive of it, that they had no Parties out to bring them in Intelligence, or communicate the Alarm; nor had they made any Reſerve of Foot to ſupport the Horſe, which form'd their Rear-Guard: So, at leaſt, the latter Part of the Story is told by Mr. *de Feuquieres*, with this Addition, that ſo profound was the Security which prevail'd amongſt them, and ſo ſupine their Negligence, that the ſaid Rear-Guard had not ſo much as drawn themſelves up in Array, but, in a ſort of irregular Column, extended themſelves towards the Bridge, over which they were to paſs. Even Biſhop *Burnet* acknowledges, that Prince *Waldeck* did not march off with that Caution, which might have been expected from ſo old a Captain; and yet farther, that on the Attack, his Rear was put into ſome Diſorder. The ſame thing is admitted in the *London-Gazette*; as alſo, that the March of the Enemy was not diſcover'd. And others again make no Scruple to ſay, that they were within Piſtol-Shot before they were ſo much as dreamt of. But then, if the *London-Gazette* is of any Authority, the Blame thrown upon the Confederates by Mr. *de Feuquieres*, for not mixing Foot with their Rear-Guard of Horſe, is wholly groundleſs; for it is therein not only ſuggeſted, that the ſaid Rear-Guard was compos'd both of Squadrons and Battalions, but that the Horſe being ſupported by the Foot, who lined the Hedges, and brought three Field-Pieces to play upon the Enemy, which did very good Service, maintain'd their Poſt, till they were reinforc'd by ſome of the Troops who had already paſs'd the Stream, and, after a ſharp Diſpute, repuls'd the Aſſailants, who retir'd in Confuſion. Other Writers, yet more particularly, ſay, That the Rear-Guard was compos'd of two Battalions, and five Squadrons, under the Command of the Count *de Tilley*: That while theſe were forming to receive the *French* Charge, the Prince *de Naſſau-Sarbruk*, with certain *Squadrons*, repaſs'd the Brook at full Speed to re-inforce them: That the ſaid Prince drew up his Party in two Lines, which were ſucceſſively broke, after an obſtinate Reſiſtance, by the Impetuoſity of the Enemy: That the Marſhal did not venture on a Purſuit, for fear of too much expoſing his Troops to the fire of the Confederates Infantry, which were, by this time, fac'd about, and extended along the Side of the Brook: That the Diſpute laſted a full Hour: That the Loſs was conſiderable on both Sides: That among the Slain were many Officers of Diſtinction; and that the *French* were for a while Maſters of the Field of Battle; but ſeeing the whole Confederate Army in Motion towards them, thought it adviſable to retreat, having loſt four Standards of their own, and carrying along with them in Exchange ſix or ſeven of the Enemies.

A. D. 1691.

[*Suite de l'Hiſt. de Hol. de M. de la Neuville*, Tom. i. p. 188.]

Care was taken to ſet forth in the *London-Gazette*, that General *d'Auverquerque*, one of his Majeſty's military Favourites, had particularly diſtinguiſh'd himſelf on this Occaſion; and the *Hiſtorian of his own Times*, aſcribes to him the whole Merit of that Day's Service, which renders it ſo much the more remarkable, that the Writers of his own Country ſhould be ſo ſparing of their Compliments to him, when he deſerv'd them ſo much.

Upon the whole, Mr. *de Feuquieres* places this in the ſecond Claſs of great Actions; and while it was yet the Talk of the Day, the Accounts given of it, were ſuch as agreed beſt with the Meridian which they were calculated to fit: At *Paris* it paſs'd for nothing leſs than an entire Defeat of all the Horſe of the Confederates; and at the *Hague* and *London*, it was underſtood to be a drawn Battle; and, according to the Subterfuges generally made uſe of by the Loſers on ſuch Occaſions, it was the common Cry, that the *French* had loſt more by the Adventure, than they had gain'd.

The Truth of the Matter ſeems to be, that the Shock, rude as it was, did not hinder Prince *Waldeck* from completing his March to *Cambron* the ſame Night; and that in what Confuſion ſoever the *French* made their Retreat, the Allies did not think fit to purſue them. Then, as to Conſequences, it had none; for the Campaign was at an End, and both Armies, ſoon after, went into their Winter-Quarters. The only Acquiſition, therefore, that either Side had to boaſt of, as the Reſult of it, was Glory: And, if we conſider the vaunting of the Confederates at the Opening of the Year, and their Superiority in point of Strength, it muſt be acknowledg'd, that the Marſhal had a clear Title to the largeſt Share: He had held the Allies in Cheque while *Mons* was reduc'd in the Beginning of the Campaign: He had baffled all their Attempts through the whole Courſe of it; and he had follow'd them with this Inſult in the Cloſe.

It may ſeem ſtrange, perhaps, to be thus exact in adjuſting the Merits and Succeſſes of an Enemy; and he who loves his Country moſt, will be moſt ſhock'd at Conceſſions of this nature: But Truth ought to be the firſt Conſideration of Hiſtory; and partial Repreſentation

A. D. 1691. presentations of Miſmanagements or Misfortunes, only ſerve to draw us into more.

But to proceed: If it ſhould be aſk'd, after what manner the *Spaniards*, who were ſo fundamentally concern'd both in the Cauſes and Conſequences of this War, exerted themſelves this Year? the Anſwer is ſhort and plain, They did not exert themſelves at all: The Vigour of that Monarchy ſeem'd to be exhauſted, and every Member growing every Day more and more incapable of performing its Functions: They had indeed a ſmall Body of Troops in the grand Army under his Majeſty; and, no doubt, they were oblig'd to contribute towards the Pay of the Mercenaries: They had alſo a ſeparate Body of Troops under the Command of the Marquis *de Gaſtanaga*: But though it was given out from time to time, that they would make a new Attempt on the *French* Lines between *Menin* and *Pont Eſpieres*, they contented themſelves with maintaining their own, and never made one offenſive Motion during the whole Campaign. What was yet more extraordinary, they ſuffer'd the *French*, tho' Aſſailants, not only to be firſt in the Field in *Catalonia*, but with ſo ſmall an Army as eight Squadrons and fourteen Battalions, under the Command of the Duke *de Noailles*, to form the Siege of *Urgel*, and in eight Days time after the opening of the Trenches, to carry the Place, with ſo high a hand, that the Garriſon, which conſiſted of nine hundred of the beſt Troops in *Spain*, and ſix hundred *Militia*, were forc'd to ſurrender at Diſcretion: For tho' the Duke of *Medina Sidonia*, who commanded the Forces of his Catholic Majeſty, came in Sight of the *French* Camp, with a Purpoſe to raiſe the Siege, he found them ſo ſtrongly entrench'd, that he durſt not venture to attack them. By the Acquiſition of *Urgel*, the *French* were enabled to make Incurſions into *Arragon*; and while Mr. *de Noailles* amus'd the *Spaniſh* Army on one hand, he found Employment for a large Detachment, in conſuming the Forage on the other.

Urgel in Catalonia reduc'd by the Duke de Noailles.

All this was Matter of much Affliction at the Court of *Madrid*; for tho' the Miniſters of *Spain* were inactive, they were not inſenſible: But while they were deliberating on the proper Remedies, by a Reduction of the Charge of Government, and applying the Savings to the Uſe of the War; as alſo, by endeavouring to inſpire the Nobility and Gentry with a Military Spirit, in Emulation of their Neighbours of *France*, they ſuffer'd a new Diſgrace, which more mortify'd them than all the reſt. In the Beginning of the Year they ſet forth a pompous Liſt of their Navy, by which it was underſtood, that they were to have had one formidable Squadron for the Protection of their Coaſts in the *Mediterranean*, and another for the like Service in the Ocean: But while Both were yet loitering in their Ports, News came, that a *French* Squadron, conſiſting of eight Men of War, ſix Frigates, twenty-five Gallies, two Fire-ſhips, and three Bomb-ketches, under the Command of the Count *d'Eſtrée*, on the 19th of *July*, N. S. had thrown above ſeven hundred Bombs into *Barcelona*, by which the Town was ſet on fire in many Places, and the Arſenal and Store-houſes by the Sea-Side were laid in Ruins: That from thence they proceeded to *Alicant* on the ſame Errand: That arriving there on the 22d, after letting fly a Shower of Bombs againſt the Town, they made an Attempt to land in two ſeveral Places; and being repuls'd in both, with Loſs, renew'd their Bombardment; and, at the Expence of no leſs than four thouſand Shells, deſtroy'd ſeveral Churches and Monaſteries, as well as private Houſes: That the Inhabitants, enrag'd at this Devaſtation, roſe on the *French*, who in conſiderable Numbers liv'd among them, plunder'd their Houſes, and kill'd above a hundred of them; and that Mr. *d'Eſtrée*, having notice of this Maſſacre, was making Preparations for a Deſcent, when eighteen *Spaniſh* Men of War, and three Fireſhips, appear'd in Sight; upon which he cut his Cables, and made off with ſo much Expedition, that the *Spaniards*, with all the Sail they could ſpread, were not able to overtake him.

A. D. 1691. *Barcelona and Alicant bombarded by the Count d'Eſtrée.*

It was in *Italy* only, that the Court of *Madrid* made a Shew of acting with Vigour; and even there, though they had been principally concern'd in bringing the Duke of *Savoy* into the War, and though they were principally concern'd in the Advantages expected from it, they could undertake nothing very material, without very great Aſſiſtances from the Emperor and the Maritime Powers. Poſſibly, the Concert neceſſary to be made for that Service, was one of the great Points ſettled at the great Congreſs before ſpoken of. The Emperor was to furniſh Men, the Maritime Powers Money, *Spain* both, and *Savoy* to be indemnify'd by All: His Royal Highneſs did not hearken more to his Reſentments in becoming a Party, than to his Intereſts; he had a mind to ſhew himſelf of more Conſequence to his great Neighbour of *France*, than *France* was willing to believe him; and he had no way ſo effectual to do ſo, as by Oppoſition, nor could have a more favourable Opportunity to oppoſe them, than when he was ſure of the Aſſiſtance of ſo many powerful Co-adjutors: On the other hand, his Conduct at the Battle of *Staffarda*, which had manifeſted more Heat than Diſcretion, and the Countenance he ſtill put on, as often as *France* caſt a relenting Look towards him, made it equally prudent to obſerve his Refinements, and balance his Raſhneſs: And as the moſt effectual Means to do both, it was held expedient, to give him a Collegue of equal Rank and ſuperior Reputation, and hedge him round with ſuch other Perſons, as ſhould be conſider'd as the Repreſentatives of all the principal Powers of the Confederacy. The Elector of *Bavaria* was prevail'd upon to act in the firſt of theſe Capacities, as Commander in Chief of the Imperial Forces and of his own, with the Generals *Caraffa*, *Commerci*, and *Palfi*, for his Aſſiſtants; the Marquis *de Leganez*, who ſucceeded the Count *de Fuenſalida* in the Government of

Campaign in Italy.

A. D. 1691. the *Milanese*, was Trustee for his Master the King of *Spain*; and Duke *Schomberg*, Son of the Marshal, and lately made Duke of *Leinster* in *Ireland*, for his Majesty of *England*, as King and Stadtholder.

But such a Variety of Wheels serv'd only to retard the Operation of the Machine: The Elector of *Bavaria* did not relish the Service, and, for that Reason, made use of every imaginable Pretence to defer his entering upon it, or at least to derive further Advantages from it to himself: And, possibly, it was to make him some new Offers, and thereby to quicken his Motions, that Duke *Schomberg*, in his way to *Turin*, had a long Conference with his Electoral Highness at *Ausburg*, on the 24th of *May*. The Marquis *de Leganez*, again, did not take Possession of his new Government till the the 28th of the same Month, and both thought it his Duty, and made it his Business, to reform the Abuses and Corruptions with which it was over-run, as also, to negotiate a Treaty of Neutrality with the Duke of *Mantua*, before he took the Field. He had indeed a long Conference with the Duke of *Savoy* at *Asti* in his way to *Milan*, and another soon after at *Verceil*. He also came full freighted with Bills of Exchange, and Instructions for opening the Campaign; but nothing effectual could be done, till the Arrival of the *German* Auxiliaries; a great Part of which did not begin their March towards *Italy* till the 20th of *June*; about which time *Schomberg*, attended by the Marquis *de Miremont*, and several other Officers, arriv'd at *Turin*: And, as for the Elector of *Bavaria*, he did not reach that Place till the 19th of *August* following.

Progress of the French Acquisitions there.

The *French*, in the mean while, did not wait for the Rendezvous of the great Army, which was to be employ'd against them, but with their usual Address and Vigour, made use of their present Superiority to push their Conquests as far as possible. Having converted the Siege of *Montmelian* into a Blockade, Mr. *Catinat* came before *Veiana*, a fortify'd Place, within a few Miles of *Turin*, *May* 27th, and in three Days time oblig'd the Governor and Garison to surrender at Discretion, the Duke of *Savoy*, who was encamp'd with his Army in the Neighbourhood, not being able to give them any Relief, but on the contrary, holding it necessary to provide for his own Security, by retiring to a stronger Post, on a Mountain nearer his Capital, which it was apprehended, the Enemy would, as their next Exploit, endeavour to reduce: But this Apprehension was groundless, it seems; for Mr. *Catinat*, having burnt his Royal Highness's Palace at *Rivoli*, and several adjacent Villages, sat down before *Carmagnola*, in the Marquisate of *Saluces*, and carry'd on his Works with so much Vigour and Resolution, that in three Days time from the opening of the Trenches, the Garison thought fit to capitulate, and were conducted to *Turin*.

Coni, a rich and strong Place, situate on the Confluence of two little Rivers, was attack'd next; not indeed by Mr. *Catinat* in Person, but by a strong Detachment of Horse and Foot, under the Command of Messieurs *de Bulonde* and *de Feuquieres*, the Military Critic, before quoted; and the Garison, which consisted chiefly of *French* Refugees, and about five hundred Militia, not being deem'd sufficient for its Defence, a Body of three thousand Men were detach'd, with Orders to throw themselves into the Place. Of this Mr. *de Feuquieres* had Intelligence, and falling in with them upon their March, after a bloody Contest, so far defeated their Purpose, that but a Part of them had the good Fortune to fight their way thro' his Troops into the Town: That Part, however, in Conjunction with those before in Garison, came to a Resolution to defend themselves, and the Place, to the last Extremity, and set out in such a manner as seem'd to argue, that they would make their Resolution good.

A. D. 1691.

Duke *Schomberg*, in the mean while, was not for relying wholly on their Efforts; on the contrary, he gave it as his Opinion, That, seeing Mr. *Catinat* had greatly weaken'd his Army by this Enterprize on *Coni*, now was the time to give him Battle: That as the Superiority in point of Numbers, was now on the Side of the Allies, they might reasonably hope for a Victory: That even a Defeat was preferable to the Loss of the Place in question, and the throwing Succours into *Casal*; the latter of which Events they were sure, would follow the former; and that whether the *French* were victorious or not, the Expence of a Battle would disable them from any further Attempt during the rest of the Campaign. The Duke of *Savoy* and Prince *Eugene*, it is said, were disposed to embrace this Advice; but the Marquis *de Leganez*, who came to *Turin* about the same time the Duke did, would not give his Consent; for Mr. *de la Hoguette*, at the Head of five or six thousand *French*, having forc'd the Passes of the Valley of *Aosta*, the *Milanese* lay open on that Side to their Incursions, and, in case of a decisive Action in their favour, the Marquis apprehended they would not fail to carry the War into that Province, which it became him, at any rate, to prevent. Duke *Schomberg*, from a Knowledge of the Views and Policies of *Spain*, had, indeed, suggested, that *de la Hoguette*'s Expedition, was rather calculated to hold the Allies in play till *Coni* should be reduc'd, than to extend the War; and that on the first Motion that should be made towards him, he would evacuate the Valley, and return into the *Tarentese*: But his Credit not being equal to his Penetration, his Opinion was not taken, and, upon the Issue of the Debate, it was only resolv'd, That a large Supply of Ammunition and Provisions should be sent to the Besieg'd, under the Convoy of twenty-two hundred Horse, say some, four thousand, say others, and that Prince *Eugene* should have the Command.

[*Life of King William*, v. ii. p. 279.]

Duke Schomberg's Advice rejected.

The Prince, accordingly, set out with his Detachment on the 26th, N. S. and was to be re-inforc'd on the way, by six thousand of the *Mondovi*-Militia; but, no sooner was he on his March, than, as before, the *French*

A. D. 1691. had Advice of it; and Mr. *Catinat* sent an Express to Mr. *de Bulonde*, with Orders not to stir out of his Lines till he should be join'd by a Detachment of two thousand five hundred Horse that were actually posting to his Assistance, under the Command of Mr. *Sylvestre*, a Marshal de Camp: But though the Place could not have held out above three or four Days longer, so apprehensive was Mr. *de Bulonde* of being inclos'd between the Prince, on one hand, and the Garison on the other, that he neither staid for the Approach of his Friends or Enemies, but broke up the Siege immediately, and retir'd with the utmost Precipitation; leaving behind him one Piece of battering Cannon, two Mortars, three hundred Bombs, seven thousand Grenadoes, fifteen hundred Cannon Bullets, two hundred and forty Barrels of Powder, four hundred Muskets, five hundred Tents, fourteen Mules laden with Baggage, a great Number of Spades, Pickaxes, &c. and four hundred wounded Men; among whom were forty Officers; for which, at his Arrival at the *French* Camp, he was immediately put under Arrest, and upon Trial, condemn'd to lose his Life; which Sentence was first chang'd into perpetual Imprisonment, and then remitted entirely; if that be call'd a Remission, by which a Man of the Sword is suffer'd to live, after his Honour is departed.

Siege of Coni rais'd by P. Eugene.

Mr. de Louvois's Resentment of that Disgrace.

This was the first remarkable Foil that the *French* had met with, since their Entrance into *Piedmont*; and we are told, that *Mr. de Louvois*, the first Minister of *France*, who had insisted on the Siege of that Place, not only against the Opinion, but the Remonstrances of Mr. *Catinat*, was so excessively alarm'd at it, that the King his Master could not help chastising his Peevishness, by telling him, "That he had been so accustom'd to good Fortune, that he could not bear ill." Adding, "As for me, I have seen the *Spanish* Troops at *Paris*, and therefore cannot be cast down at such a Trifle as this." But Mr. *de Louvois* was indeed more interested in every Event of the War, than even the King himself, if what Mr. *de Feuquieres* suggests is true, namely, That the War was his own; and that he had induc'd his Master to enter into it, merely to maintain his own Importance in the Cabinet, against the growing Ascendancy of Madame *de Maintenon*. According to that Author, he was extremely disgusted to receive the Law from a Woman whom he had so often overlook'd in the Crowd of his Suiters, and yet more, at the Mortifications that he daily met with, for not acknowledging the Divinity of the new Idol, which his Majesty had set up. A general War, he thought, would be a Machine too vast for her Abilities to manage, and he had no Apprehensions of any other Rival. As soon therefore as the first Dawn of the Confederacy against *France* appear'd, he advis'd his Majesty to strike the first Blow, by attacking *Philipsburgh*; and as he believ'd, the Emperor alone could not furnish Buttness enough, to answer the great End he had in view, he took care to administer sufficient Cause of Umbrage to every other Power that was of Consequence enough to assist, in working up such a Storm, as might find sufficient Employment for his own Genius, and the whole Strength of the *Gallic* Empire: As the Contests for the Electorate of *Cologne*, and the Prince of *Orange*'s Enterprize upon *England*, were Incidents that he look'd upon as most favourable for his Purpose, he was not displeas'd to see them take the Turn they did, for the same Reason. And the Use made by Mr. *de Feuquieres* of all this, is to shew the World's Mistake, in attributing the Mischiefs of this ruinous War to the Ambition of *Louis le Grand*, when they really arose from the selfish Intrigues of his Minister. It was so much the more proper to insert these Passages in this Place, because that Minister was snatch'd away by an Apoplexy (*July* 16, N.S.) before the bitter Flavour which the Affair of *Coni* had left in his Mouth, had been sweeten'd by any new Advantage; and while it was scarce possible for him to foresee the Event of his own destructive Projects.

[De Larrey, *Tom.* v. *&c.*]

A. D. 1691. *and Death.*

His Death, however, made no visible Alteration in the Politics of *France*; the King thought fit to pursue the Plan which he had laid down; and having divided the Offices which he held among several, summon'd a grand Council on the 25th, to whom, as we are told, he was pleas'd to make a long Discourse on the Affairs of his Kingdom; possibly, to shew, that he was abundantly qualify'd to be his own Minister, and that it was more for the sake of his Ease, than out of Necessity, that he had made use of Mr. *de Louvois*; as also, to extinguish the Hopes of all such as aspir'd to be his Successor, and to pay a decent Compliment to his Heir: For in the Close of his Speech, addressing himself particularly to the *Dauphin*, he took Occasion to say, "That a Prince could never acquire Glory, nor succeed in any great Enterprize, if he was not a thorough Master of the State of his Dominions; and that therefore, it was his Request, that he would be present in all Councils, not only to qualify himself to hold the Reins of Government when He (the King) should die, but to assist him while he liv'd."

[*State of Europe for* Aug. 1691.]

But we digress. Care is taken to remember, that the resolute Defence of *Coni* was owing to the Intrepidity of the Reformed, who constituted the greatest Part of the Garison, and the Spirit and Address of Colonel *Julien*, an Officer till then little known, and then so poorly recompens'd, that he threw up his Commission soon after, and quitted the Service. The Reward he asked was the Government of the Place, which he had preserv'd; and that which the Duke of *Savoy* thought fit to bestow upon him, was a Diamond Ring.

But though the *French* had the Mortification to be disappointed in their Design upon *Coni*, which cost them upwards of three thousand Men, the Marquis *de Feuquieres* had the good Luck to provide for the Preservation of the Citadel of *Casal*, by throwing in a fresh Garison of two thousand five hundred,

A. D. 1691. hundred Men, and withdrawing the old, which was reduc'd to less than fifteen hundred; as also to rejoin Mr. *Catinat*, without the Loss of a Man; for, notwithstanding it was one of the great Points which the Allies had to observe, it seems they were not at Leisure to observe it as they ought, which was the Reason that Mr. *de Feuquieres* met with no Interruption.

And now what Duke *Schomberg* had suggested in relation to Mr. *de la Hoguette*, and his Party, who had taken Possession of the Passes of *Aoste*, was verify'd; for, no sooner was the Siege of *Coni* rais'd, than they quitted the Valley, which was almost as soon re-occupy'd by the Troops of *Savoy*. Nor was this all, for Mr. *Catinat* himself, finding his Army much weaken'd, as well as dispirited with the late Disappointment, and apprehending that the Allies were more dispos'd, and better able to fall upon him, than they really were, thought it advisable to repass the *Po*. Accordingly, having set his Army in Motion, that their Visitation might not be soon forgot, they set fire to all the Villages they found in their way: And while they were thus employ'd, Prince *Eugene*, with a considerable Body of Horse fell on their Rear, broke several Squadrons, and did some Execution; but, in the Heat of the Pursuit, falling into a Lane, which was lined on both Sides with Foot, found himself oblig'd to face about, and retreat in his turn, having left several of his Party dead behind him.

It began now to appear that Fortune had chang'd Sides in *Italy*; and no Doubt was made, but that on the Arrival of the *Germans*, who, by this time had almost surmounted the Difficulties of their March, the Invaders would be forced to evacuate all their Conquests, and find themselves invaded in their Turn.

Intrigues of the Conclave in the Election of a new Pope.

Rome, tho' far remov'd from the Scene of Action, and the Place least expos'd to any Danger from the Dispute, was one of the first that seem'd to be affected by the Consequences of this Change. Pope *Alexander* VII. had departed this Life on the first of *February*, having on his Death-bed not only asserted the Rights of the Holy See, in the strongest Terms against the Pretences of the *French* Clergy, but caus'd a Decree to be publish'd, in which he confirm'd all Pope *Innocent*'s Bulls, and annull'd and made void all their Proceedings in *France* against them. The Cardinals that were on the Spot had soon after enter'd into the Conclave, and those of the Imperial and *Spanish* Factions were for proceeding to Election before the Arrival of the *French*; but being threaten'd with a Protest and Secession by those in the *French* Interest, that Motion was wav'd, and the Affair continu'd in Suspence till after *Midsummer*; in all which time, the Ecclesiastic Hive was in perpetual Motion Day and Night; and Chaos itself scarce underwent greater Variety of Changes, before Light and Order appear'd. It was a Fundamental, that two Thirds of the College should be of one Mind; and till the Secret could be found to bring this about, it was the Business of all the contending Parties to propagate Confusion. This All found easy and Most pleasant: For, next to the serving themselves, Politicians find the most Satisfaction in disappointing others: Nothing less would serve the Partizans of *France*, than the adjusting the Differences between his *most Christian* Majesty and the Holy See, before they proceeded to an Election; but then they found themselves as little able to succeed in it, as to make a Pope; all the *Italians* being firm on this Point, however wavering on others. No less than five several Candidates, *viz. Barberigo*, *Acciaioli*, *Conti*, *Marcicotti*, and *Howard*, were successively put in Nomination, and all set aside by the Cabals that were form'd against them. At last, when the Siege of *Coni* was raised, and the *Germans* were at hand, the *Italians* thought they might follow their Inclinations without any Prejudice to their Interests: But even then, they did not lay aside the Mask at once, but contriv'd to make the *French* name the very Person they meant to chuse; at least, the Affair is thus recounted in our *Gazette*, which is follow'd implicitly by all our Writers. *Cantelmi*, and *Grudice* were the Managers of the Intrigue; the Former put the *French* upon naming *Pignatelli*; and when they did so, the Latter affected to think, that, tho' he was a *Neapolitan*, and Archbishop of *Naples*, the *Spaniards* would never give way to his Election, because of the Differences which had happen'd between him and the Viceroy of that Kingdom. This, as foreseen, serv'd only to make the *French* more keen in their Pursuit; and when they had nam'd him, the *Spaniards* concurred at once with all their Voices, as did almost all the Zealots, which were the Party that had hitherto stickled with the most Obstinacy for *Barberigo*. This was a Thunder-clap to the *French*, who, not expecting any such thing, would have taken three Days time, before they proceeded to a final Decision of the Affair: But this not being comply'd with, on the 12th of *July*, N. S. the Scrutiny was made; and it appearing that *Pignatelli* had fifty-three Voices out of sixty-one, he was placed in the Pontifical Chair the same Day, and acknowledg'd with the usual Ceremonies by the Cardinals, the Foreign Ministers, and the People. He assum'd the Name of *Innocent* in honour of Pope *Innocent* XI. by whom he had been made a Cardinal in the Year 1681, and enter'd on the Pontificate with a Declaration, That he would be his own Minister. It also soon appear'd that his Quarrel with the Viceroy of *Naples* had no way dispos'd him to espouse the Interest of *France*; on the contrary, he seem'd as intractable on that Head, as either of his Predecessors had been; and, at the same time, it was discours'd all over *Europe*, that the *French* Court were so far from approving what their Emissaries in the Conclave had done, with regard to his Elevation, that they had sent positive Orders to exclude him; which, however, did not happen to arrive, till the Election was over.

A. D. 1691.

Pignatelli declar'd Pope by the Name of Innocent XI.

We must now return to *Savoy*, where the

A. D. 1691. *Germans* arriv'd in the latter End of *July* and Beginning of *Auguſt*, and were not only ſuffer'd to repoſe themſelves till the Arrival of the Elector of *Bavaria*, but for ſome Days after: For when thoſe Auxiliaries were ſufficiently refreſh'd, when Duke *Schomberg*, by his Addreſs, Authority and Example, had reform'd the Manners and Diſcipline of the *French* Refugees and *Vaudois*, who being in the Pay of the Allies, form'd a ſeparate Corps under his Command; and when all the General Officers of the Allies were met together, and the Retreat of Mr. *Catinat* gave them ſufficient Encouragement to follow him, ſtill they ſuffer'd the Remainder of the Seaſon to waſte, without making that Uſe of their preſent Superiority, which was expected from them by all the World.

It is true, that in the Council of War, which was held on the 22d of *Auguſt*, a Reſolution was taken to ſend a large Detachment through the Valley of *Aoſta*, to break up the Blockade of *Montmelian*: But no ſooner was it known, that Mr. *Catinat* had been already re-inforc'd with ſeven Regiments, and that he had apply'd to his Court, as alſo to the Marſhal *de Lorges*, for farther Succours, than Orders were ſent to countermand the ſaid Detachment; and a new Reſolution was taken, to follow Mr. *Catinat*, and, if poſſible, force him to a Battle. It was, however, the ſixth of *September* before the Army decamp'd from *Mille-Fleurs*; and when they took Poſt at *Brilane*, near *Carignan*, the ſame Evening, in Sight of the Enemy, the *Po* was between the two Armies, and conſequently prevented an Engagement.

They continu'd facing each other thus, till the 14th, when the Allies remov'd to *Villafranca*; and the next Day the *French* quitted their Camp at *la Motbe* in the Neighbourhood of *Carmagnola*, and march'd to *Saluces*. This produc'd another Motion of the Allies; for, in order to cut off the Communication of the Enemy with *Pignerol*, they decamp'd on the 16th, a little after Midnight, and in the Plain of *Cabeurs* drew up in Order of Battle; in which Poſture they advanc'd towards the Enemy, and being come within a League of them, pitch'd their Tents at *Revel*, where, according to the *London Gazette*, Mr. *Catinat* had propos'd to take Poſt that Evening, and within the very Lines which he had caus'd to be mark'd out for that Purpoſe.

The French avoid an Engagement.

But this Account ought to be eſteem'd apocryphal; for the *French* could not have taken Poſt there, without paſſing the *Po*, and, in ſo doing, it is manifeſt by the Event, that they muſt have come to a Battle, which it was their great Buſineſs to avoid: Beſides, they intrenched themſelves the ſame Night under the Cannon of *Saluces*, and took ſuch remarkable Care to ſecure all the Avenues of their Camp, that tho' the Elector and the Duke of *Savoy* in Perſon, ſeveral times took a Survey of their Lines, with a Deſign to force them, and conſum'd five whole Days in making the neceſſary Preparation, they found it at laſt impracticable, and for that Reaſon alter'd their Plan, and reſolv'd to inveſt *Carmagnola*. Accordingly, on the 25th, Prince *Eugene* paſs'd the *Po* with three thouſand Horſe, and march'd with ſuch Expedition, that he prevented Mr. *Catinat* from throwing a Succour of two thouſand Men into the Place; and on the 28th the whole Army came up. It was, however, the third of *October* before the Trenches were open'd, and the eighth before it capitulated, which was five Days, whereas the *French*, as we have ſeen, had reduc'd it much ſooner. The Terms granted to the Garriſon were ſufficiently honourable, but not over-ſtrictly obſerv'd; and when the Sufferers made their Complaints to Prince *Eugene*, the Anſwer he gave was to this Effect, "That it did not become them to complain of what they had authoriſed by their own Example (at the former Siege) and that tho' he would never connive at Injuries, he could not prevent Reprizals."

A. D. 1691.

The Allies reduce Carmagnola.

About three Days before the Surrender of the Place, Mr. *Catinat* abandon'd *Saluces*, having permitted his Soldiers to pillage the Inhabitants; after which, he took Poſt under the Cannon of *Pignerol*, from whence he detach'd ſeven or eight Battalions to reinforce the Garriſon of *Suſa*, and Three to ſecure all the Paſſes in the Neighbourhood.

The Allies, on the other hand, having taken Poſſeſſion of *Saluces*, and certain other Places which the *French* had abandon'd, repaſs'd the *Po* on the 11th, and inſtead of advancing to *Pignerol*, as they firſt gave out, directed their Courſe towards *Suſa*, with a Deſign to make themſelves Maſters of it before the End of the Campaign. Mr. *Catinat*, upon this, remov'd to a Poſt between *Rivoli* and *Vielana*, in hope of an Opportunity, to ſnatch ſome Advantage in the Courſe of their March; but, on Reflection, concluding it was moſt adviſable to act on the Defenſive only, ſoon withdrew, and made it his chief Care to cover *Suſa*, and the important Paſſes before mention'd; by throwing up Redoubts, and making ſuch Diſpoſitions of every kind, as ſhould be ſufficient to defeat the moſt vigorous Efforts that the Allies could make. The Allies, nevertheleſs, continu'd their March, and not only poſted themſelves, on the 25th, at the Foot of the Hills, within half a League of *Suſa*; but hearing the next Morning, that the *French* had quitted the Paſs of *Col de Fenoſtre*, and imagining, that they had done ſo out of fear, took Poſſeſſion of it with a Party of two thouſand Men: Scarce, however, had this Party advanc'd through the Paſs into a ſmall Plain, like a Baſon, which lyes beyond it, before they diſcover'd, that all the Hills round about were cover'd with Parties of the Enemy, who pour'd down like ſo many Torrents on every Side: Upon which, being convinc'd, that, inſtead of obtaining an Advantage, they had been drawn into a Snare, they faced about and retir'd with all that Precipitation which is the common Effect of Surprize when accompany'd with Danger. Unfortunately, the more Haſte they made, the more Confuſion they fell into; The Plain had admitted more than the Paſs would diſcharge,

make a fruitleſs Attempt on Suſa.

A. D. 1691. charge, in the time neceſſary to avoid the Miſchief impending. The Enemy were already at hand, and in a Diſpoſition to make the moſt of their preſent Advantage. This oblig'd thoſe in the Rear, for their own ſakes, to turn again, and do their beſt to cover the Retreat of thoſe before: A ſharp Skirmiſh enſu'd, many were kill'd on both Sides; and as both Sides challeng'd the Superiority, it may be ſuppos'd both were equally Sufferers: But then, immediately upon this Adventure (which was more than balanc'd by the Advantages obtain'd by the *Vaudois* over a Party of three thouſand *French*, whom they entirely routed, after a Diſpute of ſeveral Hours) the Allies gave over their Deſign upon *Suſa*, and reſolv'd to cloſe the Campaign; whereas Mr. *Catinat*, inſtead of following their Example, not only continu'd in the Field, but ſet down before *Montmelian*, and prepar'd to reduce it in Form. This was the only Place in *Savoy* which held out for the Duke. *St. Rieth* had attempted it in vain; and tho' the Blockade had ſtraiten'd the Gariſon in point of Proviſions, it had no way deter'd them from making a vigorous Defence. Mr. *de la Hoguette* had the care of making the neceſſary Proviſions for this ſpirited Enterprize; and Mr. *Catinat* in perſon, with his whole Force, came before the Place on the 16th of *November*; the Trenches were open'd the next Day; on the 20th their Lines were finiſh'd, and, on the ſeventh of *December*, they made a Lodgment on the Side of the Ditch. The Miners were then ſet to work (for the Place being ſituated on a Rock, a Scalade was impracticable) who made their Efforts under that Baſtion which was eſteem'd the weakeſt; and, in the mean while, the Gariſon, who had diſputed every Inch of Ground with the Beſiegers, carry'd on a Countermine, which they deſign'd to ſpring after That of the Enemy had taken Effect, and their Troops were lodg'd in the Baſtion; in hope to have deſtroy'd both Lodgment and Troops together. But ſcarce had they taken this Precaution before a Bomb fell into the midſt of their Train, which immediately blew up one of the Angles of the Baſtion, and open'd a Breach large enough for twelve Men to enter a-breaſt; of which Mr. *Catinat* being appriz'd, he order'd ſix hundred Grenadiers, accompany'd with as many Pioneers, to take Poſſeſſion of it; which they did, though many periſh'd in the Attempt, and amongſt them ſeveral Officers. Nothing now remain'd but to fix the Miners to the Donjon or great Tower, within the Caſtle, whither the Gariſon had made their Retreat; which was done the ſame Day; and the next the Marquis of *Bagnaſca*, the Governor, not caring to be bury'd in the Ruins of the Place, tho' he had hitherto ſo ſtoutly defended it, beat a Parley, and ſurrender'd it on the moſt honourable Terms.

and ſeparate.

Mr. Catinat inveſts Montmelian,

which capitulates.

It may be thought ſtrange, that the Allies ſhould not, in all this Interval, make any one Effort to relieve a Place of ſuch Strength and Importance, and to diſappoint the *French* of a Trophy which they were at ſo great an Expence of Blood and Treaſure to raiſe; And Biſhop *Burnet*, after an Acknowledgment (which is ſcarce reconcileable to what he had ſaid before) "That the Affairs of *Savoy* did not go on ſo proſperouſly as was hop'd for," ſuggeſts, firſt, That the Loſs of *Montmelian* was owing to the Imperial General, *Caraffa*, and then proceeds as follows, "The young Duke *Schomberg* ſent thither to command thoſe Troops that the King paid, undertook to relieve the Place, and was aſſur'd that many Proteſtants of *Dauphiny* would come and join him: But *Caraffa*, and indeed the Court of *Turin*, ſeem'd to be more afraid of the Strength of Hereſy, than of the Power of *France*, and choſe to let that important Place fall into their Hands, rather than ſuffer it to be reliev'd by thoſe they did not like." But there are ſome Paragraphs in the *London Gazette*, dated from *Turin*, which treat of an expreſs Deſign of the Duke of *Savoy*'s to raiſe the Siege. According to theſe, his Royal Highneſs had borrow'd ſome Troops of the Governor of *Milan* for that Service, had appointed his own to rendezvous in the Valley of *Aoſta*, and gave it over at laſt, becauſe the great Quantities of Snow which had fallen, had render'd the Mountains impaſſable.

A. D. 1691.

It is, however, indiſputably true, that the imperial Court had an End of their own to ſerve in ſending Forces into *Italy*, as well as to countenance the Duke of *Savoy*: And thoſe Perſons muſt be very little acquainted with the Maxims and Conduct of that Court, or indeed of any Court, who are at a loſs to determine which of theſe Ends was likely to be conſider'd moſt. In aſſiſting to drive *Catinat* from the Neighbourhood of *Turin*, and to reduce *Carmagnola*, they would have it underſtood, that they had done enough for one Campaign, and that now they were free to act for themſelves. Againſt whom? and, in what manner? it may be aſked; and the Anſwer is ready; Againſt all the ſeveral Princes and States of *Italy*, who, by obſerving a ſtrict Neutrality with relation to the preſent Quarrel, thought to have avoided all the ill Effects of it: And as to the manner of their Proceeding, if they did not commit open Hoſtilities, they committed ſuch Treſpaſſes, as nothing but Power could maintain, or Weakneſs would have ſubmitted to. *Leopold* the Emperor then reigning, was to the full as ambitious as *Lewis* XIV. is repreſented, tho' he diſguis'd it better: He ſought Opportunities to enlarge his Power with as much Induſtry, and he was yet more unmerciful in the Exerciſe of it. The One could not be a more irreconcileable Enemy to Mankind than the Other, and the World was never more egregiouſly bubbled, than in having recourſe to the Houſe of *Auſtria* for Deliverance, againſt the Oppreſſions of the Houſe of *Bourbon*. Of *Leopold* in particular, Mr. *de Fouquieres* ſuggeſts, That he look'd upon himſelf to be the Lord-Paramount of *Europe*; and that when his Vaſſals and Allies made him Tenders of Service, even in his greateſt Diſtreſſes, he accepted them as Acts of indiſpenſible Duty, and as if the Honour of

Character of the Emperor Leopold.

A. D. 1691. being useful to *Cæsar*, abundantly overpaid the Obligation: And even Bishop *Burnet* goes so far as to declare, "That his two chief Passions were Hatred of Heresy, and Hatred of *France*; as also, that it was said, That those about him, who serv'd the Interests of that Court (the *French*) perswaded him to let the War go on between *France* and those he esteem'd Heretics, since he would be a Gainer, which Side soever should lose; either *France* would be humbled, or the Heretics be exhausted, while he should extend his Dominions and conquer Infidels;" adding, "The King (*William*) had a sort of Regard and *Submission* to the Emperor, that he had to no other Prince whatsoever."

His Exactions in Italy, under the Pretence of Winter-Quarters.

The Instance now to be given of his encroaching and overbearing Disposition, will bring us back to the Point we set out with. The Princes and States of *Italy*, before-mention'd, were look'd upon at *Vienna* as Vassals of his Imperial Majesty, and their Dominions as Fiefs of the Empire: But none of them having been of late disturb'd on account of these Clames, the Tenure was suppos'd to be worn out, and they began to think themselves in a State of Independency.

Unfortunately for them, however, the Duke of *Savoy* having stipulated with his Imperial Majesty, that he should not be oblig'd to find Winter-Quarters for the Imperial Troops sent to his Succour; and it being necessary that such Quarters should somewhere be provided for them, those obsolete Clames were not only reviv'd all at once, but *Caraffa* took effectual care to convince all the Parties concern'd, that he was resolv'd to make the most of them; for, at the same time that he let them know by his Emissaries what their Duty was, he insisted, that, in Conformity thereto, they should either furnish the Sums demanded of them to the Military Chest, or find Accommodations for his Troops: And which was the least Evil, was no easy Matter to determine. Those who demanded Admission as Masters, they knew would treat them as Slaves; or, in other Words, Live upon them at Discretion, according to the usual Practice of such sort of Guests: And, on the other hand, the Sums demanded, especially of the Duke of *Tuscany*, and the State of *Genoa*, were so exorbitant, that the Latter once thought of raising Forces, and defending their Frontiers by the Sword: At last, however, they thought it their wisest Course to compound the Matter as well as they could; as did also every other Power that had Money enough to purchase an Exemption; and then *Caraffa* gave full Commission to his Locusts, to eat up the rest.

There remains but one Incident more of any Consequence to discourse of, before we turn our Backs on *Italy* for this Year; and that relates to the City of *Casal*. The Duke of *Mantua*, to whom this Place and its Dependencies belong'd, had been prevail'd upon to sell the Citadel to *France*, but reserv'd the City to himself, with an express Provision, that he should hold it with a Garison of his own, that he should receive the Revenues thereof, and maintain his Sovereignty therein without the least Diminution, as before. Now, as long as his Highness had the Address to keep the *French* Court in Expectation, that he would be of their Party, the City and Citadel were good Friends and Neighbours; but no sooner had he embrac'd the Neutrality, before spoke of, than they resolv'd to take the first Opportunity to be reveng'd of him. Accordingly, when *Caraffa*, with a Body of his Forces, was advancing towards *Montferrat*, with a Purpose to take his Winter-Quarters there, the *French* Commandant in the Citadel took Possession of the City in the name of the King his Master, disarm'd the *Mantuan* Garison, imprison'd *Fossati* the Governor, whom he had invited to dine with him; and in Excuse of this Treachery and Violence, gave out, that the said Governor had agreed to deliver up one of the Gates to the *Germans*.

The French seize the City of Casal.

A. D. 1691.

Our next Transition must be to the Borders of the *Rhine*; for how inconsiderable soever the Transactions on that Side have been represented by some, we ought not, like Bishop *Burnet*, to pass them over without Notice. The *French* were oblig'd to have a considerable Force in those Parts, as well to cover their own Frontier, as to keep the *Germans* in play: But their Minister at *Constantinople*, to hinder the *Turks* from coming to an Accommodation with the Emperor, had undertaken for such a Diversion as should oblige his Imperial Majesty to leave *Hungary* in a manner to their Mercy. It so happen'd, however, that his Imperial Majesty made the Service of *Hungary* his first Concern, and that of the *Rhine* his second; and that, in like manner, the *most Christian* King paid more Regard to his Efforts in *Flanders*, than in *Germany*. Hence it follow'd, that while the Marshal *de Luxemburg* and Mr. *de Boufflers*, with the Flower of the *French* Troops were in Action, Mr. *de Lorges*, who commanded on the *Rhine*, had scarce taken the Field; as also, that while, on the Imperial Side, no Endeavours were spar'd to gratify Prince *Lewis* of *Baden*, by accommodating him with all he had wanted during the last Campaign, the Care of the Empire was left to the Elector of *Saxony*, assisted by the Generals *Caprara* and *Schoening*, with a mix'd Army, amounting in all to about thirty thousand Men; which was not completely form'd till the last Day of *June*.

Campaign on the Rhine.

Till then, *Caprara* lay at *Wisselock*, expecting the Junction of the *Saxons*; and in that Interval, the Marshal *de Lorges*, with a strong Body of Horse and Dragoons, certain Companies of Grenadiers, and a large Quantity of Ammunition, Bombs, *&c.* took Post between *Mentz* and *Neder-Ulm*, and sent out his Parties on all Sides to raise Contributions, consume the Forage, and, in general, to lay waste the Country, as if he had no other Purpose to serve. His real Purpose, however, was, to make himself Master of the former of those two Places, partly by Force, and partly by Treachery; for, having corrupted certain of the Inhabitants by the Means

Treacherous Design of the French to seize Mentz.

A. D. 1691. Means of one of the Emperor's Commiſſaries, who had been long in *French* Pay, it was propos'd to ply the City with Bombs; and that, to augment the Confuſion created thereby, the Conſpirators ſhould fire ſeveral Houſes in ſeveral Quarters; as alſo, cut the Cables of the wooden Bridge over the *Rhine*, to hinder two Regiments which lay on the other Side, from coming to the Relief of the Place; and, laſtly, put the Enemy in Poſſeſſion of one of the Gates: But the Concert not being fully form'd, it was found neceſſary to have an Interview with the Commiſſary before the Attempt was made; and in endeavouring to bring this about, a Letter was ſeiz'd, which not only diſcover'd the Intrigue, and brought the Arch-Traitor to ſuch a Death as he deſerv'd, but render'd the whole Project abortive.

General *Thungen*, on the other hand, who commanded in *Mentz*, with a Detachment of twelve hundred out of the ſaid two Regiments, and ſeven hundred *Huſſars*, form'd a Deſign to ſurprize the Enemy's Camp, but met with a Diſappointment in his Turn: For when his Party came up to the Enemy's Lines, they not only found them upon their Guard, but met with ſuch a Reception, that they were glad to make the beſt Retreat they could. Marſhal *de Lorges*, in decamping from the Neighbourhood of *Mentz*, had alſo Leiſure to reduce the little Caſtle of *Algeſheim*; and having continu'd his March to *Creutznach*, and, by the way, receiv'd Advice, that the Allies were join'd between *Manheim* and *Seckenheim*, and were making Preparations to paſs the *Rhine*, recall'd four Regiments which he had detach'd to re-inforce Mr. *de Boufflers* on the *Moſelle*, and directed Mr. *d'Uxelles* to poſt himſelf with eight thouſand Men over againſt *Manheim*, in order to deter the Imperialiſts from that Enterprize; but without the deſired Effect, for the Elector of *Saxony* having taken Poſſeſſion of a little Iſland in the Middle of the River, between *Sandthoven* and *Frankendale*, having alſo repair'd a broken Bridge which led to it, and thrown a new Bridge over the other Branch of the River, paſs'd over with his whole Army, without any Interruption from the Enemy, who had quitted their Poſt, and retir'd to *Neuſtadt*.

The Germans paſs the Rhine *at* Sandthoven.

But it is remarkable, that tho' this very Meaſure of paſſing the *Rhine* had been for ſome time reſolv'd upon, ſo ill were the ſeveral Corps, which form'd the Army, provided for the putting it in Execution, that they had not a Bridge of Boats amongſt them; and when they had been ſupply'd with one from *Mentz*, it was the 13th of *July*, N. S. before it could be made uſe of. Again, the Retreat of the *French* was ſufficient to ſhew, that they were not in a Condition to face the Allies; and yet, inſtead of following them immediately, his Electoral Highneſs waited ſeveral Days in repairing the Fortifications of *Frankendale* and *Manheim*, that, in caſe he was worſted, he might be ſure of a Place of Retreat. Then as to the inveſting of *Landau*, *Philipſburg*, or any other of the *French* Garriſons, which, next to the following the *French*, was the moſt natural thing to be expected from them, they were as ill provided for a Siege, as for paſſing the *Rhine*; and it was known all over *Europe*, that for want of their battering Cannon, which was ſtill at *Hadlbron*, it was not in their Power to make uſe of ſo fair an Opportunity. A. D. 1691.

The *French* expected no leſs from their paſſing the *Rhine*, than either to be forc'd to a Battle, or to hear of a Siege; for which reaſon, at a Council of War, which was held about the time that the Allies had completed their Bridges, theſe were the principal Points debated; and the Reſolution taken upon the Iſſue, was, to throw Reinforcements into the Places moſt expos'd, and to paſs the *Rhine* themſelves, in order to lay waſte the Duchy of *Wirtemburg*, &c. and thereby oblige the *Germans* to follow them. Accordingly, having quitted *Neuſtadt*, they firſt took Poſt between *Philipſburg* and *Landau*, as if their Intention was to cover both thoſe Places; and when they heard the Allies were at length preparing to advance towards them, wheel'd off to *Philipſburg*, and paſs'd the River. *The French do the ſame as* Philipſburg.

It was the third of *Auguſt*, when the Elector of *Saxony*, who had that Day remov'd from *Oberſheim* to *Mutmenſheim*, receiv'd the firſt Advice of this ſudden Motion, which being confirm'd from every Quarter, the next Day a Council of War was ſummon'd; and General *Schoening* gave it as his Opinion, That, ſeeing the Enemy could have nothing in view, but to make a Diverſion, it would be more adviſeable for them to imitate, than follow them; that the Allies had it in their Power to do as much Miſchief as the *French*; and that when the Latter found their Purpoſe defeated, they would return of courſe. *Caprara*, on the contrary, inſiſted on the Neceſſity of following them, in order to preſerve thoſe Parts which had not as yet partook of the Miſeries of War. *Schoening* reply'd, That if it was in their Power to preſerve thoſe Parts, he ſhould be of the ſame Opinion; but that the *French* had already gain'd three Days March upon them; that, conſequently, the Miſchief would be done before it would be poſſible to overtake them; and that it would be more for their Honour to take Vengeance on their Enemies, than to be uſeleſs Spectators of the Sufferings of their Friends. *Caprara*'s Opinion, however, prevail'd; and neceſſary Meaſures were taken for repaſſing the *Rhine* the ſame Day. The Bridge of Boats over which they had paſs'd from *Sandthoven* to *Frankendale*, had, in this Interval, been remov'd to *Manheim*; and the Evening before, the two thouſand Men who had the Guard of it, had been re-inforc'd by way of Precaution: And no ſooner was the Council broke up, than all the Cavalry paſs'd over, and the next Day were follow'd by the Foot, and all together encamp'd once more in the Neighbourhood of *Seckenheim*, where they continued till the ninth, and then, having receiv'd Advice, that the *French* had reduc'd *Pfortzheim*, in the Marquiſate of *Baden-Dourlach*,

A. D. 1691. *Deurlach*, and directed their March to *Knitlingen*, ravaging and laying waſte the Country all the way, it was reſolv'd to follow them; which they began to do the next Day, but never come up with them, tho' the Queſt continu'd till the 13th of *September* following; at which time the Imperialiſts not only gave it over, but broke up their Camp; and the ſeveral Corps march'd ſeverally towards their Winter-Quarters; leaving the *French* to repaſs the *Rhine* at their Leiſure with the Contributions they had rais'd.

It ought, however, to be remember'd, That, during this whole Interval, many deſperate Maladies, rag'd with equal Violence in both Camps, and carry'd off thouſands: That Officers and Soldiers were viſited alike: That *Caprara* was ſo violently attack'd, that he was forc'd to leave the Army towards the End of *Auguſt*; and that he was ſoon after follow'd by the Elector himſelf, whoſe Conſtitution had been ſo grievouſly ſhock'd by the Diſorders he had brought into the Field with him, and the Increaſe they receiv'd there, that it ſunk under them. He languiſh'd about three Weeks after he had been remov'd from the Camp; and when it was given out and believ'd, that he was on the Recovery, he died at *Tubingue*, *September* 23, N. S.

Death of the Elector of Saxony.

Conduct of Sweden and Denmark during this Campaign.

It is in this Place alſo to be remember'd, that the two Northern Crowns of *Sweden* and *Denmark* had enter'd into mutual Engagements, to obſerve an exact Neutrality, with reſpect to the preſent Commotions of *Europe*, and to maintain the Freedom of their own Commerce with all the Powers at War indifferently, eſpecially *France*; which alone was ſufficient to ſhew, that *France* began already to gain Ground on that Side. But this was not all; for tho' Biſhop *Burnet* is pleas'd to ſay, "The King of *Sweden*, whom the *French* were preſſing to offer his Mediation for a Peace, wrote to the Duke of *Hanover*, aſſuring him, he would never hearken to that Propoſition, till he had full Aſſurances from the *French*, that they would own the preſent Government of *England*," we find that the Miniſter Plenipotentiary of his *Swediſh* Majeſty at *Ratiſbonne*, did actually make a formal Tender of his Mediation to the Diet, in the latter End of *May*, which he introduc'd with the Mention of another Tender of the like nature, which his Maſter had cauſ'd to be made at the *Hague*, about a Year before, and alſo enforc'd it with a ſort of Remonſtrance, which was calculated to ſhew, That the preſent Offer ought to meet with a more favourable Acceptance from the Confederates than the laſt, ſeeing the Poſture of their Affairs was grown rather worſe than better, by the Loſs of *Mons*, *Nice*, *&c.* This ſurely was the Language of a Partiſan; and what yet farther confirms it, is this: The King of *Sweden*, as Prince of the Empire, was oblig'd to furniſh three thouſand Men, as his Quota for the Service on the *Rhine*: But ſo loth was he grown, to give any Umbrage to *France*, that thoſe Troops did not join the Army till the third of *September*, which was but fifteen Days, before it broke up to go into Winter-Quarters: Nor is it altogether clear, that they would even then have done ſo, if the Diet, taking into Conſideration the State of Affairs, in the Beginning of *Auguſt*, had not reſolv'd to pray the Emperor, "That he would give ſuch Orders, as ſhould oblige the Members of the Empire punctually to obſerve the *Avocatoria* publiſh'd in the former Year: That no Neutralities, or Correſpondencies to the Prejudice of the ſame, might be ſuffer'd: That all the States might be oblig'd to contribute their utmoſt towards the Common Defence; and that ſuch as ſhould be wanting therein, ſhould be proceeded againſt according to the Laws and Conſtitutions of the Empire."

[State of *Europe* for *June*, 1691.]

The ſame Hiſtorian-Biſhop, in the ſame Paragraph, alſo ſays (with what Truth, as far as it relates to the King of *Sweden*, we have already ſeen,) "The two Northern Kings had ſome Satisfaction given them in point of Trade, that ſo they might maintain their Neutrality; and they were favourable to the Allies, tho' they were not engag'd with them." And now, as to the Conduct of *Denmark*, notwithſtanding the Family-Alliance between that Court and *England*, or the Subſidy they receiv'd from thence, or ſuch Conſiderations as might ariſe from the Treaty of Marriage, at this Time depending between the Princeſs Royal of *Denmark* and the young Elector of *Saxony*, who was himſelf deſcended from a Daughter of *Denmark*, it is certain, that his *Daniſh* Majeſty carry'd his Partiality to the Allies no farther than he was juſtify'd by his own immediate Intereſts: He had inflam'd the Differences which had long ſubſiſted between the *Dutch* and him, by ſeizing twenty-four of their Ships: And he had cauſ'd a large Body of his Forces to advance towards the *Elbe*, which had not only given great Inquietude to the City of *Hamburgh*, in particular, but, in general, to the whole Circle of *Weſtphalia*; for he made no Scruple to declare, That he would never ſuffer the Princes of *Lunenburgh* to continue in the Poſſeſſion of *Saxe-Lawenburgh*; and thoſe Princes, on the other hand, made uſe of this Declaration to excuſe themſelves, for not fulfilling their Engagements to the Confederates: And, laſtly, as to the Satisfaction given to the Northern Kings in point of Trade, it conſiſted chiefly in this, That their Merchant-Ships ſhould paſs unmoleſted to and from the Ports of *France*, provided they had no Powder, Lead, Salt-petre, or Naval Stores on board: And, upon the footing of this Compromiſe, a formal Accommodation was concluded between his *Daniſh* Majeſty and the States-General.

We muſt now beſtow ſome Attention on that Branch of the general War, which was all this while raging between the Emperor and the Grand Seignior: And, as a neceſſary Introduction to this Summer's Campaign, find ourſelves oblig'd to obſerve, That as the *French* were indefatigable in their Endeavours at the *Port*, to keep up the Spirit of the Divan, and continue the powerful Di-

A. D. 1691.

A. D. 1691. version that was made by the *Turks* in *Hungary*, as long as poſſible, ſo the *Engliſh* were as deſirous of promoting a Peace on that Side of *Europe*, that the War might be the more vigorouſly proſecuted on this. Biſhop *Burnet*, indeed, is pleas'd to ſuggeſt, That out of the ſuper-abundant Reſpect which King *William* had for the Emperor, he did not preſs him, as many deſir'd he ſhould, to accept of a Peace with the *Turks*: But nothing is more certain, than that the principal Article in Sir *William Huſſey*'s Inſtructions, who was ſent Embaſſador from *England* to the *Port* in the Beginning of this Year, was to make an expreſs Offer of his Maſter's Mediation: And it is not to be ſuppos'd, that his Majeſty would have taken ſuch a Step, without the Emperor's Concurrence, at leaſt; for Sir *William* was actually ſent to *Vienna* firſt, and, no doubt, was order'd to direct himſelf according to the additional Inſtructions that he ſhould receive from the Imperial Court. It is alſo as certain that he was oblig'd to act under the Cheque of a *German* Secretary; for it is acknowledg'd in the *London* Gazette, that the Count *de Marſigli* accompany'd his Excellency in that Capacity from thence.

Sir William *Huſſey ſent to* Conſtantinople *with an Offer of King* William's *Mediation.*

As to his Negotiation, on the 22d of *April*, N. S. he departed from *Vienna*, on his way to *Conſtantinople*; and in every *Turkiſh* Town thro' which he paſs'd, was receiv'd with almoſt unprecedented Honours; which ſhew'd how acceptable his Errand was, and how weary the *Turks* were of the War: Inſtead of waiting the Grand Viſier's Leiſure for an Audience, according to the haughty Cuſtom of the Seraglio, the *Chiaus-Baſſora* was ſent to invite him to one: And as to the Offer which he made of his Maſter's Mediation, it was accepted with all the Marks of cordial Gratitude that could be expreſs'd. Reaſonable Terms indeed were inſiſted upon, and thoſe that were offer'd by way of Preliminary, being eſteem'd otherwiſe, *Marſigli* was immediately poſted back to *Vienna*, with an Account of what had paſs'd, and alſo to apply for ſuch Abatements as might render the Iſſue of the Negotiation proſperous. What theſe Preliminaries were, is no where preciſely ſpecify'd; but, according to the Diſcourſe of theſe Times, they were as follow: *Viz.* 1. That *Tranſilvania* ſhould equally depend on both Empires, and for the future, the Prince elected by the States of that Province, ſhould have the joint Approbation of both, with a Proviſo, that the late Election of *Tekeli* ſhould be confirm'd. 2. That the Emperor ſhould poſſeſs all *Hungary*, except the Fortreſs of *Eſſeck*. 3. That the *Grand Seignior* ſhould pay to his Imperial Majeſty the Charges of the War for one Year, at three different Payments. 4. That a free Communication and Commerce between the two Empires, ſhould be reſtor'd. 5. That the Grand Seignior ſhould reſign to the *Venetians* either the *Morea*, or *Candy*. 6. That he ſhould gratify the King and Republic of *Poland* with *Caminiec* and its Dependencies: And, laſtly, That all Priſoners ſhould be enlarg'd on both Sides. *Marſigli* made ſuch ſpeed, that he arriv'd at *Vienna* in thirteen Days; and ſeveral Councils were immediately held on the Contents of his Diſpatches; which were alſo imparted by Expreſs to the *Poles* and *Venetians*. A. D. 1691.

When firſt Miniſters have a military Turn, it is in general true, that they are fond of War; and thoſe who ſucceed in one Experiment, are very apt to venture upon another: As, therefore, the Viſier had obtain'd ſo much Glory by the laſt Campaign, it is natural enough to conclude, that his Heart was ſet on proſecuting the War; and that the Readineſs he ſhew'd to embrace the Mediation of *England*, was rather affected than real: But how glad ſoever he might have been at any other Criſis, to have eſtabliſh'd his Power and Authority by Feats of Arms, the preſent was no way favourable to ſuch a Deſign: He had left the Seraglio in a Ferment, of which he ſtill apprehended the Conſequence. *Solyman*, the Grand Seignior, being in the laſt Stage of a Dropſy, and it being held neceſſary to provide for the Succeſſion, in caſe of a Demiſe, He, the Viſier, propos'd *Achmet*, the Brother of *Solyman*, to the Grandees of the Court, and was ſeconded by the Mufti, and others of his own Faction: But the reſt contended for *Muſtapha*, the eldeſt Son of *Ibrahim*, formerly depos'd, and adher'd ſo obſtinately to their Opinion, that the Viſier, fearing a Revolt (which, from the Diſcontents of the *Aſiatic* Soldiery, who were extremely loth to take the Field againſt the *Germans*, and the general Temper of the People, who were eager for a Peace upon any Terms, was greatly to be apprehended) caus'd the moſt violent of his Oppoſers to be baniſh'd to *Rhodes*, *Cyprus*, and *Lemnos*, and others to be put to death; and when he began his March towards *Hungary*, took along with him the dying *Sultan* and the two Rivals, *Achmet* and *Muſtapha*, that he might be equally able to ſecure the Throne to the firſt, and to diſappoint the laſt. At *Adrianople*, *Solyman* died, and *Achmet* was immediately proclam'd, and acknowledg'd by the Army.

But all this Succeſs did not ſerve to remove his Apprehenſions; he knew the Root of Miſchief was ſtill in the Ground, and that the Fruit was to be expected, as ſoon as ever the Seaſon was favourable: As on the one hand he knew, that a Victory would eſtabliſh the new Sultan and himſelf, ſo, on the other, he fear'd that a Defeat would be the Ruin of both: For which reaſon, tho' he came with the main Strength of the *Ottoman*-Empire into the Field, and determin'd to loſe no Opportunity of exerting it with Vigour, he had had his Ear open to Peace, and would gladly have countenanc'd his Acceptance of it.

It was in this Diſpoſition that Sir *William Huſſey* found him at *Adrianople*: But when it appear'd, that *Marſigli* did not make the ſame haſt to return from *Vienna*, as he had done in poſting thither, he would not ſuffer himſelf to be amuſed with vain Expectations,

A. D. 1691. tions, but having intimated to Sir *William*, that he would do well to proceed on to his Station at the *Port*, put his Army in Motion, and once more left all to the Decision of the Sword.

The Imperial Court, in the mean while, did not wholly overlook the Overtures which had been made by the Mediator, but seem'd equally desirous of a Peace, at the same time that they resolv'd to take all Advantages that could be deriv'd from the Course of the Campaign. The Secret of the Negotiation was given to Prince *Lewis* of *Baden*, together with full Powers to treat upon such Terms, as the State of the War should authorise him to insist upon: But though he set out post for the Army, *July* the eighth, and the Treaty could not be return'd till the Return of *Marsigli*, the Latter did not receive his Dispatches till eight Days after.

Full Powers given to P. Lewis of Baden, who repairs to the Army in Hungary.

Upon the 13th, Prince *Lewis* reach'd the Army, which he found compos'd of 40000 old Soldiers, besides Irregulars, and the *Brandenburgh* Auxiliaries; and on the 29th following, encamp'd at *Peter-Waradin*, in his way to the Enemy, who, on their Side, had pass'd the *Save* to meet him. And now it appear'd that both Parties were alike inclinable to prefer a Battle to a Treaty; for, in this Interval, *Marsigli* arriv'd in the *Turkish* Camp from *Vienna*; and, having appriz'd the Visier of the good Intentions of the Imperial Court, to facilitate the Peace, and of the full Powers granted to Prince *Lewis* for that End, that Minister, instead of shewing any Forwardness to enter into a Negotiation with him, diverted the Point with as much Artifice, as could have been expected from a Christian: He pretended to be transported with the pacific Disposition of his Imperial Majesty: He spoke of Prince *Lewis*, as the Man in the World he had the highest Opinion of: But then he would not hear of a Treaty, without the Participation of the *English* and *Dutch* Embassadors; and he dispatch'd *Marsigli* to *Constantinople*, to propose the Matter to them, and allow'd him three Weeks for the Journey; as well knowing, that before that time was expir'd, the Blow would be struck, and, if in his Favour, he should be in a Condition to carve out a Peace for himself. On the other hand, when a *Turkish Chiaus* came to the Imperial Camp, with a Letter from *Marsigli*, containing the Particulars just recounted, Prince *Lewis* consider'd him more as a Spy than a Messenger, and took care to give him such Impressions as were more agreeable to his Character as a General, than a Plenipotentiary.

Both Parties inclinable to try the Issue of another Campaign.

All Thoughts of a Treaty being thus suspended on both Sides, the Prince left *Peter-Waradin*, *August* the third, and advanc'd towards the Enemy, with a Resolution to offer Battle. On the twelfth, he came in sight of them, and took Post within Cannon-shot of the *Turks*, but without making any Attempt, or receiving any Insult; for, as on the one hand, he found their whole Camp secur'd in Front with a broad and deep Moat, strong Redoubts, and no less than one hundred and fifty Pieces of Cannon, which render'd it impossible for him to force them to an Action, so, on the other, tho' the *Turks* were above 70000 strong, they rely'd more on the Strength of their Lines, than the Superiority of their Numbers, and could not be prevail'd upon, to encounter the Valour and Discipline of the Imperialists on even Terms. A. D. 1691.

The two Armies continued thus fronting each other till the 14th, when the Prince, finding it impossible to keep his Post for want of Provisions, decamp'd, in order to return to *Peter-Waradin*: Upon which the *Turks*, who imputed this necessary Motion to Fear, detach'd six thousand of their best Horse to harrass his Rear-Guard, while the Visier, with his whole Army, prepar'd to follow them. By the 18th, the Prince recover'd *Salankemen*; but had been so closely pursu'd by the Enemy, that the very same Day, they not only cut off his Communication with *Peter-Waradin*, but, with one of their Parties seiz'd his Bread-Waggons, and put to the Sword a Regiment of Dragoons, and certain Companies of Foot, who guarded them, and with another did the same by his whole Fleet of Victuallers on the *Danube*.

Fighting was now become the least Danger which the Prince had to apprehend; and that was not to be delay'd; for the Visier, alike sensible of the Goodness of his Post, and the Distress of the Imperialists, gave immediate Orders for securing his Army with double Entrenchments, Pallisadoes, and whatsoever beside could resist the Fury of valiant and skilful Men, made desperate by their desperate Circumstances.

Upon the Issue of a long and anxious Coun- *The Battle of Salankemen.* cil of War, it was therefore resolv'd to attack the Enemy in their Camp the next Day: The Night was a horrid Interval; all the Morning was spent in making the Dispositions necessary for so dreadful an Enterprize; and when that was completed, they had probably more and greater Obstacles to surmount than ever Men had fac'd before: The *Turks* had the *Danube* on their Left, had extended their Front along certain rising Grounds, and in Flank and Rear were cover'd by hollow Ways and Marshes, which were scarce passable. In a Persuasion therefore that the Storm would fall heaviest on the Hills, they had posted the Flower of their Troops, both *Janisaries* and *Spahis* on that Side; and, as a farther Precaution, had shelter'd them with a broad Moat, strong Redoubts, and no less than Eighty Pieces of Cannon; all under the Direction of *French* Engineers, who had been sent into the *Turkish* Service by his *most Christian Majesty*.

As the two Armies did not exactly confront each other, only the Right of the Imperialists was destin'd to attack the *Turks* in the Front; and while they were making their Approaches towards the Eminence, the Left was to pass the hollow Ways, Marshes, &c. and charge them in Flank and Rear at once, where they had no other Line but what

A. D. 1691. what was form'd by their Waggons, in hope to find an eaſy Entrance on that Side, and thereby to make ſuch a Diverſion, as might render the Enterprize of the Right more eaſy: But, unfortunately, the Right came up before the Left could diſengage themſelves from the Difficulties of the Ground, which retarded their March, and, with a fatal Raſhneſs, began the Engagement with the main Strength of the Enemy, while they were at full Leiſure to give them a proper Reception: The Conſequence of which was, that the two Regiments of Horſe that cover'd their Flank, being overpower'd, were almoſt all cut to Pieces, and the *Janiſaries* at the ſame time, making a furious Sally, not only repuls'd the firſt Line, but drove them in Confuſion upon the ſecond; and, had not the Latter ſuſtain'd the Shock both of thoſe who fled, and thoſe who purſued, the whole Wing had been routed at the firſt Onſet.

The Viſier, in this Interval, had alſo diſcover'd Prince *Lewis*'s Driſt, in making ſuch a Diſpoſition of his Left, and had given Orders to a large Body of his beſt Cavalry to charge them Sword in hand, as ſoon as they came within Reach of the Camp, and before they had time to recover their Form; which they did ſo effectually, that they were three ſeveral times repuls'd, and thrown into a Diſorder that was little ſhort of a total Rout.

This was a ſhocking Spectacle to Prince *Lewis*, who, having both re-animated, and re-inforc'd the Right, was now poſting down to ſuſtain the Left; where, contrary to the Expectations of the *Turks*, he had purpos'd to make his greateſt Effort. The firſt Step he took to reſtore the Day, was to let looſe 5000 *Hungarian* and *Raſcian* Irregulars among the *Turkiſh* Horſe, who fell upon them with ſo much Fury, that they were repuls'd in their Turn with great Slaughter; and, at that Inſtant, the Prince himſelf, at the Head of four freſh Regiments, led up the whole Line to the Charge; and, after an obſtinate Reſiſtance, broke into the Enemies Camp, and drove them in Heaps before him. The Confuſion that follow'd on that ſudden Turn, ſoon reach'd the other End of the Camp; for the Run-away Horſe, regarding nothing but their own Eſcape, travers'd the whole Line, and actually bore down the Foot that were fighting obſtinately in the Right Wing: Of which Incident, their Adverſaries taking the Advantage, forc'd the Trenches alſo on that Side, and laid about them like Men who had Victory in ſight, and were reſolv'd to have her in Poſſeſſion, though they died in her Arms. The *Janiſaries*, however, uſed their utmoſt Efforts to recover the Shock they had receiv'd, and made a ſhift to defend themſelves for above three Quarters of an Hour, after they were abandon'd by the Horſe; in which Interval, many of the braveſt and greateſt among the Victors fell a Sacrifice to the *Manes* of thoſe they had conquer'd: But then, finding all thoſe Efforts were uſeleſs, and Rage giving place to Fear, they turn'd their Backs, and left the Imperialiſts Maſters of their Camp, and all it contain'd. A. D. 1691.

The Turks totally routed.

The Action laſted four Hours; and, as to the Loſs on each Side, it is computed, that the Imperialiſts had upwards of three thouſand kill'd, and four thouſand wounded; and that of the *Turks* between ſixteen and twenty thouſand, either periſh'd in the Field of Battle, or the Purſuit; for, over and above the Carnage that was made within the Camp, the Ground was ſtrew'd with dead Bodies from *Salankemen* to the *Save*. The Viſier himſelf, who, in the laſt Stage of the Battle, when Fortune appear'd on the oppoſite Side, had put himſelf at the Head of the *Janiſaries*, in hope to ſubdue her by his Valour, was ſlain, together with his Son, as alſo the *Seraſquier*, the Aga of the *Janiſaries*, and ſeveral other Grandees.

On the other hand, the Prince of *Holſtein*, the Dukes of *Arſchot* and *Aremberg*, the Counts, *de Tzuches*, *Guido* of *Staremberg*, *Zain* and *Mouillon*, and many other Perſons of Eminence, were depriv'd by Death of their Share in the Triumph, tho' they had contributed largely to the Victory.

The Spoils conſiſted in all the Tents, Baggage, Ammunition, and Proviſions of the Vanquiſh'd, one hundred and forty-eight Pieces of Cannon and Mortars, ninety Standards (among which were thoſe of the Viſier, the Aga of the *Janiſaries*, and a Band of Volunteers) twelve Horſe Tails, all the Copper Money for the Payment of the Army, and Horſes, Camels, and other Cattle without Number.

And as to the Conſequences of the Victory, Prince *Lewis* having completed the Fortifications of *Peter-Waradin*, and reinforc'd his Army, by Draughts from all the Gariſons within his Reach, paſs'd the *Danube*, with a Purpoſe to lay Siege to *Great Waradin*, while the *Turkiſh Divan*, who were thunderſtruck with a Defeat ſo unexpected and ſo deciſive, and who trembled for the Effects it might have on the People, diſpatch'd *Marſigli*, accompany'd with a *Chiaus* to meet his Highneſs on his March, with Aſſurances, That both the Grand Seignior and *Hali* Baſhaw, the late *Caimacan*, and new Prime Viſier, were, above all things, deſirous of a Peace; and that, on receiving proper Encouragement from his Highneſs, the Latter would actually ſet out for *Belgrade*, together with the *Engliſh* and *Dutch* Embaſſadors, in order to adjuſt the Preliminaries, and agree upon the Place where the Conferences ſhould be held. Poſſibly, this Meſſage was yet more ſubmiſſive than it is here repreſented; for when it was imparted to the *Poles* and *Venetians*, they not only nominated their Plenipotentiaries, but furniſh'd them with proviſional Orders for their Journey into *Hungary*, where it was on all Sides admitted, that the Negotiations ſhould be carry'd on. It has even been ſuggeſted, That the *Divan*, as an Inducement to the Allies to grant them the Conſolation of a Treaty, had authoriz'd theſe their Envoys to offer the Surrender of *Cami-*

They again apply for Peace.

A. D. 1691. *nire* dismantled to *Poland*, and to abandon all *Hungary* as far as *Belgrade*, to the Emperor. But whatever their Offers were, it appears they met but with an indifferent Reception. Bishop *Burnet* says, "If the Court of *Vienna* had really desir'd a Peace, they might have had it upon this Victory on very easy Terms: But they resolv'd they would be Masters of all *Transylvania*: And, in order to that, they undertook the Siege of *Great Waradin*, which they were forc'd to turn into a Blockade; so that it did not fall into their Hands till the Spring following. The Emperor was led on by Prophecies that assur'd him of constant Conquests, and that he should, in Conclusion, arrive at *Constantinople* itself; so that the Practices of those whom the *French* had gain'd about him, had but too much Matter to work on in himself."

There were also some unlucky Circumstances, which, happening about this time, had a Tendency to continue the Rupture: 1. For as *Marsigli* and the *Chiaus* were on their Return from the Imperial Camp, they fell into an Ambuscade of *Rascians*, who, seeing them both in *Turkish* Habits, put the Latter to death, and desperately wounded the Former, before he could convince them of their Error. 2. The News of this unlucky Accident had scarce reach'd the *Porte*, before Sir *William Hussey* fell sick and died. 3. Towards the Close of the Year, the new Visier, at whose Instance the late Offers had been made, died also at *Adrianople*; and *Ibrahim Bassa*, by the Intrigues of the *French* Embassador, was elevated to that high Station in his Room. And,

Lastly, when Prince *Lewis*, finding it impossible to reduce *Great Waradin* by any other Methods than by starving the Garison, was return'd to *Vienna*, and the great Question was argu'd in a full Divan, Whether they should make any new Submissions to the Imperial Court, or whether they should prosecute the War with all the Strength and Vigour they were yet Masters of, the *French* Embassador was call'd in (no doubt, according to previous Concert) and not only undertook to shew, That it was against the Principles of the *Mussulman*-Faith to make Peace on such injurious Terms, as also, that such a Peace was against the fundamental Interests of the *Ottoman* Empire, but enforc'd his Arguments with a solemn Offer in his Master's Name, of Provisions, Ammunition, Officers, Engineers, Money, or whatsoever else they had occasion for, or the Ability and Friendship of his *most Christian* Majesty could supply. Upon which it was unanimously resolv'd, to continue the War; and to inspire the People with the same Sentiment, the Horse-Tail, and Standard of *Mahomet*, were expos'd at the Gates of the Seraglio; which is never done, but when a Belief is to be propagated, That their Religion is at stake, and that it is the Duty of all to co-operate for its Preservation.

But by the Encouragement of the French, refuse to continue the War.

Thus much is sufficient to shew the general Connections of the several Powers of *Europe*, with respect to the War; for as to the particular Operations of the *Poles* and *Venetians* this Summer, we may pass over them without Regret, as they were neither very interesting or entertaining: And now it is incumbent on us, to return to our own more immediate Province.

A. D. 1691.

We left the united Fleet of *England* and *Holland* under the Command of Admiral *Russel*, setting Sail for the Westward, *May* the 23d; and we learn from *Burchet* and others, That the Services expected from them, were, to provide for the Security of the *Smyrna*-Fleet of both Nations (the Cargoes of which were estimated at four Millions Sterling, and which was now on its Return, under the Convoy of fourteen Men of War, commanded by Captain *Aylmer*) and to go in quest of the *French* Fleet: But the Admiral, in his Passage down the Channel, met with such contrary Winds, that it was almost the End of *June* before he reach'd the Ocean: And in that Interval, the *Smyrna*-Fleet, which was seven Weeks in its Passage from *Cadiz*, ran a very great Risque of falling into the Hands of the Enemy, who lay in wait for them till within eight or ten Days of their Arrival.

Occurrences at Sea.

It should have been remember'd, that the Admiral left a small Squadron before *Dunkirk*, to hold the Privateers of that Port in check, and cover the Navigation of both States: And it is now to be observ'd, that he directed his Course first towards *Ushant*; but having been inform'd, that the *French* Fleet was at Sea, put away immediately for the Coast of *Ireland*, where he arriv'd on the eighth of *July*, and receiv'd Intelligence, that the *Smyrna*-Fleet had come safe to anchor at *Kingsale* on the third before. Hereupon he order'd Captain *Aylmer* to weigh with the whole Fleet, and join him; which he did; and then the Admiral took upon himself to conduct them as far as *Scilly*. This employ'd him till the 13th, at which time, having receiv'd authentic Assurance, that the Enemy had no Ships of Force in the Channel, he suffer'd them to proceed on their Voyage with their own Convoy, and once more put over to *Ushant*, from whence he sent a Letter to the Secretary of State, desiring that it might be consider'd, whether the Fleet, before its return, could be serviceable towards the Reduction of *Ireland*; urging, that the Provisions would last no longer than the latter End of *August*, and that he thought it was unsafe for the great Ships to be out at Sea after that time; but withal desiring, that Recruits of Provisions might be made ready at *Plymouth*, that in case of an Opportunity of Service the Fleet might be in a Condition to make use of it.

The *Smyrna*-Fleet came safe into the *Downs* upon the 19th; and when Admiral *Russel* came upon his Station, he detach'd Sir *Cloudesly Shovel*, with sixteen Men of War, *English* and *Dutch*, to look into *Brest*; which they did under *French* Colours, but without the full Effect desir'd; for they were soon discover'd; and of thirty small Vessels, and three Convoys that lay in the Offing, they took no more than six or seven; the

A. D. 1691. rest making their Escape into the Harbour, except one of the Convoys, which, having miss'd her Stays, was forc'd to run among the Rocks for her Preservation.

However, by this Attempt the Admiral receiv'd Intelligence, That the Enemy were still at Sea; and, some Days after, several of their Tenders, laden with Provisions, falling into his Hands, he was farther inform'd, That the Rendezvous of their Fleet was about sixty Leagues West, or W. S. W. of *Ushant*: That Count *Tourville* had Orders to avoid a Battle if possible; and that he took all possible Precautions accordingly. Now there is an Article in the *London Gazette*, N°. 2681, which says, That on the 15th, which was two Days after *Russel* parted with the *Smyrna*-Fleet, the *Spanish-Alliance* Packet-Boat, from the *Groyne*, fell in at twelve at Night with a large Fleet, which they took to be the *French*, about twenty Leagues from *Ushant*, steering towards *Belliste*: That on the 17th, in the Morning, they fell in with another large Fleet, which they took to be the *English* and *Dutch*: That the two Fleets were about twenty Leagues asunder; and that the Wind was at *West*. And in the *State of Europe* for *August*, 1691, we are told, That while the Admiral was within a few Leagues of *Brest*, he understood that the *French* Fleet lay at *Belliste*, but secur'd in such a manner, that it was impossible to attack them; and yet, instead of proceeding to *Belliste*, he made for the Rendezvous above-mention'd; and not finding them there, return'd again to his Station off of *Ushant*; from whence he sent home for fresh Orders, which, we are told, he receiv'd, but found them so perplex'd, that, having Intelligence of the *French* Fleet's being gone into *Brest*, he, in the Beginning of *August*, pursuant to the Resolution of a Council of War, return'd to *Torbay*.

Thus we are to understand, that while the United Fleets were yet in quest of the Enemy, they got into *Brest*; and, it is certain, that the same Article in the *Gazette*, dated *August* the ninth, which mentions the Return of our Fleet to *Torbay*, on the seventh, mentions also the Return of the *French* to *Brest*. To Landmen, however, it seems something strange, that the *French*, if so effectually secur'd at *Belliste*, should run the Risque of a Rencounter by returning so soon to *Brest*; and that so large a Fleet as theirs, should be so long invisible to ours; when we are assur'd, that the Latter sail'd in such a Posture, that the Scouts on each Wing, as well as those a-head and a-stern, could, in clear Weather, see twenty Leagues round: But then, to obviate all Objections, we are farther told, that Mr. *de Tourville* kept Scouts at a considerable Distance on all Points of the Compass, by which he could be approach'd; and these being chas'd by ours, they immediately ran, making Signals to others that lay within them; so that it was impossible to come up with the Body of the Fleet; and with this we must be satisfy'd.

While the Admiral lay in *Torbay*, he apply'd to Court for an Explanation of his former Orders, and was directed to put to Sea again: Accordingly, having taken in fresh Stores of all sorts, on the 28th, he set sail once more to the Westward; but, having stretch'd as far as *Ushant*, without finding or hearing of any Enemy, he thought it his wisest way to tack about and return home: And yet, though his Cruise was so extremely short, the very Misfortune which he seem'd so much to apprehend, overtook him before he could recover the *English* Ports; for on the second of *September*, being on his Return, a violent Storm arose, which lasted all the following Night; and next Day the Admiral made a shift to reach *Plymouth-Sound*, together with a great Part of the Fleet: But the *Coronation*, a second Rate, and the *Harwich*, a third Rate, were lost, only with this Difference of Circumstance, that the Captain of the former, and above three hundred of his Crew were drown'd; and those of the Latter were sav'd. Many of the other Ships also receiv'd considerable Damage: And while these were refitting at *Plymouth*, under the Care of Sir *Cloud Shovel*, for the Channel Service, the Admiral weigh'd again, and proceeded to *Portsmouth*, where he receiv'd Orders to send up the great Ships to *Chatham*, and out of the Remainder to form a Squadron of thirty *English* and *Dutch*, to be sent immediately to the Coast of *Ireland*; Intelligence had been receiv'd, that the *French* intended to make a new Attempt in favour of their Party there; and there was no Service which the Court had now more at heart, than the Extinction of the War there, that his Majesty might be at Liberty to employ his whole Force on the Continent, in the next Campaign.

A. D. 1691.

The Coronation and Harwich lost in a Storm.

Now this Intelligence was true, tho' we find the contrary asserted, and a *French* Squadron of eighteen Men of War, six Fire-ships, and twenty Transports, under the Command of Mr. *de Chasteau Renaud*, and having on board ten thousand Arms, a great Quantity of Provisions, *&c.* did actually come into the *Shannon* about the Middle of *October*: And whereas it is also asserted, that Sir *Ralph Delaval*, who had the Command of the said thirty Ships, could not execute his Orders, on account of the contrary Winds, we learn from the *London Gazette*, That he set sail from *St. Hellens*, *October* the ninth; that he came to anchor in *Portland-Road* on the twelfth; that on the fourteenth he pass'd by *Lime*, with the Wind S. S. W. and put into *Torbay*; that on the nineteenth, he set sail again, with the Wind at N. N. E. and pass'd by *Falmouth* the next Day; and that on the twenty-fifth, the *Centurion*, *Plymouth*, and *Adventure*, with two Vessels laden with Ammunition, arriv'd at *Kingsale*, having left the Admiral twenty-five Leagues from that Port: So that if it should be allow'd, that he could not prevent the Arrival of the *French*, it is reasonable to think, that he might have attack'd them at their Departure; for they did not leave the Coast of *Ireland* till towards the End of *November*; and we find him coming again to anchor at *Spithead* on the

[Lives of the Admirals, *vol.* iii. p. 56.]

A. D. 1691. the ninth. To account, therefore, in the moſt ſatisfactory manner we can for this Conduct of the Admiral, we muſt preſume that the Surrender of *Limerick*, which we ſhall treat of more at large in its Place, and of which Advice was brought to Court, while he lay in *Portland-Road*, occaſion'd ſome material Alterations in his Orders.

A little Fleet of French *Privateers plunders* Widdrington *Caſtle.*

To complete the Naval Hiſtory of the Year, it remains to be obſerv'd, 1. That notwithſtanding the Seas were, in a manner, cover'd with our Ships of War, a little Fleet, conſiſting of ſeven *French* Privateers, from 16 to 20 Guns each, had the Confidence to make a Deſcent on the Coaſt of *Northumberland*; and having plunder'd *Widdrington* Caſtle, the Seat of Lord *Widdrington*, and ſet fire to the Out-houſes, as alſo to a ſmall Village in the Neighbourhood, made off to their Ships, before it was poſſible to collect ſuch a Body of the Militia together, as were ſufficient to make head againſt them.

Expedition of Codrington *and* Wright *to* Guardalupe.

2. That in the *Leeward Iſlands*, General *Codrington* and Commodore *Wright*, with the Ships and Forces under their Command, made an Attempt on *Guardalupe*; but, being at variance with each other, and having receiv'd Advice, that a *French* Squadron was in the Neighbourhood, gave over their Enterprize, almoſt at the very Inſtant that the Inhabitants, deſpairing of Succours, were preparing to abandon the Iſland.

Five Dutch *Ships protected at* Fort St. George, *againſt ſix* French *Men of War.*

And, 3. That the *French*, having detach'd a Squadron of ſix Men of War, and one Fire-ſhip, to the *Eaſt-Indies*, their firſt Exploit was to attack a ſingle Ship of the Company's, call'd the *Herbert*, of fifty Guns, which, after a long Fight againſt them all, blew up, whether by Accident, or the Direction of the Officers, is not ſpecify'd. It is, however, remember'd, to the (*w*) Diſgrace of the *French* Nation, and even to Human Nature itſelf, that ſuch of the miſerable Wretches as ſwam to the Sides of the *French* Ships, deſiring Quarter, were inhumanly deſtroy'd by them: And it is added, that, after this, they victualed at *Pallicbery*; that the *Dutch* Governor of *Pollicat*, who was then upon the Coaſt, with five Ships, receiving Notice of it, he fail'd to *Fort St. George* for Protection; which was readily granted him; that three *Engliſh* Ships, then lying in the Road, were join'd to the Aſſiſtance of the *Dutch*, and altogether were rang'd under the Cannon of the Fort: That the *French*, ſoon after, came up, and caſting Anchor, immediately began the Engagement: That they grappled their Fireſhip to the *Dutch* Commander in Chief, who fortunately clear'd himſelf of her; that the Fight continu'd for three Hours, with great Obſtinacy; and that, upon the Iſſue, the Aſſailants were ſo roughly uſed, as well by the Guns of the Fort, as thoſe of the Ships, that they were glad to cut their Cables, and make off. A. D. 1691.

Affairs of Ireland.

Our next Tranſition muſt be to the Affairs of *Ireland*, which now conſiſted of two Branches; namely, that of the civil, and that of the military Government: The Year began with two Proclamations in the Name of the Lords Juſtices; the One for ſettling the Clames, Debts, and Contracts, and ſatisfying the Creditors of the Army; and the Other, ſtrictly commanding all Officers and Soldiers to abſtain from all Violences and Diſorders, ſuch as Robberies, Plunderings, cutting down Trees, exacting Money, ſeizing Cattle, *&c.* on pain of making Satisfaction to the Injur'd out of their Pay, and alſo, of being puniſh'd according to the nature of the Offence. And, about the ſame time, General *Ginkle* gave notice to the *Iriſh* Catholics in Arms, That he had Authority to give reaſonable Terms to ſuch as were inclinable to return to their Duty. "Their Majeſties, ſays his Excellency, hereby giving Demonſtration to all the World, that it is not their Deſire to oppreſs the Inhabitants of this Nation, either by perſecuting them for their Religion, ruining them in their Eſtates and Fortunes, or enſlaving them in their Liberty; ſince, after all the Provocations they have receiv'd, they have a greater regard to the Preſervation of the *Iriſh*, than giving way to that juſt Reſentment, which this Behaviour has deſerv'd."

Several Proclamations.

Theſe were again follow'd at different times, by ſix other Proclamations, to the following Effect, *viz.* The firſt ſet forth, 1. That, in order to prevent the treacherous Correſpondence which had been maintain'd between the *Iriſh*, living near the Frontiers and the Rebels, their Lordſhips had thought fit to ſet down the Names of the ſeveral Towns, Caſtles, *&c.* which conſtituted the Frontier Line, and to declare, that all ſuch as, having Protections, liv'd peaceably within or upon the ſaid Line, ſhould ſtill be protected; as alſo, ſuch as liv'd between the ſaid Line and the *Shannon*, provided, that within twenty Days they came within the ſaid Line, together with their Stocks and Families, and that they ſurrender'd themſelves to the Officer in chief of the next Gariſon, and took the

---

(*w*) We find alſo in the *London Gazette* of *Thurſday October* 29, the following Article, dated from *Leghorn*, *October* the eighth:

"There lately arriv'd in the Port of *Tunis*, a *French* Ship laden with divers Merchandizes from *Leghorn*, commanded by Captain *Siccarde*; and ſome Days after came in likewiſe an *Engliſh* Ship call'd the *Retort*, laden with Oyl from *Gallipoli*. And being in a neutral Port, there paſs'd ſeveral Acts of Civility between them; and on the 25th of *September* laſt paſt, the *French* Captain invited the *Engliſh* Captain to Dinner, who went accordingly; and the next Day invited the *French* Captain on board his Ship, where they parted with mutual Satisfaction; but on the 27th, very early in the Morning, the ſaid Captain *Siccarde* came with thirty armed Men in his Boat, and ſurpriz'd the *Engliſh* Ship, killing all the Seamen they found above Deck. The *Engliſh* Captain, who was aſleep in his Cabbin, awaking at the Noiſe, came out to ſee what might be the Occaſion of it, and was ſhot by Captain *Siccarde*, of which he immediately died; and the *French* kill'd and ſeiz'd upon the reſt of the *Engliſh* Mariners: After which, Captain *Siccarde* return'd on board his own Ship, and ſet ſail, carrying the ſaid *Engliſh* Veſſel away with him. "'Tis ſaid that another *French* Ship was likewiſe concern'd in this Fact, at leaſt, that they aſſiſted Captain *Siccarde* with ſome Men, ſeeing he had hardly ſo many on board his Ship as he carry'd with him in his Boat to fall upon the *Engliſh*. The Government of *Tunis* deteſting the baſe Perfidiouſneſs of this Action, have, as a Mark of their Reſentment of it, and the Violation of their Port, and, in order to the procuring Satisfaction for the Loſs ſuſtain'd by the *Engliſh*, impriſon'd the *French* Conſul there."

A.D. 1691. the Oath of Allegiance; but otherwiſe to be put out of their Majeſties Protection, and to be treated as Spies and Enemies. The ſecond ſet forth, That, whereas, it had been found by Experience, that the *Iriſh* in Rebellion, did, by ſecret and cunning ways, furniſh themſelves with great Quantities of Proviſions, *&c.* in exchange for Braſs and Copper Money; after the 26th of *February*, the ſaid Braſs and Copper Money ſhould be no longer current, or uſed in any Payments whatſoever.

By a third, all Quarrels and Duels between the Officers and Soldiers, were forbid, on pain of being caſhier'd, and render'd incapable.

The fourth revoked and ſuperſeded all former Protections (except thoſe granted by the General, the Secretary of State, or the Secretary of War) becauſe of the Inconvenience which had been found to ariſe from the irregular granting them; by which means, Spies and Traitors had been ſhelter'd, and many Robberies and Murders committed: And declar'd, that the Judges of Aſſize were empower'd in their ſeveral Circuits to grant Protections to all ſuch, of what Religion or Perſuaſion ſoever, as ſhould ſurrender their Arms, Ammunition, and take the Oath of Allegiance, *&c.*

The fifth was calculated to encourage thoſe who had taken the forfeited Lands of the Commiſſioners for one Year, and to improve the ſame, by giving Aſſurances to the ſaid Tenants, that they ſhould be continu'd in Poſſeſſion, or ſhould be allow'd a due Conſideration out of the Product.

And the ſixth imported, That, notwithſtanding the great Clemency extended by their Majeſties to the Popiſh *Iriſh* Inhabitants of that Kingdom, ſuch was the implacable Malice of the ſaid Inhabitants, that they not only reliev'd their Majeſties Enemies, but join'd with them in committing and concealing many horrid Murders (one of which, namely, of eight Soldiers, inhumanly ſtrangled at one time, and in one (x) Place had been lately diſcover'd) and that the Lords Juſtices, being convinc'd that there was a Confederacy amongſt many of them, to give all the Aid in their Power to their Majeſties ſaid Enemies, as alſo to take all Opportunities to deſtroy their Majeſties Officers, Soldiers, and other their good Subjects, did publiſh and declare, that if any ſuch Murder ſhould hereafter be committed in any of their Majeſties Quarters, and the Popiſh Inhabitants of that Neighbourhood ſhould not immediately uſe their utmoſt Endeavours to apprehend the Malefactors, and diſcover all they knew of the Fact to the next Magiſtrate, they ſhould be put out of their Majeſties Protection, and proceeded againſt as Spies and Enemies, according to the Courſe of War.

When alſo the Army was on the Point of taking the Field, the Lords Juſtices, to encourage Sutlers to attend the Camp, ſtrictly charg'd and commanded all Officers, civil and military, and all Soldiers, not to diſturb or moleſt any ſuch as ſhould follow the Camp in that Capacity, having a warrant from the Colonel of any Regiment, or Leave from the Lords-Juſtices, on pain of being proceeded againſt with the utmoſt Severity. They moreover charg'd and commanded all Officers and Soldiers, to pay the ſaid Sutlers punctually for whatſoever they ſhould be furniſh'd with by them; and that all Perſons, Proteſtants as well as Papiſts, except the ſaid Sutlers, ſhould repair to, and ſtay at, their reſpective Habitations, and not preſume to follow the Camp, on pain of Death. A.D. 1691.

By another Proclamation, all the Inhabitants of the Counties of *Waterford* and *Tipperary*, were requir'd to repair to their own Houſes, within three Days; and likewiſe, all thoſe of the Counties of *Cork*, *Limerick*, and *Kerry*, in order to be employ'd in the Militia, for the Defence of the Country, while the Army was in the Field.

And by an Order of General *Ginkle*, all Officers, Soldiers, *&c.* were ſtrictly charged not to preſs any Horſes or Carts, without a written Licence from the Lords-Juſtices or himſelf; and wherever the Militia was to be upon Duty, no Perſon was to preſs any Horſe actually liſted in the Militia, upon any Pretence whatſoever.

Laſtly, the Lords-Juſtices ſet forth yet another Proclamation, in which it was declar'd, That, to prevent Robberies, wilful burning of Buildings, Corn, and Hay, Murders and Inſurrections, with which thoſe Parts of the Kingdom under their Majeſties Obedience were threaten'd by the Rebels and their Adherents, during ſuch time as their Majeſties Force ſhould be upon their March to the Frontiers, or in the Quarters now poſſeſs'd by the Rebels, if the Popiſh *Iriſh* Inhabitants of the ſaid Parts, in caſe any ſuch Robberies, Burnings, Murders, or Inſurrections ſhould be committed by the Rapparees in their Neighbourhood, did not immediately give notice of every ſuch Enormity to the next Magiſtrate, and aſſiſt them in the taking and deſtroying the ſaid Rapparees, they ſhould be deem'd Confederates of the ſaid Rapparees, and ſhould be proceeded againſt with the utmoſt Severity of military Execution: As alſo, that if any of the Popiſh protected Inhabitants ſhould be found out of their Houſes after nine o'Clock at Night, or before four o'Clock in the Morning, they ſhould forfeit the ſaid Protection: That if any Arms or Ammunition, after a certain Day, ſhould be found in the Poſſeſſion of any of them, they ſhould be look'd upon as Rebels, and treated accordingly: And that as, on the one hand, they intended to puniſh ſeverely all ſuch as ſhould offend in any of theſe Particulars, ſo, on the other,

(x) In *Mallahidart* Church, near *Dublin*. And in another ſubſequent Proclamation, we find one Father *Brewer*, a *Romiſh* Prieſt, charg'd with being a main Abetter, if not the firſt Contriver of the ſaid Murder, and a Reward of fifty Pound offer'd for apprehending him.

A. D. 1691. other, they did assure all the said *Irish* Inhabitants, then living under their Majesties Protections, that if they behav'd themselves as became good Subjects, they should have the Benefit thereof.

All these Proclamations and Orders, it must be understood, were the Result of the joint Deliberations of the Lords-Justices, and the General, who seems to have had an equal Share in the Government with them, tho' his Name was not expres'd in the Commission.

A sharp Skirmish at Mote-a-Grenogue. And now, as to the Progress of the War, which is the Province we are next to enter upon, there was scarce a Week in the opening of the Year that pass'd over without a Skirmish; and, among these, there was one at a Place call'd *Mote-a-Grenogue*, considerable enough to deserve Remembrance. *Ginkle*, having, towards the End of *February*, receiv'd Notice, that a considerable Body of the Enemy were advancing to *Ballymore*, drew together such a Party of his Forces, as he thought sufficient to encounter them, and, together with Sir *John Lanier*, set out in Person upon that Service. The Enemy, on Advice of his Approach, at first made a Disposition to stand their Ground, which was accessible only by one Pass, and that they had attempted to secure by Pallisados, though so ignorantly, that they had turn'd the Points of the Pallisados inward against themselves; but when they saw *Ginkle's* Forces at hand, their advanced Guard, which were posted at the Pass, fled, without firing a Gun, and were purstu'd by the *English* Horse and Dragoons towards *Mote-a-Grenogue*, the Place before mention'd, where, and upon a Hill adjacent, their main Body were drawn up in good Order, but without any Resolution to make use of it; for they also fac'd about, and, after the Example of their Van, immediately took Sanctuary in the Town; which they had render'd defensible, by throwing up a Trench at the Entrance of it: Not being, however, of that Opinion, they only made use of it to retard the Pursuit of the *English*, and continu'd to retreat with the utmost Precipitation; being follow'd by a small Party of Horse, *Kirk's* Grenadiers on Horseback, and a Detachment of *St. John's* Regiment of Foot, who overtook them before they could make their way out of the Town, and wholly dispers'd their Foot; after which, the small Party of Horse, just mention'd, which amounted to no more than twenty-two, with Lord *Lisburn*, a Volunteer, at their Head, drove all their Cavalry before them, almost to the Gates of *Athlone*. The Importance of this Action did not consist so much in the Slaughter that was made, for not above two hundred of the *Irish* were kill'd, as in the seizing their Baggage, almost all their Arms (which both Horse and Foot threw away to favour their Flight) and the killing and taking above five hundred of their Horses; not to insist on the additional Disgrace which it brought on their Troops in general, nor the additional Confidence that, on the contrary, it inspir'd those with, who had obtain'd so cheap a Victory. A. D. 1691.

The Campaign, however, was not open'd in Form till after the Arrival of Mr. *St. Ruth*, who, to the Prejudice of all the *Irish* Officers, was to command in chief, and who, if the *Gazette* is to be depended upon, issued all his Orders in the Name of King *Lewis*, instead of King *James*; in whose Cause, and under whose Commission he pretended to fight.

The Rendezvous of the *English* was at *Mullingar*, from whence they decamp'd on the sixth of *June*; and the next Morning came before *Ballymore*, which, tho' a strong Place, and garrison'd with seven hundred and eighty Men, four Field-Officers, sixteen Captains, fourteen Lieutenants, twelve Ensigns and Cornets, and two hundred and eighty-nine Rapparees, all very well arm'd, surrender'd the next Day at Discretion, for want of Powder (of which they had but four Barrels) and Courage to make one Day's vigorous Defence, in hope of better Terms. Ballymore surrender'd at Discretion.

On the 18th the Army dislodg'd from *Ballymore*, and, having been re-inforc'd on their March by the Prince of *Wirtemberg*, with his *Danish* and *German* Mercenaries, encamp'd that Evening in *Ballymony-Pass*, from whence they advanc'd the next Morning towards *Athlone*, a strong Town on the *Shannon*, which runs thro' the midst of it, very difficult of Approach, surrounded with Fortifications, strongly garison'd, and having behind it, on the other Side of the River, the whole *Irish* Army.

Every Step of that Day's March was full of Difficulties and Danger; for the Rout of the Army lay thro' a Succession of Defiles, skirted on all Sides with Hills, which the Enemy were in Possession of, and might have made a terrible use of, if they had thought proper: But instead of doing so, on the first Sight of the Assailants, they retir'd from Hill to Hill, as if their Business had been to shew them the nearest way to the Town; which, by this means, was invested on that Side, the same Evening. The next Morning a Battery of ten Eighteen-pounders began to play on the Bastion next the Water, towards *Lanesborough*, with such Success, that, before three in the Afternoon, the whole Face, Flank, and Part of the Curtain were laid in Ruins. Upon this, the General, *Ginkle*, (for it does not appear that the Prince of *Wirtemberg* enter'd into any Competition with him for the chief Command, tho' he had so warmly contested that Point before, with the Earl of *Marlborough*) order'd a Disposition to be made for a Storm; which, about six in the Evening, under a Discharge of all the battering Cannon, as usual, was began, by three hundred Grenadiers, two hundred Fusiliers, two Regiments of Foot, and 250 Pioneers, with Fascines, Axes, &c. Lieutenant-Colonel *Geer*, a *Frenchman*, who commanded the Grenadiers, was the first that mounted the Breach; and scarce had he thrown his Grenade, fir'd his Piece, and given the Word of Command, before he receiv'd a Shot in his Body; notwithstanding Athlone besieged.

A. D. 1691. notwithſtanding which, he continu'd to animate his Men, (*y*) till he ſaw they were Maſters of the Breach, and till the whole Party pour'd in to their Support. The *Iriſh*, who had made but little Reſiſtance, now fled in the utmoſt Confuſion towards the Bridge, which, for ſome time, was cover'd with them, and at laſt was broke down by thoſe on the other Side, with ſo little regard to the Fugitives, that Numbers were forc'd to leap into the *Shannon*; of whom not a few were drown'd. As the Reſiſtance was ſo ſlight, the Loſs on both Sides was ſuitable; for even of the Aſſailants, not above ten were kill'd, and twenty wounded.

But if the Succeſs was great, and cheaply obtain'd, it was no more than a Preparatory to what was ſtill to be done; for they had the River to paſs before they could make their next Attack; and the Enemy were in Poſſeſſion of all the Fords, which they had ſecur'd with Redoubts, and every other Precaution that could be taken for their Defence. Not to loſe time, however, the General proceeded the very next Day to raiſe his Batteries, and, by the 25th, plied the Caſtle on the *Connaught*-Side of the Town, with no leſs than twenty-two Pieces of Cannon, and ſix Mortars. The 26th and 27th were employ'd in continual cannonading, and certain fruitleſs Attempts to repair the Bridge: And on the 29th, a great Part of the Town and Caſtle being ruin'd, another Storm was reſolv'd upon; but poſtpon'd, becauſe the Enemy had found Means to burn the Gallery, which the Beſiegers had carry'd on contiguous to the Bridge, and from whence they deſign'd to begin their Attack on the Town; and that with ſo unaccountable a Deſpondency, that in the Council of War which was held the next Morning, it was warmly debated, whether it was adviſeable to make another Attempt, or draw off? Which Side of the Queſtion the General inclin'd to, is not ſpecify'd, but, we are told, that it was owing to the Arguments of the Prince of *Wirtemberg*, and the Major-Generals, *Mackay*, *Talmaſh*, *Ruvigny*, and *Tetteau*, that the Attack was reſolv'd upon: And it is farther mention'd to their Honour, that they offer'd themſelves to conduct it in (*z*) Perſon. This Opinion having been adopted, the Means of putting it in Execution became the beſt Point of Debate; and a Ford having been diſcover'd between the two Towns, to the Left of the Bridge, wide enough for twenty Men to march a-breaſt, it was alſo reſolv'd, to begin the Action there, with the ſame Detachment which had been order'd out the Day before; and that, while the Enemy directed their whole Attention to that Place, ſuch uſe ſhould be made both of the Bridge and their Pontoons, as Opportunity ſhould allow, or the Service require.

[*Life of King William*, v. ii. p. 258.]

Accordingly, at four o'Clock, the ſaid Detachment was under Arms, but were not drawn out till ſix, which was the uſual time of relieving the Guard, that the Enemy might not ſuſpect the Deſign: And, under this Precaution, which had the deſir'd Effect, the Signal was given, by ringing the Church-bell. Upon which, ſixty Grenadiers, under the Command of a Captain, and two Lieutenants, enter'd the Water by twenties, under a general Diſcharge of all the Artillery. Theſe again were ſupported by another larger Detachment of Grenadiers, and thoſe by ſix Battalions of Foot, all under the Command of the Prince of *Wirtemberg*, and the Major-Generals, *Mackay* and *Tetteau*, accompany'd by *Talmaſh*, who, not having a Command that Day, choſe to ſhare in the Glory of it as a Volunteer. A. D. 1691.

The Place carry'd by Storm.

The Water was Breaſt-high, the Bottom was ſtony, the oppoſite Shore was cover'd with a half-ruin'd Baſtion; and the Enemy kept a continual fire on the Aſſailants from behind it; notwithſtanding all which, with an Intrepidity which can never be too much admir'd, they proceeded thro', with continual Huzzas; and, having thrown their Grenades, drove the Enemy from their Poſts, and were ſo well ſupported on all hands, or ſo weakly reſiſted, that in leſs than an Hour they were Maſters of both Town and Caſtle, together with all the Works belonging to them, at the Expence of no more than fifty Men, if the *Gazette* is to be depended upon.

What renders the whole Affair yet more extraordinary, is the Confideration, that Mr. *St. Ruth*, with the whole *Iriſh* Army, lay at the Back of the Town, and might have pour'd in what Number of Succours he pleas'd: And we are told, that the *Engliſh* were no ſooner enter'd the River, than he was inform'd of it by Expreſs from the Town; but then it is added, That he would not believe it, ſaying, *It is impoſſible; they dare not make any ſuch Attempt, and I ſo near; I would give a thouſand Piſtoles to find it true:* And that even when *Sarſfield* inſinuated, that, to his Knowledge, the *Engliſh* had Courage enough to attempt any thing, and preſs'd him to ſuccour the Town immediately, he perſiſted in his Opinion, with ſo much Warmth and Obſtinacy, as were equally unſeaſonable and unpardonable.

At laſt, however, he was convinc'd of his Miſtake, and diſpatch'd ſome Battalions to remedy the ill Effects of it, if poſſible: But they came too late; he had imprudently ſuffer'd the Works on that Side of the Town next his Camp to continue entire; and, by that time his Party came up, the *Engliſh* had lin'd the Ramparts, and were in as good a Condition to defend the Place, as they were before to reduce it: And now, nothing remain'd but to decamp that very Night, for fear the ſame enterprizing Spirit which had animated the *Engliſh* to make ſo deſperate an Attack on the Town, ſhould alſo animate them

(*y*) He was found under the End of the Bridge, where he had dropt, three Days after, living, and was ſent to *Dublin* to be put under Cure.

(*z*) Biſhop *Burnet* ſpeaks of *Talmaſh* as the only Perſon who made this Offer.

A. D. 1691. *The Irish Army decamp in the Night,*

them to attack him in his Camp, which was by no means in a Condition to withstand the Fury of such an Enemy. Accordingly, in the Night he decamp'd, without Beat of Drum; and, after a March of ten Miles, took Post in the Neighbourhood of *Aghrim*, with a Resolution to remain there till the *English* came up, and, upon one decisive Battle to set the Fate of the Kingdom.

and are follow'd by the English.

Of this *Ginkle* had Information, as also, that to augment his Army, he had drawn the Garisons out of *Sligo*, *James Town*, and *Lanesborough*; and, having as many Motives as *St. Ruth* to finish the War at any Expence whatsoever, pass'd the *Shannon* at *Athlone* on the 10th of *July*, and on the 11th encamp'd on the Left of *Ballinasloe*, on the River *Suc*, on the *Roscommon*-Side, within three Miles of the Enemy.

To reconnoitre, was the first Business, which was done by *Ginkle* in Person, accompany'd by several other General Officers; and they could not but acknowledge, that Mr. *St. Ruth*, in the Choice of his Ground, and the Disposition of his Camp, had shewn himself a Master: His whole Line took up two Miles in Length; his Left was secur'd with a Rivulet, border'd with an Intermixture of steep Hills and little Bogs on each Side, as also the Castle of *Aghrim*, which he had entrench'd and lin'd with Foot; his Right was also secur'd with several Entrenchments, and together with his Front extended along a Rising Ground, which was divided into a Variety of Slopes, bounded with Banks and Ditches, all made subservient to one another by Lines of Communication; at the Foot of which, was a large Bog, almost a Mile over, passable only in two Places; one of which, that on the Left, was commanded by the Castle, and the other to the Right, ran between two rising Grounds, which he had taken care to cover with Parties of Foot.

Strong, however, as his Situation was by Nature, improv'd as it was by Art, and superior as the *Irish* were in Numbers (for they were twenty-five thousand, whereas the *English* were but eighteen thousand) the General, with the Concurrence of a Council of War, resolv'd to attack them the next Day.

The Battle of Aghrim.

Accordingly, on the next Day, being *Sunday*, about 11 o'Clock, for till then the Air was in a manner chouk'd with a thick Fog, the Army began to pass the River *Suc*, the Cavalry at two Fords, and the Infantry and Artillery over the Stone Bridge; and, in the mean while, Mr. *St. Ruth*, who expected them, made his Dispositions, and endeavour'd to animate the *Irish* to behave, for this once, in such a manner, as should do Honour to their Country and their Cause, by telling them, "how successful he had been in suppressing Heresy in *France*, and bringing over a vast Number of deluded Souls into the Bosom of the Mother Church: That it was for this Reason his Master had made choice of him, before others, to establish the Church in *Ireland*, on such a Foundation, that it should not henceforward be in the Power of Hell or Heretics to disturb it; and that all good *Roman* Catholics depended on their Courage to see these glorious things effected. He confess'd Matters had not entirely answer'd his Expectation since he came among them; but added, That all might yet be recover'd: That he was inform'd the Prince of *Orange*'s Heretical Army was resolv'd to give them Battle: That now or never was the time for them to recover their lost Honours and Privileges, together with the Estates of their Ancestors; that they were no mercenary Soldiers, their All being at stake; that their Design was laudable, to restore a pious King to his Throne, to propagate the Holy Faith, and extirpate Heresy; that they might depend on King *James*'s Love and Gratitude, on *Lewis* the Great's Protection, on himself to lead them on, on the Church to pray for them, and on Saints and Angels to carry their Souls into Heaven: And, lastly, he clos'd his Speech with an Order, to give Quarter to none, especially not to spare any of the *French* Heretics in the Prince of *Orange*'s Army. According to Bishop *Burnet*, he also sent their Priests amongst them, to enforce these Exhortations of his; and, as the most powerful of all Motives, to make them swear upon the Sacrament, not to forsake their Colours.

A. D. 1691.

And now the *English* being come up to the Edge of the great Bog, the General order'd certain Parties of Horse to begin the Attack, by clearing the two Passes, that the Infantry on the Right and Left might be able to form on the firm Land that border'd upon it on the other Side; but this prov'd no easy Task; the *Irish* fought as if they were really inspir'd; the Horse were several times repuls'd or overpower'd, but being as often re-inforc'd, and those on the Right having their Way clear'd for them by certain Field Pieces, which did notable Execution, at last carry'd their Point: But, by this time, so much of the Day was spent, so many other Difficulties appear'd in View, and so much Danger in case of a Defeat, that in a Field-Council it was deliberated, whether it was not expedient to defer the Battle till the next Morning; and so much Countenance was given to the Affirmative, that the Tents were actually order'd up. Some Signs of Disorder, however, being discover'd among the Enemy, and it being moreover suggested, that they might decamp in the Night, and give them the Slip, as they had done before at *Athlone*, it was, upon the Issue, resolv'd to renew the Attack; as also, at the Instance of General *Mackay*, that the first Effort should be made by the Left Wing against the Right of the Enemy, on the Presumption, that if they were push'd on that Side, they would be forc'd to weaken both their Center and their Left; in which case the *English* Right would have an easier Task, and the whole Army would have an Opportunity to engage, which would be otherwise impossible. Accordingly, about six o'Clock, the *English* Left began the Battle with all imaginable Bravery, and were

[*Life of King* William.]

as

A. D. 1691. as fiercely receiv'd by the Enemy: Both exchang'd their Fires with only a Hedge between them; and as faſt as the *Engliſh* broke thro' the Lines in Front, they found themſelves attack'd in Flank from the Hedges on each Side; and in this manner were oblig'd to engage the ſame Enemy, and encounter the ſame Difficulties over and over again. By the Dint of Courage and Perſeverance, they did however force their way by Degrees, which drew on the very Caſe that *Mackay* had foreſeen; for *St. Ruth* beginning to fear that he ſhould be overpower'd on that Side, did actually detach ſeveral Corps, both of Horſe and Foot, from his Center and Left, to the Succour of his Right; upon which *Mackay*, who lay in wait for this very Opportunity, order'd three Battalions of Foot to paſs the Skirts of the Bog and the Rivulet into a Corn-Field, which were follow'd by ſeveral more, and ſupported, at the ſame time, by all the Horſe of the Right Wing. The *Iriſh* found ſufficient Employment for all, and, as before in the Right, diſputed every Inch of Ground with an Obſtinacy which they had never manifeſted before. And now it was thought adviſeable for the Center to take their Share in the Action, which they could no otherwiſe do, than by wading through the Bog; which hard Service they perform'd, though it took them up to the Skirts in Mud and Water: But this was the leaſt Difficulty they had to ſurmount; for they had afterwards a Hill to ſcale, which was every where interſected with the Hedges and Ditches, before mention'd, all lin'd with Muſquetteers, who were ſupported at proper Intervals with Squadrons of Horſe. A dreadful Enterprize! And yet ſuch was now their Circumſtance, that the Danger of fighting was leſs than that of retreating. No ſooner, therefore, were they landed from the Bog, than they march'd up to the neareſt Hedges, which they ſoon clear'd of the Out-parties that were appointed to defend them; but when they came up to the main Body of the Enemy, ſuch was their Diſpoſition, and ſo deſperate a uſe they made of it, that the Aſſailants were oblig'd to quit their Ground, and threw themſelves into the Bog, in ſo much Diſorder, and were ſo cloſely preſs'd by the *Iriſh*, who follow'd them above half way over it, that *St. Ruth* could not help crying out in a Bravado, *Now will I beat the* Engliſh *Army to the Gates of* Dublin. But in this critical Inſtant, when all was at ſtake, *Talmaſh* came up with a freſh Body of Men, and having rally'd the broken Regiments, not only made head againſt the Enemy, but having kill'd three hundred, drove the reſt out of the Bog, and recover'd the Ground they had loſt before: But then to maintain it, was to the full as difficult as ever; for the *Iriſh* recollecting their former Succeſs, made another deſperate Stand, and the Diſpute became as doubtful as before. Moſt fortunately, however, *Mackay*, with a conſiderable Body of Horſe, which he had drawn together from ſeveral Poſts, was by this time come to the Aſſiſtance of the Left, who continu'd hotly engag'd, in the manner before deſcrib'd, and by diſlodging *Tyrconnel*'s Horſe and a Regiment of Dragoons, had turn'd the Scale entirely in their Favour: Beſides, Major-General *Ruvigny*, from the Right, obſerving the Diſtreſs of the Center, was advancing to their Relief with his own Regiment of Horſe, late *Schomberg*'s, and that of *Oxford*, together with three Regiments of Dragoons. The great Queſtion was, whether they could come up in time? They had the Fire of a large Body of Foot and Dragoons to receive, as alſo of all the Works which the Enemy had thrown up under *Aghrim* Caſtle: They had, after this, a very dangerous Hollow to paſs; and what was more to be dreaded than all, *St. Ruth*, who had his Eye every where, having obſerv'd this Motion of *Ruvigny*'s, and very well underſtanding the Importance of it, gave Directions to his Artillery to rake them in their March; and then, with his own Guards, and his whole Reſerve of Horſe, rode down *Kilcommedon* Hill, with a Purpoſe to fall upon them at the Paſs, juſt mention'd; but in his way was ſhot dead with a Cannon Ball: Upon which the whole Party immediately halted, his Guards retreated with his Body, the reſt ſoon follow'd them, and as faſt as the News could ſpread, it propagated Confuſion thro' the whole Army, for *Sarsfield*, who was next in Command, and who had been a Variance with *St. Ruth*, ever ſince the Loſs of *Athlone*, was not admitted into the Secret of the Day, and therefore could not ſupport a Diſpoſition which he was not acquainted with. *Ruvigny*, by this lucky Accident, paſs'd the Hollow, without Oppoſition, and taking the Enemy in Flank along the Edge of the Bog, bore down all before him. The Center thus ſeaſonably reliev'd, redoubled their Efforts, and having nothing but the *Iriſh* Foot now to deal with, ſoon puſh'd them to the Top of the Hill; from whence they had the Pleaſure to ſee the whole Line of the Enemy, from Right to Left, giving way almoſt at one Inſtant, and in a few Minutes throwing away their Arms and flying for their Lives, the Foot towards a Bog that lay behind them on their Left, and the Horſe on the High-way, towards *Loughreagh*: Both being cloſely purſu'd by the *Engliſh* Horſe and Dragoons, who, for almoſt four Miles together, cut off all without Diſtinction that fell into their Hands. The whole Action laſted two Hours, and tho' the *Engliſh*, for a great Part of the time, had much the worſt of it, we are aſſur'd, that their Loſs did not amount to quite ſeven hundred; whereas, that of the *Iriſh* was above four thouſand beſides their Baggage, Tents, Proviſions, Ammunition, Cannon, twenty-nine Colours, twelve Standards, almoſt all the Arms of their Foot, and above ſix hundred Officers and others taken Priſoners.

A. D. 1691.

St. Ruth *kill'd with a Cannon-Ball.*

The Iriſh *totally routed.*

In ſhort, it was a *crowning Victory*, as *Cromwell* was pleas'd to call his own at *Worceſter*, and put an End almoſt to the very Hopes of the *Jacobites* in *Ireland*.

Parties were immediately ſent to reduce

Portumny,

A. D. 1691. *Portumny*, *Bannachar*, and *Moor* Caſtle (the two firſt conſiderable Paſſes on the *Shannon*) which were reduc'd accordingly. After which *Ginkle* himſelf, with the Groſs of the Army, on the 29th of *July*, ſat down before *Galway*, which he immediately ſummon'd; and, receiving a Defiance, by way of Anſwer, from Lord *Dillon*, the Governor, and General *d'Uſſone*, not only open'd his Trenches in Form the ſame Day, but on the Morrow by Day-break, carry'd a Fort Sword in Hand which commanded the Approaches to the Town, and paſs'd ſix Regiments of Foot over the River in Pontoons, and four Squadrons of Horſe, to take poſt on the other Side, in order to prevent their receiving the Succours that were actually coming up to their (*a*) Aſſiſtance; which vigorous Meaſures had ſuch an Effect on the Beſieg'd, that they beat a Parley, and deſir'd to capitulate: The Propoſal was accepted, a Treaty was begun, and, after ſeveral Demurs, which took up the reſt of the Day, and all the Night, was finally adjuſted; in Conſequence of which, the Garriſon on the 26th, march'd out with all the Honours of War, and were allow'd ſafe Conduct to *Limerick*.

While theſe things were depending, Captain *Cole*, with a Squadron of Men of War, arriving at *Galway*, to co-operate with the Land-Forces, was order'd by the General to ſet ſail for the *Shannon*: And two Days after the Surrender of the Place, he himſelf began his March towards *Limerick*, which was now the only Place of any great Conſequence that held out for the late King, and to which all the main Body of his remaining Forces had repair'd, with a Reſolution to make ſuch a Stand, as ſhould either give the Court of *France* Time and Opportunity to do ſomething extraordinary for their Relief, or at leaſt enable them to inſiſt on good Terms from that of *England*.

The ſecond Siege of Limerick.

On the 14th of *Auguſt* he came within four Miles of *Limerick*, where he halted, in Expectation of his heavy Cannon from *Athlone*; and for fear of ſuch another Affront as *Sarsfield* had put upon the King the Year before, Major-General *de la Forêt* was detach'd with a ſtrong Party, to convoy it ſafe to the Camp.

Here the General receiv'd Advice, that Lord *Tyrconnel* died of a broken Heart at *Limerick* on the 14th (having liv'd to ſee his Authority ſink with his Power, and to be hated by the *French*, and to be deſpis'd by the *Iriſh*, for having adviſ'd them to come to an Accommodation with the new Government, to prevent the Ruin of themſelves and their Families) and that a Commiſſion had been produc'd from the late King *James*, appointing Sir *Alexander Fitton*, Sir *Richard Neagle*, and Mr. *Plowden*, Lords-Juſtices of *Ireland*.

Here alſo the General being inform'd, that Colonel *Henry Lutterel* had been ſeiz'd by Order of the *French* General *d'Uſſone*, and ſentenc'd to be ſhot by a Court-Martial, for having made ſome Propoſals of a Surrender, he ſent a Meſſenger to that Commander, and his Aſſociates, by a Trumpet, importing, That if He or They put any Man to Death, for inclining to come over to them, he would revenge it on the *Iriſh* Priſoners. A. D. 1691.

For eleven Days together did the Army continue in a State of Inaction at this ſhort Diſtance from *Limerick*, and at laſt, having been re-inforc'd with five Regiments from *Cork*, as alſo with conſiderable Draughts from all the other Garriſons, and inform'd that their Cannon was within one Day's march of them, they decamp'd on the 25th, to inveſt the Place.

The ſame Day, by three in the Afternoon, they drove the Enemy from all their advanc'd Poſts; and, in particular, made themſelves Maſters of *Ireton*'s and *Cromwell*'s Forts, as alſo of a new Fort, which the *Iriſh* had lately built, and garriſon'd with ſix hundred Men, who, after one Diſcharge, evacuated the Place, on the Approach of eighty *Engliſh* Grenadiers. The next Day their Cannon came up, according to Expectation; and while the Batteries were preparing, ſeveral Parties were detach'd to reduce *Caſtle-Connel*, and two or three other Fortifications on the *Shannon*; which was done accordingly; the ſeveral Garriſons being made Priſoners of War. The ſame Day Captain *Cole*, with his Squadron, came up within ſix Miles of the Town, and ſent up all his light Frigates to anchor within ſight of it, to the great Joy of the *Iriſh*, who miſtook them for the *French*, whom they expected to their Aſſiſtance: But they were ſoon undeceiv'd; for their Horſe being encamp'd along the River Side, about four Miles off the Town, theſe Frigates immediately brought their Guns to bear upon them, and not only oblig'd them to diſlodge, but to ſecure themſelves under the Cannon of the Town. On the 26th the Beſiegers began to ply their Cannon and Mortars, and, in particular, endeavour'd to deſtroy the Bridge, in order to cut off the Communication of the Town with their Forces on the other Side. On the following Days they erected yet other Batteries, ſent out Parties to clear the Country of Rapparees; and, finding the Reduction of the Place was like to be a Work of Time, threw up a Line of Contravallation, and took all the other Precautions which had been overlook'd in the former Siege. The Enemy, again, apprehending, that they would alſo make an Attempt to paſs the River, and find Employment for them on the other Side, remov'd their Camp from under the Walls to the upper Side of the Town, in the Road of *Killallow*, and poſted four Regiments of Dragoons to cover the Fords. For many

(*a*) Under *Balderick O'Donnel*, who, upon this Diſappointment, firſt ravag'd the County of *Mayo* with Fire and Sword, and then not only made his Submiſſion to the new Government, but co-operated with the Earl of *Granard* in the Reduction of *Sligo*; which was ſurrender'd about the Middle of *September*, on the like Conditions that had been granted to *Galway*.

A. D. 1691. many Days, however, the Beſiegers ſeem'd to have no other Deſign than to ruin the Town with their Cannon and Mortars, which they ply'd without Intermiſſion; and, according to their own Account, with all imaginable Succeſs; many Breaches appearing, and, in particular, one of above thirty Yards broad. It was in this manner they proceeded till the fifth of *September*; and then, as if they deſpair'd of carrying the Place, the heavy Cannon were diſmounted, ſeveral Forts were evacuated, and ſuch other Motions were made as are known Preparatives to the breaking up a Siege. The *Iriſh* were forward enough to believe what they ſo ardently wiſh'd, and gave Vent to their Joy by loud and repeated Shouts. But no ſooner was the Evening clos'd, than the Pontoons were ſent about a Mile up the River; and Workmen were all Night employ'd in throwing over a Bridge, under the Protection of two hundred Grenadiers, who had been wafted in four great Boats to *St. Thomas*'s Iſland; from whence there was an eaſy Communication with the oppoſite Shore, by the Means of two or three ſhallow Fords. All, however, was conducted with ſo much Silence and Circumſpection, that it was almoſt Day-break before they were diſcover'd, by one ſingle Trooper on the Patrole, and then it was too late to prevent their Purpoſe; for by the time that the four Regiments of Dragoons had taken the Alarm, and were come up, which they were forc'd to do on Foot, their Horſes being at Graſs, the Bridge was finiſh'd, and the Grenadiers, above mention'd, and the Royal Regiment of Dragoons, as alſo four Battalions of Foot, and ſeveral Squadrons of Horſe, were at hand, and in Readineſs to receive them: Upon the Sight of whom, the *Iriſh*, in a Panic, threw down their Arms, and made off in the utmoſt Confuſion, leaving their Tents, Baggage, Saddles, Bridles, and Accoutrements, with two Pieces of Cannon and one Standard behind them. By this time their Horſe, who lay in the Road to *Killallow*, had got under Arms, and made a ſhew of Reſiſtance; but on the Approach of the *Engliſh*, fac'd about, and made a precipitate Retreat towards the Mountains.

This great Point having been thus eaſily carry'd, the Bridge was remov'd nearer the Town; a Fort was rais'd for the Security of it; and all the Fords and Paſſes were ſecur'd which the Enemy had occupy'd before; and yet, after all, we are told, That on the 17th it was warmly debated in a Council of War, Whether they ſhould proſecute the Siege, or march over the River to deſtroy all the Enemy's Forage in the County of *Clare*, and then turn the Siege into a Blockade? As alſo, That it was ſo far carry'd for a Blockade, that an Engineer was order'd to go with a Detachment towards *Kilmulock*, and fortify that Place. But if any ſuch Queſtion did really ariſe, it was decided for the Proſecution of the Siege. And, agreeable to this Deciſion, it was farther reſolv'd, that the General, in Perſon, ſhould paſs the *Shannon* with a ſtrong Diviſion of the Army: that the Prince of *Wirtemberg*, *Mackay* and *Talmaſh*, with the Remainder, ſhould continue the Siege on that Side; and that the neceſſary Meaſures ſhould be taken to give the Enemy a proper Reception, in caſe they thought fit to make a Sally in the mean time. A. D. 1691.

[Story, Boyer, &c.]

Upon this Plan, *Ginkle*, on the 22d, paſs'd over the Bridge of Boats, with ten Regiments of Foot, a large Body of Horſe and Dragoons, and fourteen Pieces of Cannon. About Noon they drew up within Cannon-ſhot of the Town, and about four all the Grenadiers, ſupported by four Regiments of Foot, were order'd to attack the Forts which commanded *Thomond* Bridge; which was no ſooner obſerv'd in the Town, than they brought all the Cannon they could to play upon them, and moreover ſent forth two great Parties to aſſiſt in the Defence of the Places attack'd. The Aſſailants, notwithſtanding, puſh'd on, and made ſuch an Effort as prov'd irreſiſtable; not only carrying the Forts Sword in Hand, but driving the Garriſons, together with their Auxiliaries, before them over the Bridge towards the Town, with ſuch Precipitation, that the Commanding Officer on that Side (a *Frenchman*) fearing the Purſuers would enter with the Purſued, order'd the Bridge to be drawn up, and thereby abandon'd the whole Party to the Fury of a victorious Enemy, who kill'd ſix hundred of them, and took almoſt two hundred Priſoners; among whom were one Colonel (*Shelton*, who dy'd ſoon after of his Wounds) two Lieutenant-Colonels, two Majors, nine Captains, ſeven Lieutenants, and ſix Enſigns, and drove a great Number into the *Shannon*.

The next thing they attempted, was to make a Lodgment within ten Yards of the Bridge Foot; and this they alſo ſucceeded in, tho' they were all the while expos'd to the Cannon of a great Tower, which were play'd upon them without Intermiſſion.

And now the *Iriſh*, ſeeing themſelves incloſ'd on all Sides, believing they were deſerted by *France*, and reſenting, beſides, the late Action of the *French* Officer, who had, with ſo little Remorſe, given up ſo many hundreds of their Countrymen to be cut to Pieces, thought of nothing but a Surrender; and, in order thereto, Colonel *Wallop* and General *Sarsfield*, the ſame Day, enter'd into Conference with the Generals *Scravenmore* and *Ruvigny*, and having made their Report to their Aſſociates, a Parley was beat the next Day on both Sides of the River, and being accepted, the ſame two Officers came out again, and demanded a three Days Truce, that they might invite Colonel *Sheldon*, who lay at *Six-mile-bridge*, with about fifteen hundred Horſe, to participate in the Capitulation. This alſo was granted. On the 25th *Sheldon*, with ſome of his Officers, came into the Camp, and had Leave to paſs into the Town. The next Day *Sarsfield* and *Wallop* din'd with the General, and Hoſtages were exchang'd on both Sides; and on the Morrow, the *Iriſh* ſent out their Propoſals, which, it is ſaid, were

to

A. D. 1691. so extravagant, that *Ginkle* rejected them, as inconsistent with the Laws of *England*; and, at the same time, sent in twelve Articles of *his own*, which, it is also said, became the Basis of the Capitulation. According to Bishop *Burnet*, the *Irish* had been induc'd by the *French* to insist on those extravagant Demands, on purpose that they might be rejected: *But then*, says he, *the King had given* Ginkle *secret Directions, that he should grant all the Demands they could make, that would put an End to that War.*

What these extravagant Demands of the *Irish* were, is no where specify'd; but if they went beyond *Ginkle*'s Concessions, it must be allow'd, they were extravagant indeed. It is certain, the Treaty went on as smoothly after the rejecting the former and proposing the Latter, as before; and that the Lords Justices posted from *Dublin* to give their Sanction to it; as well for the Assurance of the *Irish*, on the one hand, as to screen the General from the Imputation of having taken too much upon him on the other. They arriv'd in the Camp, *October* the first, and, on the third following, the whole Capitulation (which extended not only to the Body of *Horse*, before mention'd, but also to the Castles of *Ross* and *Clare*, and, in general, to all the other Places and Castles in the Kingdom that were still in the Hands of the *Irish*) was finally adjusted, and executed in Form, on the following Terms, which have afforded so much Matter of Exultation to one Party, and of Complaint to the other, that there is a Necessity to insert them entire.

ARTICLES of LIMERICK.

October the 3d, 1691.

The Articles of Capitulation.

I. The *Roman* Catholics of this Kingdom shall enjoy such Privileges in the Exercise of their Religion, as are consistent with the Laws of *Ireland*, or as they did enjoy in the Reign of King *Charles* II. And their Majesties, as soon as Affairs will permit them to summon a Parliament in this Kingdom, will endeavour to procure the said *Roman* Catholics such farther Security in that Particular, as may preserve them from any Disturbance, upon the account of their said Religion.

II. All the Inhabitants, or Residents of *Limerick*, or any other Garison now in Possession of the *Irish*, and all Officers and Soldiers now in Arms, under any Commission of King *James*, or those authorised to grant the same in the several Counties of *Limerick*, *Clare*, *Kerry*, *Cork*, and *Mayo*, or in any of them; and all the Commission'd Officers in their Majesties Quarters, that belong to the *Irish* Regiments, now in being, that are treated with, and who are not Prisoners of War, or have taken Protection, and who shall return and submit to their Majesties Obedience, they and every of their Heirs, shall hold, possess, and enjoy all and every their Estates of Freehold and Inheritance; and all the Right, Title, and Interest, Privileges and Immunities which they and every, or any of them held, enjoy'd, or A. D. 1691. were rightfully and lawfully intitled to, in the Reign of King *Charles* II. and shall be put in Possession, by order of the Government, of such of them as are in the King's Hands, or the Hands of their Tenants, without being put to any Suit or Trouble therein: And all such Estates shall be freed and discharg'd from all Arrears of Crown Rents, Quit Rents, and all other public Charges incurr'd and become due since *Michaelmas*, 1688, to the Day of the Date hereof. And all Persons comprehended in this Article shall have, hold, and enjoy all their Goods and Chattels, real and personal, to them, or any of them belonging, or remaining either in their own Hands, or the Hands of any Person or Persons whatsoever, in trust for, and for the Use of, them, or any of them. And all and every the said Persons, of what Trade, Profession or Calling soever they be, shall, and may use, exercise and practise their several and respective Professions, Trades and Callings, as freely as they did use, exercise and enjoy the same in the Reign of King *Charles* II. provided that nothing in this Article contain'd, be construed to extend to, or restore any forfeiting Person now out of the Kingdom, *except what are hereafter compriz'd*: Provided also, that no Person whatsoever shall have and enjoy the Benefit of this Article, that shall neglect or refuse to take the Oath of Allegiance made by Act of Parliament in *England*, in the first Year of the Reign of their present Majesties, when thereunto requir'd.

III. All Merchants, or reputed Merchants, of the City of *Limerick*, or of any other Garison now possessed by the *Irish*, or of any other Town or Place in the Counties of *Clare* or *Kerry*, who are absent beyond the Seas, that have not borne Arms since their Majesties Declaration in *February*, 1689, shall have the Benefit of the second Article, in the same manner as if they were present, provided such Merchants, and reputed Merchants, do repair into this Kingdom within the Space of eight Months from the Date hereof.

IV. These following Officers, *viz.* Colonel *Symon Lutterel*, Captain *Rowland White*, *Morrice Eustache* of *Gormanstown*, *Chevers* of *Mayestown*, commonly called *Mount Leinster*, now belonging to the Regiments of the aforesaid Garisons and Quarters of the *Irish* Army, who were beyond the Seas, and sent thither upon Affairs of their respective Regiments, or of the Army in General, shall have the Benefit and Advantage of the second Article, provided they return hither within the space of eight Months, from the Date of these Presents, and submit to their Majesties Government, and take the abovemention'd Oath.

V. That all, and singular, the said Persons compriz'd in the second and third Articles, shall have a general Pardon of all Attainders, Outlawries, Treasons, Misprisions of Treasons, Premunires, Felonies, Trespasses, and other Crimes and Misdemeanours whatsoever,

A. D. 1691. ever, by them, or any of them, committed since the *Beginning* of the Reign of King *James* II. and if any of them are attainted by Parliament, the Lords Juſtices, and the General, will uſe their beſt Endeavours to get the ſame repeal'd by the Parliament, and the Outlawries to be reverſed *Gratis*, all but writing Clerks Fees.

VI. Whereas the preſent Wars have drawn great Violences on both Parties, and that if Leave were given for bringing all ſorts of private Actions, the Animoſities would probably continue that have been ſo long on foot, and the public Diſturbance laſt. For the quieting and ſettling therefore of the Kingdom, and avoiding thoſe Inconveniences which would be the neceſſary Conſequence of the contrary, no Perſon or Perſons whatſoever, compriz'd in the foregoing Articles, ſhall be ſued, moleſted, or impleaded at the Suit of any Party or Parties whatſoever, for any Treſpaſs by them committed, or for any Arms, Horſes, Money, Goods, Chattels, Merchandizes, or Proviſions whatſoever, by them ſeiz'd or taken during the time of the War. And no Perſon or Perſons whatſoever, in the ſecond or third Article comprized, ſhall be ſued, impleaded, or made accountable for the Rents or mean Rates of any Lands, Tenements, or Houſes by him or them receiv'd or enjoy'd in this Kingdom ſince the Date hereof, nor for any Waſte or Treſpaſs by him or them committed in any ſuch Lands, Tenements, or Houſes. And it is alſo agreed, That this Article ſhall be mutual and reciprocal on both Sides.

VII. Every Nobleman and Gentleman, compriz'd in the ſaid ſecond and third Articles, ſhall have Liberty to ride with a Sword and Caſe of Piſtols, if they think fit, and keep a Gun in their Houſes for the Defence of the ſame or fowling.

VIII. The Inhabitants and Reſidents of the City of *Limerick*, and other Gariſons, ſhall be permitted to remove their Goods, Chattels, and Proviſions, out of the ſame, without being view'd or ſearch'd, or paying any manner of Duty, and ſhall not be compell'd to leave their Houſe or Lodgings, they now are in, for the Space of ſix Weeks next enſuing the Date hereof.

IX. The Oath to be adminiſtred to ſuch *Roman* Catholics as ſubmit to their Majeſties Government, ſhall be the Oath abovemention'd and no other.

X. No Perſon or Perſons, who ſhall at any time hereafter break theſe Articles, or any of them, ſhall thereby make, or cauſe any other Perſon or Perſons to forfeit or loſe the Benefit of the ſame.

XI. The Lords Juſtices and General do propoſe to uſe their utmoſt Endeavours, that all Perſons comprehended in the abovemention'd Articles, ſhall be protected and defended from all Arreſts and Executions for Debt or Damage, for the Space of eight Months, next enſuing the Date hereof.

XII. *Laſtly*, The Lords-Juſtices and General do undertake, that their Majeſties will ratify theſe Articles within the Space of A. D. 1691. eight Months, or ſooner, and uſe their utmoſt Endeavours that the ſame may be ratified and confirm'd in Parliament.

XIII. And whereas Colonel *John Brown* ſtood indebted to ſeveral Proteſtants, by Judgments of Record, which appearing to the late Government, the Lord *Tyrconnel*, and the Lord *Lucan*, *(Sarsfield)* took away the Effects the ſaid *John Brown* had, to anſwer the ſaid Debts, and promiſed to clear the ſaid *John Brown* of the ſaid Debts; which Effects were taken for the public Uſe of the *Iriſh*, and their Army. For the freeing the ſaid Lord *Lucan* of the ſaid Engagement, paſt on the Public Account, for Payment of the ſaid Proteſtants; for preventing the Ruin of the ſaid *John Brown*, and for Satisfaction of his Creditors, at the Inſtance of the ſaid Lord *Lucan*, and the reſt of the Perſons aforeſaid, it is agreed, That the ſaid Lords-Juſtices, and Lieutenant-General *Ginckle*, ſhall interpoſe with the King and Parliament, to have the Eſtates ſecur'd to the *Roman* Catholics, by Articles and Capitulations in this Kingdom, charged with, and equally liable to the Payment of, ſo much of the ſaid Debt, as the ſaid Lord *Lucan*, upon ſtating Accompts with the ſaid *John Brown*, ſhall certifie under his Hand, that the Effect taken from the ſaid *John Brown*, amounts unto; which Accompts are to be ſtated, and the Balance certified by the ſaid Lord *Lucan* in twelve Days after the Date hereof.

For the Performance whereof, we have hereunto ſet our Hands,

Charles Porter,
Tho. Coningſbey,
Bar. de Ginckle,

Lucan,
Gaimoy,
W. Purſell,
N. Cuſſack,
Theop. Butler,
John Brown,
Ger. Dillon.

Scravenmore,
Preſent *H. Maccay,*
T. Talmaſh.

The other ARTICLES.

I. That all Perſons, without any Exceptions, of what Quality or Condition ſoever, that are willing to leave the Kingdom of *Ireland*, ſhall have free leave to go beyond the Seas to any Country *(England* and *Scotland* excepted) where they think fit with their Families, and Houſhold-ſtuff, Plate and Jewels.

II. That all the General Officers, Colonels, and generally all other Officers of Horſe, Dragoons, and Foot Guards, Troops, Dragoons, Soldiers of all kind, that are in any Gariſon, Place or Port, now in the Hands of the *Iriſh*, or encamped in the Counties of *Cork*, *Clare*, or *Kerry*, as alſo thoſe called *Rapparees*, or *Voluntiers*, that are willing to go beyond Sea, as aforeſaid, ſhall have free Liberty to embark themſelves whereſoever the Ships are that are appointed to tranſport them, and to come, in

whole

A. D. 1691. *whole Bodies*, as they are now compos'd, or in Parties, Companies or otherwise, without having any Impediment directly or indirectly.

III. That all Persons above-mention'd, that are willing to leave *Ireland*, and go into *France*, have leave to declare it at the Places and Times hereafter mention'd, *viz.* The Troops in *Limerick*, on *Tuesday* next at *Limerick*; the Horse at their Camp on *Wednesday*; and the other Forces that are dispers'd in the Counties of *Clare*, *Kerry*, and *Cork* the 18th Day of this Instant, and on none other, before Monsieur *Tumeron*, the *French* Intendant, and Colonel *Withers*; and, after such Declaration so made, the Troops that will go into *France*, must remain under the Command and Discipline of their Officers, that are to conduct them thither: And *Deserters* of each Side shall be *given up*, and punish'd accordingly.

IV. That all *English* and *Scotch* Officers that serve now in *Ireland*, shall be included in this Capitulation, as well for the Security of their Estates and Goods in *England*, *Scotland*, and *Ireland*, if they are willing to remain here, as for passing freely into *France*, or any other Country to serve.

V. That all the General *French* Officers, the Intendant, the Engineers, the Commissaries at War, and of the Artillery, the Treasurer, and other *French* Officers, and Strangers, and others whatsoever, that are in *Sligo*, *Ross*, *Clare*, or in the Army, or that do trade and commerce, or are otherwise employ'd in any kind of Station, or Condition, shall have leave to pass into *France*, or any other Country, and shall have leave to ship themselves, with all their Horses, Equipage, Plate, Papers, and all other Effects whatsoever; and that General *Ginckle* will order Passports for them, Convoys and Carriages by Land and Water, to carry them safe from *Limerick* to the Ships, where they shall be embark'd, without *paying any thing* for the said Carriages, or those that are employ'd therein, with their Horses, Carts, Boats and Shallops.

VI. That if any of the aforesaid Equipages, Merchandizes, Horses, Money, Plate, or other Moveables, or houshold Stuff, belonging to the said *Irish* Troops, or to the *French* Officers, or other particular Persons whatsoever, be robb'd, destroy'd, or taken away by the Troops of the said General, the said General will order it to be *restor'd*, or Payment be made, according to the Value that is given in upon Oath by the Person so robb'd or plunder'd: And the said *Irish* Troops to be transported as aforesaid: And all Persons belonging to them, are to observe good Orders in their March and Quarters, and shall restore whatever they shall take from the Country, *or make Satisfaction for the same*,

VII. That to facilitate the transporting of the Troops, the General will furnish *fifty Ships*, and each Ship burthen two hundred Tons; for which the Persons to be transported, shall not be *oblig'd to pay*; and twenty more, if there shall be Occasion, A. D. 1691. without their *paying for them*; and that if any of the said Ships shall be of lesser Burthen, he will furnish more in number to countervail, and also give *two Men of War* to embark the principal Officers, and serve for a *Convoy* to the Vessels of Burthen.

VIII. That a Commissary be immediately sent to *Cork* to visit the Transport-Ships, and what Condition they are in for sailing; and that as soon as they are ready, the Troops to be transported shall march with all convenient Speed the nearest way, in order to be embark'd there: And if there shall be any more Men to be transported than can be carry'd off in the said fifty Ships, the rest shall quit the *English* Town of *Limerick*, and march to such Quarters as shall be appointed for them, convenient for their Transportation, where they shall remain till the other twenty Ships are ready, which are to be in a Month's time, and may embark in any *French* Ship that may come in the mean time.

IX. That the said Ships shall be furnish'd with Forrage for Horses, and all necessary Provisions to subsist the Officers, Troops, Dragoons and Soldiers, and all other Persons that are shipped to be transported into *France*; which Provisions shall be paid for as soon as all are disembark'd at *Brest*, or *Nants* on the Coast of *Brittany*, or any other Port in *France* they can make.

X. And to secure the Return of the said Ships (the Dangers of the Seas excepted) and for the Payment of the said Provisions, sufficient Hostages shall be given.

XI. That the Garisons of *Clare* Castle, *Ross*, and all other Foot that are in Garisons in the Counties of *Clare*, *Cork*, and *Kerry*, shall have the Advantage of this Capitulation; and such part of the Garisons that design to go beyond Seas, shall march out with their Arms, Baggage, Drums beating, Ball in Mouth, Match lighted at both Ends, Colours flying, with all their Provisions, and half the Ammunition that is in the said Garison Towns, with the Horse that march to be transported, or if then there is not Shipping enough for the Body of Foot that is to be transported, next after the Horse; General *Ginkle* will order, that they be furnish'd with Carriages for that Purpose; and what Provisions they shall want for their March; they paying for the said Provisions, or else, that they may take it out of *their own Magazines*.

XII. That all the Troops of Horse and Dragoons that are in the Counties of *Cork*, *Kerry* and *Clare*, shall have the Benefit of this Capitulation; and that such as will pass into *France*, shall have Quarters given them in the Counties of *Clare* and *Kerry*, apart from the Troops commanded by General *Ginkle*, until they can be shipped; and within their Quarters they shall pay for all things, excepting Forrage and Pasture for their Horses, which shall be furnish'd *gratis*.

XIII. Those of the Garison of *Sligo*, that

A. D. 1691. are join'd to the *Irish* Army, shall have the Benefit of the Capitulation; and Orders shall be sent to them that are to convoy them up, to bring them hither to *Limerick* the shortest way.

XIV. The *Irish* may have Liberty to transport nine hundred Horse, including Horses for the Officers, which shall be transported *gratis*. And as for the Troops that stay behind, they shall dispose of themselves as they shall think fit, giving up their Arms and Horses to such Persons as the General shall appoint.

XV. It shall be permittted for those that are appointed to take care for the Subsistance of the Horse, that are willing to go into *France*, to buy Hay and Corn, at the King's Rates, where they can find it, in the Quarters that are assign'd for them, without any Let or Molestation; and to carry all necessary Provisions out of the City of *Limerick*: And for this Purpose, the General will furnish convenient Carriages for them to the Place where they shall be embark'd.

XVI. It shall be lawful to make use of the Hay preserv'd in the Stores of the County of *Kerry* for the Horses that shall be embark'd; and if there be not enough, it shall be lawful to buy Hay and Oats whereever it shall be found, at the King's Rates.

XVII. That all Prisoners of War that were in *Ireland* the 28th of *September*, shall be set at Liberty on both Sides; and the General promises to use his Endeavours, that Prisoners that are in *England* and *Flanders* may be set at Liberty also.

XVIII. The General will cause Provisions and Medicines to be administer'd to the sick and wounded Officers, Troops, Dragoons, and Soldiers of the *Irish* Army, that cannot pass into *France* at the Embarkment; and after they are cured, will order them Ships to pass into *France*, if they are willing.

XIX. That at the signing hereof, the General will send a Ship express into *France*; and then, besides, will furnish two small Ships, of those that are now in the River of *Limerick*, to transport two Persons into *France*, that are to be sent to give notice of this Treaty; and that the Commanders of the said Ships shall have Orders to put a-shore at the next Place of *France* where they shall make.

XX. That all those of the said Troops, Officers and others, of what Character soever, that would pass into *France*, shall not be stopt upon the account of Debt, or any other Pretence.

XXI. If after signing this present Treaty, and after the Arrival of the Fleet, a *French* Packet-Boat, or other Transport-ship, shall arrive from *France*, in any other Part of *Ireland*, the General will order a Passport, not only for such as must go aboard the said Ship, but to the Ships to come to the nearest Port to the Place where the Troops to be transported shall be quarter'd.

XXII. That after the Arrival of the said Fleet, there shall be a free Communication and Passage between it and the abovesaid Troops, and especially for all those that have Passes from the chief Commanders of the said Fleet, or from Monsieur *Tumeron* the Intendant. A. D. 1691.

XXIII. In Consideration of the present Capitulation, the Town of *Limerick* shall be deliver'd and put into the Hands of the General, or any other Person he shall appoint, at the Time and Days hereafter specify'd, *viz.* The *Irish* Town, except the Magazines and Hospitals, on the Day of signing the present Articles; and as for the *English* Town, it shall remain together with the Island, and the free Passage of *Thomond* Bridge, in the Hands of those of the *Irish* Army that are in the Garison, or that shall hereafter come from the Counties of *Cork*, *Clare*, *Kerry*, *Sligo*, and other places abovemention'd, until there be Convenience found for their Transportation.

XXIV. And to prevent all Disorders that may happen, between the Garison, that the General will place in the *Irish* Town, which shall be deliver'd to him, and the *Irish* Troops that shall remain in the *English* Town and Island, which they may do, until the Troops be embark'd or the fifty Ships shall be gone for *France*, and no longer; they shall entrench themselves on both Sides, to hinder the Communication of the said Garisons; and it shall be prohibited on both Sides to offer any thing offensive, and the Parties offending shall be punish'd on either Side.

XXV. That it shall be lawful for the said Garison to march out all at once, or at different times, as they can be embark'd, with Arms, Baggage, Drums beating, Match lighted at both Ends, Bullets in Mouth, Colours flying, six Brass Guns, such as the Besieged will chuse, two Mortar-pieces, and half the Ammunition that is now in the Magazines of the said Place. And for that Purpose, an Inventory of the Ammunition of the said Garison shall be made in the Presence of any Person that the General shall appoint the next Day after the Aricles shall be sign'd.

XXVI. All the Magazines of Provisions shall remain in the Hands of those that are employ'd to take care of the same, for the Subsistence of the *Irish* Army that will pass into *France*; and that if there shall not be sufficient in the Stores for the Support of the said Troops while they stay in this Kingdom, and are crossing the Sea, that, upon giving account of their Numbers, the General will furnish them with sufficient Provisions at the King's Rates; and that there shall be a free Market at *Limerick* and other Quarters where the Troops shall be; and in case any Provisions shall remain in *Limerick* when the Town shall be given up, it shall be valu'd, and the Price deducted out of what is to be paid for the Provisions to be furnish'd to the Troops a-ship-board.

XXVII. That there shall be a Cessation of Arms at Land, and also at Sea, with respect to the Ships, whether *English*, *Dutch*, or *French*, design'd for the Transportation of

A.D. 1691. of the said Troops until they be return'd unto their respective Harbours; and that on both Sides they shall be furnish'd sufficiently with Passports, both for Ships and Men: And if any Sea Commander, or Captain of a Ship, or any Officer, Trooper, Dragoon, Soldier, or other Person shall act contrary to this Cessation, the Persons so acting shall be punish'd on either Side, and Satisfaction shall be made for the Wrong done: Officers shall be sent to the Mouth of the River of *Limerick*, to give Notice to the Commanders of the *English* and *French* Fleets of the present Conjuncture, that they may observe the Cessation of Arms accordingly.

XXVIII. For the Security of this present Capitulation, and of each Article herein contain'd, the Besieged will give the following Hostages-----and the General will give-----

XXIX. If before this Capitulation is fully executed, there happens any Change in the Government, or Command of the Army, which is now commanded by General *Ginkle*, all those that shall be appointed to command the same, shall be oblig'd to observe and execute what is specify'd in these Articles, or cause it to be executed punctually; and shall not act contrary on any Account whatsoever.

Baron DE GINKLE."

October 3, 1691.

Reflections thereon.

This is what Father *Orleans* very justly calls one of the finest Capitulations that ever was made, and from which an Author of our own takes the Hint to write as follows: "The Case of the *Irish* Nation is so particularly hard, that there is scarce an Instance of the like Nature; most of the Outlawries running for Treasons committed on the 13th Day of *February*, 1688; which was the Day the then Prince and Princess of *Orange* accepted the Crown in the *Banqueting-House*; the News of which could not be known on the other Side *St. George's* Channel the same Day, without Inspiration: But every body knows, at that time the Government of *Ireland* was entirely in the Possession of the late King *James*, by his Lieutenant, the Earl of *Tyrconnel*, who had an Army on foot to have kept the People in Obedience, tho' they should have had never so great an Inclination to revolt. Soon after, the late King *James* went over in Person into that Kingdom, where he was, without Dispute, a King *de Facto*, to whom our own Laws and Principles justify a Submission; upon which this unfortunate People were reduc'd to this Dilemma of being hang'd by one King or the other. But what aggravates the Hardship of this Case, in respect of the Authors of the Oppression, is, That those *Irish* who were the most forward to fling themselves into the *English* Protection, as soon as they had an Opportunity, have far'd the worst, and lost their Estates, only for submitting to Civil Authority; whereas, others who held out to the very last, and were the Occasion of shedding more Blood by a Prolongation of the War, are all indemnify'd by the Articles, which they made with Swords in their Hands; by which Example Posterity will be instructed to hope for more Safety and better Quarter, by a desperate Resistance, than an early Submission." Bishop *Burnet* also admits, That the *English* in *Ireland*, though none could suffer more by the Continuance of the War than they did, were yet uneasy when they saw that the *Irish* had obtain'd such good Conditions: And yet farther, That (notwithstanding *Ginkle's* affected Tenderness for the *Laws of England*) the most Violent among them, who were much exasperated with Wrongs they had suffer'd, began to call in question the *Legality* of some of the Articles. A.D. 1691.

Higgons's short View.

Certain it is, that to those who are too apt to confide in the Professions of Politicians, nothing seems more extraordinary, than to see the very Men who had been hitherto proscrib'd as Rebels, now treated with upon the Level of fair and equal Warriors, who had fought for Dominion only; to see them, vanquish'd as they were, and beset on every Side, dismiss'd with all the Honours of War; and not only so, but deliver'd over in a Body to maintain the same Quarrel under the Ensigns of *France*; and provided with *English* Transports and *English* Convoys, at the Expence of *England*; to see the same Provision made for the very *Rapparees*, and Care taken, by an express Clause, that this Body should not be lessen'd by Desertion; to see the Authority of King *William* engag'd for the Support of the *Roman* Catholic Religion and Interest in *Ireland*, on the same Footing that it had been left by King *Charles*, who had dy'd in that Faith; to see the Professors of that Religion yet farther gratify'd with a Promise of the Royal Endeavours to procure them additional Favours; to see Attainders dispens'd with in Effect, Pardons extended, Forfeitures vacated, and the Course of the Law itself stopp'd to purchase a Pacification; to see many of these things in the first twelve Articles; which are manifestly those that were offer'd at the very Entrance of the Treaty by *Ginkle*: And finally, in the *Irish* supplemental Article, added after that which is called the *last*; to see *Sarsfield's* Title of Lord *Lucan* admitted, tho' granted long after the Abdication, and, as a Reward for his Activity in that very War, which was now, at so high a Price, to be extinguish'd.

Some things, it is true, are urged in Excuse of *Ginkle* and his Associates, namely, The King's peremptory Command, the ill Condition of his Carriage-Horses, which were almost worn out with the Fatigues they had undergone, the Necessity of giving his Soldiers a Recess, the Advance of the Season, and, above all, the daily Apprehension of the Arrival of a Fleet from *France* to relieve the Place. But what Regard soever these several Circumstances may justly deserve, those who also urge, that a *French* Fleet did actually arrive in *Dingle* Bay, two Days after the Capitulation was sign'd, and who from thence infer, that all that was done, was right, deserve no Regard at all; for,

A. D. 1691. for, in the *London Gazette*, N°. 2711, there is an Article from *Dublin*, dated *October* 23, in theſe Words, "The firſt Report we had of the Arrival of the *French* Squadron in the Bay of *Dingle*, was a Miſtake: But we have now certain Advice, that they are come upon the Coaſt of *Kerry*." Whence it is notorious, that from the 22d of *September*, which was the Day that the General cut off the Communication between the Town and the County of *Clare*, he had ſufficient Time, at leaſt, to have reduc'd *Limerick*, and with it the reſt of *Ireland*, to Obedience, before the Arrival of the *French* Fleet; without ſubjecting the Government to the Neceſſity of ratifying ſuch Articles, as are ſcarce reconcileable to the Purpoſes of the Revolution, or to any public Act of Government which had taken place in conſequence thereof.

To draw towards a Cloſe upon this Head, the Reduction of *Limerick* completed the Reduction of *Ireland*: For though ſo large a Body of Men were ſuffer'd to continue together with Arms in their Hands, no very remarkable Diſorder enſued. "The Articles of Capitulation, ſays Biſhop *Burnet*, were punctually executed; and ſome Doubts that aroſe out of ſome ambiguous Words, were explan'd in favour of the *Iriſh*; ſo earneſtly deſirous was the King to have all Matters quieted at home, that he might direct his whole Force againſt the Enemy abroad." And yet we are told by other Writers, that a freſh Rupture had like to have broke out between the two Parties before *Limerick* was evacuated: The Occaſion this: A Lieutenant-Colonel among the *Iriſh*, having been confin'd for refuſing to go to *France*, found Means to make his Complaint to *Ginkle*, who not only interpos'd for his Deliverance, but actually order'd a new Battery of four Guns to be erected on *Boll*'s Bridge, ſaying with ſome Heat, *That he would teach the* Iriſh *to play Tricks with him.* It is added, That a warm Expoſtulation enſued between the General and *Sarſfield*: That *Sarſfield*, in the Courſe of it, ſaying, *He was now in the General's Power*, the General reply'd, *Not ſo; you ſhall go in again and do your worſt*; and that the Affair was at laſt compromiſ'd, by a Diſcharge of the *Colonel*, and all that were in the like Circumſtances.

The *London Gazette* yet farther ſets forth, That the General having iſſued a Declaration on the ſeventh of *October*, promiſing ſafe Conduct and Protection to all ſuch Officers, Soldiers and Rapparees, as, by a certain Day, ſhould lay down their Arms and repair to their reſpective Habitations, in order to live quietly there, above two thouſand of them came over to him, and among them one Colonel with his whole Regiment; and that in all, above three thouſand had diſpers'd themſelves: And yet, we find it elſewhere aſſerted, That the Numbers of thoſe who adher'd to the late King, were about twelve thouſand. The *Gazette* is ſilent on this Head, but ſpecifies, That about two thouſand Foot, and three hundred Horſe were *perſuaded* to march to *Cork*, in order to take ſhipping there for *France*; and that the Reſidue who remain'd in the *Engliſh* Town of *Limerick*, evacuated that Place *November* the ſeventh; and the ſame Day embark'd on board the *French* Tranſports in the *Shannon*; which, together with the Men of War of that Nation, before ſpoke of, had been ſuffer'd to lye there in peace, to receive them, by virtue of an additional Agreement between General *Talmaſh*, who was left to command at *Limerick*, and Mr. *de Uſſone*: That on the ſaid firſt of *November*, Part of thoſe *perſuaded*, as above, to remove to *Cork*, were ſhipp'd alſo on *Engliſh* Bottoms for *Breſt*; that *Sarſfield* himſelf continu'd with the Reſidue, to hinder them from being farther *perſuaded* to give up the Cauſe; and that notwithſtanding all his Vigilance and Addreſs, the Regiments of *Macclermot*, *Bryan O' Neale*, and *Felix O' Neal*, not only refus'd to embark, but march'd to *Clare*, where they deliver'd up their *Arms*, and diſpers'd to their ſeveral Habitations.

A. D. 1691.

Great Numbers of the Iriſh deſert.

The Reaſon aſſign'd for this ſudden Change of Diſpoſition, is the Intelligence which they receiv'd, at the Return of the Tranſport-ſhips, That the Major-Generals of thoſe already tranſported, had been reduc'd to Colonels, the Lieutenant-Colonel and Majors to Captains, the Captains to Lieutenants, the Lieutenants and Enſigns to private Men; and that all in general were very ill treated by their new Maſters. And yet on their Arrival in *France*, they were welcom'd by a Letter from King *James*, directed to General *Sheldon*, importing, That he was extremely well ſatisfy'd with his Conduct, and that of the reſt of the Officers, as alſo with the Valour of his Soldiers; but more particularly, for their Readineſs to come and ſerve where he was; aſſuring them, he ſhould never forget this Act of Loyalty, nor fail, when time ſhould ſerve, to diſtinguiſh them with particular Favours; and informing them, that they were to ſerve under his Commiſſions and Command; and that his Brother of *France* had already given Orders for their being furniſh'd with new Cloaths, Neceſſaries of all ſorts, and Quarters of Refreſhment.

[*Life of King William*, v. II. p. 272.]

But if theſe were ill uſed, the greater Part of thoſe who went into the Service of their Majeſties, were not uſed at all; for, except fourteen hundred that were given to the Emperor, they were diſarm'd and broke, with a ſmall Pittance for their Support, till they had learn'd ſome other Trade.

His Majeſty, who, upon his leaving the Army, had ſpent two whole Months in hunting at *Loo*, receiv'd the agreeable News of the Surrender of *Limerick* at the *Hague*; and having ſettled the State of the War for the next Year with the States Deputies, embark'd in the *Maes* on the eighteenth of *October*, O. S. and the next Day landed at *Margate*.

The King lands at Margate from Holland.

A Proclamation requiring the Attendance of the Members of both Houſes, *not only to meet, but actually to ſit for the Diſpatch of divers weighty and important Affairs* on the 22d of *October*, had been iſſu'd the 24th of *September*

A. D. 1691. *September* preceding; and the Majority of both Houſes were every Day arriving in Town in Obedience thereto; inſomuch, that had not the King landed as he did, his Royal Conſort might have had one Opportunity of filling the Throne of her Father, with the full and complete Majeſty of a Sovereign.

Of the Compliments which he receiv'd from his Nobility, from the City of *London*, *&c.* on his Arrival, there is no need to enlarge, as being Matters of Courſe: But we ought not to forget, That a Proclamation for a public Thankſgiving was ſet forth on the firſt Day of the Seſſion; in which it is declar'd, "That by the wonderful Succeſs of their Majeſties Arms, in reducing *Ireland* to their Obedience, they were in the full Poſſeſſion of their Three Kingdoms, and in a Condition, with the Bleſſing of *God*, to ſettle the ſame in a firm and laſting State of Safety, Honour, and Proſperity." Nor that in the ſame *Gazette*, which contains this Inſtance of Royal Piety, the Story of Captain *Siccarde*, before recited, had the ſecond Place; poſſibly to keep up the Indignation of the People againſt *France* in full Ardour, and reconcile them ſo much the better to the Continuance of a bloody and expenſive Land War, in which it was hard to convince them they had any real Concern.

A public Thankſgiving.

According to Biſhop *Burnet*, a Party was now avowedly form'd againſt the Government, who durſt not ſhew themſelves as long as the *Iriſh* War continu'd, but who now began to infuſe into all People, That there was no need of keeping up a great Land Army; and that we ought only to aſſiſt our Allies with ſome Auxiliary Troops, and increaſe our Force at Sea. "Many, proceeds his Lordſhip, that underſtood not the State of Foreign Affairs, were drawn into this Conceit; not conſidering, that if *Flanders* was loſt, *Holland* muſt ſubmit to take the beſt Terms they could get; and the Conjunction of thoſe two great Powers at Sea, muſt preſently ruin our Trade, and, in a little time, ſubdue us entirely. But it was not eaſy to bring all People to apprehend this aright; and thoſe who had ill Intentions, would not be beaten out of it, but cover'd worſe Deſigns with this Pretence. And this was ſtill kept up as a Prejudice againſt the King and his Government, That he lov'd a great Army about him; and that when they were once modell'd, he would never part with them, but govern in an arbitrary way, as ſoon as he had prepar'd his Soldiers to ſerve his Ends."

A Party form'd againſt the Government.

Who were at the Head of this Party, his Lordſhip does not ſtay to inform us; and we are left to conclude, that they could be no other than *Tories* and *Jacobites*; while, on the other hand, the Earl of *Warrington*, better known by his old Title of Lord *Delamere*, an Almoſt-*Republican Whig*, not only places the *Land War* to the Account of thoſe very *Tories* and *Jacobites*, but contends for a Naval War, with as much Warmth, as if the very Being of the Nation depended upon it.

According to him, his Majeſty's *Adviſers* knew, that the *French* King could neither have had Money, Men, nor Arms to offend his Neighbours, if the many Millions of Money given by Parliament ſince the Revolution had been ſpent in Naval Forces, put into ſkilful and faithful Hands, which had apply'd themſelves to prevent the Trade of the *French* with other Nations. A. D. 1691. [Impartial Enquiry, *&c.* p. 18, 19.]

It would have coſt, continues his Lordſhip, leſs than the Money given, to have ſent out yearly a Royal Fleet of an hundred Sail for our Defence and Glory, as early in the Spring as was needful; and, over and above, to have hired an hundred Sail of the beſt Merchants, to have been wholly employ'd to deſtroy their fiſhing in *Newfoundland*, and their Intereſt in *America*; to have cruſh'd their villanous Privateers, and have burnt the Ships of Trade in all their Harbours.

This alone had ſecur'd *Europe* from the *French* Tyranny, given Safety, Peace, and Trade to *England*, and made him ſend King *James* to a Convent to do Penance for the Ills he hath done.

Theſe Adviſers could not but know, that the Strength and Wealth of *England* could never have been leſſen'd by a War againſt the *French* at Sea (unleſs ſome ſpecial Anger of *God* had been ſhewn againſt us:) Our Country could have afforded better Ships, and Men, and Commanders for the Sea, than was poſſible for the *French* King to have provided, there had been a perpetual Spring to ſupply our Expences, the Moneys had return'd, as it were, in a Circle, unto the Gentlemen, Tradeſmen and Farmers, becauſe the Beef, the Pork, the Bread, the Peaſe, the very Cloathing of the Seamen, had been of our own Growth and Manufactures, and the more Ships had been equipp'd for Sea, the more had Trade, and the Price of our Commodities been advanc'd, and our Force had been increas'd by uſing it; in regard more of our laborious Youth would have apply'd themſelves to the Sea-Affairs upon ſuch Encouragement; and Increaſe of their Numbers would, naturally and neceſſarily, have promoted Trade and Power, and made all Nations court our Friendſhip.

Surely, theſe things could not have been forgotten, having been ſo lately proved by *theſe* (meaning *Cromwell*) who purſued this Courſe, who were without Right and Title to the Government, and yet were ſubmitted to by all the World.

But, on the contrary, theſe Adviſers muſt needs underſtand, that when they counſelled the King to war againſt *France* at Land, it muſt be upon very unequal Terms, both of Expence and Hazard.

He could not tranſport his Men without great Charge, and muſt ſuffer the Delays and Dangers of the Winds and Seas: He muſt exhauſt his own Kingdom's Money to maintain his Troops abroad, and to be ſpent amongſt Foreigners for the Proviſions of his Army; he muſt expect to loſe many of our *Engliſhmen* by the ſudden Change of Climate, Air and Diet, and the Ignorance

A. D. 1691. of providing for themſelves amongſt Foreigners.

In all Misfortunes and Accidents of War he muſt want all ſudden Aſſiſtance from his Subjects; he can have no Recruits in his greateſt Neceſſities, unleſs the Winds and Seas ſhall favour him; and his Troops may be utterly deſtroy'd, before it may be poſſible for him to be reliev'd: And they that gave the Advice know, that the People of the Country, that is the Stage of the War, are ſuch bigotted Papiſts as would rather cut the Throats of our *Engliſh* in ſuch Caſe of Diſtreſs, than afford them the leaſt Succour.

I have often aſked the moſt knowing Men I could meet with, what Benefit our King or Kingdom could expect from this mighty War in *Flanders*, if it ſhould ſucceed beyond moſt Mens Hopes? And the Anſwer I could ever get, hath been no more, than that we ſhould weaken the Power of *France*. But I was bold to purſue my Queſtion, and aſk, whether we thought ſo to beat him in *Flanders*, as that he ſhould give up his Fleet, and his Naval Stores to pacify us? Or whether we hope this Summer or the next, to gain his Frontiers, Cities and Gariſons, which it hath coſt him near thirty Years to complete, and many Millions to fortify? Or was it deſign'd to gain Part of his Country from him, for the *Engliſh* to inhabit? Or to over-run his whole Kingdom and poſſeſs the Crown of *France*, and to plant the Proteſtant Religion there, by the Hermophrodite-Swords of Papiſts and Proteſtants?

To all this it was only ſaid, that our King is cloſe in his Councils; but no doubt he hath ſome very great Deſign; I could not forbear replying, that, as far as I can diſcern, whoever put his Majeſty upon winning Towns and Territories from *France*, and aſpiring to the Crown of that Kingdom, were the moſt deſperate Deſigners againſt the Peace, Liberty and Happineſs of *England*: And the conſequence of Proſperity therein, would be, to change us from the moſt ancient free Kingdom in the World, to be a miſerable Province of a King of *France*, under a foreign Army.

[Great Britain's juſt Complaint, 4to *p.* 55.] Thus far that great *Revolutioner*, Lord *Delamere*: And after him Sir *James Montgomery*, reproaches the whole Nation for the Miſdemeanours of the new Government, as follows: "The Original and Ground of this War is purely private Conteſts betwixt the Crown of *France* and Houſe of *Auſtria*, and ſuch other Princes as that Houſe can draw into that Intereſt. Do we not ſee, that the Princes of *Germany* themſelves, who ſeem to have the moſt immediate Concern in it, and ſhould underſtand and be more alarm'd at the Conſequences of it than we, do but make Merchandize of their Aſſiſtance, and engage in, and withdraw from, this War, as it contributes moſt to their particular Intereſts, and, according as they are beſt paid by the ſeveral Principals? Do not the *Northern* Crowns, whoſe Territories and Provinces lie more expos'd to the Conſequences of this War than our Iſlands, maintain an exact Neutrality, which will give their Subjects Poſſeſſion of the beſt Part of the Trade of *Europe*? We are the only Fools who have been prevail'd upon to engage inconſiderately in this War; to be at the greateſt Charge of it; to drain our Blood and Treaſure; and to hazard our Religion and Liberties by it, without propoſing ſo much as any Return to balance this Expence and Danger. Our Conduct is ſuch an Inſtance of Folly and Madneſs, as amazeth the preſent, and will not find Credit in future Ages." A. D. 1691.

Thus we find two oppoſite Parties joining in the ſame Cry; and whether they, or the Biſhop, ought to be moſt regarded, let the Reader decide, when the whole Caſe ſhall be laid before him.

His Lordſhip moreover tells us, That another *Prejudice* had more *Colour*, and as bad Effects: The King, ſays he, was *thought* to love the *Dutch* more than the *Engliſh*, to truſt more to them, and to admit them to more Freedom with him. He gave *too much Occaſion* to a general Diſguſt, which was ſpread both among the *Engliſh* Officers and the Nobility. He took little Pains to gain the Affections of the Nation; nor did he conſtrain himſelf enough, to render his Government more acceptable. He was ſhut up all the Day long; and his Silence, when he admitted any to an Audience, diſtaſted them as much as if they had been deny'd it. The Earl of *Marlborough* thought that the great Services he had done, were not acknowledg'd, nor rewarded as they well deſerv'd, and began to ſpeak like a Man diſcontented; and the Strain of all the Nation almoſt was, That the *Engliſh* were overlook'd, and the *Dutch* were the only Perſons favour'd or truſted. This was national; and the *Engliſh* being too apt to deſpiſe other Nations, and being of more lively Temper than the *Dutch*, grew to expreſs a Contempt and an Averſion for them that went almoſt to a Mutiny. It is true, the *Dutch* behav'd themſelves ſo well, and ſo regularly in their Quarters, and paid for every thing ſo punctually, whereas the *Engliſh* were apt to be rude and exacting, eſpecially thoſe who were all this Winter coming over from *Ireland*, who had been ſo long in an Enemy's Country, that they were not eaſily brought into Order; ſo that the common People were generally better pleas'd with the *Dutch* Soldiers than with their own Countrymen; but it was not the ſame as to the Officers."

That the King was *thought* to preſer the *Dutch*, and that there was ſome *Colour* for their *Prejudice*, are very cautious Terms; and argue, that though the Biſhop affects to remove the Veil, he was afraid to let in the Light: But thoſe who are willing to open their Eyes, will find, that what his Lordſhip is pleas'd to call *Prejudice*, was the Reſult of real *Matter of Fact*; of which the whole Reign is one continu'd Proof; and that the People were rather too patient in tamely bearing the flagrant and repeated Inſtances of that Preference, than too forward in reſenting them.

In

A. D. 1691. In the same cautious manner, his Lordship proceeds to say, "The King was also *believ'd* to be so tender in every Point that *seem'd* to relate to his Prerogative, that he could not *well* bear any thing that was a Diminution of it: And he was *said* to have taken a Dislike and Mistrust of all those whose Notions lean'd to public Liberty, tho' those were the Persons that were the firmest to him, and the most zealous for him."

Whether this was only said, or whether it was truly said, we have already, in fact, seen, and shall farther see in the Progress of this Work.

Lastly, in the same Breath that his Lordship observes this Tenderness when speaking of the King, he speaks out thus broadly of his Ministers, that is to say, of the Tory-Part of them, which were now the Majority. "The Men whose Notions of the Prerogative were the highest, were suspected to be *Jacobites*; yet it was observ'd, that many of these were much courted, and put into Employments, in which they shew'd so little Affection to the Government, and so close a Correspondence with its professed Enemies, that it was generally believ'd they intended to betray it." A. D. 1691.

And, on the other hand, in a *Tory-Justification* of King *William*, set forth at a particular Time, to serve a particular End, which will elsewhere be explan'd, we find it suggested, That his Majesty had been forc'd to disengage himself from his quondam *Whiggish* Co-adjutors, and to accept the Services of the *Tories* in their stead, because of their (*b*) *scandalous Conduct*; which, according to the Writer of that Piece, was not even to be counte-

---

(*b*) The Proofs brought in Support of this heinous Charge, are to be seen in the following Passages, which are suppos'd to be Minutes of a Conversation that pass'd between a Court-Lord, and an old Baronet of these Times:

"He (the old Baronet) then asked his Lordship if he did not remember a Complaint against Sir *Fleetwood Shepherd*, for that a Gentleman had bought of my Lord—a Place in the Houshold, and paid two hundred and fifty Pound for it; and that when he came, by Appointment, to be introduc'd, there was no such Employment ever heard of: That another had bought and paid for a Place of considerable Value, upon Information that the Person who had the Place before was dead, who was so far from being dead, that he had not been indispos'd in the least, or absented one Day from the Duty of his Employ; that when the great Lord was told of the thing, he pretended to know nothing of it, and sent them back to Sir *Fleetwood Shepherd*, who had receiv'd the Money in his Lordship's Name, who shuffled it back again to my Lord, and he to a third, till the People were ruined by the want of their Money and long Attendance?

His Lordship did not deny these things, but said they were but an Example or two; that there would always be Mistakes and little By-Steps among the Courtiers of every Side, one as well as the other. This moved the ancient Person to tell his Lordship, that had the Examples been few, he would have been of his mind, that it was not worth Notice, and that it would have justify'd his repeating them; neither would it have been a sufficient Reason why the King found himself oblig'd to discard and throw out the Persons who acted in such a manner; but it was well known to his Lordship, that these things were grown to such a height, that the very Court became scandalous, and the Enemies of the Revolution began to open their Mouths, and that with just Reason: That his Majesty was justly provok'd at it; but, taking up a Resolution, both to resent what was past, and to prevent the like, he found it to universally to affect those, who for the former Reasons he had thought to be his best Friends, that it exceedingly troubled him, and at last brought him to the Necessity of displacing some of the most eminent.

He told his Lordship, that for the Reasons mention'd before, he would not name the Person to every Action, but that in general his Lordship might remember how for the whole Court was corrupted, how almost every thing but the King himself, and some thought that Exception needless, was bought and sold; how Places given or Favours obtain'd, but for Money, and oftentimes Places sold, and the Possessors turn'd out, without any Offence, to make good the Sale; and then trifling Occasions were found out to dispossess the new Purchasers, to restore the old ones, and get more Money; Places sold two or three times over, and then Abatements obtain'd, before Men could get their Money again: He instanc'd in the Band of Pensioners, in the Government of *Ireland*, after the Settlement of it, in the Houshold, in the Treasury, and in several other Cases, too long to be repeated.

He went on to recite some particular Cases, which, for the Reputation of some Men living, I forbear to repeat; how the King was impos'd upon, to advance whoever those Men directed, and what Price they made of their Favours to those who they were obtain'd for; how at last they came that Length, that if his Majesty did not gratify them in every thing they desir'd, they would obligingly threaten to leave him, telling him how necessary they were to him, how great their Interest was in the Country. They had, in short, the Face to hint, that they not only made him King, but that they kept the Crown upon his Head; a thing which the great Genius of the King could not stoop to bear; and, therefore it was no wonder, that his Majesty watch'd his Opportunity to let them know they were mistaken, and that he could reign without them.

When he had gone thro' this Part of the Complaint, he proceeded to mention the Conduct of those great Men to the King in Person; how they continually importun'd him for additional Places, threw back upon him as an Argument, or rather a Reproach, their former Services and Sufferings, and that one came to that Pitch as to tell his Majesty, almost in plain Terms, that he had never been King but for him, and that he did not think himself suitably rewarded, tho' he possess'd at that time about three thousand Pound *per annum* in Places, and had so sensible an Influence, and became so popular by the King's Favour, as to have the Court of the Mob made to him, and to obtain the name of *King of Eltham*.

He then ask'd his Lordship, If he did not remember how upon the continu'd Importunity of the said *King of Hearts*, his Majesty became so uneasy, that he told him one Day, he would be glad that Lord would put all his Demands into one Head, that he might see if the whole Kingdom could satisfy him; that upon the first thing that ever his Majesty thought fit to deny to another great Lord, he return'd short upon the King, that he was very sorry his Service was not agreeable to his Majesty, and beg'd his Majesty's Leave to retire into the Country; to which the King to his Surprize assenting, he withdrew with scarce Restraint enough upon his Passion, to preserve him in his Duty: How upon this Lord's Disgust, another came to his Majesty and made him the like Complaint; to whom his Majesty return'd nothing but this, that seeing that his Lordship was going from the Court, it would be proper to leave his KEY behind him?

His Lordship smil'd at the hearing all this, and only reply'd two or three times as he went on, that Sir——— had a good ill-natur'd Memory.

The Relator proceeded to what I did not expect to hear: For, said he, 'Your Lordship knows very well, that this is not all, for that some of these Men did not content themselves to treat the King in this manner, but went yet farther, viz. to carry their Discontents to some private Consultations, for the forming another Revolution, and to let the King know, that it was more in their Power to make him uneasy, than he thought of. Your Lordship is not ignorant who they were that went this length; nay, more than that, who was the Man who discover'd this wicked Part first to the King, and what Acknowledgment his Majesty made to him for it.

But I have gone far enough, says the Relator: The Indemnity having bury'd all these things in Forgetfulness, I shall not uncover the Carcasses of the Deceased, any farther than Necessity obliges me; besides, says he, your Lordship knows all these things to be true; I need but just name them; that also being sufficient to answer the Complaints of those People, who object against the King's employing *Jacobites*, and passing an Act of Indemnity: For, my Lords, says he, you may here see the true Reason why the King was oblig'd to employ other People, and, why many of those who came over with him, and were forwarded in the Revolution, were so soon his Majesty's Enemies, and flew in his Face; opposing all his Measures, and giving him all the Uneasiness possible; that is to say, that, having treated him in such a manner as above, and having thereby made themselves intolerable to him, they filled our Ears with Complaints of the King's employing other People, which it is evident his Majesty did not, till having first employ'd these in all the most considerable Posts of the Government, as well for Profit as for

A. D. 1691. countenanc'd by any former Example within the Memory of Man; for not content with making a Market of his Court, where Places of Truſt and Profit were publickly ſold, with riſling his Woods and Foreſts, and practiſing every other Abuſe of the like nature, they betray'd his Councils, treated him rudely to his very Face, and brought the very Government itſelf to the Verge of Ruin. A. D. 1691.

To do Juſtice to both Parties, perhaps, both ought to be believ'd; and though ſome Compaſſion is due to a Prince thus ſorely beſet, much more is due to the People, at whoſe Expence he was to be ſerv'd, and his Inſtruments were to be gratify'd.

But to return: On the 22d his Majeſty open'd the Seſſion with the following Speech:

The King's Speech at the opening of the Seſſion.

"*My Lords and Gentlemen,*

"I appointed this Meeting of the Parliament as ſoon as ever the Affairs abroad would admit of my Return into *England*, that you might have the more time to conſider of the beſt and moſt effectual Ways and Means for the carrying on of the War againſt *France* this next Year.

I am willing to hope, that the good Succeſs with which it has pleaſed *God* to bleſs my Arms in *Ireland* this Summer, will not only be a great Encouragement to you to proceed the more chearfully in this Work, but will be look'd upon by you as an Earneſt of future Succeſſes, which your timely Aſſiſtance to me may, by *God*'s Bleſſing, procure to us all. And as I do not doubt, but you will take care to pay the Arrears of that Army, which hath been ſo deſerving and ſo proſperous in the Reducement of *Ireland* to a peaceable Condition, ſo I do aſſure you, there ſhall no Care be wanting on my Part, to keep that Kingdom, as far as it is poſſible, from being burdenſome to *England* for the future.

My Lords and Gentlemen,

I do not doubt but you all are ſenſible, that it will be neceſſary we ſhould have a ſtrong Fleet next Year, and as early at Sea as we had this Summer. And I muſt tell you, that the great Power of *France* will as neceſſarily require, that we ſhould maintain a very conſiderable Army, ready upon all Occaſions, not only to *defend* ourſelves from any Inſult, but alſo to annoy the *Common Enemy*, where it may be moſt ſenſible to them. And I do not ſee how it is poſſible to do this with leſs than *ſixty-five thouſand* Men.

I ſhall only add, that by the Vigour and Diſpatch of your Councils, and Aſſiſtance to me in this Seſſion of Parliament, you have now an Opportunity in your Hands, which, if neglected, you can never reaſonably hope to ſee again; not only to eſtabliſh the future Quiet and Proſperity of theſe Kingdoms, but the Peace and Security of all *Europe*."

Thus by the Reduction of *Ireland*, we are to underſtand, that there was but one Object in the whole Circuit of Government remaining, that was worth his Majeſty's Attention, or the Deliberation of Parliament; namely, the redoubling our Efforts againſt *France*, by the Means of a ſtrong Fleet, and ſuch an Army as this Nation had never heard mention'd from the Throne before. Upon this ſingle Hinge the whole Speech turns; and ſo reſign'd were both Houſes to the Opinion of his Majeſty, that in their Addreſſes they not only congratulated him on his happy Return, after ſo many Hazards, as alſo on the Succeſs of his Arms, and made their Acknowledgments to his Queen for her prudent Adminiſtration, but enter'd into a ſort of Engagement to aſſiſt him to *the utmoſt of their Power* in carrying on a vigorous War againſt *France*, in order, indeed, ſay they, to procure an honourable and laſting Peace to his own Dominions, and to ſecure his Neighbours from the Injuries and Invaſions of the common Oppreſſor.

What Oppoſition was made to this general Engagement, or by whom, we do not find ſpecify'd; and how far it was conſtru'd to extend, we ſhall be inform'd by the Money-Bills, as they come before us in the Courſe of the Seſſion.

Points of Oppoſition.

Tho' all agreed in the Proſecution of the War, there was, however, a Diverſity of Opinions as to the Manner: The Courtiers, or the Majority of them, were for *gratifying* the King in his own way, *while thoſe who had* been ſhut out of the Court-Paſture, as generally, adopted the true Intereſt of the Nation, if not for Conſcience ſake, at leaſt to give the more Weight and Significancy to their Arguments; and over and above, made it their Buſineſs to explore every Method of making the Poſſeſſion of Power uneaſy to thoſe who held it; under popular Pretences, but with an Eye to their own private Advantage.

The Conduct of the Fleet.

Thus the ſeveral Committees had no ſooner enter'd on their ſeveral Provinces, than the naval Conduct of this Year was brought into queſtion; with a View, perhaps, of revenging on Admiral *Ruſſel* the Treatment which Lord *Torrington* had met with, for that of the laſt: But if that was the Caſe, the Experiment did not anſwer; for the Admiral produc'd his Inſtructions, as alſo Copies of his ſubſequent Orders; and, upon the whole Matter, endeavour'd to fix the Blame of every Miſtake and Miſcarriage on the Admiralty-Board and the *Dutch*: For, being aſk'd, Why he did not ſail ſooner from the *Buoy of the Nore*, the Fleet being ready, and the Wind being fair, for ſeveral Days together? he anſwer'd, Becauſe he did not think himſelf ſtrong enough, [which was the very Plea of Lord *Torrington* the Year before] his whole Strength, excluſive of the *Dutch*, not exceeding fifty Ships, and *They* refuſing to aſſiſt in the Blockade of *Dunkirk*, which was abſolutely neceſſary to be maintain'd, till their whole

for Truſt; they had taken ſo many ways as I have now mention'd to inform him, that they were not to be depended upon, and that however they might deſerve well of the Government by Suffering, they would never deſerve well by Doing; and that however they had been ill uſed under the old Government, they did not thereby appear qualify'd to be concern'd in the new. [Secret Hiſtory *of one Year*, &c.

A. D. 1691. whole Complement was come up. Being then ask'd, Why he did not put to Sea immediately on their Arrival? his Answer was, That he then wanted Provisions; And again, Why he linger'd so long in *Torbay* after the Wind came fair? he said, That he waited for Orders, which he had several times importun'd the Admiralty for, but could not in all that time procure: And that by one of the Clauses in his Instructions whenever he came into Port, he was tied up from sailing without. Thus it was admitted, that there was a Fault somewhere, but no body was punish'd, or even censur'd.: For in the Course of the Controversy, such an artful Cloud was rais'd, that in it both Offender and Offence were lost.

The Oeconomy of the Army was also inspected, and such a Detection was made of Frauds among the Officers in relation to the Fulness of their Corps, that Regulations were made, or pretended to be made, for the future Payment of the Forces, by actual Musters of Effectives only.

Another Debate arose on the Abuses of Place and Office; in the Course of which, so many strong things were urged to shew the Necessity of a Regulation on that Head, that the House was, in a manner, sham'd into the following Orders.

Abuses of Offices. That the Commissioners appointed for taking and stating the public Accounts, *should* lay *before the House*, a List of all such Persons as, having Salaries, had procur'd the King to pay the Charge of passing their Accounts, together with the Taxes upon their Offices.

As also, a List of such as, holding great Salaries, had, upon slight Pretences, got them augmented; and who had extraordinary Bills of incident Charges easily allow'd.

As also, a List of such Salaries as were at first granted for special Reasons, and were still continu'd, though the said Reasons had ceas'd.

As also, a List of the excessive Fees which had been exacted by such Officers as had great Salaries annex'd to their Places, and for which Fees no legal Precedent was to be found.

As also, to inspect the Civil List, and specify the several Pensions and Allowances granted to Persons discharg'd of their Offices, by which the Charge of the Civil List had been increas'd.

The Amount of all Salaries above five hundred Pound per ann. vested to the War. And, as if they were one and all convinc'd, that those in Place ought to be made sensible of the Weight of their own Measures by the Diminution of their own Profits, they resolv'd, *Nemine Contradicente*, That all the Profits arising on every Place in the Gift of the Crown, either by Salary, Fee, or Perquisite, above and beyond five hundred Pound, should be apply'd to the Charge of the War, with an Exception to the Speaker of the House of Commons, the Commissioners of the Great Seal, the Judges, Ministers residing in foreign Courts, and the Officers of the Fleet and Army. It ought, however, to be observ'd, that some Days had interven'd between this seemingly-home Resolution, and the preparatory Orders which precede it; for the first were made *December* the third, and the last did not take place till the 12th; in which Interval some warm Debates had occur'd on the State of the Nation; and, in the Course of them, those in the Opposition had artfully enough suggested, That if the Power of *France* was indeed so formidable, and such prodigious Sums were annually necessary to reduce it, we ought to begin with a Reduction of all our Expences at home. In the same Interval also, a Bill was brought in by Sir *Walter Young*, for the ascertaining both of the Commissions and Salaries of the Judges; by putting it out of the King's Power to stop the Latter, or annul the Former, unless for Mal-Administration; and another to limit and annex the Duchy of *Lancaster*, together with the Revenues thereof, to the Crown, and also to provide, that the said Revenues should be paid into the Exchequer; possibly, for fear of its being portion'd out among the Minions of the Court. A. D. 1692.

[Burnet.] Our Historian-Bishop, so often quoted, from hence, it must be presum'd, takes Occasion to say, That these Seeds of Discontent (meaning the *Prejudices* imbib'd against the *Dutch* and a Land-War) were carefully manag'd by the *Enemies* of the Government; and that by these Means Matters went *heavily* on in the House of Commons: But then he is pleas'd to intimate also, That the taking off Parliament Men who complain'd of Grievances, by Places and Pensions, was *believ'd* to be now very generally practis'd: And, possibly it was owing to this Practice, that the great Resolution relating to Salaries, Fees, &c. was first weaken'd by farther Exceptions; that is to say, the Queen-Dowager, the Princess *Anne*, and such *other Persons* as the House should think fit to favour; and at last finally dropt: The whole three Kingdoms, it seems, not being able to furnish Persons disinterested enough, to serve their Country for so small a Consideration as five hundred Pounds a Year.

Proceedings on the Estimates. But how *heavily* soever Matters went on under these Difficulties and Discouragements, the troublesome Party gave sufficient Indications, that they were not willing to make the Court desperate; for a Motion having been made on the thirtieth of *October*, for a Supply, it was *unanimously* resolv'd on the sixth of *November* following, "That a Supply be granted to their Majesties for the carrying on a vigorous War against *France*." And when the Estimates for the Navy had pass'd thro' the Forms of the House, one Million, five hundred and seventy-five thousand eight hundred and ninety-eight Pounds was on the ninth voted for the Sea-Service (including Ordnance and the Charge of building one dry Dock and two wet Docks at *Portsmouth*.) Ten Days after it was farther resolv'd, That an Army of sixty-four thousand nine hundred and twenty-four Men, without including Officers, was *necessary* for the Service of the Year 1692, in order to the *securing the Peace of the Kingdom*, and the carrying on a vigorous War against *France*. And yet when they

A. D. 1691. they had gone thus far in their Compliances with the very Letter of his Majesty's Speech, they proceeded to weigh every Item in the Pay-Master's Lists by Grains and Scruples, and took up so much time on every one of them, as also in adjusting the Proportion that was to be furnish'd towards the Expence out of the Revenue of *Ireland*, that it was the fourth of *January* before they finally resolv'd, That a Sum not exceeding one Million, nine hundred and thirty-five thousand, seven hundred and eighty-seven Pounds, together with the Sum of one hundred and sixty-five thousand Pounds to be answer'd out of the Revenue of *Ireland*, be the Sum for the Land-Forces for the Service of 1692.

That his Majesty might, however, be kept in some tolerable Degree of Temper, during this long Interval of Suspence and Expectation, they dispatch'd two Money-Bills, and sent them to the House of Lords; namely, one for an additional Excise of Nine-pence *per* Barrel on Beer, Ale, *&c.* which receiv'd the Royal Assent *December* 24, and one for a Land-Tax of two Shillings in the Pound; which also receiv'd the Royal Assent on the thirty-first: Upon which Occasion his Majesty was pleas'd to express himself as follows:

King's Speech to both Houses on passing the Money-Bills.

"*My Lords and Gentlemen,*

"I must not lose this Occasion of returning you my hearty Thanks for the great Proofs you continue to give me, of your Zeal and Resolution to support and assist me in the vigorous Prosecution of the War against *France* next Year: And I assure you it shall be my greatest Care that the Assistance you give me, may be so apply'd, as to render them more effectual for the Aids you design'd them: But I must take notice to you at the same time, with some Trouble, that the new Year is already come; while our Preparations for it are not only more backward, but those of our Enemies, as we have reason to think, in greater Forwardness, than they were the last Year. I find myself therefore necessitated from this Consideration, most earnestly to recommend to you, Gentlemen of the House of Commons, the hastening such farther Supplies as you design for the Prosecution of the War.

My Lords and Gentlemen,

The Season being so far advanc'd, this present Sessions cannot admit of a much longer Continuance, and therefore I must recommend to you the Dispatch of all such other Bills, that you shall judge necessary for the Public Good."

It is remarkable, that the House which hast hitherto proceeded so deliberately in the great Business before them, appear'd to be now so intent on Dispatch, that they allow'd themselves but a Four Days Recess, during the *Christmas* Hollidays; whence it must be suppos'd, that his Majesty's quickening Speech was calculated only to countenance what had been resolv'd on before. But if this was really the Case, it was manag'd with great Decency and Address: For though Bishop *Burnet* observes, all the Money that was asked was granted, the same Face of Opposition was continu'd till the Session broke up. A. D. 1691.

Thus, on the first of *January*, an additional Bill for continuing the Commissioners of Accounts, which was brought in by Sir *Christopher Musgrove*, was receiv'd, and after it had gone through all the Forms of the House, was finally sent up to the Lords. Another to lessen the Interest of Money (probably with a view to straiten the Ministry in their Borrowings on the public Funds) from the same Quarter, had the same Success; as also, two others, which were yet of a tenderer Nature, than either of the two former; and these were for vesting the forfeited Estates in *England* and *Ireland*, in his Majesty, to be apply'd for the Use of the War: And a fifth to proportion the Pay of the Army to the real Complement of Men, and to prevent false Musters. [1691-2.] *Opposition Bills.*

But the Majority of the Lords had their Province as well as the Commons, and could put in for their Share of Merit, by refusing, as the Commons by granting. When therefore the Army-Bill came before them, they rais'd such Objections, made such Amendments, and maintain'd them with such Obstinacy, that the Bill was lost. When also the Commons, by repeated Messages, put them in mind of the two Bills, in relation to the *English* and *Irish* Forfeitures, they suffer'd them to continue on the Table, without Notice, and, together with the Interest-Bill, to be swept off at the End of the Session among the rest of their Waste Paper. And, lastly, as to the additional Bill for taking the public Accounts, it had a Fate so peculiar, that it deserves a suitable Notice: The Lords send it down to the Commons with Amendments, *January* the twenty-eighth: The Commons disagree, and signify as much at a Conference; *February* the fifth the Lords insist on their Amendments: The Commons, at another Conference, insist on their Disagreement; the Lords adhere; the Commons do the same: And thus the Progress of this Bill also, was at at end. But this was not all: After so many Slights and Disappointments, the Commons relapse into their former Sullenness, and suffer'd the Residue of the Supply to remain unprovided for, till they had receiv'd Satisfaction; whether only in their public, or whether in their private Capacities also, cannot be precisely determin'd. On the same Day, a Proclamation was set forth for putting the Laws in force against Prosaneness and Debauchery; which was just as much regarded by those to whom it was address'd, as by those who drew it up. They had on the twenty-third of *January* adopted the Resolutions of the Committee on Ways and Means, for a Quarterly-Poll; by which all Persons, except Children, Servants, and such as, on account of their Poverty, were exempt from Parish-Dues, *&c.* were to pay a Shilling every Quarter; every Gentleman, or reputed Gentleman, of three hundred Pounds *per ann.* twenty Shillings; every Person worth three hundred Pounds ten Shillings; every beneficed Clergyman or Teacher, of eighty Pounds

A Controversy between the two Houses on a Bill for continuing the Commissioners of Accounts.

A.D.1691-92 Pounds a-year, twenty Shillings; every Lord of Parliament ten Pound, and *Nonjurors* double. A Bill had been drawn up on these Resolutions, and waited for nothing but the Forms of the House. When, therefore, the Lords prov'd thus obstinate in the Matter of the Account-Bill, they made no Scruple to tack the Contents of it, by way of Proviso, to that for the Poll. And this laid their Lordships under a Necessity, either to digest the one, or deprive his Majesty of the Benefit of the other.

The Commons carry their Point by a Tack.

Their Lordships, as it is natural to imagine, were not insensible of the Difficulty; and when it came before them, appointed a Committee to consider of Expedients for the Reservation of their Privileges. Of this Committee the Earl of *Mulgrave* was Chairman: But the Expedient propos'd by them not being reliss'd by the House, they resolv'd themselves into a general Committee, in which Lord *Godolphin* presided. And the Result of all was a Resolution, that an Entry should be made in their Books; in the nature of a Protest against a Compliance, which the Necessities of the Times had oblig'd them to make. Accordingly, under this Umbrage, the Bill was pass'd *February* the 23d, and produc'd the two following Protests (which were sign'd *St. Albans, Derby, To. Oxon, Rochester, Aylesbury, T. Jermyn, Scarsdale*) Namely, to the Bill.

Protests on this Occasion.

"Because the Substance of the Proviso added at the End of the Bill, for taking the Accounts of the public Moneys, hath been in a Bill by itself this present Session of Parliament, which having not pass'd through the two Houses, by reason of the Disagreement upon some Amendments offer'd by the Lords to the said Bill, ought not, by the known and constant Methods of Proceedings, to be brought in again in the same Session, and, consequently, we conceive the tacking of the said Proviso to this Poll-Bill is unparliamentary, highly prejudicial to the Privileges of the Peers, and may be of dangerous Consequence to the Prerogative of the Crown and to the Entry."

"Because, we conceive, that an Entry on the Journal of this House, to excuse the complying at this time in a thing so unparliamentary, as the Matter now in Question is, upon the Account of the present Necessity or Danger, how pressing or imminent soever, will be of no Force, to prevent the doing the same, when the like Necessity or Danger may be pretended; but the consenting once to such unprecedented Proceedings, may always be made use of, as one Argument more, for the agreeing to them for the future."

By this Bill the additional Duties of Excise granted in the preceding Year, were continu'd to *May* 17, 1697; and it was farther provided, that if the Poll-Tax, by the Duplicates of Assessments fell short of one Million three hundred and forty-one thousand seven hundred Pounds, the Supplement might be borrow'd and charg'd upon the *Credit of the Exchequer in general.*

We are now to treat of such other important Matters, as were the Growth of this Session, but not in the manner they are generally treated of; as what unavoidably protracted the Consideration of the Supply: For when the Majority are thoroughly connected with the Crown, and dispos'd to gratify all its Desires in the Gross, That is consider'd as the *One Thing Needful*; and all other Considerations are made to give way to it. A.D.1691-92

Disputes about the East-India Trade.

And first, of the Attempt that was now made, to subvert the old *East India* Company, and erect a new one upon its Ruins. This was a Scheme which had been long concerting, and which took its Rise from all the several Motives, which give the strongest Impulse to the human Mind. In the Years 1680, 81, 82, 83, the Price of *India*-Stock was three hundred and sixty *per cent.* and their Dividends proportionable. This struck all *Europe* with Admiration, and our Rivals in Trade, more particularly, with Envy and Malignity: It also enflam'd the Avarice of Individuals among ourselves; prompted many to invade the exclusive Rights of the Company, in order to share in the Profits: And, at last, divided the whole Court and Mercantile Interest into opposite Factions; those in Possession of the Golden Prize striving with all their Might to keep their Hold; and those who coveted that Possession striving as ardently to oblige them to quit it.

The Foundation of this Struggle was laid towards the End of the Reign of King *Charles* II. and from that time to the Year before us, the Controversy had been kept alive by the Partizans on both Sides, sometimes by the Press, and always by underhand Intrigues and corrupt Applications.

The Company was first incorporated in the forty-third Year of *Queen Elizabeth*, with an exclusive Right of Commerce, upon a joint Stock for fifteen Years. In the seventh of *James* I. they obtain'd a Charter, erecting them into a perpetual Body-politic. In the Year 1661, they obtain'd a Confirmation of all their former Privileges, with an express Clause, that none should be permitted to interfere in that Commerce, without Licence from them. The perpetual Propriety of *Bombay* was granted to them in the twentieth of *Car.* II. and that of *St. Helena* five Years after: And, lastly, they receiv'd another Charter of Confirmation in the second of *James* II. All, however, under a Proviso, that, upon a three Years Notice, it should be in the Power of the Crown to make those Charters void.

That this Company, and that of *Holland*, should be natural Enemies, those who know the Force of interfering Interests, will naturally believe; That the *English* Company had suffer'd great Injuries from, or, at least, had made great Complaints of, the *Dutch*; and that, in the late Reign in particular, these Complaints were very highly insisted upon, we have been already appriz'd: But whether the *Dutch*, taking the Advantage of their Ascendancy in our Court, had any Share in the Managements we are now to speak of, there is not sufficient Evidence to determine.

The

A. D. 1691-92. The Complaints brought againſt the Directors, were deduc'd from the Year 1682, when, it is ſaid, that Sir *Joſiah Child* all at once forſook all his old Friends who firſt introduc'd him, with great Difficulty, into the Committee, and afterwards rais'd him to the Honour of Governor, throwing them totally out of the Management; as Sir *Samuel Bernardiſton*, Sir *John Merdant*, Sir *Matthew Andrews*, Sir *Humphry Edwin*, *Thomas Papillion*, *Charles Thorold*, *John Page*, and *Thomas Canham*, Eſquires, for not yielding and complying with his new Projects, which were foreſeen and foretold by his ſaid Friends and others, to be fatal and deſtructive: And in the Courſe of theſe Complaints, it is alledg'd, that the ſaid Sir *Joſiah*, being deaf to the Advice of his Friends, and betaking himſelf to his new Counſellors who were very ignorant in the Trade, proceeded in the next Place, to caſt off Sir *John Blakes*, Sir *Jeremy Sambrooke*, Sir *Thomas Dacal*, Major *Robert Thomſon*, *Edward Rudge*, and Colonel *Clarke*, with others, who had long Experience in that Trade; ſome of whom, however, went too far with him, and many of them did afterwards fall under his Miſrepreſentation at Court, as being ill-affected to the Government, for ſelling and leſſening their Stocks, and not joining in Matters that the Law would not juſtify: That theſe Gentlemen, or ſo many of them that ſtood in his way, being remov'd, the great Miniſters and chief Men at Court, fell in with Sir *Joſiah*, not doubting but to have found a ſufficient Fund for carrying on any public Deſign either of War or otherwiſe: That by his great, annual Preſents, he could command both at Court and in *Weſtminſter-Hall* what he pleas'd: That thereupon a great Fleet was prepar'd, with Soldiers and all other warlike Preparations, ſometimes giving out, it was againſt the *Dutch*; That this Affair was manag'd and conſulted by Sir *Joſiah* and a private Committee, altho' theſe worthy Gentlemen of the ſaid Committee often declar'd, they knew very little or nothing of what was tranſacted: That in the end, the hopeful Treaty that was then on foot in *London*, by Commiſſioners appointed from the *Dutch Eaſt-India* Company for reſtoring and making (*e*) Satisfaction for *Bantam*, was rejected, and new Meaſures taken, to the great Surprize of the *Dutch* Nation, and the conſidering Men amongſt ourſelves, who had any Cognizance of the Affair: That Matters being not yet ripe abroad to fall upon the Proteſtants, all this Warlike Preparation ended in a War with that great and mighty Emperor the *Mogul* and the King of *Siam*; in the Proſecution of which, our Ships were employ'd in *India* for the taking and ſeizing of all their, and their Subjects, Ships and Eſtates, even thoſe in our Ports at *Bombay*; though they had our Factors Paſſes for Security; without either Declaration of War, or Demand firſt made, which, beſides the great Diminution of the Nation's Honour, had occaſion'd the Ruin of our many beneficial Settlements there (the Fruit of which we had but yet begun to taſte, eſpecially in the Bay of *Bengal*, then ſaid to be the greateſt and richeſt Province in any known Part of the Univerſe); that in the Space of about twenty-three Years, [*No.* 26. 60.] our

A. D. 1691-92.

(*e*) And yet, in the Anſwer of the Committee of Seventeen, repreſenting the *Dutch Eaſt-India* Company, to the *Engliſh* Memorial, their Complaints are treated in expreſs Terms, *as frivolous*; and inſtead of being liable to ſuch Complaints, we find it aſſerted, that they merited Acknowledgments from the *Engliſh*; which they endeavour'd to prove, by annexing a brief Account of the War between the King of *Bantam* and his Son, to whom he had made a voluntary Reſignation of his Dominions, in which the *Engliſh* had aſſiſted the Former, and *Dutch* the Latter, in the Manner following:

"The reigning King (the Son) being brought to the utmoſt Exigencity, by reaſon there was no Acceſs to him, but by thoſe well ſtill'd in the Ways, and that by Stealth, he apply'd himſelf to thoſe of *Batavia*, with earneſt Intreaty for Aſſiſtance from the Companies, and to be taken into their Protection: declaring, That without it, he was not able to defend the *Netherland* Lodge againſt his Rebels; which Application being made on the tenth of *February*, 1682, was not precipitately granted by the General and Council; but after long Deliberations, it was reſolv'd to ſend a friendly Mediation both to Father and Son: and two Letters were ſent to Father and Son by Major *Stephen Martin*, on the fifteenth of *March*, to *Bantam*; but the Father would not receive them till the ſeventeenth, and then ſent for them by *Engliſh*, *French*, and *Danes*, but vouchſafed no Anſwer; holding the aforeſaid King, in the mean time, in the aforeſaid Caſtle cluſter and cloſer beſieg'd; ſo that Major *Stephen Martin* was oblig'd, by many Letters from the young King, to endeavour to head, as being the only Means to free him, but was oppoſ'd and hinder'd that Day by the Rebels, whoſe Cannons were moſt of them directed by *Engliſh* Commoners, and did much Damage both to the Ships and Men of the *Dutch* Company. Upon which the aforeſaid *Stephen Martin* being re-inforc'd with more Men and Ships, as alſo Orders, to attempt again to head and relieve the King that was in the utmoſt Extremity. And at laſt, on the ſeventh of *April*, they beat off the Rebels for all the great Reſiſtance they made, reliev'd the King, took in the Paſſes with no ſmall Loſs; and drove the old King and his Adherents into *Yortſoffe* and the Hills adjacent. Few Days after the Relief of the young King, the *Engliſh* Company reſuming at *Bantam* four Letters by ſome of their Company, addreſs'd to the General and Council of *Batavia*; and after Congratulation of our Succeſs, deſir'd them to ſend them a Ship of five hundred Tons, to fetch off, and tranſport, their Effects from *Bantam*; for which they offer'd to pay the Freight. They alſo deſir'd Liberty to hire a Houſe at *Batavia*, to put their Goods in: And further declar'd, That they would give Orders to the Servants of the Company to comport themſelves according to the uſual Love and Friendſhip of the *Dutch* towards them. Upon which, the Generals and Council, to ſhew their Readineſs and Kindneſs, immediately lent them the *Europe*, a Ship of twelve hundred Tons, and alſo allow'd their Retreat to *Batavia*; thereupon, they fearing to ſtay in *Bantam* any longer, with all Secrecy ſhipp'd themſelves on board the ſaid Ship without taking Leave of the King, and retir'd to *Batavia* on the eighteenth of *April*, leaving the Groſs of their Effects in *Bantam*: To fetch which, there were three other Ships ſent, viz. The *New Middleburg*, the *Weſt*, and the great Fly-Boat, *Delph's-Haven*: All which, with ſome of the *Engliſh* Company that were neceſſary to ſhip the Goods and cover them, return'd to *Batavia*, full loaden with Pepper, *&c.* as alſo the Houſhold-Stuff of the aforeſaid Company to *Batavia*. All which they could not have done, unleſs the *Dutch* Company had not interceded with the King, and help'd them; for that King and People were ſo fet againſt them, that they could not get a Boat, nor a Porter to help ſhip their Goods, but all was done by help of the *Dutch*; the King being greatly incens'd at the Conduct of the *Engliſh*, as to himſelf, and it was greatly wonder'd that the *Dutch* Companies ſhould ſpeak in their Favour, or be helpful to them, by reaſon it was apparent that they, by their Art in working the Guns, did moſt hurt to our Ships as well as the *Dutch*. The *Dutch* Company alſo ſuſtain'd great Loſs for want of four Ships to long; and although the *Engliſh* were oblig'd to give us our Ships ſooner, eſpecially when they had other Ships of their own from ſeveral Quarters, beſides two *Engliſh* Ships belonging to particular Perſons that were expreſſly deſir'd by the *Dutch* Company to ſhip the aforeſaid Goods: But the *Engliſh* employ'd their Ships in other Expeditions, and let our Ships lye loaden with their Effects and Lumber before *Bantam*.

The Matter of Fact being laid down in the aforeſaid Relation, we refer it to the Wiſdom of your High and Mighty Lordſhips, to conſider whether or no there be any Foundation for ſuch ſevere Complaints, and Demands of Satisfaction for Damages and Injuries ſuſtain'd, as alſo to withdraw our Troops from thence."

A.D.1691-92 our Trade in that Province alone, hath advanc'd from eight thousand Pounds to upwards of three hundred thousand Pounds *per annum*: And that if this pernicious War had not interven'd, it might have been advanc'd much farther by a prudent Conduct, to the great Honour and Advantage of the Nation.

[*No.* 2660.] It having been also inserted in the *London-Gazette*, that not only a Peace was made between the *Great Mogul* and the *English* General at *Bombay*, but accompany'd with greater Advantages than the Company had enjoy'd before, the adverse Party set forth an exact Copy of the *Mogul*'s (*d*) *Phirmaund* or *Rescript*, for the Re-establishment of the Peace, in the following Words:

"It is directed to *Ibrahim Chaune*, who is one of the *Mogul*'s great Governors, dated the 27th of *April* in the 33d Year of his Reign.

"IBRAHIM CHAUNE,

"Know this, That the good Fortune of the *English* hath directed them the right way to end their Faults; they are sorry and asham'd for what they have done, therefore have sent their *Vakeel*'s [Factors] to our noble Court, with a Petition for a gracious *Phirmaund* to pardon their Faults; which the King, out of his great Favour and Mercy, always ready to pardon, doth freely forgive them; therefore his clear and unspotted Order is such, which you are to observe as you do his that you pray to, that so soon as this gracious *Phirmaund* reaches your Hands, you suffer no body in your Jurisdiction to molest, hurt, or hinder the *English* Nation in their Business, but suffer them to carry it on in the same Manner as formerly. This understand and act accordingly."

The same Persons also set forth the *Phirmaund* for *Surat*, which deserves also to be inserted, with a Note of Admiration, that those who consult their Interest so much, should regard their Credit so little.

The PHIRMAUND *for* Surat.

[White's *Account of the* East-India *Trade, Fol.*] "All the *English* having made an humble submissive Petition, That the ill Crimes they have done may be pardon'd, and requested a noble *Phirmaund* to make their being forgiven, manifest, and sent their *Vakeels* to the heavenly Palace, the most illustrious in the World, to get the Royal Favour. And *Ettimaud Chaune* (the Governor of *Surat*'s Petition to the famous Court, equal to the Skies) being arriv'd, that they would present the great King with a Fine of one hundred and fifty thousand Rupees to his noble Treasury, resembling the Sun, and would restore the Merchants Goods they took away, to the Owners of them, and would walk by the ancient Customs of the Port, and behave themselves for the future no more in such a shameful manner. A.D.1691-92

Wherefore his Majesty, according to his daily Favour to all People of the World, hath pardon'd their Faults, mercifully forgiven them, and out of his princely Condescension agrees, That the Present be put into the Treasure of the Port, the Merchants Goods be return'd, the Town flourish, and they follow their Trade as in former Times; and Mr. *Child*, who did the Disgrace, be turn'd out and expell'd.

This Order is irreversible."

"These, says the Publisher of these Papers, are their new Patents, but may much more properly be styl'd Gracious Pardons: And although I am well assur'd the *Mahometans* will religiously observe them, if the *Christians* that are concern'd do punctually perform the Conditions on their Part; yet, certainly, there is no Class of Mankind but must needs be affected with most passionate Resentments, to see the Honour of our Mother-Country expos'd to this Contempt and Ignominy, and our common Name stigmatiz'd with such opprobrious Epithets. But what still makes the Consideration much more sad, is, that the black Characters are, in a manner, indelible; for these Instruments are repositted amongst the Records in the Court of that great Prince, where they are like to remain as long as *God* continues a Being to the World; and so the Reproach will be entail'd on our Posterity."

It was yet farther objected to the Company

(*d*) Which was farther commented upon, as follows:

"This is the Instrument that stands upon Record in the Court of the great Prince, to the eternal Infamy of the *English* Nation; as the Effect of our most unjust and unaccountable War, whereby not only the Honour of the *English* (before in the highest Esteem) but the Interest of the Company in particular, hath suffer'd an immense and irreparable Damage; tho' some few Managers, by unwarrantable and indirect Means, have gain'd prodigious Estates: For, as to the Nation and Company, after the Loss of six Years Trade, and the Destruction of many considerable Ships, and the Death of many hundred of our best Seamen; the Condition on which we are now re-admitted to trade, is, That full Restitution be made to the *Mogul*'s Subjects for all the Ships and Goods the Company have taken, according to the Accounts which shall be given in by the *Crannies* (or Parsees) of the Ships taken by the *English*: And though we cannot yet tell the certain Sum which must be made good, we may shrewdly guess at it from the Evidence given in the Cause now depending between their Majesties and the Company, on account of those Prizes, wherein a great Number of Witnesses have depos'd to the Value of above one Million Sterling: Besides which, they are likewise indebted in *India*, at no small Interest, above three hundred thousand Pounds more, and no less a Sum here at home, on Bond, and for Freight and Demurrage; whilst all their Stock in *England* will not extend to discharge their late made Dividend; nor all their Effects abroad, to load home one third of the Shipping, now in *India*, besides the great Sums they owe to those Ships for their Service and Demurrage; which is not only manifest by the Liberty and Encouragement they give to private Men to return their particular Estates on those Bottoms, but especially by the general Letter which accompany'd the *Phirmaund*, written to the Company by their Factors at *Surat*, whereby they earnestly press for a large and speedy Supply to support and carry on the Trade.

In consideration of these exorbitant Impositions on the Nation, and from a true Affection to their Country, there are some Gentlemen and Merchants who have long apply'd their Thoughts to the restoring this so considerable a Trade; and in order thereto, are prepared to lay before our honourable Representatives in Parliament, at their next Session, a clear and ample Account by what Ways and Means the Credit and Interest of the *English* Nation in *India*, hath been reduc'd to so miserable a Condition; and, in the Interim, they hope it may not be an unacceptable Service to the Public, That they offer this brief Advertisement for Caution against the presumptuous Impositions of daring and arbitrary Men, who have of late Years increased their Estates by the Ruin of their Fellow-Subjects, and have been the Instruments of this great Dishonour and Detriment to their Country. [*Out of Lord* Somers's *Collection*, *vol.* XXIV.

A.D. 1691-92 pany by their Adversaries, That thro' the most scandalous Neglect, they had lost the Spice Island of *Polleroon* to the *Dutch*, in the Year 1664, which, though of inestimable Value, was held only by twelve People, who had their Residence in a Wooden Fort, set up for Shew, and incapable of Use: That they had accepted about three thousand Pounds for their Right to a Moiety of the Customs of *Gombron* in *Persia*, granted to their Predecessors for assisting the *Sophi* to take *Ormuz* from the *Portuguese*, and which in the Years 1671 and 1672, amounted to about eighty thousand Pounds *per. ann.* That by annexing Votes to *Shares*, instead of Persons, after the Rate of a Vote for every five hundred Pound Stock (on these narrow Maxims, That the Stock ought to govern the Stock, and that he who had most Money in it, ought to have most Power over it) they had enabled one Person *(Child)* to usurp an absolute Dominion over the other Adventurers: That in two or three Years last past, it could be prov'd, that the Joint-stock had been wrong'd above one hundred thousand Pounds by the Means of private Contracts, and unheard of Deductions afterwards, not without the most iniquitous Frauds in both: That the Trade had not only been let out to particular Men among ourselves, but to Foreigners, who had been invited into *England* to assist in freighting the Company's Ships, to the Detriment of the Company, and the Discredit of the Nation: That, whereas they had committed a fundamental Error in taking in but one half of the Sum at first subscrib'd, instead of calling in the rest, they had generally taken up two Millions at Interest, which had thrown the Company into a deep, and almost incurable, Consumption: That the Stock had been devour'd wholesale, by unjust and unreasonable Dividends, which were made without the least Regard to any real Advance produc'd by the Trade, but as Ambition and Avarice were pleas'd to command: That in the Compass of five Years, that is to say, from *February*, 1676-7, to *January*, 1681-2, they drew out seven hundred and forty-one thousand six hundred and forty-seven Pounds; and in two Months after doubled their Stock, which together, made one Million one hundred and nine thousand six hundred and seventy-three Pounds; and all this from a Capital of three hundred sixty-nine thousand eight hundred and ninety-one Pounds, which was the principal Money paid in by the Adventurers, and while they were over and above at the Charge of three hundred thousand Pounds for Interest and Compliments to Friends at Court. That by these Ways and Means the Stock fell into so languishing a Condition, that, instead of preserving the Purity of their Virgin Credit, by a Continuance of punctual Payments, they made it a Prostitute, by fixing a Paper on the Treasury-Door, declaring, They could pay no more till a certain time; which, say they, for the Presumption and Scandal of it, was, perhaps, without Precedent, and certainly prov'd, That those in the Direction had been so busy in (*e*) dividing, that the Obligation of paying was forgot: And, lastly, which are called the two great Articles of Charge against them, That they had seiz'd and condemn'd the Ships and Goods of *Interlopers*, without having sufficient A.D. 1691-92

(*e*) "And here (says Mr. *White*) we have found the right Key to the Mystery of the War with the *Mogul*; for things being brought to this sad Pass, it was now high time to call about how to repair the Ruins: And the happy Expedient resolv'd on, was to seize on the rich Fleets belonging to *Surat*, and more especially those that traded to *Arabia* and *Persia*: But there was also an ingenious Contrivance antecedent to this Enterprize, and that was, to gain an Advantage by the Friendship we had with these People, before we treated them as Enemies; in making use of the Compan'ys Credit, to borrow about three hundred thousand Pounds, and then retire to *Bombay* to make Spoil of their Ships and Goods. And to stimulate their chief Factor, Mr. *Child*, to prosecute this great Work with the highest Degree of Zeal and Diligence, there was procured for him a Patent for a Baronet, with a Commission, stiling him General of all his Majesty's Forces by Sea and Land, in the Northern Parts of *India*, *Persia*, and *Arabia*, &c. The Commanders of the Ships had likewise the King's Commission, with leave to wear the Royal Ensigns. All which together appear'd so absurd and ridiculous, that as an ingenious Gentleman writes from thence, *Our Neighbours the* French *and* Dutch *could not put themselves into a Posture of laughing enough at it*: But while they laugh'd, our Company won (at least it was then thought so) for besides a great Number of smaller Vessels they took about thirteen considerable Ships to the Amount of above a Million Sterling, as has been sworn in their Majesties Court of Exchequer, and the Value of about three hundred thousand Pound of it has been brought home, as can be prov'd, by the Confession of one of the prime Agents in the present Committee.

Now all these Proceedings were not only most unjustifiable, for that they had not, in Reality, receiv'd any Injuries that requir'd such Reparations. Nor did they apply to the *Mogul* for Redress of their pretended Grievances, before they acted those Hostilities on his Subjects: But the Violence is still farther aggravated, in regard that several of the Ships they took, had the Security of their own Passes, and they have made Seizure of some Goods which were laden on board their own Ships on Freight. And although the prevailing Interest of some Members of the Committee did in the time of the late King, procure a Commission to set up a Court of Admiralty on their Island of *Bombay*, which they made use of to confiscate the Estates of their Fellow-Subjects; yet to the Ships and Goods belonging to *Surat*, they did not allow so much as the Formality of a Trial and Condemnation, which makes these Captures look more like plain Piracy, than lawful Prize. Indeed the whole thing together is such a complicated Evil, that I want a Name for it: *Crimen Laesæ Majestatis & proditæ Patriæ*, will scarce reach it: And that our Legislators have not provided a particular Statute against it, and appointed a Punishment suitable to so heinous an Offence, there can be no other Reason assign'd, but what the Historian tells us was the Cause, that, till after the second *Punic* War, there was in the *Roman* Constitutions no particular Law against Parricide.

And here after this Account of the Ground and Progress of our Martial Exploits, it may not be amiss to subjoin an Estimate of the Advantages that have accru'd to us thereby, which may be summ'd up in the following Particulars;

It has cost the Company above four hundred thousand Pound in sundry Expences and Charges, as Advance on the Rate of their Tonnage for supernumerary Seamen, transporting Soldiers from *England*, with their Pay, and the like of great Numbers raised in *India*, vast Quantities of Ammunition and extraordinary Charges of Garison in *Fort St. George* and *Bombay*, together with those heavy Articles of dead Freight and Demurrage.

It has interrupted the Course of our Traffic for four or five Years, whereby the Company (supposing they had a sufficient Stock to manage the Trade) cannot be computed to have lost less than eight hundred thousand Pounds, and the Crown about two hundred thousand Pounds in Customs.

It has occasion'd the Loss of some thousands of our good Soldiers and able Seamen.

It has been the Means of destroying five considerable Ships that we know of, besides what may be doubted of those which have been so long abroad in that unhappy Service.

But above all, we have thereby lost that invaluable Jewel, our Reputation and Respect; and of the most below'd and favour'd, are justly become most abhorr'd and infamous in the Esteem of that People." (White's *Account of the* India *Trade*.

A.D. 1691-92

cient Authority ſo to do; and that they put ſeveral Perſons to death at *St. Helena* by Martial Law, in Contempt of the known Conſtitution of the Kingdom.

The Company's Vindication.

This was the Sum of the Charge againſt the Company; and what they thought proper to urge in their own Juſtification was to the following Effect, *viz.* Firſt, in general, That they had neither exceeded their Power, nor abus'd their Truſt, nor any ways expos'd the Honour of the Nation; and that the Outcry rais'd againſt them at home, was owing to thoſe very *Interlopers* who had occaſion'd that Rupture abroad, of which they now complain'd: Then, more particularly, That the Rights they held, and the Powers they had exercis'd, were not only deriv'd from the Crown, but were abſolutely neceſſary for continuing the Trade of *India* upon an equal Footing with their Neighbours, and to ſecure it againſt the avaricious Encroachments of the *Indian* Governors: That among theſe Powers, was that of holding Court-Martials, and of military Puniſhments: That it did not become them to diſcuſs the Queſtion, Whether the Crown had ſufficient Authority to grant them ſuch a Power, or not? That, however their Charter had once been judicially affirm'd in *Weſtminſter-Hall*: That, for a long while, there was no occaſion for the exerting that Power; nor was it exerted till the *Interlopers* broke in upon them, and both embroil'd them with the Natives, and with their own Servants and Settlements: That it was in the Year 80, when the whole Nation was in a Ferment, that theſe Intruders firſt ſhew'd themſelves: That on the firſt Notice of their illicit Practices, the Company made their Application to the late King *Charles* for ſuch farther Powers as might obviate the Inconvenience ariſing from them: That they did actually obtain ſuch further Powers accordingly, which were renew'd and confirm'd by the late King *James*: That even in the Affair of *St. Helena*, which had been cenſur'd by the Houſe of Commons, they were juſtify'd by an expreſs Commiſſion from the laſt of thoſe Princes, and alſo by his Orders for the putting it in force: That the Temper of the Court was ſuch, at the time when theſe farther Powers were granted, that if they had preſum'd to queſtion their Validity, or even to inſinuate the Expediency of their being ratify'd in Parliament, they had exchang'd Protection for Indignation, and had been infallibly expos'd to all the Rigours of a *Quo Warranto*: That in this Circumſtance, they were under a Neceſſity to make uſe of the Power they had, or to ſacrifice their Truſt and abandon all to the Mercy of their Adverſaries, both foreign and domeſtic: That as they had both foreſeen and foretold in their Petition to his Majeſty (*James* II.) all their Settlements and Factories were fill'd with Diſorders and Deſtructions, as ſoon as the *Interlopers* had got a Footing in *India*: That the Latter, to procure themſelves Credit, and to blaſt the Company, gave out on their Arrival, That the old Company was fallen under the Diſpleaſure of the King for being in Rebellion againſt him: That they themſelves were the new Company: That ſuch of the Company's Servants as had Reaſon to apprehend the Conſequences of a juſt Reſentment for their unfaithful Dealings, join'd them: That the *Engliſh* Intereſt being thus divided, the *Indian* Governors made uſe of all Opportunities to oppreſs the Company, to ſink their Credit, to embarraſs their Dealings, and leſſen their Profits: That the *French*, *Dutch*, and *Danes*, at the ſame time, took their ſeveral Advantages of all this Confuſion: That, under ſuch a Variety of Preſſures, it was no wonder that their Returns grew leſs and leſs conſiderable, and the Management more difficult: That nevertheleſs the Company was ſo far from being in a Bankrupt Condition, that they were abundantly able to ſatisfy all Demands, and to carry on their Trade with as large a Stock, and to as much Advantage, as ever: That, in truth, it was not on account of their ſuppos'd Poverty, but their ſuppos'd Wealth, that all this Clamour had been let looſe againſt them: That as to their poſtponing their Payments, it was no more than had been done, not only by the Chamber of *London*, but even the *Exchequer* itſelf: That as to the War with the *Mogul*, it was ſo far from being perfidious, unprovok'd, and piratical, as it had been repreſented, that it was (*f*) juſt, neceſſary, and unavoidable: That upon the whole, they had done nothing to forfeit

A.D. 1691-92

(*f*) Which they undertook to prove as follows:

"Upon this (the Arrival of the *Interlopers*, and the Slanders propagated by them) Captain *Keigwin*, with other Confederates, ſet up for themſelves at *Bombay*; and, under a Pretence, that our Nation was together by the Ears, and that the Company was in Rebellion againſt his Majeſty, they declar'd for the King excluſive to the Company, impriſon'd the Company's Deputy-Governor there, refus'd Obedience to the Company's Preſident, ſeiz'd on the Company's Treaſure, and took the Company's two Ships, arming and manning them againſt the Company, particularly, the *Hunter* and *Return*, and ſome other ſmaller Ships. And our Rivals in Trade took the Advantage of dividing the *Engliſh* Intereſt in *India*, which was not to be let ſlip, to poſſeſs themſelves of *Bantam*, and drive the *Engliſh* from thence.

The like Conſequences upon the Report and Suggeſtion of the Interlopers, follow'd at *St. Helena*, where almoſt the whole Iſland ran into an open Rebellion, and attempted to take the Company's Caſtle by force of Arms; and by Imitation of the Rebels at *Bombay*, declared for the King, ſet up the Union Flag, and, with Colours flying, aſſaulted the Fort; but, by *God*'s good Providence, were prevented: for had they ſucceeded therein, not being able to maintain it themſelves without Support from *England*, they muſt and would have ſold it to Foreigners, and run away with the Moneys to have ſecur'd themſelves.

In *Bengal*, where the Company's chief Trade was, the *Nabob*, or Governor, and thoſe under him, took the Advantage of thoſe Reports, and the dividing of the *Engliſh* Intereſt in *India*, to break all their Agreements formerly made with the Company, and their Predeceſſors, and deprive them of all thoſe very great Privileges, which the *Engliſh* had ſo long enjoy'd under former Stipulations, drew great Sums of Money from both Parties, by ſuch oppreſſive Ways of Violence, Injuſtice, and open Hoſtilities, as, at another time, when the *Engliſh* were united under the prudent Conduct of the Company, would not have been, nor never was before attempted; which they were encourag'd to do, becauſe the *Interlopers*, that they might carry on their Trade, ſubmitted to any Impoſitions the *Moors* would lay upon them, tho' never ſo much more than the Company by their Agreements were bound to pay.

The Particulars of the Injuries ſuſtain'd, and of the ſeveral Sums of Money extorted from them, as they were then faithfully repreſented by them to his then Majeſty and Council, are too long here to inſert; but ſuch as they were, as toge-

ther

A.D.1691-92 forfeit the Protection of the Government, the good Opinion of the People, or the Powers and Privileges granted to them by their Charters; and whatever national Improvements the Trade was capable of, might be as well obtain'd on the present Model, as under any other.

But, as in all similar Cases, where Interest excites Opposition, their Adversaries affected to give no Credit to their Allegations; nor would allow any Force to their Arguments: On the contrary, one Pamphlet on their Side produc'd three Answers; and as By-standers are generally pleas'd with the Sport, the Public made it their Business to keep up the Contest, and next to the War, plac'd it among the great Topics of the Day.

These Adversaries of theirs were not, however, all of one Mind; those who had small Stocks in Trade, and were yet willing to become great Adventurers, were for laying the Trade (*g*) open; while those who aspir'd to Power and Importance, as well as Wealth, were for continuing the Pale under the Sanction of Parliament, and transferring the Direction to themselves and their Friends: But the first, after some feeble Attempts, were soon overpower'd by the last; and it seem'd to be the general Opinion, That the *East-Indian* Trade, under a proper Management, was highly beneficial to the Nation; that it could not be properly manag'd, except by a Joint-Stock and Joint-Adventurers trading in a Body: That a Joint-Stock and a Joint-Interest A.D.1691-92

---

ther with the Apprehension of losing the whole *English* Interest in *India*, did so far prevail with his Majesty, as to consider what proper Remedies to apply to such an inevitable Mischief, and made use of these two; the one, the preventing the further Trade of *Interlopers*, which had been the Root of all the Mischiefs; which he did, by issuing out his Proclamation to restrain them, and order all the *English* Nation in *India*, either to come home, or put themselves in the Service of the Company, that the *English* Interest might not be divided, but united in one. And further, in order to the preventing so great a Mischief, and the better to countenance the Company in their Proceedings, he sent one of his own Ships of War into *India*, with Commission to seize upon all *English Interlopers* that he could meet withal there.

As to the Injuries the Company sustain'd by the Natives taking away all their Privileges, tho' never so firmly stipulated by former Agreements (which certainly being once gone, could never be again recover'd by Compliments) and exacting from them several great Sums of Money: The Remedy pitch'd upon by his then Majesty, was by directing the Company to put themselves in a Posture to right themselves, and withstand the like for the future; and to that end, he granted them such new Powers as were necessary for the carrying on so great a Work, as appeareth by the Supplements to their Charter, viz. The erecting of Courts of Admiralty in *India* in several Places, and empowering all the Company's Ships with Commissions of War from himself, who also had particular Power, Order, and Direction from his said Majesty to seize all *Interlopers* in *India*, and to compell them by Force of Arms, in case of Resistance, to go up to such Places where the Company had their Residence and Garisons, that so the *English* Interest might be no longer divided, which had been the Root of all the Mischief, to the Hazard of the Loss of the whole Trade.

Pursuant to whose Direction, and empower'd by the Authority of their said Sovereign (which might very well be by them thought sufficient for their Justification, it being never yet question'd, but that the Power of making War and Peace was vested in the Crown) the Company were at very great Charges in sending out divers great Ships fitted with all manner of warlike Provisions, furnish'd with Land-Soldiers, in order first to reduce their own Factories of *Bombay* and *St. Helena*, which were then in Rebellion; and afterwards by appearing so formidable, it might the better incline the *Moors* to come to an amicable Agreement with them, by restoring them their former Privileges, which they had so unjustly depriv'd them of, and give them some Satisfaction for those Extortions they had exercised upon them, which they were to endeavour first by all fair Means imaginable.

According to which, the Islands of *Bombay* and *St. Helena* were reduc'd, and settled under the Government of the Company. Some of the *Interlopers* were seiz'd on by his Majesty's Ship the *Phœnix*, Captain *Tyrrel* Commander. The King's Proclamation was issued out, and proclaimed, for all *Englishmen* to withdraw themselves out of the Service of foreign Princes, and to come into the Company's Garisons and Residences, that so the *English* Interest might no more be divided, and all amicable Means made use of to come to a just Agreement with the Natives: Nor was there by the Company any hostile Act committed (though thereunto sufficiently provok'd by many great and repeated Injuries) until the Business which happen'd at *Hughly*, wherein the *Moors* were the Aggressors, as doth appear by a particular Narrative of the said Action, extracted out of the Company's Letter how that began, which is as followeth:

'The 28th of *October*, 1686, at *Hughly* in the Bay of *Bengal*, three of the Company's Soldiers going into the *Bazar*, or Market-place, as usual, to purchase Victuals in the Morning, were not only deny'd the same, but were violently set upon by the Governor's Peons, or Soldiers, were sorely beat and cut (of which one of them dy'd of his Wounds then receiv'd) then bound, and carry'd Prisoners to *Abdel Gunny*, the Governor of the Place. The News of which immediately arriv'd at the *English* Factory in the said Town of *Hughly*, in these Terms: That two *Englishmen* were set upon by the Governor's Peons, or Soldiers, and were desperately cut and wounded, and lay a dying in the Highway; upon which Captain *Losse* was immediately order'd out with a Party, with Orders, to bring in their Bodies dead or alive; but to offer Violence to no Man, except they were assaulted; which they attempting to do, were upon the way set upon by a Body of Horse and Foot, in a hostile manner, whom they receiv'd as Men not willing to be wanting in their own Defence; and, after some Skirmish, put them to flight; having in the Engagement kill'd and wounded several of them: The whole Town being immediately upon this alarm'd, set fire to those of their own Houses, which were nearest the *English* Factory, by which many of the Company's Goods were consum'd.' What followeth in the said Narrative, is but a further Prosecution of repeated Acts of War and Hostility, each against the other; and it being not the Intent of this Discourse to give you a full History of the War, which possibly hereafter may be done by another Hand, and the Proceedings in it, but only the true Occasions of the Rise of it, I thought it needless to carry it on further; so much of it as is here inserted, being sufficient to give you a true Account how it began, whereby it appeareth, that the *Moors* were the first Aggressors, and the first Blood shed in this War, was by them." [*Modest and just Apology for the* East-India *Company, &c.*

(*g*) As appears by the following Paper:

"*Reasons against abolishing an* East-India *Company with a Joint-Stock, exclusive to all others.*

First, Such a Company would be a great Monopoly, which hath always been justly odious in the Eyes of the Law; for there would be in such a Case but one Buyer of all the *English* Manufactures sent to *India*, and but one Seller of the Commodities from thence.

Secondly, This will give such a Company Opportunity to buy the *English* Commodities cheap, and to sell the foreign imported Commodities dear; both which are to the Detriment of *England*. But, on the contrary, the more Buyers there are of *English* Commodities, and the more Sellers of foreign, the first will be sold the dearer, and the latter the cheaper; and to have foreign Commodities cheap, and our own dear, will by all Men be allow'd to be our Advantage.

Thirdly, If all were admitted to trade thither, the Trade would be much enlarg'd, the Industry of particular Persons would find out more Places of Trade (when themselves shall reap the Benefit of their own Acquisitions) which a Company with a Joint-Stock will not be induc'd to do, because they can get as much by a small Trade as by a greater.

Fourthly, It seems against Common Justice, and the Birthright of *Englishmen*, to exclude any of them from so great a Part of the Trade of the Nation, and that *Bristol*, *Exeter*, *Plymouth*, *Hull*, *Yarmouth*, *&c.* should not trade to the *East-Indies* from their own Ports as well as from *London*.

Fifthly, The *Dutch* do indeed trade with a Joint-Stock, but they give Liberty to their own Subjects to import all sorts of *East-India* Goods into their Country from *England*, or any other Parts, except *India*; whereas by the Act of Navigation, no *East-India* Goods may be brought into this Kingdom but directly from thence: So that it will be in such Company's Power to make us pay what they please for their imported Commodities, without any Remedy against it, which makes it plain that the Subjects of *England* will then be in a far worse Condition than those of *Holland* are under their Company. [*Lord Somers's Collect. Vol.* xxx. *Tract* 54.

A.D.1691-92 Intereſt were incompatible with interloping: That, therefore, no Company could ſubſiſt unleſs *Interlopers* were excluded; and that *Interlopers* could no otherwiſe be excluded, than by lodging ſuch ſufficient Powers in ſuch a Company, to vindicate their own Rights, to defend themſelves from Encroachments, and to carry on their Commerce by ſuch fix'd Laws, as ſhould ſecure it againſt the Craft and Avarice of the *Indian Nabobs*, or Governors, and the Counter-Practices of their foreign Rivals.

Theſe were the general Sentiments of the Public on this important Point; and theſe being alike favourable to thoſe in Purſuit, and thoſe in Poſſeſſion, both ſo far reaſon'd in the ſame manner, and join'd Iſſue in the ſame Concluſions; but then it was urg'd by the Former againſt the Latter, That they were not legally veſted with theſe ſufficient Powers; and that in exerciſing them without proper Authority, they had forfeited all their other Rights, and, in point of Equity, were actually diſqualify'd for any ſuch Truſt for the time to come.

In this Light the Affair came before the Convention-Parliament; and as it appear'd to be an Object truly National to the Undeſigning, and what was very well *worth* the Attention of thoſe that were otherwiſe, a Committee was appointed to take Cognizance of it, who proceeded ſo far as even to demand a perfect State of the Company's Accounts, an Eſtimate of their Stock, Goods, Caſh, Debts, and a View of their Correſpondences both here and abroad; which the Company not only comply'd with, but made a voluntary Offer to ſubmit their very Books and their laſt Advices from *India* to the Inſpection of the Chairman, or ſuch two or three of the Committee as the Houſe ſhould pleaſe to nominate; as alſo, to be directed in all things by the Pleaſure of the Houſe: And, as a Reaſon for limiting the Offer of their Books to the Inſpection of two or three only, they tell us, That a Copy of that very individual State, or Account, which they laid before the Houſe, was immediately ſent into *Holland*, for the *Dutch* to make what Advantages of it they could, to the Prejudice of the Company; as appear'd by a Tranſcript of that Copy, which was remitted from *Amſterdam* to ſome *Jews* reſiding in *London*, together with a Deſire, to be inform'd by them, whether it agreed with the Account deliver'd in by the Company.

But tho' the Convention-Parliament were ſo forward to engage in the Purſuit, they were not able to run down the Game; they were ſtopt, as we have ſeen, in the Midſt of their Career; and the Company continu'd to defend themſelves on every Side with ſo much Addreſs, and ſo much Vigour, and found or made ſo many Friends, that till the third Seſſion of the next Parliament, their Adverſaries did not think it adviſable to renew their Attack in Form: But then, having found means to obtain the Countenance and Aſſiſtance of ſeveral of the Nobility and Gentry, they apply'd themſelves to the Taſk with more Eag neſs than ever; and to render their Motions ſo much the more regular A.D.1691-92 and certain, erected themſelves into a ſort of proviſional Company, by entering into the following Engagements:

"Whereas the Trade to *Eaſt-India* is of very great Importance to this Nation, and yet, through the many Abuſes and Unlawful Practices of the Managers of the preſent Joint-Stock, both at home and abroad, is like to be utterly loſt, if ſome ſpeedy Care be not taken, by Application to their Majeſties and the Parliament, to procure a regular and lawful Eſtabliſhment of the ſame, which cannot be completed without a new and ſufficient National-Joint-Stock, clear of all Incumbrances: And, whereas divers eminent Merchants and Traders in and about the City of *London*, are accordingly endeavouring to procure ſuch an Eſtabliſhment for the Benefit and Advantage of all Perſons who ſhall or will be concern'd in the ſaid Trade; we, the Subſcribers, being willing to promote ſo good a Work, and deſirous to preſerve a Trade ſo highly beneficial to their Majeſties, and this Kingdom in general, do hereby ſeverally promiſe and oblige ourſelves, ſo ſoon as ſuch an Eſtabliſhment ſhall be made, to pay the ſeveral Sums of Money by us ſubſcrib'd towards raiſing the ſaid Stock, at ſuch Time and Place as a Committee to be choſen by the major Part of us the Subſcribers, ſhall direct and appoint. And we do hereby make it our Requeſt to thoſe Perſons, who have engag'd themſelves by a certain Writing under their Hands, bearing Date the eighth Inſtant, to endeavour the procuring ſuch Eſtabliſhment and to purſue thoſe their Endeavours to perfect and complete the ſame. And we do hereby further promiſe to allow and pay them out of the ſaid Joint-Stock (when the ſame ſhould be ſettled as aforeſaid) all ſuch Sums of Money, as ſhould be thought neceſſary by them to be laid out and diſburs'd in obtaining the ſaid Eſtabliſhment, according to the true Intent and Meaning of this Preamble; ſo as the Account thereof be allow'd and ſign'd by the major Part of thoſe who have ſubſcrib'd the Writing above-mention'd."

Their next great Step was to preſent a Petion to the Houſe of Commons, ſetting forth the imminent Danger that the *Eaſt-India* Trade was expos'd to, by the manifold Abuſes and unlawful Practices of the preſent Company, for their own private Gain; and praying, that a new Company, on a new Joint-Stock and Conſtitution, might be erected, in ſuch manner, and with ſuch Powers and Limitations as, in their great Wiſdom, ſhould be thought moſt conducing to the Intereſt of the Nation.

This Petition was preſented *October* the 28th, and attended by a Counter-Petition of the Company: Both were refer'd to the Conſideration of a Committee of the whole Houſe; and to the end that the whole Caſe might be thoroughly underſtood, the ſeveral Heads of Complaint againſt the Company were drawn up; the Company put in their Anſwer; this Anſwer was deliver'd to the Petitioners; and the 20th of *November* was

A.D. 1691-92 appointed for a Hearing on both Sides. In the mean time alſo, the State of the Company's Stock, Debts, &c. as deliver'd in by Sir *Joſeph Hern*, their Governour, was taken into Examination, and certain Petitions from the Linen-Drapers and Clothiers (the one contending for a free Exportation of woollen Goods to the *Indies*, and the other complaining, that they were not ſupply'd with Calicoes and other *India* Goods as they ought) were receiv'd; and, after a tedious and intricate Diſcuſſion, which laſted many Days, the Houſe came to the following Reſolutions:

"1. That a Sum not leſs than one Million five hundred thouſand, and not exceeding two Millions, was a Fund neceſſary to carry on the *Eaſt-India* Trade in a Joint-Stock. 2. That no one Perſon ſhould have any Share in a Joint-Stock for the *Eaſt-India* Trade exceeding five thouſand Pound, either in his own Name, or any other in Truſt for him. 3. That no one Perſon ſhould have above one Vote in the ſaid Company, and that each Perſon who had five thouſand Pound Stock therein, ſhould have one Vote. 4. That the Company to trade to the *Eaſt-Indies*, ſhould be oblig'd to export every Year of their Trade, Goods being the Growth and Manufacture of this Nation, to the Value of two hundred thouſand Pounds, at leaſt. 5. That no private Contracts ſhould be made, but all Goods ſold at public Sales by Inch of Candle, except Salt-Petre, for the Uſe of the Crown. 6. That the *Eaſt-India* Company be oblig'd to ſell to the King yearly, Salt-Petre refin'd (the Refraction not exceeding four or five *per cent.* out of one hundred and twelve) five hundred Tons at the Rate of thirty Pounds *per* Ton. 7. That no Lot ſhould be put at any Sales in the *Eaſt-India* Company, at one time, exceeding five hundred Pounds. 8. That no Perſon ſhould be Governor or Deputy-Governor of the Company to trade to the *Eaſt-Indies*, who had leſs Share in the Stock than two thouſand Pounds, or Committee-Man that had leſs than one thouſand Pounds. 9. That the Election of Governor, Deputy-Governor, and Committee for the Company, to trade to the *Eaſt-Indies*, be made every Year. 10. That all Dividends be made in Money. 11. That no Dividends be made, without leaving a ſufficient Fund to pay all Debts, and carry on the Trade. 12. That a Valuation of the Stock be made every five Years by the Accomptant of the Company upon Oath, to be ſeen by all ſuch as are concern'd therein. 13. That no Ships, either with Permiſſion or without, for the future, be allow'd to go to the *Eaſt-Indies*, except only ſuch as ſhould be of A COMPANY, or be eſtabliſh'd by Act of Parliament. 14. That no By-laws ſhould be binding to the Company, but ſuch as were approv'd by a general Court of Adventurers, and were not repugnant to the Laws of the Land. 15. And, *laſtly*, That the Joint-Stock of A COMPANY to trade to the *Eaſt-Indies*, be for twenty-one Years, and no longer. Thus far the Houſe ſeem'd to regard the Trade only, and not the Perſons in whom it was to be veſted: But the next Day, being the 18th of *December*, having receiv'd new Lights, it muſt be ſuppos'd, they farther reſolv'd, "That all Perſons now having above the Sum of five thouſand Pounds in the Stock of the preſent *Eaſt-India* Company, in their own or other Perſons Names, be oblig'd to ſell ſo much thereof, as ſhould exceed the ſaid Sum of five thouſand Pounds, at the Rate of one hundred Pounds for every hundred: That the Members of the Committee of the *Eaſt-India* Company, be oblig'd to give Security, *to be approv'd of by the Houſe*, that the Stock and Eſtate they now had, ſhould be made good ſeven hundred and forty-nine thouſand Pounds, all Debts paid: And, laſtly, That, Security being firſt given, an humble Addreſs be preſented to his Majeſty, to incorporate the PRESENT *Eaſt-India* Company by Charter, according to the Regulations agreed upon by the Houſe, that the ſame might paſs into an Act."

A.D. 1691-92

This was plainly giving the preſent Company the Option of the Bargain; and, how hard ſoever they might think it, they nevertheleſs proceeded, as if they thought it worth their Acceptance: For on the 23d following, Sir *Thomas Coke*, and two more of their Committee deliver'd in their Propoſals concerning the Security requir'd; alſo when the ſaid Propoſals were rejected by the Houſe, and the Company were farther directed to produce the Perſons of their Bondſmen, together with an Account of the reſpective Sums which they reſpectively undertook to anſwer, They again ſhew'd a ready Compliance: And the Scruples of the Houſe being now, in all Appearance, remov'd, a Committee was appointed to prepare and bring in a Bill to eſtabliſh an *Eaſt-India* Company, according to the *Regulations and Reſolutions of the Houſe*. This was done *January* the eighth, and on the 16th the ſaid Bill was brought in accordingly, but not read for the firſt time, till the 22d following; which indicated, that ſome new *Remora* was hung upon it; and that the Company had new Meaſures to take, if they expected to have it diſpatch'd this Seſſion. As a farther Manifeſtation of this, yet other Petitions were receiv'd againſt them; their Anſwers were deem'd unſatisfactory; and, laſtly, the whole Game was play'd into the Hands of the Court, by the Means of the following Reſolution, viz. "That an humble Addreſs be preſented to his Majeſty, to *diſſolve* the PRESENT *Eaſt-India* Company, according to the Powers reſerv'd in their Charter, and to conſtitute *another Eaſt-India* Company, for the better preſerving of the *Eaſt-India* Trade to this Kingdom in *ſuch manner* as his Majeſty, in his *Royal Wiſdom ſhould think fit*. This Vote was accordingly preſented to his Majeſty by the whole Houſe; and the Anſwer they receiv'd was to this Effect, "That it was a Matter of very great Importance to the Trade of this Kingdom, That he would conſider of it; and, that in a ſhort time he would give the Commons a poſitive Anſwer." But, undetermin'd as his Majeſty now ſeem'd, he

An Addreſs to conſtitute another Company.

A.D.1691-92 he was so far pleas'd to countenance the present Company, as to bestow the Honour of Knighthood on Mr. *Goldsborough*, then going to *India*, in the Quality of their Commissary-General.

The Affair transferr'd to the Privy-Council.

To close on this Head, for the present, the farther Management of this intricate Affair was now transferr'd to the Privy Council, and the Company, in Writing, signify'd A.D.1691-92 their Readiness to submit the whole Dispute to their Arbitration: But when the Earl of *Nottingham*, as Secretary of State, in the *May* following, sent them a Copy of the Conditions agreed upon by the Lords of the Council, instead of accepting them, they (*b*) objected to almost every Article, and accompany'd

(*b*) As appears by the following Paper, which contains both the Propositions and Answers; and which was presented by the Company to Lord *Nottingham*, *May* 28:

The Humble Answer of the Governor, Deputy-Governor, and Court of Committees of the East-India *Company, to a Paper of Propositions for Regulation of the* East-India *Company, received from the Right Honourable the Earl of* Nottingham, *their Majesties principal Secretary of State.*

I. Proposition. The Fund to be made up of 1,500,000*l.* at least, and not to exceed two Millions.

Answer. The Company do humbly own, and are ready to prove to the King's Most Excellent Majesty's Satisfaction, That their present quick and dead Stock and Revenue is of more real Value than the said Sum of 1,500,000*l.*

II. Prop. The Stock of the present Company to be Part of this Fund, and to be rated at 744,000*l.* if they can give Security, that it shall effectually produce that Sum; or else, at so much less, as they will engage to make good, after all Debts paid and Satisfaction made to the *Mogul* and his Subjects; against whose Pretensions the new Stock to be indemnify'd by the like Security.

Answer. The Company recommending their righteous Cause to *God*, and his Majesty's known and famous Justice in the whole Course of his happy Life, say, That the Value of every thing is what it will sell for; and their Stock, under all the Calumnies and Prefarications of their Adversaries, now currently sells for 150*l.* per Hundred; and they know and can prove it to be intrinsically more worth than that current Price: But they know no Law or Reason why they should be dispossessed of their Estates, at any less Value than they are really worth in ready Money, by all the Measures any thing is valued in any Part of the World.

They humbly say, as to Security, *They know no Reason* why they should give Security for their own Estates.

They affirm, that they owe not a Penny to the *Great Mogul*, or any of his Subjects, other than their running Accounts with their own Banyans and Brokers, which are changing daily, like Merchants running Cash in a Goldsmith's Hand.

Altho' the Company owe nothing to the *Mogul*, as aforesaid, yet the bare mentioning any such thing by a public Act of his Majesty, would be enough to persuade him to invent Demands upon the Company, for Transactions and Pretences done in Ages past, before any of the present Adventurers were born; and therefore that Part of the Proposition seems manifestly impossible, as well as unjust; neither the *Mogul* nor any of his Subjects having made any Complaint to his Majesty of the Company's being in Debt to him or them; that being only a Suggestion of the Interlopers and their Adherents, not only now, but for many Years past.

As to that Hypothesis, if they can give Security, it will not become the Company to lay what they might, of their own Ability, or the Ability or Disability of their Adversaries; they are on both Sides well known upon the Exchange.

III. Prop. That the said Stock or the present Company shall be brought home at any time within Years in the Ships abroad, or those to be sent on account of the new Stock, paying the same Freight, and disposed of at public Sales by the Members of the present Company, and the nett Proceed thereof to be taken as Part of the 744,000*l.* as shall also the Value of their Forts, &c. to be estimated by indifferent Persons, and put into the Hands of the New-Charter Company. But after Days, no Goods to be exported to the *East-Indies* on account of the old Stock.

Answer. The Company, say they, have as real a Right to all their Forts, Cities, Towns, and Territories in *India*, to them and their Successors for ever, as they have to their purchased Lands and Ware-houses in *England* belonging to the Company's Joint-Stock, or other private Lands or Manors belonging to the particular Adventurers: *Res Dei Gratia* being originally the Title by which very many Manors and Lands, Court-Leets and Court-Barons are held in *England*. And as the Company are not willing to be dispossessed of their said real Estate, until they are paid for them; which they believe in their Consciences, hath cost them at several times above a Million in ready Money Sterling, besides the Interest. But for the Price that should be paid them for their said real Estates, it is were come to that Issue Point, they would refer themselves to, and rely upon his Majesty's Justice, as aforesaid.

IV. Prop. That whatever the quick and dead Stock shall thus produce more than 744,000*l.* shall be divided wholly between the Members of the present Company, proportionable to their respective Stocks.

V. Prop. Books to be provided for new Subscriptions within, and then the Books to be closed.

VI. Prop. If the Subscriptions exceed two Millions, each Subscriber to be reduc'd proportionably till the whole make but two Millions.

VII. Prop. That every Subscriber pay in his Money, upon pain ——

To the fourth, fifth, sixth and seventh Proposition, the Company humbly answer, That they do as little understand the new Subscribers, as they suppose most of those Subscribers know the Affairs of *India*: But the Company know the late new way of subscribing, without Authority from his Majesty, is an old Practice of Interlopers and others, emulous of the Company's Prosperity; and hath formerly been debated upon the like voluntary Subscriptions several times, and many Years since in the Reign of King *Charles* the Second, when some of the Lords of his now Majesty's most Honourable Privy Council were present; but it always ended in only giving unnecessary Trouble to his Majesty and the Company.

VIII. Prop. No one Person to have above 10,000*l.* in this Stock, in his own or others Name, in trust for him; and every Subscriber shall make Oath accordingly, and that it is his own Money.

Answer. This Proposition, in Duty to his Majesty, and in Love to our native Country, the Company must freely declare against, as being notoriously prejudicial to the Nation, whoever the Adventurers are. First, because Trade is a Free Agent, and must not be limited or bounded; if it be so in any Nation, it will never prosper. Secondly, It is against the Laws and Customs of *England*, and all Nations upon the Face of the Earth, That any Man that buys a Commodity, and pays honestly for it in ready Money, should be compell'd to swear it is his own Money, or whole it is; this being only a Trick of the first Projectors, to serve their particular Turn, without any rational or other Regard to Right or Public Good. Thirdly, If such a Limitation were allowable, certainly some Nation or other would have hit upon the Expedient before this time; whereas, on the contrary, the wise *Dutch* indulge and favour the very *Jews*, and the more for buying the greater Stock; of whom one Man, by Name *Soasso*, had at one time about 85,000*l.* Stock. The *French* King likewise, for the Encouragement of large Subscriptions in that Stock, propounded many considerable Privileges and Immunities, both to Natives and Foreigners, proportionable to the Greatness of their said Subscriptions. The *Danes* likewise, it is said, made a Law not long since, That such as would not add a certain Proportion to their Stock already wrote, should forfeit their Stock; which was a Contribution on the other hand, and as erroneous as that in the aforesaid Proposition. Fourthly, Such Kind of levelling or limiting Personal Estates, was never known in Commonwealths, much less in Monarchies. Our Levellers in *England*, and anciently the Tribunes of *Rome*, never pretended to the Limitation of Personal Estates, but of Possessions in Land, and not of all Lands (not in their Provinces) but only the Lands of *Italy*, which was the Seat or Country of the Commonwealth. Fifthly, No considerable Man of Fortune or Experience will ever endure the Fatigue of continual Study in the *East-India* Company's arduous Affairs, but he will find his Account some way; and that must be either by a great Reward, or by a great Stock, or by other and worse ways of paying himself. The most *English* Companies give a Committee-Man, is about fifty Pounds *per ann.* whereas we have heard the *Dutch* allow Mr. *Pitt's Van Dam* about eight hundred Pounds, and about four hundred Pounds a year to his Son: But such an able active Man's having a great Stock of his own, is better for the public Society than any Reward can be allow'd him; because such a Man that is oblig'd by Reward only, so to attend the Company's Business, is tied only by one Cord; but he that expects all Satisfaction to arise from the Profit of his own Stock, is tied with the two great Cords, which do almost the whole Business of the World, *viz.* Reward, by the Profit of his own great Stock, and Fear of great Loss, if his own Stock should miscarry by ill Conduct.

IX. Prop. That every Member of the present Company who hath above 10,000*l.* Stock, shall sell forthwith the Overplus at the rate of one hundred Pounds for an hundred Pounds; but so that if the whole nett Proceed of the present Stock

A.D. 1691-92 pany'd those Objections with a Paper of their own, tending to shew, that neither the Management nor Constitution of the Company could be mended. And in this Suspence, A.D. 1691-92

Stock exceeds 744,000 Pounds, this Overplus shall go to the Person that hath sold his Overplus Stock, proportionable to the Stock he had before such Sale.

Answer. The Company can see no Shadow of Reason or Equity in this Proposition; but a direct Contradiction to common Right, and the admirable Laws of this Kingdom for Preservation of Property.

X. Prop. No Person to have a Vote, that hath in his own Right, and not in Trust, less than 500 *l.* Stock, nor more than one Vote, unless he hath 4000 *l.* and then two Votes, and if 6000 *l.* three Votes, 8000 *l.* four Votes, and 10,000 *l.* five Votes.

Answer. The Company are humbly of Opinion, This is more justly and equally provided for already in their present Charter; this Proposal of giving Advantage to the small Stock, being but a *Hysteron Proteron*, never known before in any Part of the World in Merchants Affairs, wherein, as far as the Sun shines, all Men vote according to their proper Shares in Shipping, or as they are interested more or less, and not otherwise.

XI. Prop. All Members of the present Company, and new Subscribers to be incorporated by the Name of

XII. Prop. All who have, or subscribe 500 *l.* Stock, to meet and choose a Governor, Deputy, and 24 Committees, to manage the Trade; none to be Governor or Deputy, who hath subscrib'd less than 2000 *l.* Stock nor Committee 1000 *l.* Stock.

XIII. Prop. The Governor, Deputy, and Committees to be chosen every Year; and if any die within the Year, others to be chosen by a general Court.

XIV. Prop. The Governor, Deputy, and Committees to take the Oaths of Fidelity; and also an Oath for the faithful Discharge of their Trust.

XV. Prop. That every one purchasing any Stock, shall take his Freedom, and before his Admittance pay for a Fine, and take the Oaths appointed.

Answer. In the eleventh, twelfth, thirteenth, fourteenth and fifteenth Propositions, the Company can see nothing new, but all is already provided for in the same manner, or better, by their present Charters.

XVI. Prop. That all free of the former Company, or capable to be so, and all subscribing to the present Stock, shall be admitted gratis.

Answer. In this there is but a trivial Difference from the Company's present Charter, which enjoins all new Adventurers, except the Sons and Servants of Freemen, to pay five Pounds each for their first Admittance. The old Adventurers have paid their respective five Pounds; and we can see no Reason, if new Men be admitted, why they should not pay the same.

XVII. Prop. That the Company hereby establish'd may make By-laws for their better Government: That no by-laws shall be binding to the Company, but such are approv'd by a general Court of Adventurers, and are not repugnant to the Laws of the Land.

XVIII. Prop. That every general Court and Committee be call'd by the Governor or Deputy; at all which the Governor or Deputy shall be present, and in case of Equality of Voices, shall have a casting Voice.

XIX. Prop. That the Company shall enjoy the sole Trade to the *East-Indies* in the several Countries lying between the *Cape de Bona Esperanza*, and the Streights of *Magellan*.

XX. Prop. That it shall not be lawful for any, save the said Company only, directly or indirectly, to trade within the Limits granted to the said Company, on pain of forfeiting——

Answer. As to the seventeenth, eighteenth, nineteenth and twentieth Propositions, the Company can observe nothing in them that is not already in the same manner in their Charters.

XXI. Prop. That no License or Permission shall be granted to any Persons or Ships, to trade to the *East-Indies* on any private Account, and that all such Permissions shall be void.

Answer. This is an unreasonable Proposition, and against the Sense of all Charters, and ought, for the Public Good, to be left to the Company's Discretion for some time (as in the late War with the *Mogul*) permissive Ships have been of great Use and public Benefit at this time, now Peace is restor'd, they are of no Use, except in particular Instances which might be given, and, in settling of new Plantations, which the Company best know when and how to effect; and no *East-India* Company in any Part of *Europe* have any such Shackles imposed upon them, which would but hinder their Progress for the Public Good and Honour of their Country in many Cases.

XXII. Prop. That there shall be no private Contract for the Sale of any Goods, but they shall be all sold in public, by Inch of Candle for the Company's Account.

XXIII. Prop. That no Lot of any Goods to be sold, shall exceed the Value of 500 *l.*

Answer. These two are Novelties, and such as were never impos'd upon any *East-India* Company in *Europe*, and are against natural Right, and, if eſtabliſh'd, would tend to the national Prejudice of *England*, as the Company doubt not to make evident to his Majesty by irrefragable Instances and Examples. Trade must be free for the Public Good, otherwise it will die or fly away.

XXIV. Prop. Every Year the Company shall deliver to their Majesties Use five hundred Tons of Salt-Petre at *per* Ton, if requir'd, the Refraction not exceeding

Answer. The Company will always serve their Majesties with Salt-Petre as cheap as they can afford it, and doubt not but to please their Majesties therein, as they have done all their Royal Predecessors: But to be limited to a certain Price or Quantity or Refraction, it is a Novelty that was never impos'd upon this or any *East-India* Company; and if had been an unhappy Accident for *England* if such an Imposition or Constraint had been laid upon the Company ten or twenty Years past, for if that had been done, there could not have been one fourth Part of the Petre in *England* as the Company had in store (which was about three thousand Tons) when this War with *France* begun. There is a famous Story confirming the Truth of this, in the Reign of King *James* I. There was at that time a great Dearth of Corn, which occasion'd his Majesty to send for the *Eastland* Company; and his Majesty told them, That in regard of the present Dearth of Corn, and for Relief of the Poor, they must load all their Ships homeward-bound with Corn; which they promis'd faithfully to do, and were so dismiss'd; but one of the Lords of the Council told his Majesty such a Promise signify'd nothing, because they had not promis'd at what Rate they would sell their Wheat when it came; on which they were call'd in again, and told the King was not satisfy'd with that Answer: To which the Deputy, who was a famous Hunter, reply'd, 'Sir, we will freight our Ships and buy our Corn as cheap as we can, and sell it here as cheap as we can afford it; but, to be confin'd to any certain Price, we cannot.' That Lord press'd the Deputy for a more certain Answer; on which the Deputy said further to the King, 'Sir, your Majesty is a Lover of the noble Sport of hunting, and so am I, and I keep a few Dogs, but if my Dogs do not love the Sport as well as I, I might as well hunt with Hogs as with Dogs. The King reply'd, 'Say no more, Man, thou art in the Right; go and do as well as you can, but be sure bring Corn.'

XXV. Prop. That the Company shall yearly export to the *East-Indies* not less than the Value of 100,000 *l.* in Goods, of the Product and Manufactures of *England*.

Answer. The Company may do this in some Years, and sometimes more, and sometimes not so much, when their Cloth lies unsold, and eaten up with Moths and white Ants in *India*. This ought, for the Public Good, to be left to the Company's Discretion.

XXVI. Prop. That all Dividends be made in Money.

Answer. This is commonly done here and beyond Sea, in other Companies; but some Instance may be given, wherein it would be highly prejudicial to make this Confinement of the Company's Liberty. So it ought to be left to Discretion, as it is now here and in all other Nations.

XXVII. Prop. That no Dividend be made without leaving the original Fund, or at least 1,500,000 *l.* besides what is necessary to pay their Debts.

Answer. This is a discretionary Rule the Company do now observe; but it was never enjoyned them by any Charter; neither is there any Company in the World so circumscrib'd, nor ought to be, for the Public Good. It is against natural Right, that any Men should be barr'd from doing what they think fit with their own Estates.

XXVIII. Prop. That the said Company's Accomptant keep a Book to enter the Value of the Stock upon Oath, to lie open for the Perusal of all Persons concern'd.

XXIX. Prop. That all Transfers of Stock shall be registred and entred in a Book, to lie open to all Persons concern'd.

Answer. The 28th and 29th Propositions are provided for in the same manner already by the Company.

XXX. Prop. That the said Joint-Stock shall continue for twenty-one Years, and no longer.

XXXI. Prop. That a Book of new Subscriptions be laid open for a succeeding new general Joint-Stock before the Expiration of the said twenty-one Years appointed for this Stock.

Answer. This is so strange, that if it should be admitted, would make the Company ridiculous all the World over; and is as much as to say, a Man shall be oblig'd to plant a great Orchard, and remove his Trees, or depart from his Possession at the End of twenty-one Years, or to build a famous Mansion-House, a Town, or City upon such Terms.

The

A.D. 1691-92

pence, the Conteſt hung till the next Seſſion, when we ſhall again find it brought upon the Carpet, and occaſioning as much Clamour as ever.

Bill to regulate Trials in caſe of Treaſon.

The Public was yet farther amus'd, by a long Conteſt between the two Houſes, which was occaſion'd by a Bill, ſent up by the Commons to the Lords, for regulating Trials in Caſes of High Treaſon; or, according to the plauſible Pretences that were given out concerning it, for preſerving the Subject from the Hardſhips and Rigours which they had been expos'd to in the late Reigns: And indeed it appears, that ſomething of this nature was really intended by it: For it provided, That the Priſoner ſhould have a Copy of his Indictment, as alſo, a Copy of the Pannel, ten Days before he was requir'd to plead: That his Witneſſes ſhould have the Privilege to be examin'd upon Oath, in common with thoſe of the Crown, *&c.*

But theſe Indulgences, ſuch as they were, regarded the Commons only; and the Lords thought it expedient, to make a ſuitable Proviſion for themſelves, which was contain'd in the following Clauſe, *viz.* "That upon the Trial of any Peer or Peereſs, for any *Treaſon* or *Miſprilion of Treaſon*, ALL THE PEERS, who have a Right to ſit and vote in Parliament, ſhould be duly ſummon'd, twenty Days before every ſuch Trial, to appear at every ſuch Trial; and that every Peer ſo ſummon'd, and appearing on ſuch Trial, ſhould vote in the Trial of ſuch Peer or Peereſs ſo to be try'd, he and they firſt taking the Oaths, *&c.*"

A.D. 1691-92

A Clauſe added by the Lords in their own Favour.

With this Amendment, and ſome others of leſs Conſequence, the Bill was return'd to the Commons, who rejected it, and gave their Reaſons at a Conference for ſo doing: But theſe not ſatisfying the Lords, the Diſpute was at laſt brought to a free Conference, which was manag'd with equal Addreſs, and maintain'd with equal Firmneſs on both Sides: The Commons inſiſted, That their only Deſign in the Bill was to reſtrain the

and rejected by the Commons.

The *Dutch* Company have ſtrat within theſe forty Years paſt, above *700,000 l.* upon *Surplus*, and have not yet ſeen their Principal by about *400,000 l.* to this Day. This Company have been hoping and forſaying at *Batavia* about ten or eleven Years, and they muſt proceed in building and fortifying there for twenty or thirty Years to come; and in this chargeable and dangerous Work, they have ſpent from two hundred and fifty to three hundred thouſand Pounds Sterling. And though indeed by that neceſſary Work they have preſerved the proper Trade to this Nation, yet they have not receiv'd any thing towards the Charge of their Diſbursments; and that Place will coſt the Company two hundred thouſand Pounds more, before it can be made a compleat, ſecure, and, morally ſpeaking, an impregnable Aſylum to the *Engliſh* Nation. It is a moſt impolitic Notion, That any Company can thrive by frequent Change of Conſtruction and Conduct, any more than a Nation by often changing the fundamental Laws. The *Dutch* Company ſtands as it did from the beginning, and the *Engliſh* have never been chang'd, that the Company knows of, but once in *O. Cromwell's* time; and then it was done with their own Conſent. The Company, by the true Rules of Policy, ought never to alter, nor any Man be forc'd to ſell his Stock, any more than he can be forc'd to buy a Stock that hath none, or any Gentleman that hath an over-grown Eſtate in Land in any Country, can be forc'd to ſell Part, to make way for ſome new Purchaſers, that pretend they will buy Land in that Country.

XXXII. PROP. That the Company be oblig'd, for the better and more ſecure carrying on of this Trade, to have Ships of their own.

Anſwer. This is ſuch a conſtraining Propoſition, as was never made to any Company; all Companies having Ships of their own, and hired Ships, and beſt know when to uſe the one or the other; and there are few Merchants conſiderable in *Europe*, that have not both. And it was never thought or hinted politick to put Trade into ſuch ſtraitlac'd Bodies, which inſtead of making it grow upright and proſper, will either kill it, or force it to go awry."

"*Having anſwer'd the aforeſaid Propoſitions, the Company humbly offer the following Propoſitions may be conſider'd.*

Firſt, If any Alteration ſhould be made of the preſent Conſtitution by his Majeſty, the ſame muſt, was *Interlopers*, and their Adherents, and ſuch as have ſold their Stock at high Rates, and then cry down the Company, to fright the Adventurers, and come in again at low Rates: whether ſuch ſort of Men, after his Majeſty hath granted a new Charter, will not, to ſerve another Turn, exclaim againſt it, in Deſtruction of his Majeſty's juſt Prerogative?

Secondly, Whether, any thing ſuch Men have ſaid, that carries any Appearance of Truth, be not the ſame again which was ſaid above twenty Years paſt, and many times ſince in the two laſt Reigns, and as often anſwer'd and confuted?

Thirdly, Whether the Spirit of Clamour and Oppoſition againſt the Company, which centers in ſome few known Perſons, whether thoſe Perſons be Men of better Fortune, or more regular Lives, or greater Prudence, or otherwiſe preferable to the preſent Adventurers in the *Eaſt-India* Company-Stock?

Fourthly, Whether, conſidering the two Wars this Company have grappled with in *India*, and a worſe kind of civil Broil the *Interlopers* forc'd them to, more pernicious to the Company than both the Wars in *India*; the Company, notwithſtanding their laid Preſſures, hath not manag'd their Affairs to as much national Advantage and Profit to their Fellow-Adventurers, as any *Eaſt-India* Company in *Europe*?

Fifthly, That without Retrench, cramping, or taking care for Reaſons as Charges in the *Eaſt-India* Company, the whole Stock, without ſuch forc'd political Reſtrictment or Limitation, is in a kindly, natural, and continual changing Motion, inſomuch, that the Value of the Stock, once in two Years or thereabout, changes Owners; and there is not now in the preſent Committee three Men that were of the Committee above twenty Years paſt.

Sixthly, That the preſent Governor, *Sir Thomas Cook*, about nine Years paſt, had no Stock at all, nor Sir *Joſeph Herne*, the late Governor, about twenty Years paſt, nor Sir *William Langhorne*; now one of the greateſt Adventurers, but about two Years paſt, they came in by ſeveral Purchaſes, and many at much dearer Rates than the preſent Rate current of the Stock; and there is now of the preſent Committee five worthy Perſons very late Purchaſers, which were never of the Committee before this Year.

Seventhly, If it be thought by any that envy the Company's good Fortune, that ſome few of the Company are too rich and powerful in the Committee, the Company anſwer, that to cure this, if it be a Fault, there needs no new Laws nor Articles in any Charter, for a very few Years will cure that without ſuch preternatural Forces: for that the Sons of ſuch Men were never known to ſucceed their Fathers in the painful Fatigue of the Company's Affairs, but did always ſettle themſelves upon an eaſier Courſe of Life by a Revenue in Land.

Eighthly, If there be ſome of the preſent Adventurers that had Courage enough to keep their Stock, and never ſold any Part thereof during all thoſe violent and unreaſonable Attempts that have been made againſt the Company, whether ſuch Perſons do not rather deſerve the Thanks which the *Roman* Senate gave, *Ne reſpublica Detrimentum caperet, quod non Diſſenſiſſet in Republica*, than any Blame.

Ninthly, The Company, nor, peradventure, any great Buſineſs in the World, did ever thrive where ſome one or two Men, or very few, did not arrive to ſo much Reputation, as *Machiavel* calls it, as to be able to moderate the Councils of the Community with or Society: It is not in the *Netherlands' Eaſt-India* Company; and ſo it was ever in the *Engliſh Eaſt-India* Company, except for the laſt ſeven Years after the laſt Change; in which ſeven Years the Stock and the Company's Affairs dwindled almoſt to nothing, until Sir *William Thompſon*, deceas'd, a Gentleman of famous Prudence and Integrity, aris'd at that Reputation, that, in effect, he govern'd the whole Affair of the Company until the Day of his Death, and under his ſaid Conduct, the Company's Affairs did revive and proſper, and have ſince his Death more increaſed by happy Methods deriv'd from his Wiſdom originally; his worthy Sons and Poſterity are now ſettled upon Eſtates in Land, and have no Concern in the Company.

Sign'd by Order of the Court of Committees.

Eaſt-India Houſe
20th May, 1692. ROB. BLACKHORN.

A.D. 1691-92 *The Matter argued at a free Conference.*

the Abuſes, which, during the Violence of the late Reign, had been practic'd in the inferior Courts, and which not affecting the Lords, their Lordſhips had no immediate Concern in: That even in the Remedies which the Commons had introduc'd, they had been directed by the Current of the Conſtitution in thoſe Times when it had ran the ſmootheſt: That their Lordſhips, without any Complaint of the Method of Trial now in uſe, with regard to themſelves, or having the Terror of any ugly Precedent hanging over them, undertook to give that Current a Direction of their own; and, in ſo doing, were endeavouring to deprive the Crown of one of its moſt eſſential Prerogatives, namely, that of conſtituting Courts and Offices of Juſtice; or, at leaſt, of exempting themſelves from the Force of it: That, as the Matter now ſtood, it was in the Breaſt of the King to conſtitute a High Steward, with Power to ſummon a competent Number of Peers to form a Court: That the Clauſe, on the contrary, depriv'd the High Steward of that Power, and render'd the Trial of every Peer a Matter of as much Ceremony as the calling a Parliament: That as the Difficulty of bringing a Peer to the Bar would be augmented, ſo that of obtaining Juſtice againſt him, would be augmented likewiſe; for as the moſt indifferent would be the leaſt conſtant in their Attendance, ſo Thoſe who by Blood, Alliances, or Dependance, were actually Parties in the Cauſe, would, perhaps, be the only Judges: That this had a Tendency to let in Impunity for Treaſon, which they thought was a Privilege that even the Peerage was not entitled to: That, unleſs twelve Peers ſhould be found ſo abandon'd to all Senſe of Virtue and Honour, as, for Revenge or Intereſt, to ſacrifice an innocent Perſon, which, in Compliment to that noble Body, they did not care to ſuppoſe, their Lordſhips had nothing to apprehend from the Method of Trial now in uſe: And, laſtly, that the Commons could not tell how to think, that their refuſing to adopt any thing which might endanger the Conſtitution, would give any Interruption to the good Correſpondence of the two Houſes, which was ſo neceſſary for the Welfare of the Nation.

The Lords reply'd, in effect, That as they had not differ'd with the Commons in any thing which they had propounded for their Security, ſo they hop'd the Commons would ſhew the ſame Conſideration to theirs: That as the Liberties of the People might be endanger'd by ſome *future* Prince, and in ſuch Caſe, the People might be glad to have the Lords concur with them in their Defence, it was but reaſonable, that the Lords ſhould be at leaſt as ſecure from the Vengeance of the Crown, as the Commons: That as a Peer, obnoxious to thoſe in Power, might be taken off by a Junto (perhaps of ſo few as ſeven Perſons, for ſeven might be held a competent Number) appointed not to try, but condemn him, ſo, notwithſtanding the Proviſo in Caſes of Impeachment, when the whole Peerage were to ſit in Judgment, an ill Miniſter might elude a parliamentary Proſecution, by being tried and acquitted before a Parliament could reach him: That the Method of Trial now in Uſe, was no ancienter than *Henry* VIII. and was introduc'd to take off thoſe he did not like: That the Clauſe no otherwiſe alter'd the Conſtitution, than every new Law might be ſaid to alter the Conſtitution: That, as in time of Parliament, it was admitted, that Trials of this nature might be by the whole Houſe, it was but a ſmall Favour that the Lords contended for, to be tried at all times, as in Parliament; eſpecially, ſince, according to the preſent State of Things, the Term of Privilege was never ſuffer'd to lapſe: That the Argument brought by the Managers againſt the Clauſe, becauſe it had a Tendency to let in Impunity, concluded equally againſt the Bill itſelf; for by granting a Copy of the Indictment, and admitting Witneſſes upon their Oaths, a guilty Man might eſcape; and that a Lord had a much leſs Chance to eſcape with his Life from the Sentence of a pack'd Committee of Lords, than a Commoner from the Verdict of a Jury taken according to Preſcription, out of the *Vicinage*. A.D. 1691-92

The Commons, again, inſiſted, That every new Law did not alter the Conſtitution; for ſome were calculated only to amend or reſtore it; but that the Clauſe in queſtion, inſtead of amending and reſtoring, did actually alter the Conſtitution, and that for the worſe: That they were ſurpriz'd to hear the Method of Trial now in uſe, treated as the Creature of *Henry* the VIIIth's Tyranny, when there was manifeſt Proof of the contrary, by the Statute made 1 *Edw.* III. and many other Authorities: That the very Clauſe in queſtion did affirm the Legality of the ſaid Method, by diſtinguiſhing Treaſons which corrupted the Blood from other kinds of Treaſons: That as to the Apprehenſion dropt by the Lords, that *ſeven* might be thought a *competent Number* of Tryers, it was a Maxim in the Law, that no Man can be convicted of a Crime but by the unanimous Judgment of *twelve* unexceptionable Perſons: That if the Lords have not the Liberty of challenging, as Commoners have, it is becauſe every Peer is eſteem'd unexceptionable and above the Reach of Corruption: That therefore it was ſo much the more ſtrange, that the Suppoſition made by their Lordſhips, that even a Junto might be corrupted, which would have been unwarrantable in others, ſhould eſcape from them: That if all Power was to be aboliſh'd which was liable to Abuſe, all Government would be at an end: That perhaps no harder Caſes were to be found, than thoſe in which King, Lords, and Commons had all concurr'd; as in that of *Cromwell* Earl of *Eſſex*, who was condemn'd without a Hearing: That becauſe in Trials upon Appeal, the Lords themſelves were to be tried by Freeholders of the *Vicinage*, their Lordſhips would ſcarce allow it to be inferr'd, that they ought to be tried in the ſame manner upon Indictments of Treaſon: That the Method appointed by the Clauſe, was even more defective than that contended for by the Commons: For, whereas in Trials by Parliament,

A.D.1691-92 liament, the Lords have a Power to compel their Members to attend; and in those, by the King's Commission, the Lord Steward hath the same Authority over those to whom it is directed, in the present Case, Attendance is voluntary, and as the Commission lasted but a Day, the Issue of every Cause would be directed either by Violence or Favour, according to the Humour of the Majority: That with regard to the present State of the Peerage, they did not find the Lives and Fortunes of any innocent Lord expos'd to the Will of any great and malicious Minister, and, consequently, there was not that Necessity for the Clause which their Lordships suggested: That even if it was necessary, it would not be effectual, since it extended but to some Treasons, and to no Felonies: That if the Lords would never adventure to serve the Public, but on Terms of perfect Safety to themselves, such Service did not merit the Name of an Adventure: And, lastly, That the Peers had Power enough: That the Crown had not too much: That more given to the Former, might endanger the Latter; and that, therefore, the Commons would insist upon the old Ways, keep the Ballance of the Government even as they found it, and not change the Laws of *England*, which had been hitherto used and approv'd.

Both Parties adhere, and the Bill dropt.

Here the Conference broke up; and the Reports made on each Side serv'd rather to inflame the Dispute, than facilitate an Accommodation; insomuch, that, after three other free Conferences, both Houses adher'd, and the Bill dropt of course; the Commons chusing to remain in their present Condition, rather than purchase an Amendment by granting a new Privilege to the Lords, and the Lords resolving not to relieve the Commons, unless they might derive some Advantage from it to themselves.

Fuller's Imposture.

Another of the Amusements of the Session was occasion'd by one *Fuller*, a recorded Cheat, and then a Prisoner for Debt in the *King's-Bench*, who, thinking the Times favourable to the Trade, set up for a Discoverer, in hopes to have found a Market in the House of Commons; to whom he apply'd early in the Session, and to whom he had not only the Boldness to communicate certain Papers, as Vouchers for the Truth of his Informations, but to undertake to make all good by living Witnesses, in case he might be furnish'd with a blank Pass for two Persons to come from beyond Sea, *&c.* The amazing Confidence of the Fellow carried his Point: The House interpos'd with his Majesty for the Pass requir'd; which was granted; and on the 20th of *February* following, the Speaker acquainted the House, That he had receiv'd two Letters from *Fuller*, signifying, that his Witnesses were arriv'd, *&c.* Whereupon an Order was made for his and their Attendance on the *Monday* following, being the 22d; which he endeavour'd to evade, by sending word, that he was ill: But this Pretence would not serve; for the House suspecting an Imposture, immediately dispatch'd several of their Members, properly attended, to secure his Papers, and to examine him upon Oath, Who his Witnesses were? Where they were to be found, *&c.* Thus hard drove, he gave in the Names of Mr. *James Hays*, and Colonel *Delaval*, describ'd their Persons, Habits, directed the Committee to their very Lodgings, and, moreover, named one *Jones*, as a Person who could give them yet farther Intelligence: All which Particulars being reported the next Day to the House, the same Committee were directed to go in quest of these Persons; and on their Return signify'd, That no such Persons were to be found; an Order was then made for *Fuller* to produce them on the Morrow by ten o'Clock peremptorily; and he not being able to fulfil it, the House finally proceeded to declare *nem. con.* That the said *Fuller* was a notorious Impostor, a Cheat, and a false Accuser, having scandaliz'd their Majesties and their Government, abused the House, and falsly accused several Persons of Honour and Quality; for all which Offences, they voted an Address to his Majesty, to command his Attorney-General to prosecute him; which was done accordingly; and he underwent the Disgrace of the Pillory; which, to one so insensible of Shame, was no Punishment.

A.D.1691-92

It is, however, remarkable, that *Fuller* made his first Appearance at the Bar of the House of Commons on the Day appointed for deliberating on the State of the Nation; and that, in the Close of the Debate, a Hint was taken from his pretended Informations to call for the Packet, which contain'd certain Letters that had been intercepted during the Summer preceding, and Lord *Preston*'s Examinations thereon. These Letters were six in all; three of which, we are told, were written with King *James*'s own Hand; the other three were seal'd with his Seal; and all had relation to a Conspiracy said to be then on foot, for exciting a new Rebellion in *Scotland* and the *North* of *England*. Nor was this all; for several Persons were referr'd to as Agents; and among the Chief, *Legg*, Lord *Dartmouth*, and one *Crone*, against whom Warrants were immediately issued; and though *Crone* could not immediately be found, Lord *Dartmouth* was committed to close Custody in the *Tower*. This made some Noise; and it was given out, that other Persons had disappear'd to avoid the like Treatment: Unluckily, no living Witness appear'd in support of these Letters, and Part of them were not sufficiently plain for want of a Key to the Cypher: The Expedient in this Case was to send for Lord *Preston*, who, having been Secretary of State under the late Government, and lying at the Mercy of this, it was thought would be equally able and willing to remove this Difficulty; but in making the Experiment, he either was, or affected to be, invincibly ignorant both of the Character and all it conceal'd: This was a new Mortification; and that Lord *Preston* might be more at Leisure to recollect himself, he was committed to *Newgate*; where, having continued for some time without obtaining or revealing any new Lights,

[*State of Europe for September, 1691, p.* 345.]

A.D. 1691-92 Lights, he was at last admitted to bail. The whole Affair had lain asleep ever since; and upon this Miscarriage of *Fuller*'s Attempt, seem'd to have obtain'd a *Quietus* for good and all.

As to the Articles of *Limerick*, illegal as they had been represented, the Commons did not think fit to enter into a Discussion of them; on the contrary, having in *October* brought in a Bill, to abrogate the Oaths of Allegiance and Fidelity, and to substitute the Oaths to King *William* and Queen *Mary* in their Place, in the *January* following, they order'd the Lord *Castleton* and five other Members to attend General *Ginkle*, now made Earl of *Athlone*, with the Thanks of the House to himself and his Officers, for the great Services they had done towards the Reduction of *Ireland*; to which the General had the Address to reply in the following Terms: "I acknowledge this distinguish'd Honour done me by the House of Commons, and value it above a Triumph: The Success of their Majesties Arms in *Ireland*, was owing chiefly to the Valour of the *English*; and I will take care to communicate the Vote of the House to the Officers that serv'd in *Ireland*, and always endeavour the Prosperity of their Majesties and their Government."

And as to the Fate of Sir *Walter Young*'s Bill, for ascertaining the Salaries of the Judges, we shall chuse to express ourselves in the [Burnet.] Words of the Historian-Bishop, who writes concerning it, as follows: "Among the Bills that were offer'd to the King at the End of the Session, one was to secure the Judges Sallaries, *&c.* The Judges had their Commissions during their good Behaviour; yet their Sallaries were not so secur'd to them, but that they were at the King's Pleasure. But the King put a Stop to this, and refus'd to pass the Bill; for it was represented to him by some of the Judges themselves, *That it were not fit they should be out of all Dependance on the Crown*; though it did not appear that there was any *Hurt* in making Judges in all re- A.D. 1691-92. spects free and independent."

It appears also by a Paper of (*i*) Reasons presented to the Members of both Houses, that their Lordships, the Judges, had their Share of Concern in another Bill, at this time depending, against the *buying and selling of Offices*; but whether the Lords, to whom it had been sent up by the Commons, suffer'd it to be lost, in Compliment to them, we have not sufficient Light to decide.

And now the great Affair of the Supply being dispatch'd, and Ways and Means provided for the raising 3,411,675*l.* for the current Charge, his Majesty, as usual, grew so impatient to go abroad, that though he had just recommended the Case of the *French* Refugees to the Consideration of the Commons, and they had actually begun to deliberate upon it, he came to the House, *February* the 29th, and, having given the Royal Assent to all the Bills presented to him, but that relating to the Judges, put an End to the Session, with the following Speech:

"*My Lords and Gentlemen,*

"I return my hearty Thanks to you all, *The King's Speech.* for the great Demonstrations you have given me of your Affections in this Session, and of your Zeal for the Support of the Government.

And I must thank you, Gentlemen of the House of Commons, in particular, for the *great Supplies* you have granted for the Prosecution of the War. I assure you I shall take care so to dispose of the Money you have given me for the public Occasions, as that the whole Nation may be entirely satisfy'd with the Application of it.

My Lords and Gentlemen,

I think it proper to acquaint you with my Intentions of going beyond Sea very speedily, which, I am afraid, has been *retarded more than is convenient for the present Posture of Affairs*; and upon that account I think it necessary to put an End to this present Meeting; the

---

(*i*) *Viz.* The Statute of 18 *Edward* III. Cap. 4. provides, That the Judges shall be sworn to take no Fee, Robe, or Gift of any but the King.

The Statute, 20 *Edward* III. Cap. 1. provides against Judges taking Fee, Robe, or Gift, of any Subject whatsoever.

The Statute of 12 *Richard* II. Cap. 2. provides, That such as have the ordaining, naming, and making of any Officer under the King, shall not for Money, Favour or Affection, make any Officer, but upon pure Merit and Desert.

The Lord Chief-Justice *Coke* saith, that Justice will never be administred 'till unless the Golden Law, 12 *Richard* II. be observ'd. *Coke's Institutes*, Part I. Fol. 234.

It was adjudg'd Bribery for any in Judicial Office, to take Fee, Robe, or Gift of any private Person. *Coke's* III. *Inst.* Fol. 145, 148.

So that the seventh Proviso in the Statute of 5 and 6 *Edward* VI. Cap. 16. for the Judges to do as they might have done before, cannot be construed for them to sell: For the Administration of Justice is a Trust in them reposed, which they are bound to discharge, according to the Laws in being. And whenever any Person's private Interest comes in Competition with the Public Good, the Public shall be preferr'd: So that if the Judges had good Right and Title to sell Offices, yet as the same are incident to the Administration of Justice, which both Crown and People are bound to support, certainly buying and selling Offices ought to be prohibited, because destructive to the Administration of Justice.

Hence may appear what Caution Law-makers ought to have of Exceptions and Provisoes in Laws, lest selfish Persons, by Colour thereof, take Licence to break in upon former Laws: as both often been done by Colour of the forementioned seventh Proviso. And how can that Judge that sells Offices, punish another for so doing?

If Offices be sold, Money, not Merit, will give Preference. If the Officer, by Ignorance commit an Error, it may be as fatal to the Party griev'd, as if done on purpose to ruin him. Vide *The Secondary Sheriffs of* London, *and Lord* Montgomery's *late Case, &c.* If the Fault be wilfull and corrupt, while the Person that sells the Office has a Trust repos'd in him to correct the Offender, the Money given by the Purchaser, may blind, or rather put out the Eyes, and stop the Ears, and take away the right Judgment of the Judge.

To alledge, that the Judges now have their Sallaries paid by Tallies, and not in ready Money; therefore they ought to be excepted out of this Act: This is no more than may be alledg'd by most of the King's Officers, Soldiers (which would not be liked, if ased by these as a Pretence to free Quarters) Creditors by Loan, *&c.* And is only the unavoidable Consequence of amending the ill State of the Coin, which a short time, and good Management, will fully Remedy.

The Sale of Offices and Places in the City of *London*, hath there, in fact, this Piece of ill Husbandry consequent, *viz.* That for every hundred Pounds the Mayor or Sheriffs receive for many of the said Places, the Citizens, Inhabitants, *&c.* are mulcted to pay again ten times so much to the extraordinary Exactions, *&c.* of the Officers. [*Out of Lord* Somers's *Collection, vol.* XIII.

A.D.1691-92 the Seaſon of the Year being now ſo *very far* advanc'd, that it may prove of the *laſt ill Conſequence* to continue it any longer."

The Lord Chief Baron *Atkins* then declared, That it was his Majeſty's Pleaſure, that the two Houſes ſhould adjourn themſelves to the 12th Day of *April* following; which they did accordingly: And on the 19th of *March* a Proclamation was iſſued for proroguing the Parliament from the ſaid 12th of *April* to the 24th of *May*; and further ſignifying, that their Majeſties would then expect the Attendance of ſuch Members only as were reſident in the Cities of *London* and *Weſtminſter*; and that convenient Notice ſhould be given, by Proclamation, of the time of meeting for the Diſpatch of Buſineſs.

Several Alterations at Court.

His Majeſty, notwithſtanding the Seaſon was ſo *very far* advanc'd, did not, however, embark for *Holland* on the very Inſtant that he had thus diſmiſs'd his Parliament, but continu'd at *Kenſington* till the fourth of *March*; in which Interval he was pleas'd to gratify the *Tories* yet farther, by admitting the Earls of *Rocheſter* and *Ranelagh*, the Lord *Cornwallis*, and Sir *Edward Seymour* (who, according to *Burnet*, had, in a very injurious manner, not only oppos'd every thing, but reflected on the King's Title and Conduct) to his Council-Board; by conſtituting the Earl of *Pembroke* Lord Privy-Seal, and appointing Lord *Cornwallis* to ſucceed the Earl, as a Commiſſioner of the Admiralty. His Majeſty was, moreover, induc'd to make ſome Alterations in the Treaſury, but without altering the Balance of Parties there; for Lord *Godolphin* remain'd firſt Commiſſioner; Sir *John Lowther*, who was diſplac'd to make Room for *Seymour*, was a *Tory*; and *Pelham*, a *Whig*, was ſucceeded by *Charles Montagu*, Eſq; a Gentleman nobly deſcended, of great Parts, refin'd Addreſs, and who began now to be as eminent among the Men of Buſineſs, as he had been, for ſome Years before, among the Men of Genius and Speculation: And, laſtly, the Lieutenancy of *Ireland* was conferr'd on Lord *Sydney*.

Lord Marlborough *diſgrac'd.*

The Diſgrace of the Earl of *Marlborough*, which happen'd in *January*, deſerves to be made an Article by itſelf: Of what Uſe he had been to his Majeſty, there is no need to repeat; what Pleaſure it afforded the *Jacobites* to ſee his Services ſo rewarded, it is eaſy to imagine: And as to the Impolicy of diſobliging him, on account of his Abilities, and the ſupreme Aſcendancy that his Lady and he maintain'd over the Princeſs of *Denmark*, it will be ſo much the leſs wonder'd at, when we conſider, that thoſe Abilities of his could not fail to excite the Jealouſy of the King's *Dutch* Favourites, at leaſt, that his Majeſty, Politician as he was, at Times, ſacrificed all Conſiderations to the Pleaſure of gratifying his own Humours, and that he now thought himſelf in a Condition to give what Scope to thoſe Humours he pleas'd; for not to inſiſt alone on the Credit he had newly acquir'd by the Reduction of *Ireland*, the *Highland*-Chiefs were at this very Inſtant entering into his Pay, and ſwearing Allegiance to him, as we ſhall ſee in its Place; ſo that he had, in all appearance, ſcarce any thing to apprehend at home, except a Parliamentary Oppoſition; and that Experience had already ſhewn him, that while he conſented to a Diviſion of the Game, he ſhould never want a Pack to run it down. A.D.1691-92

The Earl was on the Liſt of Generals to accompany the King to *Flanders*, and ſeem'd to be, at leaſt on as good Terms with him, as any other *Engliſh* Commander: He had made his Court in the Circle on the very Day of his Diſgrace, and had been receiv'd as at other times: But ſcarce had he turn'd his Back before the Earl of *Nottingham* was ſent after him to demand all his Commiſſions (for he was at once Colonel of Fuſileers, Colonel of the third Troop of Guards, and Gentleman of the Bedchamber) and to tell him, his Majeſty had no farther Occaſion for his Service.

To account for this ſudden Turn, Biſhop *Burnet* firſt ſays, *It ſeem'd ſome Letter was intercepted, which gave Suſpicion*; but then he does not explane of what, nor between whom, this Letter was ſuppos'd to paſs. His Lordſhip adds, "It is certain, that he, the Earl, thought he was too little conſider'd, and that he had, on many Occaſions, cenſur'd the King's Conduct, and reflected on the *Dutch*;" which it ſeems was the Criterion of Court-Favour. But, after all, he imputes the *Original Cauſe* of his Diſgrace to the Affair of the Princeſs's Settlement, formerly diſcours'd of at large; which was held to be his Lady's Sin, and therefore to be puniſh'd in him.

His Lady's own Words on this Topic are, "This Event might, perhaps, be well enough accounted for, by ſaying, That Lord *Portland* had ever a great Prejudice to my Lord *Marlborough*; and that my Lady *Orkney* (then Mrs. *Villiers*) tho' I had never done her any Injury, except not making court to her, was my implacable Enemy: But I think it is not to be doubted, that the principal Cauſe of the King's Meſſage, was the Court's Diſlike, that any Body ſhould have ſo much Intereſt with the Princeſs as I had, who *would not* implicitly *obey* every Command of the *King* and *Queen*."

Others ſuggeſt, that the Earl having been entruſted by the King, together with the Marquis of *Caermarthen* and Lord *Shrewſbury*, with the Secret of a Deſign upon *Dunkirk*, he had communicated it to his Wife, and ſhe to her Siſter, Lady *Tyrconnel*; by whoſe Means it reach'd the Court of *St. Germains*, time enough to occaſion a Diſappointment.

But there is no Proof of any ſuch Deſign to be found, much leſs of any ſuch Diſcovery; and the Truth, in the main, is, That there had been a growing Coldneſs between the two Courts ever ſince the King had let the Princeſs know, by his Behaviour both to her and her Huſband, That he could ſupport himſelf without them: And the time was now come when his Majeſty thought he might ſafely lay aſide all that Conſtraint, which, we find by Biſhop *Burnet*, was ſo uneaſy to him.

A.D.1691-92 Lady *Marlborough* herſelf relates the Progreſs of this Coldneſs, and, as one of the Stages, inſerts the following Occurrence:

"The next Difference that happen'd between the Siſters, was upon the Prince's Deſign of going to Sea. He was carry'd to this Reſolution by his Unwillingneſs to ſtay at home, while there was ſo much Action abroad; and by the Remembrance of the extreme ill Uſage he had met with, when, at a great Expence, he attended his Majeſty into *Ireland*.

You will allow, I believe, that it was very natural for the Prince to chuſe a Sea-Expedition, rather than expoſe himſelf again to the like contemptuous Uſage. On his taking leave of the King, who was going to *Flanders*, he aſk'd his Majeſty's Permiſſion to ſerve him at Sea as a Volunteer, and without any Command. The King ſaid nothing; but immediately embrac'd him by way of adieu. Silence in ſuch Caſes being generally taken for Conſent, the Prince prepar'd his Equipage, and ſent every thing on board: But the King, as it afterwards appear'd, had left Orders with the Queen, that ſhe ſhould neither ſuffer the Prince to go to Sea, nor yet forbid him to go, if ſhe could ſo contrive Matters as to make his ſtaying at home his own Choice.

The Queen obſerv'd the King's Directions very exactly: She ſent a great Lord to me, to deſire I would perſuade the Princeſs to keep the Prince from going to Sea; and this I was to compaſs, without letting the Princeſs know that it was the Queen's Deſire. I anſwer'd, *That I had all the Duty imaginable for the Queen, but that no Conſideration could make me ſo failing to my Miſtreſs, as I ſhould think myſelf, if I ſpoke to her upon that Occaſion, and conceal'd the Reaſon of it: That it was natural for the Princeſs to wiſh the Prince might ſtay at home, and be out of* A.D.1691-92 *Danger; but whether ſhe could prevail in that Matter, I did very much doubt: That nevertheleſs I would ſay to the Princeſs whatever her Majeſty pleas'd, provided I might have the Liberty to make uſe of her Name.* After this, the Queen ſent my Lord *Rochester* to me, to deſire much the ſame thing. The Prince was not to go to Sea, and his not going was to appear his own Choice. But after ſo much Noiſe as had been made about his going, the Prince thought, that to ſend for his Things back, without giving any Reaſon for changing his Deſign, would be making a very ridiculous Figure, and therefore he would not ſubmit. Upon which the Queen ſent my Lord *Nottingham* in Form, poſitively to forbid the Prince of *Denmark*'s going to Sea."

Her Grace (for ſhe had been half an Age a Ducheſs before ſhe condeſcended to turn Author) adds, That notwithſtanding all theſe things, the Queen and Princeſs liv'd, in all Appearance, as if nothing had happen'd, till the King was pleas'd, without publicly aſſigning any particular Reaſon, to remove Lord *Marlborough*. And, afterwards, That ſhe never could learn what Cauſe the King aſſign'd for his Diſpleaſure. She alſo adds, That the *being turn'd out* was ſo diſagreeable to her Temper, that, ſhe believes, it was three Weeks before her beſt Friends could perſuade her, that it was fit for her to go to a Court, which, as ſhe thought, had uſed Lord *Marlborough* very ill: That under the Umbrage of a Diſtinction made by Lord *Godolphin*, *viz.* That in attending the Princeſs, ſhe was only paying her Duty where it was owing, ſhe was at laſt prevail'd upon to go: That the Queen, taking her Appearance at Court for an Inſult, requir'd her Siſter, by (*k*) Letter, to diſcard her: That the Princeſs

(*k*) Which, together with the Princeſs's Anſwer, though both are familiar to the preſent Age, are here inſerted for the Information of thoſe to come.

Kenſington, Friday the 5th of *February*.

"Having ſomething to ſay to you, which I know will not be very pleaſing, I chuſe rather to write it firſt, being unwilling to ſurprize you; though, I think, what I am going to tell you, ſhould not, if you give yourſelf the time to think, that never any body was ſuffer'd to live at Court in my Lord *Marlborough*'s Circumſtances. I need not repeat the Cauſe he has given the King to do what he has done, nor his Unwillingneſs at all times to come to ſuch Extremities, tho' People do deſerve it.

I hope, you do me the Juſtice to believe, it is as much againſt my Will, that I now tell you, that, after this, it is very unfit Lady *Marlborough* ſhould ſtay with you, ſince that gives her Huſband to juſt a Pretence of being where he ought not.

I think, I might have expected you ſhould have ſpoke to me of it. And the King and I, both believing it, made us ſtay thus long. But ſeeing you was to far from it, that you brought Lady *Marlborough* hither laſt Night, makes us reſolve to put it off no longer, but tell you, ſhe muſt not ſtay; and that I have all the reaſon imaginable to look upon your bringing her, as the ſtrangeſt thing that ever was done. Nor could all my Kindneſs for you (which is ever ready to turn all you do the beſt way, at any other time) have hindered me ſhewing you that Moment, but I conſider'd your Condition, and that made me maſter myſelf ſo far as not to take notice of it then.

But now I muſt tell you, it was very unkind in a Siſter, would have been very uncivil in an Equal, and I need not ſay I have more to claim: Which, though my Kindneſs would make me never exact, yet when I ſee the Uſe you would make of it, I muſt tell you, I know what is due to me, and expect to have it from you. 'Tis upon that Account, I plainly tell you, Lady *Marlborough* muſt not continue with you in the Circumſtances her Lord is.

I know this will be uneaſy to you, and I am ſorry for it; and it is very much ſo to me to ſay all this to you, for I have all the real Kindneſs imaginable for you, and as I ever have, ſo will always do my Part to live with you as Siſters ought; that is, not only like ſo near Relations, but like Friends: And, as ſuch, I did think to write to you; for I would have made my ſelf believe your Kindneſs for her made you at firſt forget that you ſhould have for the King and me: and reſolv'd to put you in mind of it myſelf, neither of us being willing to come to harſher ways.

That the Sight of Lady *Marlborough* having chang'd my Thoughts, does naturally alter my Stile: And ſince by that I ſee how little you ſeem to conſider what even in common Civility you owe us, I have told it you plainly; but withal aſſure you, that let me have never ſo much reaſon to take any thing ill of you, my Kindneſs is ſo great, that I can paſs over moſt things, and live with you as becomes me. And I deſire to do ſo merely from that Motive: For I do love you as my Siſter, and nothing but yourſelf can make me do otherwiſe: And that is the reaſon I chuſe to write this, rather than tell it you, that you may overcome your Thoughts; and when you have well conſider'd, you will find, that tho' the thing be hard (which I again aſſure you I am ſorry for) yet it is not unreaſonable, but what has ever been practiſed, and what you yourſelf would do, were you in my Place.

I will end this with once more deſiring you to conſider the Matter impartially, and take time for it. I do not deſire an Anſwer preſently, becauſe I would not have you give a raſh one. I ſhall come to your Drawing-room to-morrow before you play, becauſe you know why I cannot make one: At ſome other time we ſhall reaſon the Buſineſs calmly, which I will willingly do, or any thing elſe that may

A.D.1691-92 Princeſs refuſing to do ſo, a Meſſage was ſent by the Lord *Chamberlain (Dorſet)* forbidding her (Lady *Churchill)* continuing any longer at the *Cockpit* (then the Reſidence of her Highneſs, and ſettled upon her and her Heirs, by her Marriage-Articles:) That the Princeſs choſe to leave her Houſe, rather than part with her Friend: That having borrow'd *Sion Houſe* of the Duke of *Somerſet*, the King endeavour'd, tho' in vain, to make his Grace retract the Promiſe he had made. And that the Princeſs, before ſhe remov'd from the *Cockpit*, waited upon her Majeſty, and made her all the Profeſſions imaginable; to which the Queen was as inſenſible as a Statue.

To clear up what has been hinted above, in relation to *Highland*-Chiefs, it is now neceſſary to inſert two Paſſages out of the *London-Gazette, viz.* "Moſt of the *Highlanders* have laid hold of their Majeſties gracious Indemnity, and, particularly, *Cameron* of *Lochiel*, one of their principal Leaders, is going for *England* to give his Majeſty all Aſſurance of his Sincerity: And we are told, that ſeveral others are inclinable to ſubmit, and deſire ſome *farther time* may be allow'd them for their coming in; ſo, that it is believ'd, there will be no Occaſion for our Forces to march towards the *Highlands*." This was dated *January* the ſeventh, and that which follows *January* the eleventh. "It is now confirm'd, That the Earl of *Brodalbin*'s Negotiations with the *Highlanders* has had its intended Effect; for Sir *Ewan Cameron* of *Lochiel*, Chief of that Clan, and the principal Leader of that Party, the Laird of *Macnaughton*, Chief of his Clan, the *Macdonalds* of *Kippoch*, *Ferquarſon* of *Inerey*, with that Clan, the *Stuarts* of *Appin*, the Clan of *Gregor*, and many others, both *Highlanders* and *Lowlanders*, who were the principal Leaders and Actors in the late *Highland*-Rebellion, are now come in, and have taken the Oaths, in the Terms of, and within the Time prefix'd by, their Majeſty's Indemnity. *Macdonald* of *Glengary*, and ſome others, who were *deluded* to ſtand out till the *Expiration of the Time* appointed for them to come in, are now *ſenſible of their Folly*, and have offer'd to ſubmit to the Government, and to give *Bond* for their *peaceable living* under it: And, thereupon, all the late King *James*'s Officers, particularly, *Bochan* and *Canon*, have A.D.1691-92 deſir'd Paſſes to go out of the Country; ſo that now we have no fear of any Diſturbance within this Kingdom."

Thus the King had reaſon to think, that he ſtood upon higher and ſafer Ground than he had ever done before: And whereas Bp. *Burnet*, ſpeaking of his Majeſty's going over to *Holland* to prepare for an early Campaign, makes uſe of theſe Words: "He intimated ſomewhat in his Speech to the Parliament of a Deſcent deſign'd upon *France*; but we had neither Men nor Money to execute it." In the Copies of his Speech now extant, we can find no ſuch Intimation: And as to his Majeſty's not having Men nor Money for ſuch a Project, the Biſhop himſelf has before acknowledg'd, he had as much of the Latter as he aſked; and it is notorious, that upon the Reduction of *Ireland*, the far greater Part of the Forces employ'd in that Service, were recall'd as ſoon as it was over, and together with ſeveral other Regiments from *Scotland*, were waſted over to *Flanders*; whence, and from the Proviſion made by the Commons for upwards of ſixty-five thouſand Men, we are authoriz'd to ſet aſide this ſtrange Paragraph, as void of all Foundation.

To proceed with the Affairs of *Scotland*, it *Affairs of Scotland.* now appear'd, that his Majeſty was as weary of playing the *Preſbyterian* there, as the Reforming *Whig* in *England*; or rather, that, like a prime Politician, he ſhifted his Sails as the Wind requir'd; for, having made all the Uſe he could of the refractory Spirit of that Faction, and finding it now became troubleſome to himſelf, he open'd his Arms to their Adverſaries, and made a very conſiderable Alteration in their Favour: Nay, according to the Prelate laſt quoted, ſome of thoſe who had been in *Montgomery*'s Plot, were brought into the Council and Miniſtry, and had ſome of the chief Poſts in the Government aſſign'd them, tho' his Lordſhip aſſures us, it was very viſible, that thoſe pretended Converts came into his Service only to have it in their power to deliver up that Kingdom to King *James*; in which, it ſeems, they were ſo open, that they ſcarce diſguis'd their Deſigns: And yet at the Head of this motley Adminiſtration, were plac'd the Maſter of *Stair*, and *James Johnſton*, Eſq; his Majeſty's late Envoy to the Elector of *Brandenburgh*,

---

may ſhew it ſhall never be my Fault if we do not live kindly together; nor will I ever be other by choice, but your truly loving and affectionate Siſter,

M. R."

THE ANSWER.

"Your Majeſty was in the right to think your Letter would be very ſurprizing to me: for you muſt needs be ſenſible enough of the Kindneſs I have for my Lady *Marlborough*, to know, that a Command from you to part with her muſt be the greateſt Mortification in the World to me; and indeed of ſuch a nature, as I might well have hoped your Kindneſs to me would have always prevented. I am ſatisfy'd ſhe cannot have been guilty of any Fault to you: And it would be extremely to her Advantage, if I could here repeat every Word that ever ſhe ſaid to me of you in her whole Life. I confeſs, it is no ſmall Addition to my Trouble to find the want of your Majeſty's Kindneſs to me upon this Occaſion, ſince I am ſure I have always endeavour'd to deſerve it by all the Actions of my Life.

Your Care of my preſent Condition is extremely obliging; And if you would be pleas'd to add to it ſo far, as upon my account to recall your ſevere Command (as I muſt beg leave to call it a Matter ſo tender to me, and ſo little reaſonable, as I think, to be impoſed upon me, that you would ſcarce require it from the meaneſt of your Subjects) I ſhould ever acknowledge it as a very agreeable Mark of your Kindneſs to me. And I muſt as freely own, that as I think this Proceeding can be for no other Intent than to give me a very ſenſible Mortification, ſo there is no Miſery that I cannot readily reſolve to ſuffer, rather than the Thoughts of parting with her. If after all this that I have ſaid, I muſt ſtill find myſelf ſo unhappy as to be farther preſs'd in this Matter, yet your Majeſty may be aſſur'd, that as my paſt Actions have given the greateſt Teſtimony of my Reſpect both for the King and you, ſo it ſhall always be my Endeavour, wherever I am, to preſerve it carefully for the time to come, as becomes

Your Majeſty's
Very affectionate Siſter
and Servant.
ANNE.

From the *Cockpit*, *Feb.* 5th, 1692.

A.D.1691-92 *denburgh*, as joint Secretaries. The Biſhop indeed does not ſpecify this Partition of Power, but ſays, *Johnſton* was call'd home to be made Secretary, and *Melvil* had a leſs important Poſt given him. But in this Matter it is ſafeſt to follow the *Gazette*: The inferior Poſt beſtow'd on Lord *Melvil*, was that of Lord Privy-Seal; *Tweedale* was made Lord-Chancellor, *Crawford* continu'd to preſide at the Council-board, *Lothain* had the Honour to repreſent his Majeſty's Perſon as High Commiſſioner to the General-Aſſembly: And becauſe the Parliament were not as yet in a Temper to be met with Safety, nor the Country to be entruſted with a new Election, it was farther adjourn'd from the 28th of *January* to the 15th of *April*.

Our Hiſtorian-Biſhop, however, acknowledges, that the great Drift of his Majeſty's *Scotiſh* Politics was now to remove the ill Impreſſions, which, from his paſt Conduct there, had been entertain'd of him in *England*: That this, and the Diſpleaſure he had conceiv'd againſt the *Preſbyterians*, induc'd him to make the Change above mention'd, and farther to recommend to the General-Aſſembly to receive the Epiſcopal Clergy, upon their Deſire to be admitted, and to concur with them in the Government of the Church; as alſo to order the ſaid Aſſembly to be diſſolv'd, in caſe they did not think fit to comply with this Expedient of his Majeſty's, to ſmooth the Current of his own Affairs at their Expence.

But, according to his Lordſhip, there was no Likelihood that this Expedient ſhould take place; for, ſo violent was the Animoſity of the two Parties againſt each other, that neither would liſten to any Propoſal of Accommodation; and ſo implacable the Spirit of their Leaders, that they made uſe of all their Credit and Intereſt to widen the Breach which it was their Duty to cloſe. The *Prelatiſts* gave out, That the King was now theirs, and that they ought to have the full Benefit of their Majeſties favourable Diſpoſition towards them; and the *Preſbyterians*, that the Law was theirs, and that what they were authoris'd to keep, they would not part with in Compliment to any body. The *Prelatiſts* did indeed profeſs, That they were willing to come to a Concurrence with *Preſbytery*; but then, ſays our Right Reverend Author, *It was with a Deſign to bring about Epiſcopacy*; which may be true enough; for Power is of an encroaching nature, and thoſe who contend for a little, will ſcarce be ſatisfy'd with all. The *Preſbyterians*, however, whom he characteriſes as ſtiff and peeviſh always, were now more than ordinarily ſo: "They were jealous of the King, continues his Lordſhip; their Friends were now diſgrac'd; their bittereſt Enemies were coming into Favour; ſo they were ſurly, and would abate in no Point of their Government; and upon that the Aſſembly was diſſolv'd [without naming any other time or Place of meeting] but they pretended, that by Law they had a right to an annual Meeting, from which nothing could cut them off; for they ſaid, according to a Diſtinction much uſed among them, that the King's Power of calling Synods and Aſſemblies, was *cumulative*, and *not privative*; that is, he might call them if he would, and appoint Time and Place; but that if he did not call them, they might meet by an inherent Right that the Church had, which was confirm'd by Law; therefore they adjourn'd themſelves. [*having firſt proteſted againſt the Diſſolution.*] This was repreſented to the King as a high Strain of Inſolence, that invaded the Rights of the Crown, *of which he was become very ſenſible*: Moſt of thoſe who came now into his Service, made it their Buſineſs to incenſe him againſt the *Preſbyterians*; in which he was ſo far engag'd, that it did alienate that Party much from him."

A.D.1691-92

Thus we find our Deliverer-King at Variance in both Kingdoms with, and oppos'd by, his Firſt Friends; and his own *Apologiſt* allowing, in effect, that in prerogative Points King *James* himſelf had hardly a quicker Feeling. The ſame Author after this makes a Tranſition to another Affair, which he introduces in the following Words: "There was, at this time, a very barbarous Maſſacre committed in *Scotland*, which ſhew'd both the Cruelty and Treachery of ſome of thoſe who had unhappily inſinuated themſelves into the King's Confidence." The Maſſacre, it is true, was barbarous beyond Imagination; but whether the Guilt and Scandal of it ought to be faſten'd on ſome of his Majeſty's new Friends only, as the Biſhop would apparently have it believ'd, ought to remain a Queſtion till we know the whole of the Story; which is thus recited by his Lordſhip:

The Maſſacre of Glencoe.

"The Earl of *Braidalbin* formed a Scheme of quieting all the *Highlanders*, if the King would give twelve or fifteen thouſand Pounds for doing it, which was remitted down from *England*: And this was to be divided among the Heads of the Tribes or Clans of the *Highlanders*: He employ'd his Emiſſaries among them, and told them, the beſt Service they could do King *James*, was to lie quiet, and reſerve themſelves to a better time; and if they would take the Oaths, the King would be contented with that, and they were to have a Share of this Sum, that was ſent down to buy their Quiet: But this came to nothing; their Demands roſe high; they knew this Lord had Money to diſtribute among them; they believ'd he intended to keep the beſt Part of it to himſelf; ſo they aſked more than he could give. Among the moſt clamorous and obſtinate of theſe, were the *Mackdonalds* of *Glencoe*, who were *believ'd* guilty of much Robbery, and many Murders; and ſo had gain'd too much by their pilfering War, to be eaſily brought to give it over. The Head of that Vally had ſo particularly provok'd Lord *Braidalbin*, that as his Scheme was *quite defeated*, by the Oppoſition that he rais'd, ſo he deſign'd a ſevere Revenge. The King had, by a Proclamation, offer'd an Indemnity to all the *Highlanders* that had been in Arms againſt him, upon their coming in, by a prefix'd Day, to take the Oaths: The Day had been twice or thrice prolong'd; and it was at laſt carry'd

as related by Burnet.

A.D.1691-92 carry'd to the end of the Year 1691, with a poſitive threatning, of proceeding to *Military Execution* againſt ſuch as ſhould not come into his Obedience, by the laſt Day of *December*.

All were ſo terrify'd that they came in; and even that *Macdonald* went to the Governor of *Fort William*, on the laſt of *December*, and offer'd to take the Oaths; but he, being only a military Man, could not, or would not, tender them: And *Macdonald* was forc'd to ſeek for ſome of the legal Magiſtrates to tender them to him. The Snows were then fallen, ſo four or five Days paſs'd before he could come to a Magiſtrate; he took the Oaths in his Preſence on the fourth or fifth of *January*, when, by the Strictneſs of Law he could claim no Benefit by it; The Matter was ſignify'd to the Council; and the Perſon had a *Reprimand* for giving him the Oaths, when the Day was paſt.

This was kept up from the King: And the Earl of *Braidalbin* came to Court to give an Account of his Diligence, and to bring back the Money, ſince he could not do the Service for which he had it. He inform'd againſt this *Macdonald*, as the chief Perſon who had defeated that good Deſign; and that he might both gratify his own Revenge, and render the King odious to all the *Highlanders*, he propos'd, that Orders ſhould be ſent for a *Military Execution* on thoſe of *Glencoe*. An Inſtruction was drawn by the *Secretary of State* to be both ſign'd and counterſign'd by the King (that ſo he might bear no Part of the Blame, but that it might lie wholly on the King) that ſuch as had not taken the Oaths by the time limited, ſhould be ſhut out of the Benefit of the Indemnity, and be receiv'd only upon Mercy: But when it was found that this would not authorize what was intended, a ſecond Order was got to be ſign'd and counterſign'd, that if the *Glencoe*-Men could be ſeparated from the reſt of the *Highlanders*, ſome Examples might be made of them, in order to ſtrike Terror into the reſt. The King ſign'd this, without *any Enquiry* about it; for he was too apt to ſign Papers in a hurry, without examining the Importance of them. This was one Effect of his Slowneſs in diſpatching Buſineſs; for as he was apt to ſuffer things to run on till there was a great Heap of Papers laid before him, ſo then he ſign'd them a little too precipitately. But all this while, the King knew nothing of *Macdonald*'s offering to take the Oaths within the time, nor of his having taken them ſoon after it was paſt, when he came to a proper Magiſtrate. As theſe Orders were ſent down, the *Secretary of State* writ many private Letters to *Leving ſtoun*, who commanded in *Scotland*, giving him a ſtrict Charge and particular Directions for the Execution of them: And he order'd the Paſſes in the Valley to be kept; deſcribing them ſo minutely, that the Orders were certainly drawn by one who knew the Country well. He gave alſo a poſitive Direction, that no Priſoners ſhould be taken, that ſo the Execution might be as *terrible as was poſſible*: He preſs'd this upon *Leving-* *ſtoun* with Strains of Vehemence that look'd A.D.1691-92 as if there was ſomething more than ordinary in it; he indeed grounded it on his Zeal for the King's Service, adding, that ſuch Rebels and Murderers ſhould be made Examples of.

In *February*, a Company was ſent to *Glencoe*, who were *kindly* receiv'd and quarter'd over the Valley; the Inhabitants *thinking themſelves ſafe, and looking for no Hoſtilities*, after they had ſtaid a Week among them, they *took their time in the Night*, and kill'd about ſix-and-thirty of them, the reſt taking the alarm and eſcaping. This rais'd a *mighty Outcry*, and was publiſh'd by the *French* in their *Gazettes*, and by the *Jacobites* in their *Libels*, to caſt a Reproach on the King's Government, as cruel and barbarous; though in all other Inſtances it had appear'd, that his own Inclinations were gentle and mild, rather to an Exceſs. The King ſent Orders to inquire into the Matter; but when the Letters writ upon this Buſineſs were all examined, which I myſelf read, it appear'd that *ſo many* were involv'd in the Matter, that the King's Gentleneſs prevail'd on him to a Fault, and he contented himſelf with diſmiſſing only the Maſter of *Stair* from his Service. The *Highlanders* were ſo inflam'd with this, that they were put in as forward a Diſpoſition as the *Jacobites* wiſh'd for, to have rebell'd upon the firſt favourable Opportunity: And indeed the not puniſhing this with a due Rigour, was the greateſt Blot in this whole Reign, and had a very ill Effect in alienating that Nation from the King and his Government."

Thus we are to conclude, if we can, that the *Jacobites* made no Scruple to cut one-another's Throats for the Advancement of their Cauſe: But if Lord *Braidalbin* was a *Jacobite*, the Maſter of *Stair* was not; and his Brother-Secretary, *Johnſton*, had been one of the moſt active Inſtruments in the Revolution: Beſides, *Stair* was not one of thoſe *lately* taken into his Majeſty's Confidence, for he had poſſeſs'd a large Share of it from the Beginning: He had ſerv'd as Joint-Secretary with *Melvil*, before the Latter was ſet aſide, to make Room for *Johnſton*: And how far ſoever *Braidalbin* might have been inſtrumental to the Maſſacre, by his Repreſentations at Court, *Stair* was the Man who took ſuch Pains to make it as *terrible as poſſible*; which will be prov'd beyond all Contradiction in the Sequel, when the Deciſion of this Affair in the *Scottiſh* Parliament comes to be treated of. The Biſhop's Account is indeed liable to many Objections, both on account of Partiality and Inconſiſtency; for, not to inſiſt any farther on his Injuſtice in warping the Fact in ſuch a manner as to make it reflect on the *Jacobites*, he has omitted many material Circumſtances, he has ſoften'd others; and tho' he cannot wholly ſuppreſs the Horror of the Proceeding, he ſeems diſguſted that it ſhould raiſe a mighty Outcry, or that it ſhould be made a Reproach on the King's Government: Whereas, no Government ought to be facred on ſuch infamous Occaſions as theſe; which authoriſe

A.D. 1691-92 authorise their Enemies to expose them, their Friends to desert them, and lay an indispensible Obligation on the Historians to set them forth in their proper Colours, as a Warning to Posterity.

In Contradiction to what the Bishop says, we have seen it affirm'd in the *Gazette*, That *Braidalbin*'s Negotiations *had succeeded*; that several of the Clans had made their Submission; and that those who had been *deluded* to stand out were sensible of their Folly, and were willing to submit. This Article is dated from *Edinburgh*, *January* the 11th, and was publish'd at *London* on the 18th following. His Lordship acknowledges, that *Macdonald* came to Colonel *Hill*, Governor of *Fort-William* on the last Day of *December*, being also the last of the Indemnity, in order to take the Oaths; and tho' he postpones his actual taking of them to the fourth or fifth of *January* following, he also acknowledges, that this Delay was occasion'd by the Rigour of the Season: But the *Jacobites* affirm, That, notwithstanding the Season was so rigorous, he made such haste to *Inverary*, the Capital of *Argyleshire*, that the Term prescrib'd by the Proclamation was elaps'd but *one Day*; that if the Extremity of the Weather had not hinder'd, he had arriv'd there within the said Term: That Sir *Colin Campbell*, the Sheriff of the County, to whom he apply'd, at first scrupled to administer the Oaths, alledging, that *Macdonald* was no longer entitled to the Benefit of them; but was at last overcome, on his threatning to protest against the Severity of such Treatment; and that when he and his Company had thus made their Submission, he return'd to his own Habitation, in full Confidence, that being now a sworn Subject, he was no longer liable to the Penalties he had incurr'd as a Rebel.

and by the Jacobites. [Gallienus Redivivus, 4to. 1695.]

The *Jacobites*, moreover, affirm, That the Soldiers came into the Valley, under the Pretence of levying Arrears of Cess and Hearth-Money: That, upon their Entrance, either *Macdonald* or his Sons demanded, If they came as Friends or Enemies? That the Officers answer'd, as Friends; and gave their Parole of Honour, That they would do no Injury either to him or his: That upon this, they were promis'd the best Entertainment the Place afforded: That this Promise was punctually fulfill'd: That they lived together *fifteen* Days or thereabouts, in mutual Friendship: That on the Day before the Massacre, Captain *Campbell* of *Glenlyon*, who commanded the Corps, and old *Macdonald*, play'd at Cards together till between six and seven o'Clock in the Evening: That they parted with the kindest Professions on both Sides: That the younger *Macdonald* mistrusting *Campbell*'s Sincerity, hid himself that Night near their Main-Guard, and perceiving it to be doubled, made his Brother acquainted with it first, and then his Father: That the two Latter could not be brought to adopt the Suspicions of the Former: That the Brothers then going out to make farther Discoveries, found eight or ten Sentinels posted where there used to be only one: That the Discourse among these was, "That they liked not the Work; that though they would willingly have fought the Men of *Glen*, they held it base to murder them, but that their Officers were answerable for it, not they, *&c.*" That hereupon returning to apprize their Father of the Danger, they found the House surrounded, heard the Discharge of Muskets, and the Shrieks and Clamours of those within; and, being unarm'd, fled for their Lives, and had the good Fortune to escape the Perils they were surrounded with: That old *Macdonald* was shot thro' the Head, and fell dead in his Lady's Arms, who also died the next Day, under the Horror of this Tragedy: That the Laird of *Archintrinken*, a Guest of *Macdonald*'s, who had submitted to the Government, and receiv'd Colonel *Hill*'s Protection (which was then in his Pocket) three Months before, met with the same Fate: That a Boy of eight Years old, who fell at *Campbell*'s Feet, crying for Mercy, and offering to be his Servant for Life, in Case he might obtain it, was, in that Posture, stabb'd to the Heart by one *Drummond*, an Officer employ'd in this infernal Service: That the Number thus butcher'd were thirty-eight; most of whom were surpriz'd in their Sleep, and dispatch'd without allowing them time to implore the Forgiveness of their Sins: That the Order extended to all the Males thorough the whole Valley, under Seventy, who were two hundred in Number; and that *if it had been* possible for the Parties appointed to assist *Campbell*, to have come up time enough, to secure the several Passes, not a single Man had escap'd: That *Campbell*'s Men were so cruelly punctual in their Obedience, that they put some to death who were above seventy: That after the Massacre, they set all the Houses on fire, drove off all the Cattle amounting to nine hundred Cows, two hundred Horses, and abundance of Sheep and Goats to the Garison of *Inverlochey*, where they were divided amongst the Officers: That the Women and Children, after the Murder of their Fathers and Husbands, were almost stript and turn'd out in a violent Storm to seek for Shelter where they could find it; all the Mountains round being cover'd with Snow, and not one House nearer than six Miles. That in the midst of such a Variety of insupportable Calamities, the greatest Part of them perish'd by the Way: That two Officers who refus'd to obey the inhuman Orders they had receiv'd, or to break their Parole to *Macdonald*, were sent Prisoners to *Glasgow*: That *Campbell*, or *Glenlyon* himself, as he was called by the *Scots*, justify'd the Action publicly, saying in the Royal Coffee-house at *Edinburgh*, "That he would do it again, if it were again to be done: Nay, that he would stab any Man in *Scotland* or *England*, without asking, why? if he was commanded so to do; such absolute and implicit Obedience being, as he thought, every good Subject's Duty." That the Gentleman to whom this Narrative was sent, did on *Thursday, June* 30. 1692 go to *Brentford*, where Lord *Argyle*'s Regiment of *Highlanders*,

A.D. 1691-92

A.D. 1691-92 *Highlanders*, who had the Honour of this Service, were then quarter'd, in order to be farther satisfy'd of the several Particulars, by the Confession of the Actors: That all these several Particulars were verify'd accordingly by their own Confession: That *Glenlyon* and *Drummond* were both there at the same time; and that, notwithstanding the confident Discourse of *Glenlyon* concerning the Massacre, one of the said *Highlanders*, endeavouring to express the Consciousness of Guilt that was visible in *Glenlyon*, said, "*Glencoe* seems to hang about *Glenlyon* Night and Day; and you may see it in his Face."

It is thus this horrid Tale is told by those who are as much dispos'd by their Prejudices to vilify the Transactions of those Times, as the Bishop to extenuate them. The Reader will moderate between both, as he finds Cause: But surely, according to the most favourable Representation that can be given of this Action, it must appear, that, either for Barbarity or Perfidy, it is scarce to be paralleld in History: For not to insist on *Macdonald*'s Submission to the Government, and the good Reception he had given such unwelcome Guests, it may be reasonably urged in his Behalf, that he had, from the Beginning, consider'd the Prince of *Orange* as an Invader; that he had assisted in maintaining a fair and open War against him, on a Presumption, that his Duty and Allegiance to King *James* requir'd it; and that if in the Course of it Blood had been spilt, and other Acts of Violence and Reprisal had been committed, he was no more to be esteem'd a Thief and a Murderer, than other Gentlemen-Adventurers in the Military Trade; who are, in the general, but too apt to think, that a State of Hostility will justify any Outrage whatsoever.

The particular Quarrel between *Braidalbin* and him, was no more than this: *Macdonald*'s Men had plunder'd *Braidalbin*'s of their Cattle; and at the Meeting held by the Latter for purchasing the Submission of the Clans, he insisted on Restitution out of *Macdonald*'s Share of the Money; and rather than comply, the Other broke off the Negotiation: And as to what is farther alledg'd, that he and his Clan had been active in the former Reigns, in persecuting the *Field-Conventiclers*, though it may prove, that the *Glencoe*-Men had more Zeal than Humanity, it by no means authorises their Extirpation.

To close on this Topic, for the present: That the *Highlanders* should be *enflam'd* with this Execution, can scarce be doubted, unless we can suppose they were insensible: But whatever Disposition it put them into, the Terror which accompany'd it, and the Bargain they had so lately made with the Court, kept them in Obedience, and answer'd all the Ends which the Court expected from those several Expedients.

Arbitrary Proceedings in Ireland.

It is now proper to take a transient View of the Settlement in *Ireland*; and the first Object that naturally presents itself before us, is another extraordinary Strain of Power, that has been coupled with the Massacre of *Glencoe*, because of the same tyrannical nature, and equally incapable of Excuse or Palliation. A.D. 1691-92

Mention has already been made of eight [P. 99.] Soldiers that had been strangled in a Church near *Dublin*: The Bodies of these Men were found in the Yard of one *Sweetman*, and their Clothes in his House; upon which he was apprehended, together with one *Gafney*, his Servant. Both, it may be suppos'd, were concern'd in the Murder; but there was not sufficient Proof against either: However, being thrown into Prison, *Gafney* offer'd to turn Evidence; which so frighten'd *Sweetman*, that he set his Agents to work, to compound for his Life, by a Surrender of his Estate, which was worth 3000 *l.* This tempting Bribe was first tender'd to Captain *Fitzgerald*, one of the Privy-Council; but whether he boggled at the Terms, or had not Interest enough to make them good, the Jobb fell next into the Hands of one Mr. *Culliford*, who found Ways and Means to complete the Bargain, and also to squeeze out 500 *l.* more, as a Fee for Mr. *Fielding*, Secretary to the Lords Justices. All that now remain'd, was to provide for the Security of *Sweetman*; according to Covenant, and, withal, find a Victim to appease the Soldiery; which was done in the manner following: The Council being set, *Gafney* was call'd in; and having been asked three or four Questions by Mr. *Coningsby*, one of the Lords-Justices, tending to saddle him with the Murder, which he utterly disclaim'd, his Excellency was pleas'd to order a Provost-Martial, who had been call'd in for that Purpose, and attended the Examination, such as it was, to hang him up *immediately*: The *Provost*, startled at this summary way of Proceeding, which he was not prepar'd for, answer'd, That it would take some Time to make a Gallows; and his Excellency, as the most adroit Executioner of the two, reply'd, *Hang him on the Carriage of a Gun!* which was done *immediately*, in Violation of all the Forms, as well as the Essentials of Civil Government: And how it was resented in *Ireland*, and treated in *England*, we shall see in its proper Place.

It is not, perhaps, to be suppos'd, that this was the only Instance in which *Coningsby* play'd the Bathaw. No Man grows shameless at once; and we cannot help concluding, that he who could presume to stretch his Power so far in a Case where a Subject's Life was concern'd, would not scruple to make as free with their Liberty and Property. Accordingly, we find him and his Colleague chusing to govern after the military Mode, and not only practising all manner of Expedients to make themselves both rich and formidable, but actually enslaving the Militia themselves by the Imposition of illegal Oaths, and subjecting them to martial Law, in order to make them the Instruments, to enslave the rest of their Fellow-Subjects.

What was still worse, such Examples above, produc'd the most pernicious Effects imaginable below; for the Justices of Peace, and other subordinate Magistrates, thinking that all Law was at an end, and that Will and

A.D.1691-92 and Pleasure was, for the future, to be the only Measure of their Administration, made no Difficulty to proceed in their several Capacities, in the same summary way, and thereby occasion'd such a Variety of Clamours, and brought the whole Government into such Disgrace, that the Lords-Justices found themselves under a Necessity to set forth a Proclamation, in which they were forc'd to acknowledge, that the Grievances the People so loudly complain'd of, were too heavy to be borne, and too notorious to be deny'd; for, therein they make use of these very Words, *viz.* "That the Lords-Justices being inform'd, that several Justices of the Peace, Sheriffs, and other Magistrates, presuming on their Power in the Country, have, by colour of their Authority, *in a most illegal and arbitrary manner*, and contrary to the known Laws of this Kingdom, dispossess'd several of their Majesties Subjects, *not only of their Goods and Chattels*, but of their *Lands* and *Tenements*; they, therefore, command and require all Justices of the Peace, Mayors, Sheriffs, *&c.* to forbear such illegal Proceedings, and not to intermeddle with the Property, Right, Title, or Possession of the Estate, Goods or Chattels of their Majesties Subjects, other than as by due Course of Law they are requir'd, and shall be able to justify." It was also order'd, that this Proclamation should be publicly read in every Market-Town, for three Days successively; to the end, that such as had been any ways aggriev'd, might have Notice thereof, and might, if they thought fit, make their Complaint to the next sitting Judges, at the respective Assizes, in order to have Redress for the Injury done them, and that the Offenders might be dealt with according to Law.

But whether their Majesties were unapprized of the Disorders of *Ireland*, or were not willing to countenance the Clamours which arose thereupon, they were pleas'd to make *Coningsby* a Baron of that *Kingdom*; which seem'd to be a Mark of Approbation and Favour, and to continue him in the Administration till the Arrival of Lord *Sydney*, which was not till the 25th of *August* following; in which Interval, he presided, together with his Collegue, *Porter*, in the Court, which was held for adjusting the Clames of those comprehended in the Articles of *Limerick* and *Galway*; and lost no Opportunity of enriching himself that offer'd, either at the Expence of the Crown or the Subject.

Sir Rowland Gwynn *falls into Disgrace.*

And, possibly, it was under the Umbrage of the universal Disrepute that the Government of *Ireland* was in, that Sir *Rowland Gwynn*, Treasurer of the Chamber, took the Liberty to tell the Queen, in so many Words, That Lord *Sydney* sold all the Places in *Ireland*. But, however notorious the Practice was, nothing could be more indiscrete, if not unfair, than to charge the Infamy of it on the new Lieutenant, without being provided with such Evidence as would serve to warrant his own Information; for the Queen, in Compliment to that Favourite, immediately imparted what she had been told to his Excellency, who made use of the Intelligence A.D.1691-92 to ensnare his Antagonist; for having caus'd Mr. *Pultney*, whom he had made his Secretary, to be present, he sent for Sir *Rowland*, who came without Mistrust, and consequently fell into all the Surprize and Confusion that Men are subject to on such Occasions. To evade one Difficulty, he fell into another, and was finally dismiss'd by the great Lord, with a Menace, That he should make his Appeal for Justice to the Council-Board. Accordingly, the whole Board being conven'd, Lord *Sydney* himself making one, and the Queen presiding, who was both Witness and Judge, Sir *Rowland* was call'd in, was charg'd in her Majesty's Name, with having utter'd such defamatory Words of the Lord-Lieutenant; and, unhappily for himself, to rid his Hands of his Excellency, enter'd the Lists with the Queen; for he would not allow, that he had said, Lord *Sydney* sold the Places, but only, that it was reported the Places were sold: But Lord *Sydney* giving an Account of what had pass'd between them at his House, and Mr. *Pultney* confirming it; one Mr. *Murray* also witnessing, That Sir *Rowland* himself, had, in his Company, acknowledg'd what was now laid to his Charge, the whole Board, with one Voice, declar'd against him; and, upon the Issue, her Majesty was pleas'd to pronounce, That the said Words were false and groundless; and that she was fully satisfy'd of the Falsehood of the same. This was publish'd in the *Gazette*, and to make a thorough Example of the Offender, he was depriv'd of his Place.

This is the Sum of the Story, as we find it told by the small Courtiers of those Times; but, probably, this is not the whole of it; for, if it had been usual to punish Whisperers in this severe manner, the whole Breed had, before this time, been extirpated; and as it was otherwise, we may reasonably conclude, that tho' this was the Outside of the Matter, there was something more at the Bottom. [*Letters of Mr.* Watt *to Sir* W. Dutton Colt *at* Hanover, *inserted in Mr.* Tindal's *Notes.*]

This Incident occurr'd, *April* the seventh; and that we may dispatch all that important Branch of Court-Business, which turns upon Disgraces and Preferments, at once, we must farther remember, That about this time also, *John How*, Esq; Vice-Chamberlain to the Queen, who had first been a zealous Patriot, then a Courtier, and now began to lean towards Patriotism again, receiv'd a Message from her Majesty, importing, That she had no farther Occasion for his Service. It is insinuated, that, presuming on the Familiarities which his Office entitled him to, he had ventur'd to make some Advances to her Majesty; which justly drew down upon him the whole Weight of her Displeasure: And, again, that Lord *Portland* and He happen'd to interfere in the same Job; that is to say, in soliciting a Grant of the waste Ground on which the *Seven Dials* now stand; and that the King, not caring to disoblige *How*, and yet resolving to gratify his Favourite, asked the Former, *What the Grant might be worth?* who, to make it pass the easier, answer'd, *About one thousand Pounds.* Upon which his Majesty reply'd, *Why then* *And* John How, *Esq;* [1692.] [Oldmixon.]

you

A. D. 1692. *you shall have a thousand Pounds without putting your self to any farther Trouble.* However this may be, if the Queen, or the Favourite, or Both, were offended on one hand, he was as much disgusted on the other; and we shall now find him as forward to oppose the Court upon all Occasions, as upon all Occasions hitherto, he had been to assist it.

We are farther to add, that upon the Death of Sir *Henry Pollexfen*, Sir *George Treby* was made Lord Chief-Justice of the Common-Pleas; that Sir *John Somers* was made Attorney-General, in the room of *Treby*; that *Thomas Trevor*, Esq; was made Sollicitor in the Room of *Somers*; and that Sir *John Trevor*, the Speaker, who was also a Privy-Counsellor, was made Master of the Rolls in the room of *Powle* deceas'd.

Foreign Affairs. We must now, according to the Course of Time, and the new System of Politics which had obtain'd among us, intermix with almost all the Pursuits of all the Courts of *Europe*, that we may the better comprehend the general Movements of *Christendom*, which comprehend our own. It had been the Glory of *England* in former Times, to take such a Part in the Business of the Continent, as only serv'd to secure and aggrandize herself: While her Interposition was bounded within such wholsome Limits, she became important on one hand, without endangering herself on the other; but when she took upon her to be the Master-spring of *Europe*, it was thought by some, that she went beyond her natural Strength; that, consequently, instead of governing the Machine, she was govern'd by it; and without a Possibility of acquiring any adequate Advantage, she became expos'd to Dangers she could not foresee, and to Mischiefs she could not remedy.

To preserve the Residue of *Flanders* under the Dominion of *Spain*, or, rather to redeem what had been lost, out of the Hands of *France*, and to set a Limit, if possible, to her Encroachments, as we all know, was the profess'd Object of the War. As yet, instead of redeeming any Part, more had been lost, and consequently greater Efforts were necessary to be made, than at the Beginning. All the Powers concern'd in the League were convinc'd of this; but each was for taking as little on himself as possible: The Emperor's favourite Point was still to make Conquests on the Side of *Hungary*; the Princes of *Germany* nearest the Enemy could not stir but under the Protection of the rest; and those who were farthest from the Danger, could not be prevail'd upon to take their Share in it, without a valuable Consideration. This the Head of the Empire could not give, nor could the Country raise, and, consequently, that Burden fell on *Spain* and the *Maritime Powers* (for *England* was far from being excus'd, tho' no more than a Voluntier in the Quarrel) *Savoy* was a Mercenary, and to be held only by his Interest. The *Switzers* study'd only to make the most of their Neutrality, as did also the Powers of the *North*: *Spain* seem'd to have lost the use of all her Powers and Faculties; or if she had any Feeling left, it was plain she had neither Strength nor Vigour: And even among the *Dutch*, tho' fundamentally concern'd both in the Origin and Issue of a War, there was a Party, who affected to think it inconsistent with the Interest of a trading People, and consequently grew impatient for a Peace. The King of *England*, as well as the *English* Nation, seem'd to have the least personal Concern in the Continuance of it; his Principality of *Orange* was a Trifle not worth contending for; his Ambition had been gratify'd, if Ambition can be gratify'd, with the Imperial Crown of three Kingdoms; he had no Successor, nor a Prospect of enjoying long either what he possess'd, or what he farther aspir'd to: But Passion is a Tyrant as well as Interest; and it is plain, that, next to the running down *Louis le Grand*, he took more Pleasure in the Chace, than in any other Enjoyment that the World had to bestow: For how little soever he could hope to acquire by the War, it was he that of the whole Confederacy, was the most zealous to continue it: For this he bore the Petulance of the Party at home that oppos'd him under the fairest Pretences, and, as he very well knew, for the most sordid Considerations: For this he stoop'd to bribe a People with their own Money, and to employ Servants that he hated and despis'd: For this he underwent the Pain of a perpetual Struggle with the *Louvestein* Faction, those inveterate Enemies to the Grandeur of his House: For this he took upon him to reconcile the jarring Interests of the *German* Princes, and to purchase, at any Expence, those that were inaccessible by any other way: For this he temporiz'd with the insatiable Ambition of the Emperor, and suffer'd him to co-operate by Halves in the War with *France*, rather than disoblige him, by insisting on an immediate Accommodation with the *Turks*: For this he made it his Endeavour to satiate the Cravings of *Savoy*, by out-bidding the extravagant Offers of *France*: And for this he not only bore with the dilatory Proceedings with *Spain*, but exhausted every Expedient that could be conceiv'd to give new Life and Vigour to that lethargic Monarchy.

A. D. 1692.

Concerning his Efforts under the last of these Heads, Bishop *Burnet* is pleas'd to write as follows:

The Elector of Bavaria made Governor of the Spanish Netherlands.

"The greatest Danger lay in *Flanders*, where the Feebleness of the *Spanish* Government did so exhaust and weaken the whole Country, that all the Strength of the Confederate Armies was scarce able to defend it: The *Spaniards* had offer'd to deliver it up to the King, either as he was King of *England*, or as he was Stadtholder of the *United Provinces*. He knew the Bigottry of the People so well, that he was convinc'd it was not possible to get them to submit to a Protestant Government; but he propos'd the Elector of *Bavaria*, who seem'd to have much Heat, and an Ambition of signalizing himself in that Country, which was then the chief Scene of War: And he could support that Government by the *Troops* and *Treasure* that he might draw out of his Electorate:

A. D. 1692. Besides, if he govern'd that Country well, and acquir'd a Fame in Arms, that might give him a Prospect of succeeding to the Crown of *Spain*, in the Right of his Electoress, who, if the House of *Bourbon* was set aside, was next in that Succession. The *Spaniards* agreed to this Proposal; but they would not make the first Offer of it to the Elector, nor would he ask it; and it stuck for some time at this: But the Court of *Vienna* adjusted the Matter, by making the Propositions, which the Elector accepted: And that put a new Life into those oppress'd and ruin'd Provinces."

Thus far his Lordship: But surely the Offer made to the King, thus loosely treated of, was no more than the Guardianship or Government of those Provinces, which the Elector afterwards accepted of; for the Catholic Kings were of no Part of their Dominions so tenacious, as of *Flanders*; both because it was their ancient Patrimony, and because their Connections with the rest of the Powers of *Europe* depended principally on their Rights of Sovereignty there. Then, with regard to the manner of putting the Elector in Possession of that Government, tho' it may be true, that the Proposal came first from the King, and that the Terms were adjusted by the Interposition of the Emperor, it is certainly so, that his Electoral Highness was prevail'd upon to comply so far with the Humour of the Court of *Spain*, as to make a formal Application to his Catholic Majesty, by a Letter under his own Hand, for the Government of the *Netherlands*; in which he signify'd, That he was willing to accept it on *what Conditions his Majesty should think fit*; and that he had no other Aim than to restore these Countries to their ancient Splendor, and to manifest his Zeal and Affection to his Majesty's Interests, &c.

On the other hand, those Conditions in point of Dignity and Splendor, at least, were made as agreeable as possible to the Elector; and in order to render the Entrance of his Administration smooth and easy, no sooner had the *Spanish* Government replenish'd their Coffers by Means of the Indulto on the Merchandizes and Money from their Colonies, and such other Expedients as were found practicable, than they dispatch'd large Remittances to *Brussels*, and apply'd themselves in earnest, to make such Provisions of all sorts as should enable his Electoral Highness to act up to the Expectations that he had rais'd.

This Affair, which had been long depending, was settled before the Close of the last Year; and together with the Period of the War in *Ireland* (which left King *William* at Liberty to devote his whole Attention, in a manner, to that in which he was engag'd on the Continent) gave such an Alarm to the Court of *France*, that they thought themselves more than ordinarily oblig'd, to be as active in the Cabinet as in the Field; and to divert, if possible, one Part of the Storm, while they collected their whole Strength to encounter the other.

It began now to appear that the new Pope deserv'd the Nomination of the *French* Cardinals more than had been at first imagin'd. Towards the End of the preceding Year, he had, in his Apostolic Character, call'd upon the Emperor, and the King of *Spain*, and all the Catholic Princes of the Confederacy, to sheath the Sword, and give Peace to the *Christian* World, but without Effect: Those Princes, in their Answers, gave him to understand, That *France* was the Aggressor, and that if his Holiness could prevail with the *most Christian King* to re-establish the Treaties he had violated, and to resign the Conquests he had made, nothing should be wanting on their Parts to fulfil his pious Intentions, &c. It is reasonable to think the Sovereign Pontif made the like Application at the same time to the Eldest Son of the Church; and, possibly, his *most Christian* Majesty's Reply had more of Honey, and less of Gall, than those of the Confederate Princes: For soon after, his Holiness, at the Instance of that Prince, and by the Management of his Emissaries, the Cardinals *Fourbin*, *Janson*, &c. was induc'd to grant his Bulls to such of the *French* Bishops as had neither sign'd nor approv'd the Propositions of the Clergy, to fill up the vacant Benefices, on Condition they paid their Fees. In vain the *Zealots* and the Partizans of the House of *Austria* endeavour'd to dissuade him from this Step, which favour'd so strongly of an Accommodation between the two Courts: In vain they afterwards remonstrated that he was ill us'd by the Court of *France* in several respects; particularly, 1. That instead of making such Returns to this Strain of Indulgence, as *Fourbin* had promis'd, and the Merit of it deserv'd, the *French* Bishops sent a large Complaint against the Apostolical College, on account of the Exorbitancy of the said Fees. 2. That his *most Christian* Majesty had affronted him in the Person of *Nicolini* his Nuncio, who, lying on his Death-bed, desir'd the Archbishop of *Paris* to administer the Sacrament to him; but could not obtain that Favour: He pretending to be indispos'd; and no other Person being permitted to officiate except the Curate of the Parish. His Holiness turn'd a deaf Ear to all; and having us'd some slight Endeavours to mollify the *Austrians*, persisted in the Course which he had taken, and in which he was directed, as he said, by Motives of Piety and Charity only.

A. D. 1692. *The Pope takes some Steps in Favour of France.*

At the same time also that his Holiness was induc'd to make this notable Concession to the *French* Court, he took upon him to intercede with *Caraffa*, the Imperial General, before spoken of, in Behalf of the Princes and States of *Italy*, who had made grievous Complaints to him of the Exactions of the Imperialists: And all these several Measures, which seem'd to indicate very strongly, that the Partiality of the Holy See to the House of *Austria*, was drawing towards an end, we find plac'd to the Account of Cardinal *Altieri*, Cardinal *Spada* and the Pope's Auditor and Confessor, who were the governing Cabal, and were all in the *French* Interest.

But

A. D. 1692. But these Measures, favourable as they were to the Interest of *France*, did not come up to the Wishes of *France*: Not satisfy'd to see the Stream at a Stand, they wanted to give it as violent a Turn in their own Favour. Taking Advantage, therefore, of the ductile Disposition of his Holiness, Mr. *Rebenac*, so famous for his Negotiations, was sent to the Assistance of Cardinal *Fourbin*. This Minister had a Commission-general to all the neutral Powers of *Italy*: And the Drift of his Instructions was, to negotiate a Defensive League amongst them against the Emperor and his Allies, in concert with, and under the Protection of, the King his Master: But tho' he had found them much exasperated with the Treatment they had receiv'd from *Caraffa*, he did not find them so forward as he could have wish'd, to expose themselves to much worse, by embracing the Proposals he had Orders to make. In hope, therefore, that his Holiness might be prevail'd upon, for the sake of the Repose and Freedom of *Italy*, to join his Instances to those of the King his Master; and that under the joint Sanction of Both, his Negotiations, would be crown'd with Success, he repair'd to *Rome* in the Beginning of *January*; and after several Conferences with the whole *French* Faction, accosted his Holiness with a set Speech, in which, tho' he affected to treat the Emperor and King of *Spain*, personally, with extraordinary Respect, he not only treated their Measures, but the whole Line of *Austria*, with the utmost Bitterness. According to him, an unbounded Ambition was to be traced in every Branch of it. In virtue of the Title of Emperor, which by their Intrigues they had, in a manner, made hereditary, he suggested, they form'd Pretensions on all those Countries which anciently compos'd the Empire of *Charlemagne*, and, as often as Opportunity offer'd, made use of those Pretentions to insult the Princes to whom they belong'd, and to exact Contributions from their Subjects. The entire Reduction of *Italy* under their Yoke, he discours'd of as one of those Projects which they had most at heart, and most steadily pursu'd. And as to their Zeal for the Catholic Faith, he would not allow it to be more than a political Mask, which they put on, and laid aside at Pleasure. This he endeavour'd to prove, by urging, That in order to obtain their End, they never made any Scruple about the Means: That even in their present Attempt on the Liberties of *Italy*, they had made no Difficulty to colleague themselves with Heretics, and to suffer the Contagion of Heresy to accompany the Progress of their Arms: That, not content with the Encroachments they had made on the temporal Estates of *Italy*, they had invaded the Rights of the Church, by seizing the Duchies of *Parma* and *Placentia*, which were Fiefs of the Holy See: That it was but one Step farther, in the same Track, to attack the very Patrimony of St. *Peter*, which their Heretical Colleagues would not only do without Remorse, but with all the Pleasure imaginable: That without re-establishing Heresy in *Italy*, it was easy to foresee, that they would never be able to carry their Point of subjecting it to the *Austrian* Yoke: That while they were thus impell'd by their Interest, Conscience would prove too weak a Curb to stop their Career: That if their Piety had not been dissembled, and they had not preferr'd their Interest to every other Consideration, they would not have countenance'd the Prince of *Orange* in his Expedition to *England* against his Father, and the Catholic Interest in that Kingdom; more especially at a time when the Zeal of that King for its Re-establishment, was the only Pretence on which the said Expedition was founded, and when his *most Christian* Majesty had made so *effectual a Provision* to render the *Downfal of Heresy unavoidable*: That for the sake of assisting the said Prince in his unnatural Design, by which a lawful Sovereign was tumbled from his Throne, they suffer'd an Opportunity to destroy the *Turkish* Empire in *Europe* to slip out of their Hands: That by this Division of their Forces, they had never since been able to face the Infidels upon equal Terms: That their late Victory in *Hungary* was the Result of a peculiar Providence, in which human Prudence had not the least Concern: That while his *most Christian* Majesty made it the chief Glory of his Life to extirpate Heresy, and to establish the true Religion wherever his Arms have prevail'd, the *Austrians* have taken the Heretics banish'd out of his Dominions into their Service, and have made use of them to be the Scourge of *Italy*; after the Example, and at the Instance of the Prince of *Orange*, who had made the like use of them against the Catholics of *England* and *Ireland*: That even in their Pretentions of making this Inroad into *Italy*, they had deceiv'd those who had put their Trust in them; for they did not arrive till the End of *August*; and they quitted the Field by the Middle of *October*; and instead of making it their Business to deliver *Savoy* out of the Hands of *France*, they apply'd themselves only to that which was their true Errand, namely, the enslaving of *Italy*: That the Slanders they had rais'd, and all the unfair Artifices they had put in practice, to traverse his *most Christian* Majesty's Endeavours, to close the Breach between him and the Holy See, which was a Matter of so much real Consequence to the whole Christian World, furnish'd another Proof of their pernicious Designs on the Repose of *Italy*, which, unless the Breach was continu'd, they could never hope to bring to Perfection: That since these Facts were too notorious to be disputed, it was incumbent on his Holiness to finish the good Work he had so piously begun, and to co-operate with his *most Christian* Majesty in providing for the Tranquility of that Side of *Europe*, while he alone undertook to bring his Enemies to Reason on the other: That all the King his Master requir'd, was, that the *Austrians* should be oblig'd to withdraw their Troops out of *Italy*; in which Case, he engag'd to do the same: That his Holiness should interpose with his fatherly Authority to bring about

A. D. 1692.

Mr. de Rebenac's remarkable Speech to his Holiness. [Memoirs of Europe, &c.]

A. D. 1692. about this neceſſary Event: That in caſe they ſhould refuſe to comply with his Requiſition, which was to be fear'd, if the ſeveral Princes and States of *Italy*, with the Holy Father at their Head, would take ſuch Reſolutions as the Continuance of the Inſult deſerv'd and their own immediate Intereſt demanded, his *moſt Chriſtian* Majeſty would ſend a ſufficient Army to their Succour, and moreover provide for the Security of their Coaſts, by covering them with ſuch a Fleet, as it ſhould not be in the Power of the Enemy to face: That this Propoſal was ſo far from proceeding from any narrow, ſelfiſh Purpoſe of his own, to leſſen the Number of his Enemies, that he did not deſire to leſſen them: That it was his Glory to ſtand ſingle againſt them all, and his Happineſs, that, ſingle as he was, he had not only been able to withſtand their utmoſt Efforts, but to defeat them; and that as to being under any Pain for his own Territories, he rather deſy'd them to come, than dreaded their coming; as being every where alike prepar'd to defend himſelf and annoy his Enemies.

This was the Sum of his Harangue, except of ſuch Parts of it as conſiſted of Invectives only, and which, for fear of giving Offence to his Holineſs, were levell'd chiefly at King *William* and his Proteſtant Allies. The Pope heard all patiently, and for Form's ſake took time to deliberate on the Propoſal before he choſe to return an Anſwer: But though his Holineſs was willing to be well with the Court of *France*, he could not prevail on himſelf to break with the Houſe of *Auſtria*, under whoſe Dominion he was born, and to whom he ſtood ſo greatly oblig'd: The thing propos'd was, beſides, beyond the Compaſs of his Genius; he had not enough of the Great in his Compoſition, to venture upon it: To find out ſuch a Medium as ſhould ſerve to unite all the the jarring Intereſts of *Italy*, requir'd more Experience in political Proceſſes than he was Maſter of; and to induce ſo many Princes and States to think their general Intereſt could be ſecur'd under the Umbrage of *France*; he thought exceeded all the Power of Perſuaſion. When, therefore, Mr. *de Rebenac* had his Audience of Leave, his Holineſs gave him to underſtand, That it did not become him in his private Capacity, as a Subject of the Houſe of *Auſtria*, to be concern'd in a League againſt it: That he thought the Charge brought againſt that Houſe not ſufficiently grounded: That he could not be brought to think they had any Deſigns on the Liberties of *Italy*: That for the Patrimony of the Church, he choſe to recommend it to the Protection of the Almighty: That, as tenderly concern'd for the Princes of *Italy*, he would omit nothing in his Power which might contribute to their Welfare: That, as the common Father of *Chriſtendom*, he was ſtill to act as the common Mediator: But that if the Peace of *Chriſtendom* could be no otherwiſe reſtor'd, than by his Endeavours to ſet all *Italy* in Arms, he could not prevail upon himſelf to adopt ſuch a Scheme; and that he ſhould, on the contrary, think

His Holineſs's Anſwer.

his own Duty beſt diſcharg'd by the Fervency of his Prayers, and by his Reſignation to the Will of Providence in all things. A. D. 1692.

All hope of ſpiriting up the Princes of *Italy* to take Sanctuary in the Arms of *France* againſt the Oppreſſions of the Houſe of *Auſtria*, or to divert the Pope from the Neutrality which he had reſolv'd to obſerve, ſeeming thus, for the preſent, at an End, Mr. *de Rebenac* was inſtructed, in the next place, to repair to *Venice*; and while he was there employ'd in exhauſting the ſame Arguments to induce the Republic to come to a ſeparate Peace with the *Porte*, Mr. *de Chanlay* was ſecretly diſpatch'd to the Duke of *Savoy*, with a Letter from the *moſt Chriſtian* King, writ all with his own Hand, preſſing him to deſert the Confederacy, and to embark once more in the Service of *France*; and making him very large and tempting Offers by way of Conſideration. *Secret Application of France to the Duke of Savoy.*

This was a very effectual Conſolation to his Royal Highneſs for the Loſs of *Montmelian*. Such Conceſſions from ſuch any Enemy, gave him a very ſenſible Pleaſure; and ſo much the more, as they afforded him an Opportunity of riſing in his Demands on the Allies, and of becoming more conſiderable by refuſing thoſe of *France*; for refuſe them he did, and that with an Air of uncommon Sincerity and Gallantry; ſaying, That how great ſoever he eſteem'd the Honour of a Letter from his *moſt Chriſtian* Majeſty, he could not accept it for fear of giving Umbrage to his Allies: But then he not only ſuffer'd Mr. *de Chanlay* to continue about him, but to explane and inforce in Letters of his own, the very Propoſitions which he ſeem'd to overlook from the Hand of the King his Maſter.

All *Europe*, in the mean time, rung with this ſingular Inſtance of Firmneſs and Fidelity; and even the *French* themſelves involuntarily contributed to the Fame of it, by ſetting forth a Memorial, which they caus'd to be tranſmitted to the *Swiſs-Cantons*, as alſo to every neutral Court; and in which they recite all the Advances they had made to the Duke, as ſo many Proofs of his Infatuation, and the Sincerity of their own Intentions with reſpect to the Security and Repoſe of *Italy*. At the Head of theſe, Mention is made of his Majeſty's Royal Condeſcenſion in writing to the Duke with his own Hand, and of his Royal Highneſs's refuſing to receive the Letter. The Offers made by Mr. *de Chanlay* follow next, and conſiſt of the following Articles, *viz.* 1. That *Savoy*, with all its Revenues and Rights of Sovereignty, ſhould be immediately reſtor'd. 2. That at the End of the War, *Montmelian*, *Suza*, *Nice*, and *Villafranca*, ſhould be reſtor'd likewiſe, in the ſame Condition they were then in; though the two laſt of thoſe Places unqueſtionably belong'd to *Provence*. 3. That in the mean while, *Montmelian* and *Suza* ſhould be aſſign'd over to the Pope or the Republic of *Venice*, as the Duke ſhould pleaſe, and *Nice* and *Villafranca* to the *Switzers*. 4. That the King would be at the Expence of the ſeveral Garriſons. 5. That there ſhould be a Neutrality for the Duchy of *The Memorial publiſh'd by the French Court on it's being rejected.*

A. D. 1692. of *Milan*: And to the end that all Jealousy might be remov'd with relation to *Casal*, his Majesty was willing to resign that Place also, together with the Citadel to the Pope, or the *Venetians*, till a Peace should be made: Lastly, To secure the Performance of these Conditions, they were accompany'd with an Offer of the Guaranty of the Pope, the State of *Venice*, the *Swiss Cantons*, and, in general, of all the Princes and States of *Italy*: And to give them the greater Weight, an Insinuation was dropt, that, in case they were refus'd, *Nice* and *Montmelian* would be raz'd; *France* having no need of those Fortresses for the Security of her Frontier, tho' they were of such Importance to his Royal Highness.

The whole Piece was founded on the old Supposition, That the Emperor had chose to spare the *Turks*, that he might be able to reduce *Italy*: And, in some of the Paragraphs, it was, with great Bitterness, farther suggested, That his Troops had made the Duchy of *Milan* serve them as a Road to the Empire of *Italy*: That as to the Pretence of their coming to the Succour of *Piedmont*, it was notorious, that, instead of attempting to rescue *Nice*, *Villafranca*, or *Susa* out of the Hands of the *French*, or to raise the Siege of *Montmelian*, which was the only Place the Latter wanted to secure them in the Possession of all *Savoy*, they contented themselves with pillaging the wretched People they came to defend: That if they wasted the Summer without incommoding their Enemies, they had been sufficiently diligent during the Winter to prey on their Friends: That the Republic of *Genoa* and the Dukes of *Mantua*, *Parma*, and *Modena* were but too well convinc'd of the Honour and Happiness of being Feudataries to the Empire: That besides the Subsistence they had procur'd, the Havock they had made, and the Disorders and Cruelties they had committed, they had exacted four hundred thousand Pistoles for the use of their military Chest: That the Princes and States of *Italy* would do well to consider what they had farther to expect from such domineering Guests, who, after thus plundering them of all their Money, had the Boldness to declare, that if they met with the least Resistance, they would make them know they were Masters before the End of the Year; and whether under all these Pressures they could still be satisfy'd with being told, That all they suffer'd was for their Good, and in order to deliver them from the Tyranny of the *French*.

As to the Resentment of *France* against the Duke for refusing the King's Letter, it was at first talk'd of in very high Terms: But, whether it was the Effect of Moderation or Policy, the Storm blew over without leaving such a Track of Ruin behind it, as the World was taught to expect. All the Revenge his *most Christian* Majesty thought fit to take, was contain'd in this Memorial: And though the Duke was therein charg'd with running blindfold on his Ruin, and, in effect, with being the grand Incendiary of *Italy*, for the trifling Consideration of commanding the Forces of the Allies, in quality of Generalissimo, his Royal Highness would not enflame the Quarrel by publishing such a Reply as such Provocations seem'd to deserve. The Truth is, that the two Parties were still like to be necessary to each other. *France* foresaw, that a Time might come when the Duke would be worth purchasing at any Rate; and the Duke was Politician enough to know, that it was not worth his while to break through his Engagements, till that Time should come. It was in this very Light his Conduct was consider'd in the *French* Cabinet; and, agreeable thereto, no sooner were the first Transports of his Majesty's Indignation allay'd, than Mr. *de Chanlay* had Orders to revive the Negotiation, and to add to his former Offers, the additional one, of considerable Sums, to re-imburse him for all his Expences, Losses, and Damages, as the Price of an Accommodation: But his Royal Highness continu'd immoveable for the same Reasons as before; and upon imparting Mr. *Chanlay*'s Applications from time to time to the Confederates, not only receiv'd new Compliments, but new Advantages in Acknowledgment of this steady Adherence to the Common Cause: For not only all the Contributions levy'd by *Caprara* in *Italy*, but all that could be squeezed out of the *Milanese*, *Naples*, and *Sicily* by the several *Spanish* Governors, were appropriated, if not to his immediate Use, to the Service in which he was most concern'd. Care was also taken by the Emperor and the Kings of *Spain* and *Great Britain* to recruit and reinforce the several Corps, which they had sent to his Assistance. The *Germans*, in particular, were augmented with several thousands, which were to be replac'd by other Troops provided for that Purpose. Lastly, *Caprara*, who had render'd himself so odious to the *Italians*, by observing his Instructions with a criminal Fidelity, was recall'd; not as a Mark of the Emperor's Displeasure, but that the Duke of *Savoy* might have the chief Command without the Shadow of a Rival: And it was accordingly bestow'd on him with all the Powers and Privileges which had been connected with it, when held by the Elector of *Bavaria*.

A. D. 1692.

What Share King *William* had in these Transactions, is no other ways to be trac'd than by Circumstances: (For as to the original Treaty of Subsidy between the *Maritime Powers* and the Duke, by which it was provided, that *England* should pay him twenty thousand Crowns a Month, and *Holland* ten thousand, it was in force but for six Months; and whether it was barely renew'd, or whether with any additional *Douceurs* to his Royal Highness, we have no Memorial.) Duke *Schomberg* was all this while a close Observer of all that pass'd at *Turin*, and, no doubt, was sufficiently empower'd to outbid the Emissaries of *France*, if possible; for we shall find his Majesty had it much at heart, to play the *Deliverer* in *France* as well as *England*: And so great was the Dependence plac'd on the Assistance of his Royal Highness, that he was call'd the *Right Hand of the Confederacy*.

When

A. D. 1692. When he (the King) pass'd over to *Holland*, all the Wheels of the political System were hard at work, and almost every Hour produc'd some great Event: His Majesty and the *States*, as usual, met like Lovers; all was Joy on their Side, and Acknowledgment on his: They welcom'd him at his landing, and he return'd their Compliment from the Stadtholders Chair; upon which Occasion he express'd himself to the following Effect:

The Stadtholders Speech to the States. [Memoirs of Europe for the Year 92.]

"That he had dispatch'd the Affairs of his Kingdoms with the utmost Diligence, that he might the sooner return to his Duties there, and co-operate with their Lordships in a vigorous Prosecution of the War, for the sake of obtaining a speedy and solid Peace: That towards this great End, which was the only one he had in View, he had caus'd all the Troops that could be spar'd from the necessary Defence of his Dominions, to cross the Seas to join the Army of the Confederates: That such Care had been taken of his Fleet, that it was almost in Readiness to put to Sea, and, in point of Strength, was sufficient, in concert with that of the *States*, and with the Favour of Providence, to withstand the utmost Efforts of their Adversaries: That with regard to what was farther to be done, he was come to risque his Person once more in the Common Cause, and, in particular, to manifest his Zeal for the Prosperity of the Republic: That his Affection towards them was as ardent as ever, and that he should never forget the Obligations they had conferr'd upon him." To these endearing Expressions, the President made a suitable Return in the Name of their Lordships: And though it is usual to consider Passages of this nature as merely Matters of Form and Ceremony, it may be fairly inferr'd from the very emphatical Mention which his Majesty was pleas'd to make of a speedy and solid Peace, that a Suspicion prevail'd in *Holland*, as well as *England*, that he had nothing less in View.

How Princes are Peace-makers.

Princes, indeed, pursue Peace by ways of their own: According to his Majesty's Sense of Things, even his Fleets and Armies were Peace-makers; and Battles by Land and Sea were no other than laudable Attempts to bring about an Accommodation. Under this Gloss it may be truly said, that no Prince in *Europe* was a more active and zealous Peace-maker than himself; and, probably, if it had been in the Power of Man to have directed the whole Force of the Confederacy with one and the same Motion, invariably to one and the same End, his manner of making Peace would have been the most effectual; and his great End of setting Bounds to the Power of *France*, would have been really obtain'd: But for want of adjusting the Ballance of *Germany*, before he undertook to adjust the Ballance of *Europe*, the several Members of that vast Body could never be brought to concur: If in one Place it was strong and active, in others it was weak and lifeless; and the Dead Weight of one Side, was sure to enfeeble the Vigour of the other. A. D. 1693.

Thus, at the opening of the present Year, when, by the Reduction of *Ireland*, and the Measures which had been taken with *Savoy* and *Bavaria*, his Majesty had Reason to form great Expectations from the ensuing Campaign, he had the Mortification to find his Measures as much disjointed in *Germany*, as they were enforc'd in *Flanders* and *Italy*.

A separate Concert form'd between the Electors of Saxony and Brandenburgh.

The Electors of *Saxony* and *Prussia*, both Protestants, and two of the most considerable Powers of the Empire, had an Interview at *Torgaw* towards the latter end of *January*, and form'd a Concert of their own; which, if not absolutely inconsistent with, was, at least highly detrimental to, that call'd the Common-Cause. General *Schoening*, formerly mention'd, who had been gain'd by *France*, was at the Bottom of it: Having obtain'd Leave to pass out of the *Prussian* into the *Saxon* Service, he was in the Secret of Both, and had the Address to make his own Use of it. What Pretences he made use of, or what real Grounds of Complaint were administer'd; whether his Sacred *Cæsarian* Majesty had so long consider'd those Princes as Vassals, that he had forgot to treat them as Friends; whether in the dispensing his Imperial (*l*) Favours he had bestow'd upon their Neighbours what they believ'd to be due to themselves, or whether the Preference they contended for was like to produce worse Effects from the Resentments of their Rivals, was not easily ascertain'd: But it soon appear'd that a Breach was open'd, and that, in all Probability, it would not be easily clos'd. The Conference between the two Princes continu'd for several Days: It was said, that in the Course of them they were not unmindful of the Succession of *Saxe-Lawenburgh*; and, at parting, they constituted an Order of Knighthood, which was conferr'd on six Persons of each Court, and seem'd to denote a League offensive as well as defensive; for the Badge of it was a Bracelet and a Medal of Gold, with this Device, Two Swords across, and two Palm Branches; and on the Reverse, the Cyphers of the two Electors intermingled, together with Inscriptions, importing, that their Union was to last for ever. Nor was this all, for about the Middle of next Month (*February*) the Elector of *Saxony* paid a Visit to his Brother of *Brandenburgh*, at *Berlin*, with a Train of an hundred Persons; and, having broke off the Treaty of Marriage which his Father had set on foot for him with the Princess Royal of *Denmark*, made his Addresses to the Relict of the Margrave of *Brandenburgh-Anspach*; said to be in the Meridian of her Beauty, tho' in the thirtieth Year of her Age, and the Mother of

(*l*) The Duke of *Savoy* complain'd, That the Emperor favour'd the Circles of *Suabia* and *Franconia* so much, that he could have no good Quarters assign'd him for his Army: And upon this Occasion, it was said, That the Emperor drew much Money from those Circles, that they might be cover'd from Winter-Quarters; and that he apply'd all that to carrying on the War in *Hungary*, and to lift the Weight of the War with *France* to lye very heavy on the Princes of the Empire. [*Burnet*, vol. ii. p. 98, 99.

A. D. 1692.

of ſeveral Children. Two Days were ſpent in feaſting upon this gallant Occaſion; in which Interval, it muſt be ſuppos'd, the Lady was won; for, in *April* his Highneſs of *Brandenburgh* accompany'd the future Electreſs to *Tergaw*, where the Marriage was conſummated upon the 27th: And upon the laſt Day of the ſame Month, the *Saxon* Troops that had their Winter-Quarters aſſign'd them in *Eppingben*, *Hailbron*, and the Places adjacent (which had been all alike exhauſted and ruin'd by the *French* in the Courſe of the War) and whoſe Term of continuing there expir'd that Day, inſtead of advancing towards the *Rhine*, retir'd towards their own Country, to the general Surprize of *Europe*; for till then, few Perſons had any Apprehenſion, that the Miſunderſtanding between the Imperial and *Saxon* Courts would have been carry'd to ſuch Extremities.

The Saxon *Troops return home.*

That there was a growing Coldneſs between them, was, however, no Secret any where; and from the Moment that the firſt Symptom of it appear'd, it became one of the principal Concerns of the principal Powers of the Confederacy, to provide againſt the worſt that could happen. To interpoſe with their good Offices, to draw ſome Conceſſions from the Emperor, and to procure ſome Abatements in the Elector's Demands, were probably the Drift of their firſt Endeavours: And when they found Haughtineſs on one Side, Obſtinacy on the other, and Intractability on both, the only remaining Expedient was, to ſubſtitute ſome other Power of equal Strength in the Elector of *Saxony*'s Place: The two Northern Crowns found their Account in this Neutrality, and therefore could not be prevail'd upon to break it: And *Sweden*, in particular, ſeem'd to grow more and more ſuſceptible of Impreſſions of *France*. It was not without Difficulty, that his *Swediſh* Majeſty could be prevail'd upon to conſent that his Quota of Troops ſhould take the Field time enough to be of Service; and all that *Denmark* could be prevail'd upon to contribute to the Service, was a Regiment of Foot and another of Horſe, with an expreſs Proviſo, that they ſhould be employ'd againſt the *Turks* only. King *William* had not only augmented the Body of *Iriſh*, which he had given to the Emperor, to two thouſand, but had been at the Expence of tranſporting them to *Hamburgh*, that their March might be ſo much the ſhorter to the Scene of Action, and had, beſides, devoted the whole Strength of his Kingdoms both by Land and Sea to the Support of the Cauſe. The *States General* declar'd the ſame. *Spain* had ſo exhauſted herſelf to make a Figure in *Flanders* and *Italy*, that ſhe could ſcarce defend her own Frontiers againſt the feeble Attempts of the *French* in *Catalonia*. And as to the *Switzers*, what with the Flatteries, and what with the Subſidies of *France*, we ſhall find, that, inſtead of taking part with the Confederates, they were abundantly more inclin'd to throw their Weight and Intereſt into the oppoſite Scale.

It follow'd, therefore, that the Loſs on the Side of *Saxony* could only be ſupply'd by the Princes of *Lunenburgh*: And notwithſtanding their Inaction during the laſt Campaign, and the Negotiation they had enter'd into with the *French* Court, they were well enough inclin'd to ſeize the Opportunity thus unexpectedly thrown into their way, to improve their Intereſt in the Empire, and, in particular, by obtaining a Seat in the Electoral College.

A. D. 1692.

Conduct of the Dukes of Zell *and* Hanover *at this Criſis.*

By the Princes of the Houſe of *Lunenburgh*, muſt, however, be underſtood the two Brothers of *Zell* and *Hanover* only; for the other Branches of the Family were ſo far from co-operating with them in their Purſuits, that they dreaded the Succeſs of them; and conſequently made it their great Buſineſs to throw all imaginable Obſtacles in their way.

It has been already hinted, that Prince *Maximilian*, the ſecond ſurviving Son of the Duke of *Hanover*, thought himſelf injur'd by the Proviſion which had been made between his Father and Uncle, to concenter their two Duchies in the Perſon of his eldeſt Brother, and actually refus'd to accept of the Appennage which was offer'd to him in lieu of it. The Perſons by whom he was adviſ'd to this Proceeding, were the Huntſmaſter of *Hanover*, *de Molke* or *Molken*, his Brother, who was a Lieutenant-Colonel, the Secretary of the Duke of *Wolfenbuttle*, and certain Malcontents of *Zell*; and who had form'd a Deſign of removing him into the Dominions of ſome neighbouring Prince, under whoſe Protection he might ſafely proteſt againſt the new Settlement, and proſecute his own Claims: But the Cabals which this gave riſe to, ſoon created a Suſpicion of the Truth, and that Suſpicion made way for a Diſcovery: Letters were ſeiz'd, the whole Vein of Correſpondence was open'd; the two *Molks* and the Secretary were ſeiz'd and impriſon'd; Prince *Maximilian* himſelf was alſo ſent under Reſtraint to *Hamelin*, under the Charge of Mr. *de Placten*; and, probably, had ſo continu'd for Life, if the Duke of *Zell* had not, in Perſon, poſted to *Hanover* (though for a Conſideration which regarded himſelf ſomewhat nearer than the Liberty of his Nephew) and procur'd his Diſcharge, on Condition of a ſolemn Renunciation of all his Rights in favour of his elder Brother; which was at laſt made in Preſence of the two Dukes, moſt of their Privy-Counſellors, and three of the principal Nobles of each Duchy. But even this Renunciation was not thought meritorious enough to ſave his Accomplices; *Molke*, the Huntſmaſter, was ſentenc'd to loſe his Head (it was ſaid) for endeavouring, to ſow Diviſion between ſeveral Princes of the Empire, and excite a Revolt of the Duke his Maſter's Subjects againſt their Sovereign; and the Colonel his Brother and the Secretary, were ſent into Baniſhment. This Affair broke out in *December*, and the Renunciation was made about two Months after: But the Execution, for Reaſons of State, was deferr'd till the 24th of *July*.

And, in this Interval, when all things ſeem'd to conſpire to the Aggrandizement of

A. D. 1692. *They conclude two Treaties with the Emperor and King* William.

of this Houſe, it was, that the Negotiation, above-mention'd, between the two Dukes and the principal Powers of the Confederacy was reviv'd. It conſiſted of two Parts, and gave riſe to two Treaties: By the firſt, which was with the Emperor, it was provided, that their Highneſſes ſhould furniſh and maintain a Body of ſix thouſand Troops for the Emperor's Service in *Hungary*: And, in return, his Imperial Majeſty gave his Conſent, and engag'd his good Offices, to erect a ninth Electorate in favour of the *Hanover*-Branch, tho' the youngeſt, on account of the Succeſſion, and their Deſcendants, and to give them the Inveſtiture, before the Expiration of the Year: And by the ſecond, which was with the King of *Great-Britain*, they agreed to ſend four thouſand Foot, and four thouſand Horſe into *Flanders*; but on what Conditions, for want of a Copy of the ſaid Treaty, we are not able to explane. Probably, it was a Treaty of Subſidy; for tho' the Electoral Cap was the Conſideration of the Former, we are not to preſume that the Crown of *England* had the leaſt Concern in the Latter. A Copy of the ſaid Treaty was alſo laid on the Table before the Houſe of Commons in the next Seſſion of Parliament: But being ſuffer'd to continue there, produc'd neither Motion nor Reſolution. As little are we able to trace the Progreſs of theſe two important Affairs, or through whoſe Hands they paſs'd; and, therefore, to cloſe this imperfect Account, we can only add, That they were put into Motion as ſoon as the Diſcontents of the *Saxons* firſt broke out: That there is a Paragraph in the *London-Gazette*, which intimates, That the Treaty with the Emperor was ſign'd *Feb.* the 9th: That the *Lunenburgh* Reſident at *Paris* was immediately recall'd: That an Intimation was given to the *French* Reſident at *Hanover* to return home: That then, and not before, the two Brothers broke off all Connection with, or Dependence on, his *moſt Chriſtian* Majeſty, tho' Biſhop *Burnet* places this Change in the *Lunenburgh* Politics among the Occurrences of the preceding Year: That Sir *W. Colt* the *Engliſh* Reſident at *Hanover*, on the King's Arrival in *Holland*, waited upon him at *Loo* (poſſibly to receive new Lights and additional Inſtructions) where he continued till the 13th of *April*, N. S. at which time he return'd to his Station: That the Baron *de Gorts*, Envoy Extraordinary to his Majeſty from the *Lunenburgh* Courts, did not receive his firſt Audience till the 21ſt of *May*; and that, about the ſame time, another of the *Lunenburgh*-Miniſters, was ſent with the ſame Character, and with a Train more than ordinarily ſplendid, to pay the Court of the Family at *Vienna*, and ſolicit the grand Affair of the Electorate.

His Majeſty's other Connections with the German Princes.

As to the reſt of his Majeſty's Efforts to ſupply every other Deficiency on every Side, they were ſuch as are ſcarce reconcileable to the Indolence imputed to him by Biſhop *Burnet*: For, over and above the ſeveral Difficulties which he had to ſurmount in his own peculiar Province, which was the Service in *Flanders*, we find him beſet even in his darling Retirement at *Loo*, with all the Miniſters of all the ſeveral Powers of the Empire. All had their Suits to prefer, or their Markets to make: And whether the Emperor was to be mov'd, or to be ſerv'd, his Majeſty was to be the Agent on one hand, and the Advocate on the other. Biſhop *Burnet* informs us, that he concurr'd with the *Lunenburgh* Houſe in their Solicitations at *Vienna*: And when his Imperial Majeſty wanted no leſs than four thouſand Men to recruit the *Brandenburgh*-Corps, in his Service in *Hungary*, and the Elector, in Conſequence either of his new Engagements with the Elector of *Saxony*, or his own Reſentments, appear'd intractable on that Head, his Majeſty was call'd upon to interpoſe with his good Offices; but probably excus'd himſelf; as ſtanding in need of all his Intereſt in that Prince for his own immediate Service: For his Electoral Highneſs not only perſiſted in refuſing that Demand, but actually recall'd the Reſidue of thoſe Forces. What Concern his Majeſty had in a Convention, which, about this time, was made between the Emperor and the Biſhop of *Munſter*, does not ſufficiently appear: That Prince, like the Houſe of *Lunenburgh*, had affected a Neutrality, and was now induc'd, like them, to devote Part of his Forces to the Emperor's Service in *Hungary*, and Part to join the Confederates on the *Moſelle*; where it was reſolv'd to have an Army of Obſervation, which was to be compos'd of the *Palatine* Troops, and thoſe of *Cologne*, *Triers*, *&c.* As to the Elector *Palatine*, he came, in Perſon, to *Loo*, and was either ſo entirely ſatisfy'd with the Reception he met with, or the Conſideration aſſign'd him, that he gave up all his Troops to the King's Diſpoſal.

A. D. 1692.

Liege being alſo menac'd with a ſecond Viſitation of the *French*, and a Body of their Forces lying in ſuch a Situation as kept that Place under continual Terrors, it was neceſſary that a Proviſion ſhould be made for its Security; and this could only be done by the main Body of the *Brandenburgers* under the Command of Count *Fleming*, in Conjunction with the Troops of that Principality, under Count *Tilly*: Accordingly, at his Majeſty's Inſtance, all thoſe Troops were deſtin'd to that Service, and withal, ſuch a Diſpoſition was made of them, that they might be ready, on any Emergence, to re-inforce the grand Army under his Majeſty.

All theſe ſeveral Connections, as it is eaſy to imagine, were extremely troubleſome: The ſatisfying one Party ſerv'd only to make the reſt more clamorous: And, after a thouſand Trials, it appear'd, that there was no Expedient in Policy, of Virtue enough, to produce a thorough Union among ſo many Co-Rivals, even for ſo ſhort a time as a ſingle Campaign.

It was much the ſame caſe on the Upper *Rhine*: The Emperor himſelf had but ſix thouſand Men in the whole Empire, if his Corps had been complete; which was far from

A. D. 1692. from being the Caſe. The Elector of *Saxony* could not be brought to furniſh any more than his Quota, which was three thouſand; and a Medley of (*m*) *Bavarians*, *Heſſians*, *Breminers*, *Wirtemburghers*, *Swabians* and *Franconians* being the Troops of the Aſſociated Circles, were to make up the reſt. Theſe were ſcatter'd through various Provinces, and lay ſo wide of each each other, that it requir'd half the Summer to bring them to their Rendezvous. Nor was this all; it was held neceſſary to divide them into two ſeveral Bodies, in order to occupy both Sides of the River, and thereby to prevent the *French* from giving them the Slip, and committing ſuch Ravages as they had done the Year before. This introduc'd a Neceſſity to have two Generals; and out of many Candidates, the Landgrave of *Heſſe* and the *Margrave* of *Barvith* were choſen; and in the Re-Partition of their ſeveral Lots of Strength and Power, ſuch Miſunderſtandings aroſe, as had a natural Tendency, not only to retard, but even to fruſtrate, the Endeavours of the Campaign.

France, on the other hand, to compenſate the Perplexity of having ſo many Enemies to deal with at once, had it not only in her Power to derive continual Advantages from their Diſſentions, their Infatuations, their Selfiſhneſſes, and all the unavoidable Miſchiefs that aroſe from Councils ſo indigeſted, and Powers ſo diffus'd; but being abſolute Miſtreſs of her own Meaſures, and all the Reſources neceſſary for the Support of them, had only to will, and the Act follow'd; ſo that while the Lightening glar'd, the Bolt fell.

When the Pope inſinuated to Cardinal *d'Eſtrees*, That the *moſt Chriſtian* King ſeem'd deſirous of Peace, becauſe he was unable to ſupport any longer the Expence of the War, his Eminency reply'd, with a Smile, That ſuch was his Majeſty's Oeconomy, and ſo vaſt his Revenues, that he was able to maintain three hundred and fifty thouſand Men in conſtant Pay, without impoſing any additional Tax upon his People: But if this was not in all Circumſtances true (for the *French* Court, as well as their Neighbours, were, at this time, oblig'd to raiſe Money by extraordinary Means) ſo vaſt were their Preparations for the opening the Campaign, and ſo ſpeedily and effectually were all Difficulties remov'd, that War ſeem'd to be their Element, and every Motion of the military kind but a natural Exerciſe of the Powers of their Conſtitution.

Diſpoſition of France for the opening the Campaign.

On the *Savoy*-Side, indeed, as if his *moſt Chriſtian* Majeſty affected to ſpare the Duke, or to think he had nothing to fear from the Conduct of ſo young a General, or elſe to leave the *Italian* Princes at the Mercy of the *Germans*, that the Smart of their Sufferings might make them more ſenſible of the Offers they had rejected, or becauſe of the prodigious Expence of the War in that Province, he choſe to lye on the Defenſive: Neither was his Conduct very different in *Catalonia*; but in *Germany*, in *Flanders*, and even on the Ocean, in which Places the moſt Oppoſition was to be expected, he omitted nothing that was requiſite to give him the Superiority. A. D. 1692.

The Marſhal *de Lorges* had the Command on the Upper *Rhine*, and at the opening the Campaign, was poſted at *Neder-Ulm*: The Marquis *de Joyeuſe*, with another Body of Troops, occupy'd the Country of *Eyefeldt*: Mr. *de Bouffliers*, who had the Reputation of being the moſt active Lieutenant-General in the *French* Service, was poſted between the *Sambre* and the *Meuſe*; and the Duke of *Luxemburgh* under the Dauphin, who was *Generaliſſimo*, continu'd to command in *Flanders*: And to the Honour of the *French* Council, it muſt be allow'd, that all theſe numerous Forces were ſo diſpos'd, that they could communicate Relief and Succour to each other, upon any Emergency.

Foreign Affairs partially recited in our Gazettes.

It is, however, remarkable, that in all the Repreſentations that were given by Authority, on our Side of the Water, of the Efforts making by the Allies on one hand, and the Enemy on the other, the Partiality was ſo apparent, that it diſguſted thoſe that read, and diſgrac'd theſe that publiſh'd them: For Example, it was, over and over again, aſſerted, that the whole Body of the *Saxons* would again co-operate on the *Rhine*: That the Elector of *Brandenburgh* had granted the four thouſand Recruits demanded by the Emperor: That the ſaid Elector would take the Field in Perſon, *&c.* And on the contrary, That the *French* were at a loſs for their Supplies both of Men and Money: That their Cavalry was diſmounted: That the People were exhauſted: That their Troops were mutinous, and deſerted by whole Companies: That they were in want of Proviſions: That they had broke no leſs than thirty-eight Regiments of Horſe, Foot, and Dragoons, to make up the Deficiencies of others; and, in general, whatever elſe had a Tendency to render them cheap and deſpicable: An Artifice which ſcarce deſerv'd that Name! For oftentimes the Bubble broke in blowing: Never did the Amuſement it gave laſt long: And the Diſappointment of thoſe Expectations, which it was calculated to raiſe, was ſure to produce Indignation in the firſt Inſtance, and Incredulity in the End.

Preparations for a Deſcent on England.

What is yet more extraordinary, while the Public were thus led into a Perſuaſion, that nothing was wanting to complete the Ruin of the *French*, but the ſtriking a Blow in *Flanders*, and the making a Deſcent on their Coaſts, the *French* were actually meditating a Deſcent on ours, and making ſuch a Proviſion for it, as ſhew'd, that they did not ſo

(*m*) Between ſix and ſeven thouſand, which, together with fifteen hundred *Curaſſiers*, which his Electoral Highneſs carry'd with him as a Life-Guard into *Flanders*, were the whole Strength which he contributed to the Quarrel.

A. D. 1692. so much intend to ſtrike a Panic and create a Diverſion, as to bring about another Revolution.

It was too notorious to be conceal'd, that the Nation was far from being of one Mind: The Care of Foreign Affairs had been more regarded than the removing domeſtic Evils: Our Hero and Defender was abſent in purſuit of other Adventures: The far greater Part of our beſt Troops were engag'd in the ſame Queſt: The Reins of Empire were in the Hands of a Woman, whoſe Councils were embarraſs'd with the Feuds of two irreconcileable Parties: The Majority of the Invaders were thoſe very *Iriſh* ſo liberally furniſh'd to his *moſt Chriſtian* Majeſty by the Articles of *Limerick*: The abdicated King was now to act the Part of a *Deliverer* in his Turn, who had many plauſible things to urge, as well to blunt the Oppoſition of his Adverſaries, as to beſpeak the Endeavours of his Friends: And to crown all, if Biſhop *Burnet* is to be depended upon, both the King and the Secretary's Office were ſo ill furniſh'd with Intelligence, that, if the Winds had favour'd, the *French* themſelves would have brought the firſt News of the Purpoſe they had in hand.

Articles of Intelligence in the L. Gazette, [*Numb.* 2728. —2729, —2730, —2741, —2745, —2748, —2750, —2752, —2754, —2763.]

But this laſt Circumſtance is ſcarce credible, not only from the Nature of Things, but from the very Hints which were publiſh'd from time to time in our own *Gazettes*, and which prove, That it was known in the Beginning of *January*, that the *French* Court had already diſtributed all the chief Commands on board their Fleet: That Orders were given for fitting out the *Toulon* Squadron, together with Frigates, Fireſhips, and Gallies: That this was confirm'd by ſubſequent Advices: That in the Beginning of *February* it was farther known: That all the *French* Privateers were recall'd; and an Embargo was laid on all Merchantmen, for the ſake of the more ſpeedy and effectual manning their Fleet: That on the 23d of the ſame Month, N. S. Mr. *d' Eſtrees* ſet out from *Paris* to take upon him the Command of the *Toulon*-Squadron: That Mr. *de Tourville*, who was to command in the Ocean, ſet out on the 14th of *March*, N. S. for *Breſt*: That all the Officers of the Marine had receiv'd Orders to repair immediately to their Poſts: That it was the general Belief at *Paris*, that the *Toulon* Squadron was already at Sea: That all the Men of War at *Breſt*, *Rochford* and *Port Louis* were fitting out as faſt as poſſible: That, when ready, they were to ſail as far as *Cadiz* to meet Mr. *d'Eſtrees*: That the Marſhal *de Belfonde* was to command a Body of eight or ten thouſand Men on the Coaſt of *Normandy*, and Mr. *de Larre* another on the Coaſt of *Guienne*: And again, That inſtead of eight or ten thouſand Men, Mr. *de Bellfonde* was to have under his Command twenty-ſix Battallions of *Iriſh*, and eight thouſand *French*, Horſe and Foot: And, laſtly, that Mr. *de Tourville* lay in *Breſt-Road*, with forty-five Men of War; the reſt of the Fleet not being ready.

Thus it appears by a Courſe of Advices ſet forth by Authority, that our Miniſters were no Strangers either to the naval Preparations of *France*, or their Diſpoſitions in *Normandy*: And if they ſuffer'd themſelves to be amus'd with a Notion, that ſo large a Body of Forces was collected there, only to withſtand the Invaſion threaten'd by us, or that ſo great an Effort was made by Sea, only for the ſake of an Attempt on ſome of the *Spaniſh* Ports, as we find it alſo ſuggeſted, it muſt argue a greater Degree of Infatuation than ever diſgrac'd any ſet of Miniſters before. A. D. 1692.

Counter Preparations of the Engliſh *and* Dutch.

But if it ſhould be admitted, that they were not in the Secret of Mr. *de Bellfonde's* Commiſſion, it is certain, that they made it one of their principal Endeavours to render the Fleet as ſtrong, and to put it in a Condition to ſet ſail, as early as poſſible; which was the beſt Expedient, perhaps, that could have been made uſe of to render the Project abortive. Even before the End of *December* they had made an Offer of ſix Weeks Pay, by way of Bounty, to ſuch able Seamen as ſhould enter Voluntarily into the Service, together with Conduct-Money: When alſo it appear'd, that this did not ſufficiently anſwer the Purpoſe, another Proclamation was ſet forth, which partook as much of Terror, as the former of Indulgence; for therein, all Seamen, not already enliſted, were ſtrictly charg'd and commanded to enliſt forthwith, on pain of being proceeded againſt with the utmoſt Severity; and not only all Magiſtrates were requir'd to make a ſtrict Search after all abſconding Seamen, and to apprehend all looſe, unknown Perſons who might be juſtly ſuſpected as ſuch, but all Perſons whatſoever were ſtrictly charg'd and commanded, not to conceal any of the Perſons thus deſcrib'd, or to favour their Eſcape, on pain of being *committed to Priſon* by the next Juſtice of the Peace, or other Magiſtrates, and *proſecuted with all Severity* ACCORDING TO LAW, *as Perſons conſpiring againſt their Majeſties, and the Safety of the Kingdom*: And by a third Proclamation, all ſuch as had left the Ships they had belong'd to, were requir'd to return to their ſaid Ships, on pain of being puniſh'd as Deſerters: And all Captains, Commanders, &c. were directed to make diligent Search on board all Merchant-Ships after ſuch Abſentees or Deſerters, and to ſecure all they ſhould find, in order to their being brought to condign Puniſhment. Accordingly, all the Merchant-Ships in all the Ports thro' the Kingdom were viſited; all the Reſorts of Seamen were thoroughly ſearch'd; and till the Navy was completely mann'd, all that were fit for the Service, were forc'd into it, without Exception. This continu'd through the whole Month of *February*, and in the mean time, ſuch Expedition was uſed at the ſeveral Docks and Yards, that before the King's Departure to *Holland*, all the Ships of Force, but one, were come round from *Portſmouth*, and ſo many had fallen down from *Deptford*, *Woolwich* and *Chatham*, to the *Nore*, that

his

A. D. 1692. his Majesty was sufficiently authoriz'd to assure the *States*, that his Fleet was almost in Readiness to put to Sea. It is farther to be remember'd, that, towards the End of *April*, two new Ships of eighty Guns, and one of seventy-nine Guns, as also two rebuilt Ships, *viz.* one of an hundred Guns, and one of seventy, were launch'd and equipp'd, with such almost-incredible Dispatch, that an express Article is to be found in the *Gazette*, N°. 2762, signifying, That the Royal *William* was launch'd at *Chatham* on the 21st, fell down to *Black-stakes* on the 25th, and, on the 30th, was completely fitted, having on board an hundred and six Guns, all her Stores, Provisions, and full Compliment of Men, in order to join the Fleet the next Day.

During this Interval also, it appears, that his Majesty, immersed as he was, in the Affairs of the Continent, found sufficient Leisure to quicken the *Dutch* Preparations by Sea: In consequence of which, the *Amsterdam* Squadron, which consisted of fourteen Men of War, three of them of ninety-two Guns each, and three Fire-ships, came to anchor in the *Downs* on the 27th of *April*, and was follow'd close at the Heels by the *Maese*-Squadron, which consisted of five capital Ships, and two Fire-ships: Seven *Dutch* Men of War came also, about the same time, to the same Road, from *Spithead*; and the *North-Holland* and *Zealand* Squadrons were not long behind them: So that if it really was the Purpose of the *French*, as Bishop *Burnet* suggests, to embark their Troops at *Cherbourgh*, *la Hogue*, and other adjacent Places in *Normandy* in the End of *April*, in order to make their Descent on the Coast of *Sussex*, as the nearest way to *London*, it appears that our Fleet was early enough in a Condition, not only to dispute the Passage, but to deter them from attempting it. Besides, even the Bishop himself (who seems to have two Ends in exposing the profound Security of our Court at this time, namely, to reflect on the Earl of *Nottingham*'s Tory-Administration, and to insinuate, that the Government was under the peculiar Care of Providence) is pleas'd to allow, "That, in the Beginning of *May*, about *forty* of our Ships were on the Coast of *Normandy*, and were endeavouring to destroy the *French Transport-Ships*; which had been impossible, if the Ministry had been so careless of the Public, as he represents them; or if they had been appriz'd of the *French* Designs *but a very few Days before they reckon'd they should be on our Coast*; which is one of the Circumstances insisted upon by his Lordship, and which will appear yet more improbable in the Sequel.

It was the 21st of *April*, N. S. when King *James* set out from *St. Germains* in his way to *Normandy*: And on the 10th of *May* following, his *most Christian* Majesty, who had also resolv'd to have a personal Share in the Glory of this Campaign, with a Train of Court-Lords and Ladies, began his Journey to *Flanders*. Wide as their several Routs lay, we are to understand, that both terminated in the same Point of Sight. A. D. 1692.

"He (the *French* King) says a Writer of these Times, intended to invade *England*, if our Army continu'd in the *Netherlands*; or to make himself Master of those Provinces, if we should be oblig'd to recall our Forces." And after him, says the Prelate last quoted, "At the same time (while King *James* ferry'd over from *la Hogue*, that is to say) the King of *France* was to march with a great Army into *Flanders*; and he reckon'd, that the Descent into *England* would either have succeeded, since there was a very small Force left within the Kingdom, or, at least, that it would oblige the King to come over, with some of his *English* Troops; and in that Case, which way soever the War of *England* had ended, he should have master'd *Flanders*, and so forc'd the *States* to submit." [History of the late Conspiracy, 8vo, p. 40.]

Not only these two Writers, but all others, take it for granted, that there was an Understanding between King *James* and his Partizans in *England*; but then they do not wholly agree in their Manner of attesting it, or indeed with themselves; for while Bishop *Burnet*, in one Place, says, "The *French* were to bring over only a small Number of Horses; for their Party in *England* undertook to furnish them with Horses at their landing;" which implies a Treaty and Concert between them of some standing: He says in another, as hath been already in part quoted, "They sent over some Persons to give their Friends notice but a very few Days before they reckon'd they should be on our Coast. One of these was a *Scotchman*, and brought the first Discovery to *Johnston*," the *Scotish* Secretary: Others say, that one *Lunt*, who will be frequently mention'd hereafter, brought Intelligence to the *Jacobites*, in *December*, of a Project for an Invasion in the Spring: And that *Walmsley* and *Parker*, in *February*, came to *England* by King *James*'s Order; and not only imparted the Design at a Meeting of the principal Persons of the Faction, but distributed among them Commissions and Presents, which they had also been charg'd with. Others, again, fix this Meeting in *January*; and both alike serve to confute the Bishop's Suggestion, That the Notice so *very few Days* preceded the time prefix'd for the Event. *The Jacobites charg'd with being in the French Secret.*

Again, the same thing is made yet farther evident by the following Facts, *viz.* 1. There is an Article in the *London-Gazette*, N°. 2758, dated from *Deal*, *April* 15, in these Words; "Rear Admiral *Carter* is going with a Squadron to the Westward." Now, in all Probability, this is the very Squadron which the Bishop says was sent to destroy the *French Transports* in *Normandy*; tho' it seems somewhat strange, that he should be sent on such an Errand, when the same Author farther relates, *That the Heavens fought against them more effectually than we could have done*; for, continues he, "There was, for a whole Month together, such a Storm that lay upon their Coast, that it was not possible for them to come out of their Ports." But, not to insist on this Circumstance, for the Storms his *Other Proof that the Court were better on their Guard than* Burnet *suppose.*

Lordship

A. D. 1692. Lordship talks of were in *March*, the Admiral came to *Spithead* on the 19th, and continu'd there till the 25th at Night, when he again ſtood to the Weſtward; and, we hear no more of him till the ninth of *May*, except by an Article from *Paris* inſerted in the *London-Gazette*, N°. 2766, dated *May* the 16th, N. S. which ſays, That by an Expreſs of that Day from (*n*) *Dieppe*, there was Advice, that a Fleet of fifty *Engliſh* Men of War had appear'd off that Place; and which may be underſtood either of him or Admiral *DelaVal*, who, with all the (*o*) Third, Fourth, Fifth, and Sixth Rates, *&c.* ſail'd through the *Downs* on the 29th of *April*, and on the firſt of *May* was ſeen off *Dungeneſs.* 2. Mr. *Johnſton* having imparted the Intelligence he had receiv'd to the Regency of *Scotland*, and accompany'd it with ſuitable Inſtructions, we have Advice from *Edinburgh*, dated *April* 30, which imports, That the Privy Council of that Kingdom had already obey'd thoſe Inſtructions, by publiſhing a Proclamation, requiring all Magiſtrates to make due and exact Trial what Miniſters did not, in expreſs Words, pray for King *William* and Queen *Mary*, to the end, that they might be proſecuted with all Rigour: That they had order'd the Magiſtrates of *Edinburgh* to re-inforce the Town-Company of Soldiers with a Detachment of Train'd-Bands, who were to be upon Duty every Night, and to give to the Lord-Chancellor a daily Liſt of all Lodgers, ſuſpected and unknown Perſons: That they had enjoyn'd the Governor of the Caſtle to remove all Perſons out of it, not belonging to the Gariſon, and to command all his Officers to repair to their Poſts: That they had ſummon'd the Heritors of the Shires of the Three *Lothians*, *Fyfe*, *Sterling*, *Clackmanan*, *Lanark*, *Peebles*, *Tweedale*, and *Berwick*, to meet their Officers, and to be ready to appear with their Arms on the firſt Warning: That Letters had been ſent to the Burghs-Royal, or Sea-Towns, to take an Account of all Arms, Powder, Ammunition, *&c.* and that the ſaid Counſel had authoriz'd the Lord-Chancellor to ſearch for, and ſecure ſuſpected Perſons, together with their Horſes, Arms, *&c.* And, thirdly, we find, that Intelligence of the Diſcoveries made in *England*, had even reach'd the King at *Loo* before the End of *April*: Or elſe how was it poſſible for the Earl of *Portland* to arrive at *Whitehall*, *May* the third, with *ſecret* Inſtructions to the Queen *(that ſhe might not, even in his Abſence*, ſays an Author before quoted, *be oblig'd to depend upon the Advice and Opinions of any other Council but himſelf)* as he actually did? Or for General *Talmaſh* to follow him with three Regiments of Foot, in leſs than ten Days more?

The Earl of Portland ſent over with ſecret Inſtructions to the Queen.

(History of the late Conſpir. 8vo. p. 47.

Not to be too circumſtantial, the Queen, in concert with her Miniſters, had taken all the neceſſary Precautions before the *Favourite's* Arrival; for, over and above the Meaſures already mention'd, Admiral *Ruſſel*, who had again the Command in chief of the Navy, had taken his Leave of her Majeſty, *April* the 30th, with Orders to ſet ſail as ſoon as poſſible in queſt of the Enemy: Orders had been ſent to the Lieutenancy to raiſe the Militia; ſix Regiments that were on the point of embarking for *Flanders*, were countermanded; Proviſion was made for draughting others from *Ireland*; a Train of Artillery was provided; a Camp was order'd to be mark'd out between *Petersfield* and *Portſmouth*; and, for fear the Preparations of *France* ſhould be only againſt the Iſlands of *Guernſey* and *Jerſey*, Care was alſo taken for their Security.

A. D. 1692.

But, after the *Favourite's* Arrival, and he had imparted his *Secret Inſtructions* to her Majeſty, all Papiſts and reputed Papiſts, were oblig'd, by Proclamation, to remove ten Miles from *London*: Both Houſes of Parliament were requir'd to meet on the 24th, and to ſit for the Diſpatch of ſuch weighty and important Affairs, as might be requiſite for the Safety of the Kingdom, at a time, when it was threaten'd with a powerful Invaſion from abroad: The Arms and Horſes of ſuſpected Perſons were ſeiz'd: "Divers Lords and others were taken up and committed to the *Tower* and other Priſons, for High Treaſon, in abetting and adhering to their Majeſties Enemies." Theſe are the Words of the *London-Gazette*, N°. 2794: Other Papers of thoſe Times ſpecify the Earl of *Marlborough* and *Huntington*, as alſo *Fergu ſon*, one *Ridley*, in whoſe Chambers, it is ſaid, was found a conſiderable Sum of Money, and others: And, laſtly, a Proclamation was iſſu'd, for apprehending the Earls of *Scarſdale*, *Litchfield*, *Newburgh*, *Middleton*, and *Dunmore*; the Lords *Griffin* and *Forbes*; *John Griffin*, Eſq; Sir *John Fenwick*, Sir *Theophilus Oglethorp*, Sir *Andrew Forreſter*, Colonel *Slingſby*, *James Grahme*, Eſq; ——— *Orby*, Eſq; Colonel *Sackville*, *Oliver St. George*, Eſq; Major *Souper*, *Charles Adderley*, Eſq; *David Lloyd*, Eſq; *George Porter*, Eſq; and *Edward Stafford*, Eſq; by Name, who had abſconded, and againſt whom it was ſaid, their Majeſties had receiv'd Information (upon Oath is not mention'd) that they had conſpir'd together, and with divers other diſaffected Perſons, to diſturb and deſtroy the Government, *&c.*

Suſpected Perſons ſeiz'd.

[State of Europe for May. 1692, p. 185.]

A Proclamation againſt others.

It may, and ought to be, preſum'd, the Government had ſufficient Grounds for this Charge; for the *Outed Party* not only thought they had a Right, but were forward enough to become *Revolutioners* in their Turn; and it is to be lamented, that thoſe Grounds have not been more diſtinctly and ſolemnly ſpecify'd; for as to the Circumſtances above recited concerning

The Charge againſt the Jacobites reſum'd.

(*n*) At which Place, *Catharine*, the Queen-Dowager of *England*, landed on the ninth, N. S. in her way to *Portugal*, whether ſhe was going to ſpend the reſt of her Days; according to ſome, from an Apprehenſion of a Civil War in *England*.

(*o*) The Author of the *Lives of the Admirals* confounds this fighting Squadron with another ſmall one of five Men of War and two Fireſhips, commanded by the ſame Admiral, which ſail'd as a Convoy from *Plymouth* for *Cadiz*, *January* the 13th, and which came to an Anchor again in the *Downs*, *March* the 17th.

A. D. 1692. cerning *Lunt*, *Parker*, and *Walmsly*, they are taken from subsequent Depositions; and the Credit of Court-Witnesses in Court-Causes will ever be liable to Suspicion. When therefore we find it farther asserted in the said Depositions, That the two last of those Persons desir'd their Party, at that Meeting, to be in Readiness to join the Invaders; that Soldiers were accordingly levy'd, Arms distributed, &c. As also, That *Lloyd*, one of the Persons named in the Proclamation, was sent over to the Earl of *Melfort*, to acquaint his Lordship, That they had corrupted several of the *English* Sea-Commanders, particularly Rear-Admiral *Carter*; that this Intelligence was accompany'd with a List of the Number and Rates, of the Ships under his Command, a Computation of the time it would take up before the *English* and *Dutch* Fleets could join, and a Request, that his Lordship would procure positive Orders from his *most Christian* Majesty to Mr. *de Tourville* to engage the *English* Fleet in this Interval, without waiting any longer for the *Toulon*-Squadron, under Mr. *d'Estrees*; we continue unsatisfy'd in spite of ourselves, and thereby experience the Necessity of more unquestionable Authorities.

[P. 46. 47. It is true, in *the History of the late Conspiracy*, we find the following Passages: "He (the King) hasten'd the sailing of the *Dutch* Fleet, and fitted out his own with such Diligence and Expedition, that, notwithstanding the utmost Efforts the *French* could make to prevent us, they were oblig'd to encounter with two Fleets, when they expected only to have met with one. When his Enemies had recourse to their wonted Artifices, and endeavour'd to corrupt the Officers of his Navy, he not only defeated their treacherous Project, but made their Stratagem fatal to themselves: For Admiral *Carter* was order'd to treat with them, and amuse them with a seeming Compliance, till they fell into the Snare which they had provided for us."

But then Bishop *Burnet*, who rarely forgets or overlooks any Incident of this nature, never once mentions it, and accounts for Mr. *de Tourville*'s entering the Channel without Mr. *d'Estrees*, on quite another Principle: Namely, Our sending a Squadron of Ships on the Coast of *Normandy* to destroy the *French* Transports. "Upon which (says he) Orders were sent to Marshal *Tourville*, to sail to the Channel, and fight the *English* Fleet." It is, indeed, farther added in the Depositions, That, upon Lord *Melfort*'s Application, the King of *France* did actually dispatch fighting Orders to *Tourville*: That a false Report prevailing, that the *English* and *Dutch* Fleets were join'd, and the *Jacobites* apprehending it would occasion a Revocation of the said Orders, they sent Sir *Adam Blair*, expres, to contradict it: That, nevertheless, *before* the said Gentleman could reach *Dover*, the two Fleets did actually join: That hereupon they sent over one Mr. *Clark* with the News, to prevent any Mischief which might arise from the Message sent by *Blair*; and that *Blair* persisting in his own Story, in Opposition to *Clark*, the Latter was imprison'd as a Spreader of false News, and did not obtain his Liberty, till the Fact was authenticated from all Quarters. And yet, as the Junction of the said Fleets was made in the *Downs*, and both sail'd on to the Westward the same Day it was made, how is it to be conceiv'd that any Man could pass thro' *Dover* after the said Junction, as *Blair* is said to have done, without being inform'd of so important an Event, and which related so fundamentally to the very Commission he was charg'd with? Besides, it is abundantly more reasonable to suppose, that the *French* Court govern'd their Motions by the Reason and Nature of Things, than the partial Advices of their Confederates here. Mr. *d'Estrees* had met with such unfavourable Winds, that it was the sixteenth of *April*, N. S. before he reach'd *Malago*. In his way, he had fallen in with a little Fleet of *English* Merchant-Ships, under the Convoy of the *Portland* and *Phœnix*: All of which, except three, together with their Convoy, chose rather to run themselves ashore, than to fall into his Hands: But scarce had he Leisure to reflect on this Success before he was visited with a far greater Misfortune: For, at the Entrance of the *Streights*, he was surpriz'd with a violent Storm, which drove two of his Capital Ships on the Rocks, where they were beat to Pieces, and so disabled the rest, that they were glad to make the best of their way to the next Port, to refit, instead of attempting to prosecute their Voyage. Thus it appears, that by waiting any longer for Mr. *d'Estrees*, they must have lost the Crisis of Action, and with it, all Probability of finding their Account in the vast Sums they had disburs'd, and the mighty Preparations they had made.

But tho' we are not able to trace the Correspondence between the *French* and the *Jacobites*, Step by Step, and many Objections may possibly be rais'd to the Accounts we have been hitherto furnish'd with, we ought not therefore to pronounce, that there was no such Correspondence at all; for, in all Likelihood, there was. King *James*'s Queen was again with Child (a Circumstance which Bishop *Burnet* has more politically than candidly, suppress'd.) It was presum'd this new Conception would confirm the Reality of the Former. A solemn (p) Invitation to the Birth, in King *James*'s Name, dated from *St. Germains*,

A. D. 1692.

King James invites several Lords and Ladies to the Queen's Labour.

(p) In these Words:

"*JAMES R.*

"Right trusty and well beloved Cousin and Counsellor, we greet you well. Whereas our Royal Predecessors used to call such of their Privy-Council as could conveniently be had, to be present at the Labour of their Queens, and Witnesses

of the Births of their Children; and that we have follow'd their Example at the Birth of our dearest Son *James*, Prince of *Wales*; however, that Precaution was not enough to hinder us from the malicious Aspersions of such as were resolv'd to deprive us of our Royal Right; that we may not be wanting to ourself, now it hath pleas'd *Almighty God*, the Sup-

A. D. 1692. *mains, April* the second, N. S. was distributed in *England* to all the Lords and others, late of his Privy-Council, as also to several Ladies, and to Dr. *Chamberlain* the celebrated Man-Midwife. This was follow'd, at the Distance of eighteen Days, with a (*q*) Declaration preparatory to his Landing; in the Preamble to which it is avow'd, That the *most Christian* King, agreeable to many obliging Promises, had lent him as many of his Troops as were abundantly sufficient to untye the Hands of his Subjects, and make it safe for them to return to their Duty, and repair to his Standard, tho' not so many as to make them jealous, that he intended to take the Work wholly out of their Hands, or deprive them of their Share in the Glory, of restoring their lawful King and their ancient Government: And the whole Drift of the Paper was not only to spirit up his own Party to come in to his Assistance, but the Majority of the Nation: For, after an explicit Promise, that, as soon as he should be fully settled in the peaceable and quiet Possession of his Kingdoms, his (*r*) foreign Auxiliaries should be sent home, and that, in the mean time, they should observe such exact Discipline, that none of his Subjects should receive the least Injury from them, he proceeds to say in Substance, That tho' an Affair of this nature spoke for itself, and tho' he did not think himself oblig'd to say any thing more, than that he came to assert his just Right, and to *deliver* his People from the Oppressions they lay under: Yet when he consider'd how miserably many of his Subjects had been cheated into the late Revolution by the Arts of ill Men, and particularly by the Prince of *Orange*'s Declaration, which was taken upon trust, and easily believ'd then, tho' consisting of Assertions that had been evidently disprov'd, and Promises that never were intended to be perform'd, he had thought fit to do what lay in his Power to open the Eyes of his Subjects, that they might no more have Ignorance to plead for any future Steps, they might make hereafter towards the Ruin of themselves and their Country: That to take the Matter from the *Beginning*, it could not be forgot, that when he had certain Notice of the Prince of *Orange*'s unnatural Design, he chose, next to the Divine Protection, to rely on the Courage and Fidelity of the *English* Army (which had been with so much Care and Tenderness form'd and oblig'd by him) for his Defence: That this Reliance had induc'd him to refuse the considerable Succours both by Sea and Land offer'd him by his *most Christian* Majesty: That when he was ready to oppose Force with Force, he apply'd himself to give all reasonable Satisfaction to the Minds of his good Subjects, by endeavouring to undeceive them, and by letting them see, while time was, what Ruin they would bring upon their Country, by countenancing the vain Pretences of the Prince of *Orange*: That, however, such was the Infatuation of the Time, that he was not believ'd till it was too late: That when he, the Prince, had thrown off the Mask, and it appear'd plainly, that it was not the Reformation of the Government, but the Subversion of it, that he aimed at, and when his Majesty was universally deserted and betrayed by his Army, his Ministers, his Favourites, and, his very Children, and at last rudely forc'd by a Guard of Foreigners from his own Palace, it was high time for him to provide for his own Security, which he could no otherwise do, than by taking Refuge in *France*: That how this Escape of his came to be treated as an Abdication, and what a strange Superstructure had been rais'd upon it by a Company of Men, illegally met, who, without Power to alter the Property of the meanest Subject, had taken upon them to destroy the whole Constitution, and to make an hereditary Monarchy become elective, &c. were Transactions too well known to need Repetition: That by this time, no doubt, the Nation had cast up the Account, on considering their Losses and Expences, which had been greater in the three last Years, than during the whole Reigns of many of his Predecessors put together, and were convinc'd that the Remedy was worse than the Disease: That when they farther consider the Temper and Complexion, the Methods and Maxims of the present Usurper, they would find all the Reason in the World to believe, that the Beginning of his Tyranny, like the five first Years of *Nero*, was like to prove the mildest Part of it; and that even those who were most instrumental in the Establishment of it, might live to be Sufferers under

The Substance of his Declaration.

A. D. 1692.

porter of *Truth*, to give us Hopes of future Issue, our dear Consort, the Queen, being big, and drawing near her Time; we have thought fit to require such of our Privy-Council, as can come, to attend us here at *St. Germains*, to be Witnesses of our said Consort the Queen's Labour. We do therefore hereby signify this our Royal Pleasure to you, that you may use all possible Means to come with what convenient Haste you can, the Queen looking about the Middle of *May* next. And that you may have no Scruple on our Side, our dear Brother, the *most Christian* King, has given his Royal Word and Promise to you, as we hereby do, that you shall have leave to come, and, the Queen's Labour being over, to return with all Safety. The Iniquity of the Times, the Tyranny of Strangers, and misled Party of our own Subjects, brought us under the Necessity of using this unusual way; yet we hope it will convince the World of the Truth and Candour of our Proceedings, to the Confutation of our Enemies. We, not doubting of your Compliance herewith, bid you heartily farewell. Given at our Court at the Castle of *St. Germains*, the 2d of *April* N. S. 1692, and in the eighth Year of our Reign."

(*q*) This Declaration is to be found at large, in *Darby*'s Collection of *State-Tracts*, Vol. II. together with an Answer to it by *Dr. Lloyd*, Bishop of *St. Asaph*. Supposing it therefore to be genuine, it must be allow'd the Government shew'd no small Degree of Courage and Ingenuity in suffering the Bishop to make it public, while the Terror of the Invasion was yet depending, and thereby leaving the People to be their own Judges: and as no Information has been made to the contrary, we ought to conclude, that the Author of the *Memoirs of Europe* for this Year, tho' no Friend to King *James*, was either greatly mistaken, or greatly impos'd upon, in asserting, p. 193, that one of the Articles in the said Declaration contain'd a Promise, to exempt his People from all sorts of Imposts for seven Years: Of which there is no Trace in the Copy given by the Bishop.

(*r*) There is a remarkable Fallacy contain'd in these Words: For the greater Part of the Army employ'd in this Service being *Irish*, they would have paid for *their own*, and, consequently, not comprehended under this Article. In which Case he would have been left with such a Corps about him, as would have fully answer'd any Purposes he had to serve.

A. D. 1692. under it: That if it should please *God*, as one of his severest Judgments upon these Kingdoms, for the many Rebellions and Perjuries they had been guilty of, to continue the Usurpation during his Life-time, an indisputable Title would survive in his Issue, which would not fail to expose the Kingdom, as in the long and bloody Contentions between the two Houses of *York* and *Lancaster*, to all the Miseries of a new Civil War: That the calamitous Condition of *Europe*, and the fair Prospect of enlarging the Bounds of the Christian Empire, ought to be weighty Motives with all Christians for his Restoration, since no rational Prospect of a Treaty could be form'd without it; but that once done, the thing would be easy, for he was ready to offer his Mediation: That since he came with so good Purposes, and so good a Cause, and since the Peace of *Europe*, as well as that of his own Kingdoms was concern'd in his Success, he hoped he should meet with little Opposition, and that all his loving Subjects, according to their Duty and their Oaths, would join with, and assist him, to the utmost of their Power. He also added his Commands to fortify his Hopes; and then, laying aside the Pleader, and assuming the Monarch, strictly forewarn'd and prohibited all his Subjects, from collecting or paying any of the illegal Taxes lately impos'd on them, or any Part of the Revenue, or contributing to abett and support the Usurpation: And, that none might be forc'd to continue in Rebellion by Despair of Mercy, and that he himself might, if possible, have none but the Usurper and his Foreign Troops to deal with, promis'd and declar'd, by the Word of a King, that except certain (*s*) Persons, there enumerated, all, who by an early Return to their Duty, and giving any signal Mark of it, should manifest the Sincerity of their Repentance, should not only have their respective Pardons under the Great Seal, but be farther consider'd and rewarded. He also promis'd to provide an Act of Indemnity in his first Parliament, in favour of those who should not appear in Arms against him, provided that all Magistrates should, immediately after Notice of his Landing, make some public Manifestations of their Allegiance and Submission to his Authority; and also to cause this his Declaration to be publish'd as soon as it came to their Hands; and that all Keepers of Prisons immediately set at Liberty all Persons committed to their Custody, on account of their Allegiance or Affection to him. He farther declar'd and promis'd, That all Officers and Soldiers, either by Sea or Land, who should quit the Service of the Usurper, and return to their Duty, should not only have their Pardons, but the Arrears of their Pay; and, that even the Foreigners themselves might not be driven to Despair, that A. D. 1692. all such as should lay down their Arms and claime the Benefit of this Declaration, should be paid their Arrears and transported to their respective Countries, or wherever else they should reasonably desire. His next Paragraph ran in these Words: "And we do farther declare and promise, That we will protect and maintain the Church of *England*, as it is by Law establish'd, in all their Rights, Privileges and Possessions; and, that upon all Vacancies of Bishoprics and other Dignities and Benefices within our Disposal, Care should be taken to have them fill'd with the most worthy of their own Communion." After which he proceeds to say, "That for preserving the Peace of the Kingdom, and that Men of all Opinions in Religion might be reconcil'd to the Government, as also, being convinc'd in his Judgment, that Liberty of Conscience was most agreeable to the Laws, and the Spirit of the Christian Religion, and most conducing to the Wealth and Prosperity of the Kingdom by encouraging the Natives of all Countries to trade with and settle among us, he was resolv'd most earnestly to recommend to his Parliament the settling Liberty of Conscience in so beneficial a manner, that it might be a lasting Blessing to this Kingdom. Lastly; That it should be his great Care, by the Advice and Assistance of Parliament, to repair the Breaches, and heal the Wounds of the late Distractions, to restore Trade, by putting the Act of Navigation in effectual Execution, which had been of late so much violated in Favour of Strangers, to put the Navy and Stores into as good a Condition as he left them, to find the best ways of bringing back Wealth and Bullion to the Kingdom, which, of late, had been so much exhausted; and that generally it should be his Delight to spend the Remainder of his Reign, as he had always design'd since his coming to the Crown, in studying to do every thing that might contribute to the Re-establishment of the Greatness of the *English* Monarchy upon its old and true Foundation, the united Interest and Affection of the People." Thus, says he, for a close of all, having endeavour'd to answer all Objections, and to give all the Satisfaction we can think of to all Parties and Degrees of Men, we cannot want ourselves the Satisfaction of having done all that can be done on our Part, whatever the Event shall be, the Disposal of which, we commit with great Resignation and Dependence to that *God* who judges right. And as, on the other side, if any of our Subjects, after all this, shall remain so obstinate, as to appear in Arms against us, they must needs fall unpity'd under the Severity of our Justice, after having refus'd such gracious Offers of Mercy, so they must be answerable to *Almighty God* for all the Blood

(*s*) Namely; the Duke of *Ormond*, the Marquis of *Worcester*, the Earls of *Sunderland*, *Bath*, *Derby*, and *Nottingham*, the Lords *Newport*, *Dillamere*, *Willoughby*, *Colchester*, *Cornwallis*, *Dunblane* and *Churchill*, the Bishops of *London* and *St. Asaph*, Sir *Robert Howard*, Sir *John Trevor*, Sir *Samuel Grimstone*, Sir *Stephen Fox*, Sir *George Treby*, Sir *Basil Dixwell*, Sir *James Ogleby*, Dr. *Tillotson*, Dr. *Burnet*, *Francis Russel*, *Richard Lowdes*, *John Trenchard*, Esqrs; *Charles Duncomb* of *London*, *Edward Napleton* and *Hunt*, Fishermen, and all those who offer'd him personal Indignities at *Feversham*, also all Persons who, as Judges, Jurymen, &c. had a hand in the barbarous Murder of *Ayloff*, *Cruft*, &c. and all Spies.

[A. D. 1692.] Blood that ſhall be ſpilt, and all the Miſeries and Confuſions in which theſe Kingdoms may happen to be involv'd by their Deſperate and unreaſonable Oppoſition."

Thus it appears that every Article in this Paper was calculated to clear the way for a Deſcent: And as it is out of all Diſpute, that this unhappy Prince had a Party here, on whoſe Countenance and Aſſiſtance he depended, and whoſe Hopes were grafted only on his Succeſs, it cannot be ſuppos'd, that they were ignorant of his Purpoſe, or wholly unprovided to act in the Support of it: Beſides, both this Paper and his Letter of Invitation to the Delivery of his Queen, were circulated through the Kingdom; and nothing was omitted to beſpeak them a favourable Reception; which could not have been done by a few, nor by any that were not reſolv'd to embrace all Opportunities of rendering them effectual.

[State of *Europe* for *May*, *p.* 179. *Memoirs of Europe*, *p.* 193.] There are thoſe who, moreover, aſſure us, That, after the Example of the Prince of *Orange*, Papers of the like Tendency were ſcatter'd among the Seamen and Soldiers, in hope of the like Succeſs: And, either alluding to thoſe, or to the Affair of Admiral *Carter*, before ſpoken of, Dr. *Lloyd*, Biſhop of *St. Aſaph*, the Author of two Papers call'd, *A Firſt and Second Letter to a Friend concerning a* French *Invaſion*, ſuggeſts, that no Arts nor Endeavours were wanting to debauch them from their Duty.

A Court-Artifice. Laſtly, a Paper was publiſh'd in the *London-Gazette* of *May* 19, but dated the 16th, in her Majeſty's Name, and by her Direction, which manifeſtly ſhew'd, that there had been a Doubt in the Cabinet of the Fidelity of the Fleet: and that it had been held neceſſary to draw ſuch Aſſurances from the principal Officers and Commanders, as ſhould ſerve as a ſort of Security for their good Behaviour. But, that the Reader may judge for himſelf, the ſaid Paper is here inſerted as follows:

Whitehall, *May* 16. "The Queen being inform'd of a ſcandalous and malicious Report that was ſpread abroad, as if ſome of the Officers of their Majeſties Fleet were diſaffected, or not hearty in their Service, and that her Majeſty had thereupon order'd the Diſcharge of many of them from their Employments; her Majeſty was pleas'd to command the Earl of *Nottingham* to write to Admiral *Ruſſel*, and to let him know, That her Majeſty was ſatisfy'd that this Report was rais'd by the Enemies of the Government; and that ſhe repos'd ſo entire a Confidence in their Fidelity and Zeal for their Majeſties Service, and the Defence of their Country, that ſhe had reſolv'd not to diſplace any of them. Which being communicated to them by the Admiral, they made and ſent up the following Addreſs, which was this Day preſented to the Queen by the Lords Commiſſioners of the Admiralty:

'We your Majeſties moſt Dutiful and Loyal Subjects and Servants, Flag-Officers and Captains in your Majeſties Fleet, out of the deep and grateful Senſe we have of your Majeſties good and juſt Opinion of our Loyalty and Fidelity, imparted to us by the Right Honourable Admiral *Ruſſel*, in a Letter to him from my Lord *Nottingham*; do, in the Behalf of ourſelves, and all the other Officers and Seamen, humbly preſume to addreſs ourſelves to your Majeſties at this Juncture, to undeceive the World in thoſe falſe and malicious Reports that have been lately ſpread in Prejudice of your Majeſties Service by People of an unreaſonable Diſaffection to your Majeſties Government, and an obſtinate Averſion to the Quiet and Good of our Country, That there are ſome amongſt us that are not truly zealous for, and entirely devoted to your Majeſties Service: We do therefore moſt humbly beg your Majeſties Leave to add to our repeated Oaths this Aſſurance of our Fidelity, That we will with all imaginable Alacrity and Reſolution venture our Lives in the Defence of your Majeſties undoubted Rights, and the Liberty and Religion of our Country, againſt all foreign and popiſh Invaders whatſoever: And that *God Almighty* may preſerve your Majeſties moſt Sacred Perſon, direct your Counſels, and proſper your Arms by Sea and Land againſt your Majeſties Enemies, let all the People ſay *Amen*, with your Majeſties moſt Dutiful and Loyal Subjects.

Dated on board the Britannia *at* St. Helens *this* 15*th Day of* May, 1692.'

This Addreſs was ſign'd by Sir *John Aſhby*, Admiral of the Blue; Sir *Ralph Delaval*, Vice-Admiral of the Red; Mr. *Rook*, Vice Admiral of the Blue; Sir *Cloudeſly Shovel*, Rear-Admiral of the Red; Mr. *Carter*, Rear-Admiral of the Blue; and the other Commanders of their Majeſties Fleet: And her Majeſty accepted it very graciouſly, being pleas'd to ſay, *That ſhe always had this Opinion of the Commanders, but was very glad this was come to ſatisfy* others."

Who theſe *others* were, thoſe Commanders, which is ſtrange, never deſir'd to know; and her Majeſty never thought fit to explane. As to Admiral *Ruſſel* himſelf, we are to ſuppoſe, that he was above Suſpicion, and therefore was not oblig'd, like the reſt, to join in any Act of Purgation; or elſe, that in the Diſpoſition he was in, he could not prevail with himſelf to do the Court ſuch a Favour: For we are told by Biſhop *Burnet*, That he had put himſelf on *ill Terms* both with the King and the Earl of *Nottingham*; with the King, by preſſing to know the Grounds of the Earl of *Marlborough*'s Diſgrace, and upbraiding him with his Services, who, as he ſaid, had ſet the Crown upon his Head; and with Lord *Nottingham*, for ſupporting Faction among the Flag-Officers againſt him. "He ſell, indeed, continues that Prelate, into ſo ill a Humour on many Accounts, that he ſeem'd to be for ſome time in doubt whether he ought to take the Command of the Fleet upon him or not." But, whether he was not requir'd to ſign the Addreſs, or whether it was the Effect of his Reſentment that he did not, no Exceptions were taken: And it appear'd, that the Court had, by this time, not only got rid of their Panic, but were willing to make the Recovery of

Admiral Ruſſel on ill Terms with the King and the Earl of Nottingham.

[A. D. 1692.]

A. D. 1692. of their Spirit as public as they had made their Fears: For, on the ſame Day that the Paper was ſet forth, in relation to the Commanders of the Fleet, a Proclamation was alſo ſet forth in the *Gazette*, ſignifying, That the Navy being now at Sea, and join'd with that of our Allies, and in a Readineſs, by the Bleſſing of *God*, to reſiſt and repel the Deſigns and Attempts of our Enemies, it was her Majeſty's Pleaſure to prorogue the Parliament till the 14th of *June*.

Mention has already been made of the Admiral's taking his Leave of the Queen *April* 30, and of his ſailing through the *Downs*, *May* the 8th: But even in this ſhort Interval, it remains to be told, ſome Diverſity of Opinions appear'd between him and thoſe above. By his Orders of the fifth, he was directed to ſail from the *Nore*, and place himſelf between *Cape la Hogue* and the *Iſle of Wight*, in order to join the Squadrons of *Delaval* and *Carter*; In anſwer to which, he gave it as his Opinion, That *Dungeneſs* or *Beachy-Head* would be properer Places for that Service. Having thus put in his Proteſt, he, however, yielded Obedience; for, being ſenſible, ſays Mr. *Burchet*, of what Importance it was to the Nation, that the great Ships ſhould join the others as ſoon as it was poſſible, he ply'd it down through the Sands with a very ſcanty Wind, contrary to the Opinion of many of the Officers, and all the Pilots, who were againſt venturing ſo many of the largeſt Ships of *England*, without a more favourable Opportunity."

On the ſame Day that he paſs'd thro' the *Downs*, he came to anchor off of *Rye*, from whence he diſpatch'd another Squadron of ſmall Ships in ſearch of *Delaval*, with Orders, for him to join the Fleet off of *Beachy*, or ſend a Frigate with Advice where he was, that, ſo, there might be no Uncertainty of their meeting. The next Day a Council of War being held, of all the Flag-Officers, both *Engliſh* and *Dutch*; and the ſaid Orders to *Delaval* being taken into Conſideration, it was held adviſeable to continue in *Rye* Bay forty-eight Hours, to wait the Effect of them; under this Precaution, that a Frigate ſhould be forthwith ſent off of *Beachy* in queſt of him, which, upon diſcovering his Flag, was to make a Signal to another Frigate, ſtation'd between *Beachy* and *Rye*, that ſhe might alſo give the like Notice to the Fleet.

That Time being expir'd, and the Admiral having ſent a Frigate to the *French* Coaſt to *Carter*, with Orders to join him, and left Inſtructions for all the *Engliſh* and *Dutch* Ships which ſhould come into *Rye* Bay, to follow him to *St. Helens*, that ſo the Fleet might be entire, he weigh'd Anchor on the 11th; and on the 13th following, was join'd by *Delaval* and *Carter*, who had fallen in with each-other four Days before, between *la Hogue* and the *Iſle of Wight*; after which, the whole Fleet came to anchor at *St. Helens*. A. D. 1692.

The whole Fleet join'd.

And now the Admiral having been thus greatly re-inforc'd, and thinking himſelf in a Condition, not only to provide for the Security of our own Coaſts, but to inſult thoſe of *France*, ſent up the following Propoſal to Court; namely, That ſix or eight Frigates might be ſtation'd on the Coaſt of *Normandy*: That while they amus'd the Enemy there, and from time to time gave Intelligence of their Motions, a Body of Land-Forces might be tranſported to *St. Maloes*; and that the Main Body of the Fleet ſhould cover their Deſcent, by lying weſtward of that Place; which he thought would not only contribute to our Succeſs on Shore, but alſo oblige the *French* Fleet to riſque an Engagement: But the Court did not care to expoſe themſelves for the ſake of annoying the Enemy: That Part of his Project, therefore, relating to the Land-Forces, they choſe to drop: And as to the reſt, they left him to proceed in ſuch manner as ſhould be agreed at a Council of War; the Opinion of which was, Not to proceed Weſtward, till there ſhould be certain Advice of the Enemy; but, in the mean while, to ſtretch over to the Coaſt of *France*, near the Capes of *la Hogue* and *Barfleur*, there to ply for four Days, if the Weather gave leave, and then to return to *St. Helens*; which was judg'd, at that Criſis, to be the only proper Place of Rendezvous.

The Admiral's Propoſal to make a Deſcent at St. Maloes rejected at Court.

Agreeable to this Opinion, on the 18th they ſet ſail, and by three the next Morning were appriz'd by the Signals of their Scouts, that the Enemy was in ſight. As fighting was the Admiral's Buſineſs, he made his Diſpoſitions accordingly; and as the *French*, more bravely than wiſely, choſe to make it their Buſineſs likewiſe, it was not long before they were in a Condition to gratify each other. On the Side of the Allies, the (*t*) *Dutch*, conſiſting of nine Firſt Rates, ten Second Rates, nine Third Rates, and eight Fourth Rates, carrying two thouſand four hundred and ninety-four Guns, and twelve thouſand nine hundred and fifty Men, led the Van: The (*u*) Admiral himſelf, with the *Red Squadron*, conſiſting of five Firſt Rates, three Second Rates, ſixteen Third Rates, and ſeven Fourth Rates, carrying two thouſand two hundred and twenty Guns, and thirteen thouſand eight hundred and ninety-five Men, had the Center: And Sir (*w*) *John Aſhby*, with the *Blue Squadron*, of one Firſt Rate, ſeven Second Rates, eighteen Third Rates, and ſix Fourth Rates, carrying two thouſand three hundred and ten Guns, and fourteen thouſand ſix hundred and ſeventy-five Men, had the Rear; in all, ninety-nine Ships of the Line. The *French*, on the other hand, had not half this Number: Their Van, which was commanded by the Marquis *d'Amfreville*

The Fleet ſets ſail from St. Helens and comes in ſight of the French.

(*t*) Under the Command of Admiral *Allemonde* and Vice Admiral *Callemberg*.

(*u*) With Sir *Ralph Delaval* for his Vice Admiral, and Sir *Cloudeſly Shovel* for his Rear Admiral.

(*w*) Having under him *George Rooke*, Eſq; Vice Admiral, and *Richard Carteret*, Eſq; Rear Admiral.

A. D. 1692. *ville*, was compos'd but of fourteen Ships; their Center, under Mr. *de Tourville*, of twenty-six; and their Rear, under Mr. *Gabaret*, of fourteen. By a Liſt, indeed, which is ſtill extant, Mr. *de Tourville* was to have had ſixty-three Ships of the Line under his Command, excluſive of the *Toulon* Squadron; but, by whatever Accidents he was diſappointed of the reſt, it is certain, that he ventur'd to engage the united Strength of the Allies with no more than forty-four; which was ſo much the more wonder'd at, becauſe, having the Wind in his Favour, it was in his Power to have avoided an Engagement; and, poſſibly, this Temerity of his has contributed more than any thing elſe to the Suſpicion, that ſome of our Commanders had ſuffer'd themſelves to be corrupted by the Enemy. That, indeed, Mr. *de Tourville*'s Conduct on this Occaſion, differ'd widely from the uſual Politics of *France*, cannot be deny'd; but then it is thus accounted for by the *French* themſelves: They ſay, That Mr. *de Tourville* receiv'd no Intelligence of the Strength of the Allies: That he had, in particular, miſs'd the *Barco-longes* ſent from *Cherbourgh* and *la Hogue*, to adverti'e him of their Junction: That the Weather being hazy, as all agree it was, to an uncommon Degree, they did not diſcover the Enemy till they were within a League and a half of them, nor were able to count their Number till, in a manner, cloſe aboard; and that it was believ'd, a ſudden Tack would have ſtruck ſuch a Terror into their Men, as, in caſe of a forc'd Engagement, would have prov'd more fatal to them than the Superiority of the Enemy. Biſhop *Burnet*, whoſe Account of this Affair is not only that of a Landman, but of a Churchman, ſays, The King of *France* ſent Orders to *Tourville* not to fight: That the Veſſel which carry'd theſe Orders was taken; and that the Duplicate of the ſaid Orders did not reach him till the Day after the Engagement. Mr. *Burchet*, in his *Naval Hiſtory*, alſo touches on the ſame Circumſtance, but not altogether in ſuch poſitive Terms; as we ſhall ſee preſently. According to him, the Reſolution with which the *French* bore down upon our Fleet, was not a little ſurpriſing, and could not be attributed to any other Reaſon than the poſitive Orders which he, Mr. *de Tourville*, had from his Maſter to fight the *Engliſh* Fleet;" Which, continues he, had he thought fit, he might have avoided, even after we ſaw each other; for he was *ſeveral Leagues* to windward [which is not only irreconcileable with the *French* Account, above recited, but even with the Hazineſs of the Weather, call'd a Fog by Mr. *Burchet* himſelf.] And as I am credibly inform'd, when he call'd his Flag-Officers together, they did unanimouſly give their Opinions not to engage; but that he, at laſt, produc'd an Order under the *French* King's own Hand; which ſhew'd them the Neceſſity there was for their ſo doing." He then ſuppoſes, that theſe Orders were given upon a Preſumption, that our great Ships and the *Dutch* could not join *Delaval* and *Carter*'s Squa-

who refuſes to give him Battle.

Reflections thereon.

drons, then cruizing on the *French* Coaſt, before their Fleet could come up with them; ſuggeſts, That if Mr. *Ruſſel* had not ſail'd from the River, as he did, againſt the Opinion of the Pilots, the Winds, which afterwards happen'd, would have prevented his coming timely to their Aſſiſtance; and concludes with theſe Words: "Not but that the *French* Court (by what Means I know not) had ſuch early Notice of the Junction of our Fleet, or, at leaſt, of the ſailing of our great Ships, that I could *almoſt affirm* the Veſſel, which Captain *Wivel* took off Cape *Barfleur*, had Orders from the King to Mr. *Tourville*, contradicting thoſe poſitive Directions he had receiv'd for fighting: But the Maſter of the Veſſel threw the Packet into the Seas when he found himſelf in Danger of being taken." But ſurely Orders to fight the *Engliſh* did not oblige them to fight both *Engliſh* and *Dutch*: And it is ſomewhat ſtrange, that the *French* Court ſhould preſume ſo ſtrongly on an Event that depended on the Courteſy of the Winds and Waves, as not to make any Proviſion in their Orders in caſe of a Diſappointment. It is but ſeldom that the Odds, in point of Conduct, is on our Side; and yet both *Carter* and *Delaval* were furniſh'd with ſuch proviſional Orders, as it ſeems the *French* wanted: They were inſtructed to be ſecure againſt a Surprize; to retreat if they were overpower'd, *&c.* Then as to the Circumſtance of the Wind, ſo much inſiſted upon, if it continu'd at *Eaſt*, as it actually did for ſome Days, it was in the Teeth of the *French*; and if it came about towards the *Weſt*, the ſame Wind which brought them up the Channel, would have alſo brought the Admiral out of the River, and equally favour'd the Retreat of the other two Squadrons towards the *Flats of the Foreland*, where they were ſure to meet with a ſufficient Re-inforcement: And as to the Affair of the Deſcent, whatever our Fears might ſuggeſt, it was utterly impracticable, till the *French* were manifeſtly Maſters of the Sea.

A. D. 1692.

Our Way being thus clear'd, it is now time to proceed to the Engagement: And, not to amuſe ourſelves with Terms of Art, which, if ill underſtood, ſerve rather to perplex Matters, than to explane them, it appears the firſt Care of both Admirals, as uſual, was to make their reſpective Diſpoſitions to the beſt Advantage. This took up ſeveral Hours: Admiral *Ruſſel* acknowledges, That his Line was but indifferently form'd at eight o'Clock, tho' the Enemy was diſcover'd at four: And even at ten, when the *French*, who had the Wind, which was at S. W. were bearing down upon him, with the Signal of Battle flying, he was forc'd to call upon Admiral *Aſhby*, who was ſtill at ſome Diſtance a-ſtern, to make ſail and cloſe the Line: For the reſt, he choſe to lye by with his Foretop-ſail to the Maſt, in Expectation of the Onſet: That Mr. *de Tourville*, who was pleas'd to ſelect him for his particular Antagoniſt, might alſo come up as cloſe as he pleas'd, he defer'd his Orders to hoiſt the Bloody Flag, till they were within Three Quarters Muſket-ſhot; and then, it being

The two Fleets engage.

A. D. 1692. being Half an Hour after Eleven, the Action began with great Fury on both Sides; but, if Admiral *Ruſſel* obſerv'd right, the *Engliſh* fir'd faſteſt. At the ſame time, the *French* Vice and Rear Admirals of the *White*, *de Villette* and *Landeron*, attack'd *Delaval* and *Shovel*; and, in general, every Ship of the two Centers did their beſt to have their Share of the Danger and Glory of the Day.

The Vans of the two Fleets had, all this while, a Diſpute of a different nature to manage: Admiral *Ruſſel*, deſirous to make the utmoſt Uſe of his Superiority, had directed Admiral *Allemonde*, as ſoon as any of his Squadron could weather that of the Enemy, to tack and get behind them. This depended on Seamanſhip: And though the *Dutch* Commander did all he could to obey him, the *French* had the Addreſs to diſappoint him: But then their Endeavours were greatly aſſiſted by the frequent Calms which fell during the Engagement. Some Fighting, however, there was alſo on that Side; but the *French* challeng'd the Advantage: And Admiral *Allemonde*, in his Letter to the *States*, without pretending to any Trophy acquir'd, acknowledges, that two of his Squadron were ſo diſabled, that he was oblig'd to ſend one of them to *Portſmouth* to refit, and to withdraw the ſecond out of the Line till ſhe was repair'd.

As to the two Rears, part of the *French*, under Mr. *Gabaret*, and Mr. *Coetlogon*, aſſiſted Mr. *de Tourville* againſt Mr. *Ruſſel*; and part under Mr. *Panetier* could not come up for want of Wind; which was alſo Sir *John Aſhby*'s Caſe, when he receiv'd the Admiral's Orders at nine o'Clock to cloſe the Line. About two, however, the Wind veering from S. W. to N. W. he made a ſhift to cut off Mr. *Panatier*'s Diviſion from their Main Body; and, inſtead of falling upon *Gabaret* and *Coetlogon*, which was now in his Power, made it his Buſineſs to hold the ſaid Diviſion in check only; which was all the Share he had in the firſt Stage of the Engagement. Whether his Conduct in all this was faulty or not, it is, at this time, hard to determine: But that the Commander in Chief of a Diviſion is anſwerable for the Direction of it, is out of all queſtion: Now Mr. *Rooke* was only Vice-Admiral: And yet Biſhop *Burnet*, without deſcending to any Particulars, is pleas'd to ſay, Rooke, *one of his* (Ruſſel's) *Admirals, was thought more in Fault.*

Thus it appears, that the Struggle lay between the Center of the Allies and that of *France*, aſſiſted by Two Thirds of their Rear: And as to the Progreſs of it, till the Wind chang'd, Mr. *de Tourville* and his Diviſion had the whole Red Squadron to deal with: But then it was that Meſſieurs *Gabaret* and *Coetlogon* came in to his Aſſiſtance; and the Cannonading was maintain'd with great Vigour on both Sides till four; at which time ſo thick a Fog aroſe, that neither Party could diſcern Friend or Foe; and both, as if by Conſent, gave over till Day-light, and Diſtinction ſhould be reſtor'd.

Tourville *quits the Line.* This Receſs, however, laſted but a little while; for the Fog ſoon diſpers'd; and Mr. *Ruſſel* obſerving, that the *French* Admiral was towing away to the Northward, in great Diſorder, he did the ſame, and gave the like Orders to all his Diviſion; which was the Proceeding on both Sides till Half an Hour after five, when a ſmall Breeze at *Eaſt* ariſing, the Signal was given for chaſing; and Notice was ſent by the Admiral to all the Ships within his Reach, *That the Enemy was running.* Theſe are his own Words; and he immediately adds, "About this time I heard ſeveral Broad-ſides to the Weſtward, and tho' I could not ſee the Ships that fir'd, I concluded them to be our *Blue* (*Aſhby*'s Squadron) that, by the Shift of Wind, had weather'd the Enemy: But, continues he, it prov'd to be the Rear-Admiral of the *Red* (*Shovel*) who had weather'd *Tourville*'s Squadron, and got between them and their Admiral of the *Blue* (*Panatier*'s Diviſion, it muſt be underſtood; for the two other Diviſions continu'd to ſupport *Tourville* through the whole Action) where they lay firing for ſome time, and then *Tourville* anchor'd with ſome Ships of his Diviſion, as alſo the Rear-Admiral of the *Red*, with ſome of his." *is attack'd by* Shovel.

Thus it appears, that *Tourville* had no ſooner ſlipt out of the Hands of one Enemy, than he fell into thoſe of another: And, according to the *French* Account, was not diſabled till now. This happen'd about ſeven in the Evening; and about eight, Rear-Admiral *Carter*, who is not ſo much as mention'd by Mr. *Ruſſel*, came in with Part of the *Blue*, and anchor'd, as *Shovel* had done before. The *French* are expreſs, that he, the Rear-Admiral of the *Blue*, together with his two Seconds, and five Fireſhips, beſet *Tourville* at once; that he never was in ſo much Danger as now; that no leſs than five of the Latter were let looſe upon him; that two of thoſe drove down upon his Prow, and were diſengag'd by the Intrepidity and good Conduct of three of his Lieutenants; that the third oblig'd him to cut his Cables; that the fourth and fifth being ill directed, ſpent themſelves without Effect; and that, during the whole time of theſe Experiments, the Rear-Admiral and his Aſſociates fir'd moſt furiouſly on all Sides to facilitate their Succeſs. Of theſe Fire-ſhips, not the leaſt Mention is made in our Accounts: And what is yet ſtranger, tho' Rear-Admiral *Carter* was kill'd upon this Occaſion, and with his laſt Breath, directed his Captain to fight his Ship as long as ſhe could ſwim, Mr. *Ruſſel*, in his Account, never names him; but only ſays, "About eight I heard a Firing to the Weſtward, which laſted about *Half an Hour*; it being ſome of our *Blue* fallen in with ſome of the Ships of the Enemy *in the Fog*." He adds, "It was foggy, and very little Wind all Night." And in the Paragraph immediately preceding, expreſſes himſelf in theſe Words, "I ſent to all the Ships that I could think were near me, to chuſe to the Weſtward all Night, telling them, I deſign'd to follow the Enemy to *Breſt*: And ſometimes we could ſee a *French* Ship, two or three, ſtanding away with all the ſail they could make to the Weſtward." And Mr. *Burchet* undertakes *and alſo by* Carter. *who is kill'd.*

A. D. 1692. takes to account for these Orders of his, by saying, That he, the Admiral, believ'd it more proper to chase than to anchor; and that it prov'd so, because he found himself the next Morning nearer the Enemy than those Ships which had drop'd their Anchors. The *French*, on the contrary, alledge, That the Commanders of those Ships committed a considerable Error in not continuing at anchor; for, according to them, had they so done, Mr. *Tourville* and his Squadron would have found it a very difficult Matter to escape; and, by passing through them, as they did, in their way to re-join the Body of the Fleet, every Ship receiv'd the Fires of two, and, as they presume, were terribly damag'd thereby: But if they were, those Damages have never been acknowledg'd on our Side; and all we have to lament under this Head, is the Death of Captain *Hastings* of the *Sandwich*, who was kill'd in driving thro' them in the Beginning of the Evening, not by choice, but because his Anchors were not clear, and he had no other Course to take.

This is the Sum of the first Day's Adventure: And whereas Bishop *Kennet* and other *English* Writers, assert, That the *French* lost four Ships in the Course of it, they have no better Authority for saying so, than these doubtful Expressions in Mr. *Russel*'s first Dispatch to the Earl of *Nottingham*: "I saw, in the Night, three or four Ships blow up; but I know not what they are." In his subsequent Detail of the whole Affair, he says nothing of this Circumstance; nor does Mr. *Burchet* in his History: And neither would have omitted the fullest Confirmation of it, if it had been capable of any: Besides, the *French* are not only positive that they did not lose one, but, adopting this very Passage of Mr. *Russel*'s, infer, That if three or four Ships were blown up, as he alledges, they were of his own Fleet, and not of theirs.

It is true, the same Commander, in his said Detail, farther suggests, that when he discover'd the *French* Fleet the next Morning, they made but thirty-four Sail; whereas it is certain they were forty-four at first; and even in their own Accounts, they are rated at no more than thirty-five: But then they account for the nine other, by saying, That Mr. *Nesmond* had retreated with six towards *la Hogue*, and Mr. *Gabaret*, with three more towards the Coast of *England*, in his way to *Brest*. The second Day produc'd nothing extraordinary; unless it should be thought so, that the two Fleets should continue in sight of each other all Day, without renewing the Engagement. They were first discover'd by the *Dutch*, which argu'd they were nearest to them. The Admiral had taken in his Signal for the Line, that every particular Ship might be at Liberty to make the best of her way. And when they became visible to him, they were not three Leagues asunder: The *French* say but one League: And, whereas, according to our Account, the Allies continu'd the Chace before the Wind (which was E. N. E. till between eleven and twelve o'Clock, and then shifted to the S. W.) with all the Sail they could spread; they alledge, That *Tourville*'s Ship, having suffer'd much, could carry but little Sail; that the whole Fleet were forc'd to govern their Motions by that of their Flag; that in the Evening they came to anchor off of *Cherbourgh*, within half a League of the Allies; and that soon after Mr. *de Tourville* resolv'd to get out of the *Soleil-Royal*, which was the Pride of *France*, into the *Ambitieux*, and to make into the *Race Blanchard*, or the *Race of Alderney*; in hope by the Benefit of the Tide and the Violence of the Currents, not only to get safe thro', but to leave the Pursuers in Despair of overtaking them. A. D. 1692.

Part of the French escape through the Race of Alderney.

Both Fleets weighed again between ten and eleven, and ply'd to the Westward; the Wind continuing as before. About twelve the Admiral's Fore-topmast came by the board: By which means both the *Dutch* and *Ashby*, with a Part of the *Blue*, had got a great way to Windward of him: But, instead of following the *French* thro' the dangerous *Race*, before spoken of, they bore away for the *Casquets*: In Consequence of which, a great Part of the *French* Ships were four Leagues a-head of them by five o'Clock in the Morning: But the rest, among whom was *Tourville* himself, not being able to recover the *Race* before the Ebb was over, had no other Expedient left than to come to anchor; which fail'd also; for the Ground being bad, and the Current irresistible, their Anchors gave way, and they were driven up the Channel. And now it appear'd, that the Accident which had retarded Admiral *Russel* in the Chace, was of the most fortunate kind; unless it can be suppos'd, that the same Reasons which deterr'd the *Dutch* and the *Blue* from following the *French* through the *Race*, would not have had the same Weight with him; for by that means, he found himself in the only Situation proper to intercept the said Ships, thus separated from the rest, and reduc'd to such an Extremity, and of which he did not fail to make the proper Use: For no sooner did he perceive that they were driven so far to the Eastward that he could reach them, than he made a Signal to his Squadron to cut and give them chace. This was done, he tells us, between Eight and Nine o'Clock in the Morning; about eleven he saw three of them, all great Ships (which were so inclos'd with Enemies both to the Eastward and Westward, that they found it impossible to escape, and fruitless to resist) stand into the Shore in the Bay of *Cherbourg*, where one of them ran aground, and was presently oblig'd to cut away all her Masts; and, having directed Vice-Admiral *Delaval*, with a sufficient Force, to destroy them, he himself, with Rear-Admiral *Shovel*, and Vice-Admiral *Rooke* of the *Blue*, pursued the rest, which being to the Eastward of *Cape Barfleur*, hawl'd in for *la Hogue*. According to Mr. *Russel*'s Account, these were at first eighteen; only, five of them found means to slip away in the Night to the Eastward: But, according to the *French* Accounts, they were but ten, which were join'd in the Road by two of Mr. *Nesmond*'s Division, before spoken of, that had put in there before.

Delaval

A. D. 1692. Delaval *burns three capital Ships at* Cherbourgh.

Delaval found the three Ships firſt mention'd, not only drawn cloſe into Shore, but cover'd with certain Rocks, as alſo the Cannon of a neighbouring Fort; and judging it unſafe to attack them till he had inform'd himſelf of the Road, he reſolv'd to attend the Soundings in Perſon. Accordingly, having order'd all the great Ships to continue without, he hoiſted his Flag for the Encouragement of the Seamen, on board the *St. Albans*, and together with the *Ruby*, two Fire-ſhips, and his Boats, ſtood in, and continu'd ſounding, not only within Gun-ſhot of the Enemy, but ſo near, that their Fire gall'd them extremely, and at laſt oblig'd them to retire. He then caſt Anchor, and ſummon'd all the Captains of his Squadron on board him; among whom it was reſolv'd, to make the Attack the next Morning with all the Third, Fourth-Rates, and two Fire-ſhips: But the Attempt fail'd of Succeſs; for tho' the *French* Pilots had carry'd thoſe great Ships over the Shallows, ours could not follow them: As a laſt Expedient, therefore, the Admiral gave Orders to three Fire-ſhips to bear down upon them; and for his own Province, undertook with all his Boats and Tenders to cover the Enterprize, and take up the Men, in caſe they ſhould miſcarry. No Service could be more deſperate than this, and yet none was ever more bravely or chearfully perform'd: The Enemy ply'd all their Guns and all their ſmall Arms without Intermiſſion, and had alſo the utmoſt Aſſiſtance that the Fort could give them: Thro' all, the Fire-ſhips continu'd their Courſe; and not a Man on board either of them forſook his Poſt, till he had fulfill'd his Duty, tho' beſet with ſuch a Variety of Horrors. One of them, commanded by Captain *Greenway*, faſten'd on the *Conquerant*, a Ship of eighty-four Guns, and, in a Moment, ſurrounded her with Deſtruction. Captain *Heath* made the like Attempt on the *Soleil-Royal*; but was himſelf ſet on fire in his Approaches, by the Shot of that almoſt-inacceſſible Ship: But Captain *Foulis*, unterrify'd by that terrible Event, ruſh'd into the ſame Danger, and had not only the good Fortune to eſcape it, but the Glory to carry Vengeance along with him, and to be the Inſtrument of burning the proudeſt Pile that ever inſulted the Ocean. The *Admirable*, of ninety Guns, ſtill remain'd; but ſhe was aſhore; and conſequently not to be reduc'd by theſe Means: Such ſmall Ships, therefore, as could run up cloſe enough to reach her, were order'd to ply her with all their Guns; and at laſt, the Admiral himſelf boarded her with his Boats; and having clear'd her of her Hands, many of whom were wounded, ſet her alſo on fire: And having thus completed the Service, and ſent an Account of it to Lord *Nottingham* (in which he contends with uncommon Earneſtneſs, that the Bravery of the ſeveral Captains, &c. of the Fire-ſhips, might be ſuitably rewarded) proceeded to the Eaſtward to rejoin Mr. *Ruſſel*, together with Sir *John Aſhby* and the *Dutch*, who had given over the Chace, without obtaining a ſingle Trophy.

The Admiral, in the mean while, had come to anchor at *la Hogue*, where lay the reſt of the *French* Ships under Mr. *de Tourville*, and which, like thoſe at *Cherbourgh*, were haul'd ſo cloſe within Shore, that none of ours could come within reach of them. The firſt Day, nothing was attempted; but the next, Vice-Admiral *Rooke*, with ſeveral Men of War, Frigates and Fireſhips, together with all the Boats, were order'd to attack them. The Men of War had, however, no Share in the Service, for the Reaſon above mention'd; and as to the Frigates, they could only cover the Approaches of the Boats, which bore the brunt of all. The *French* Ships were divided, ſix lay on that Side next to *Fort de Liſſet*, and ſix behind the Fort *de la Hogue*: Platforms were rais'd on Shore, and planted with Cannon to protect them on one hand, and as many Chaloups as could be provided, were fill'd with Officers and Men to defend them on the other: And King *James*, Marſhal *de Bellefonde*, Mr. *de Tourville*, Mr. *Bonrepos*, and, in general, all the Troops, with which the Coaſts was cover'd, were Spectators of the Action; which, according to the uſual manner of the Seamen, ſhew'd more of Vivacity and Intrepidity, than Diſpoſition and Conduct: The neareſt way to the Enemy was the beſt; that Boats-Crew was happieſt that was foremoſt; the Air was rent with Shouts of Alacrity; no ſooner had they reach'd the Ships, than they attack'd them in Swarms; the Enemies Chaloups were routed at the firſt Onſet; and there was ſcarce an Interval between their riſing from below, and their appearing Maſters above; which was immediately proclam'd by their turning the Guns on the Platforms: And all Oppoſition being thus diſarm'd, they burnt the Ships at their Leiſure, and with another general Shout of Triumph and Exultation, return'd to the Fleet.

A. D. 1692. *and* Rooke *twelve more at* la Hogue.

The Diviſion of the Enemy under *Fort de Liſſet* were the firſt that ſuffer'd; and the Remainder, under *Fort de la Hogue*, were reſerv'd for the Buſineſs of the next Day; when the ſame enterpriſing Spirit was again exerted with the ſame Succeſs: Twelve capital Ships from eighty-four to ſixty Guns each, according to the Confeſſion of the *French*, or thirteen, according to Admiral *Ruſſel*'s Account, were thus deſtroy'd to the very Keel, together with ſeveral Tranſports, and Store-ſhips, or, as the *French* ſay, certain Merchant-Veſſels that lay neareſt them.

It is alſo ſuggeſted, in a Letter from Admiral *Allemonde*, to the *States*, that ſome Thoughts were entertain'd by the Admiral, of ſending in his Boats a third time to deſtroy between two or three hundred Tranſports that lay in a Creek within Shore, under the Cover of ſeveral Batteries, and the Muſkets of the Army: But the *French* make no Mention of any ſuch Tranſport-Fleet; and it is certain that no ſuch Attempt was made.

Beſides, on the ſame Day that the ſecond Diviſion of *French* Ships was burn'd, a general Council of War was held on board the Admiral; in which it was reſolv'd to de-

A. D. 1692. tach Sir *John Aſhby* and the *Dutch* Vice-Admiral *Callemberg*, with twelve *Engliſh* and twelve *Dutch* Men of War, and three Fireſhips, to ſcour the Channel, for *Ten Days*, as far as *Ushant*: That another leſs conſiderable Squadron ſhould be ſent to the Eaſtward in queſt of the *French* Ships which had taken that Courſe; and that the reſt of the Fleet ſhould repair to *St. Helens*; which the next Day they did accordingly.

Admiral Ruſſel returns to St. Helens.

As to the cruizing Squadrons under *Aſhby*, &c. they had no better Luck than before; and no better could be reaſonably expected, conſidering the ſhort Time allotted them for that Service. Mr. *Burchet*, however, on the whole of his (*Aſhby*'s) Behaviour and that of the *Dutch*, expreſſes himſelf as follows: "I cannot proceed without lamenting the Eſcape of thoſe which the *Dutch* and our Admiral of the *Blue* were left to look after: I ſhall not lay the want of Judgment, Diligence, or aught elſe, to any one's Charge; but ſince ſo fair an Opportunity offer'd itſelf for deſtroying the moſt conſiderable Part of the *French* King's Navy, ſuch ill Succeſs in that Affair, was the greateſt Misfortune to us; for had a happy Puſh been made, the Maritime Power of *France* could not, in this Age, whatever it might in the next, have given *England* any great Diſturbance." This has all the Air of a ſtiff'ed Reproach. But another Writer of Naval Hiſtory, after ſuggeſting, that *Aſhby* had been cenſur'd for not making this *happy Puſh*, more candidly, endeavours to extenuate the Charge brought againſt him, by urging the Opinion of his Pilots, who were pleas'd to think the Example of the *French*, in paſſing thro' the *Race of Alderney*, too raſh to be follow'd, and by giving it as his own, That tho' Deſpair might juſtify them, as he was not in the like Extremity, he was not to incur the like Danger.

Burchet's Remark on the Behaviour of Aſhby and the Dutch.

[Lives of the Admirals.]

Even Mr. *Ruſſel* himſelf, with all the Merit and Glory of his Victory, did not wholly eſcape the Rancour of the Times. "It was believ'd, ſays Mr. *Burnet*, that if this Succeſs had been purſu'd with Vigour, conſidering the Conſternation with which the *French* were ſtruck, upon ſuch an unuſual and ſurprizing Blow, that this Victory might have been carry'd much farther than it was; but *Ruſſel* was provok'd by ſome Letters and Orders that the Earl of *Nottingham* ſent him from the Queen, which he thought were the Effects of Ignorance; and upon that he fell into a *Croſſneſs of Diſpoſition*; he found fault with every Order that was ſent him, but would offer no Advices on his Part; and he came ſoon after to *St. Helens*, which was much cenſur'd; for tho' the diſabled Ships muſt have been ſent in, yet there was no ſuch Reaſon for bringing in the reſt that were not touch'd." But the Biſhop ſtumbles at the very Threſhold, in taking it for granted, as by eſpouſing the *Belief* of others, he manifeſtly does, that the Admiral return'd with the whole Fleet; whereas, the contrary has been demonſtrated above. In ſending two ſufficient Squadrons to ſcour the Channel both to the Eaſtward and Weſtward, it muſt be acknowledg'd, that he made all the Uſe of his Ships that could be requir'd of him, ſeeing it was impoſſible to burn the *French* Tranſports, as is aſſerted by the *Dutch* Admiral, *Allemonde*; and in returning home, as he did, he not only had the good Fortune to eſcape the ill Weather that ſet in immediately afterwards, but actually put it into the Power of the Cabinet to make that very Uſe of the Victory which his Lordſhip contends for. He knew the Project of a Deſcent on the Coaſts of *France* had been long entertain'd; he knew, that by the Addition of the three Regiments from *Flanders* under *Talmaſh*, and thoſe from *Ireland*, her Majeſty was in a better Condition than ever to proſecute it; as alſo the Nation had nothing, in the mean while, to apprehend from the Enterprizes of *France*; and his great End in coming home, was to co-operate in it. "The Court of *France*, ſays Mr. *Burchet*, being now in no little Conſternation, the Admiral thought it the moſt proper time for making the intended Deſcent on their Coaſt; for although not only King *James* himſelf, but the *French* alſo, had great Numbers of Men encamp'd at *la Hogue* and the adjacent Places, yet the little or no Interruption they gave us in deſtroying their Ships, would incline any one to believe, that a Body of regular Troops might have made a very conſiderable Progreſs into their Country." But not to lay too great Streſs on the whole of this Paſſage, the Admiral's Zeal for the Service, is yet further demonſtrated by what follows, which, in Subſtance, is deriv'd from the ſame Author.

and Burnet's cenſure of Ruſſel.

who repairs to St. Helens.

A. D. 1692.

He had not been long at *St. Helens* before he receiv'd Advice, by the Maſter of a *French* Snow, which had been ſent out for Intelligence, and which fell into the Hands of an *Engliſh* Privateer, that the *French* Vice-Admiral of the *Blue*, with twenty-five or twenty-ſix Sail of Men of War, including Frigates and Fireſhips, lay at *St. Maloes*, and waited only for an Opportunity to ſail away for *Breſt*, which was alſo confirm'd by Captain *Mees*, whom the Admiral had ſent on purpoſe to look into that Port, with four *Engliſh* and four *Dutch* Frigates, with theſe farther Particulars, That eighteen of them lay in a Range in the Road: That the other eight lay within them, nearer the Town: That the Marſhal *de Bellefonde* lay ſtill upon the Coaſt with his Army; but that all the Tranſports were diſpers'd. Hereupon, the Admiral finding the Project for a Deſcent was ſtill an Embrio, ſet Sail from *St. Helens* on the twenty-fourth of *June*, with ſuch Ships as were in the beſt Condition, and ordered Sir *Cloudeſly Shovel* to follow him as ſoon as poſſible with the reſt; his Deſign being to keep to the Weſtward of *St. Maloes*, in order to intercept thoſe Ships, if poſſible, in their way to the Ocean; or when he came to a proper Place, to adviſe with the Flag-Officers on the Practicability of attacking them where they lay: But, on the 21ſt following, he receiv'd an Expreſs from Court, ſignifying, that all the Tranſport-ſhips were order'd to *Portſmouth*, where it was intended

but ſets ſail again in a few Days.

and is recall'd to aſſiſt in a Deſcent:

our

A. D. 1692. our Forces ſhould embark; and that her Majeſty would not give any Directions for the Diſpoſal of them, till ſhe had firſt receiv'd the joint Opinion of the commanding Officers to be employ'd in it both by Sea and Land. The Admiral had, by this time, put into *Torbay*, where he held a Council of War upon this new Diſpatch, and the Means of obeying the Queen, by repairing to *Portſmouth*, and alſo of holding the *French* in Cheque at *St. Maloes*: And, upon the Iſſue, it was reſolv'd, That a conſiderable Part of the Fleet ſhould be appointed to lye about fifteen or twenty Leagues North from the Iſle of *Baſs*, to intercept the *French* Ships; and that the Reſidue ſhould forthwith proceed to *Spithead* to join the Tranſports; under this Proviſo, that if the Wind happen'd to hang Weſterly, the whole Fleet ſhould repair to *Spithead*, or if Eaſterly, continue at *Torbay*, in order to be join'd by the Tranſports there.

Agreeable to this Concert, the Fleet again put to Sea, but met with ſuch rough Weather, as drove them twenty Leagues Weſt off *Uſhant*, and did great Damage to their Maſts and Rigging. By the third of *July*, however, they made a ſhift to recover the Road of *Guernſey*, but durſt not proceed to *St. Maloes* (which the Court, notwithſtanding their late Orders, it ſeems, with great Impatience expected) becauſe the Weather being thick, the Pilots, conſcious of their own Ignorance, would not venture upon the Coaſt; and becauſe two Maſters of Ships who had long uſed that Trade, aſſur'd the Admiral, that there was not good Ground for more than forty Ships to ride. This made it adviſeable to call another Council of War; at which it was reſolv'd, "That Part of the Fleet ſhould proceed to *St. Maloes*, to inform themſelves, whether the whole or what Number of Ships might ride there?" The Part ſo detach'd was put under the Command of Vice-Admiral *Rooke* and Vice-Admiral *Callemberg*; for the *Dutch* and the other Part were again forc'd by bad Weather into *Torbay*.

Sends a Detachment under Rooke *to* St. Maloes.

And now it may be conjectur'd the Admiral fell into that *Croſſneſs of Diſpoſition*, complain'd of by Dr. *Burnet*. He was ſtill for lying in wait for the *French* in *Camaret* Bay, at the Entrance of *Breſt*; or if an Attempt was to be made upon them at *St. Maloes*, he was for having the Aſſiſtance of the Land-Forces; which were ſo far from being in Readineſs to embark in *May*, as had been agreed in the Winter, that the Tranſports did not arrive at *Portſmouth* from *London*, till many Days in *July* were advanc'd: He was, beſides, in pain for *Rooke* and his Detachment, who was expos'd to much Danger on ſo unfriendly a Coaſt in the late Storms: He thought nothing could equal the Abſurdity of providing a Fleet and an Army without determining the Service they were to be employ'd in, but the Meanneſs of putting the Difficulty on the Commanding-Officers of employing them properly. He foreſaw the Inconveniencies that were likely to ariſe from Difference of Opinion; and he apprehended that the Fears of the Enemy had put them upon taking ſuch Precautions for their Defence, that our whole Force would not be able to make that Impreſſion now, as half of it would have done a Month ago. A. D. 1692.

In this Perplexity, the only Conſolation he receiv'd, was the ſafe Return of *Rooke*; who rejoin'd him in *Torbay* on the 13th; and, together with the ſeveral Soundings which he had made, gave in the following Report, *viz.* 1. The Ground is flat and even from *Guernſey* to *Cape Frehelle*, ſhoaling a Fathom or two every two or three Miles, all the way over to the Cape: And it is alſo generally very rough, and in ſome Places rocky, eſpecially near *Seſembre*. 2. The Tides run very quick in the Offing on the Coaſt of *St. Maloes*; but to the Eaſtward of *Cape Frehelle*, within three or four Miles of the Shore, not above two and a half or three Knots at Spring Tides. 3. There are ſome ſandy Bays between *Cape Frehelle* and *St. Maloes*, but not very commodious for putting Men on Shore, becauſe the Land riſes in moſt Places quick from the Strand: Beſides, the River of *Dinant*, or the *Rance*, muſt be paſs'd, before they can come to *St. Maloes*. 4. There are about thirty-five or thirty-ſix Sail of Ships rigg'd, of which twelve lay in the *Rance*; and of them four or five great Ships, the reſt being up at *Saladore*. 5. Not one of the Pilots would undertake to carry in any Ship of War or Fireſhip, to make any Attempt on the *French* Ships at *St. Maloes*, tho' I offer'd an hundred Pounds Encouragement to each Man." This was ſign'd with *Rooke*'s own Hand: And, hereupon, all Thoughts of forcing *St. Maloes*, ſeem to have been given over, and one would almoſt think of joining the Tranſports too: For, at a Council of War, which was held the ſame Day, it was agreed to ſtation Captain *Nevil* with thirty *Engliſh* and *Dutch* Ships, on the old Principle, of intercepting the Enemy, in caſe they made to the Weſtward, and to beſet the Coaſt with Frigates, which were to ſerve as Scouts both to Captain *Nevil*'s Detachment, and the Body of the Fleet under the Admiral, who choſe to lye at ſome other commodious Station, or to cruiſe to and fro as Wind and Weather ſhould permit. Accordingly, on the 15th they ſet ſail; but no Intelligence arriving either from *Nevil* or the Frigates; it being alſo generally believ'd, that the Enemy would not quit their Place of Refuge till towards Winter, when, it was reaſonable to think, our great Ships would be laid up; the Wind moreover proving Weſterly, the Weather foggy, and the Admiral fearing he ſhould drive to the Eaſtward of *Torbay*, he return'd on the 19th to that Harbour, and victualed his Ships, with an Intention, as we are told, to get under ſail again as ſoon as poſſible, in order to relieve the Squadron on the *French* Coaſt, which was already in want both of Proviſions and Water. But while he was thus employ'd, he receiv'd Advice, that the Land-Forces were embark'd, and poſitive Orders from the Queen, to co-operate with them in the Deſcent.

Rooke's Report.

A. D. 1692. cent. This occasion'd the holding another Council of War, which ended in the Renewal of a former Resolution; namely, to proceed to *Spithead*, if the Wind continu'd Westerly, and to remain at *Torbay* if it veer'd about to the East, and the dispatching an Express to the Duke of *Leinster* (Son of Duke *Schomberg*, who had the Command in Chief) to make his Grace acquainted with it.

The Men of War and Transport-Fleet join.

This was the Business of the 25th; on the 26th the Transport-Fleet, and Squadron of Men of War appointed to be their Convoy, set sail from *St. Helens*; and, on the 28th following, the whole Fleet being join'd, a general Council of both Sea and Land-Officers, was held on board the *Breda*, which was the General's Ship; whether in Compliment to his Rank or his Commissions, is not determin'd; nor does it appear, that the Admiral (piqued, as he undoubtedly was, to see the Chief Command bestow'd on a Foreigner, which was due to his Friend Lord *Marlborough*, at that time not only in Disgrace, but under Confinement) rais'd any Dispute about the Precedency, or made any Scruple to sacrifice his own peculiar Claims to the Furtherance of the public Service.

The Persons which compos'd this Council, were the Admirals *Russel*, *Delaval*, *Rooke*, and Captain *Mitchell* (*English*;) the Admirals *Allemonde*, *Callemberg*, (*x*) *Vandergoes*, *Evertsen* and *Muys* (*Dutch*;) the Duke of *Leinster*, the Earl of *Galway*, Mr. *de la Melloniere*, and Mr. *du Cambon* (*French* Refugees;) the Earl of *Argyle* and Sir *David Collier* (*Scots*;) and Sir *Henry Bellasise*, and Colonel *Beveridge*, Colonel *Selwin* (*English.*)

The Point of Debate was, the Destination of the Force under their Command; and of what Nature that Debate was, may be collected best from the Paper, which they all sign'd upon the Issue of it, and which was conceiv'd as follows:

The Opinion of the Sea and Land-Officers at a joint Council of War.

"The Matter of burning the Ships at *St. Maloes* being maturely consider'd, Vice-Admiral *Rooke* and Vice-Admiral *Callemberg* (who were lately sent with a Squadron of Ships before that Port) representing the great Difficulty of carrying the Ships in there, by reason of the Multitude of Rocks, and the Rapidity of the Tides, and the Pilots refusing to conduct any Frigates or Fireships into the Harbour, because the Marks might be remov'd, it was the Opinion of the *Flag-Officers*, That it was not practicable to attempt any thing against the Enemy's Ships at *St. Maloes*, with any Part of the Fleet, until the Town itself should be so far reduc'd by the *Land-Forces*, as that the Ships might not receive any great Annoyance from the Enemy's Guns in the Attempt: And the *General* and *Field-Officers* were of Opinion, that the Troops could not do any Service at that Place without the Assistance of the *Fleet*.

It was then consider'd, whether it was feasible to make any Attempt on the Enemy's Ships at *Brest*? and, altho' the *Flag-Officers* were of Opinion, that an Attempt might be made there with some Hopes of Success, if the Summer had not been so far spent; yet, considering the Winter was approaching, they did not think it proper to attack the Enemy's Ships in that Port, since the Fleet might be expos'd to very great Inconveniencies, should they be wind-bound near that Place. And it was the Opinion of the *General* and *Field-Officers* of the Army, that they should not be able to do any Service there against the Enemy, unless they could be protected by the Fleet. The *Flag-Officers* likewise thought it not safe for the Fleet to attempt any thing against the Enemy at *Rochfort*, the Season of the Year being so far spent, and the Place itself being so deep in the Bay. A. D. 1692.

The separate Opinion of the Flag-Officers.

It was in the next Place consider'd, whether the Fleet might lie with Safety on the Coast of *Normandy* to protect the Army, either at *Havre de Grace*, *la Hogue*, or any Place thereabouts: And the *Flag-Officers* judg'd it might lie with Safety on that Coast until the latter End of the next Month, in case their Majesties Service should require it."

The Flag-Officers also came to the following separate Resolution (which being apparently calculated to reflect the Blame and Odium of all Disappointments on the Cabinet, seems to argue, that they were more at the Devotion of Mr. *Russel* than Lord *Nottingham*, notwithstanding the Insinuation dropt by Dr. *Burnet* to the contrary) "That since the Transport-Ships and Land-Forces were come to the Fleet, *in order to try what might be done against the Enemy*, either at *St. Maloes*, *Brest*, or *Rochfort*, it was their Opinion, that something might have been attempted, with Probability of Success, were not the Season of the Year so far spent, as not to admit of the Fleet's going with Safety thither."

Thus it appears, that as the Ministers endeavour'd to make the Sea and Land-Officers, who had the Command in this Expedition, answerable for the Success of it, so they reciprocally endeavour'd to saddle the Burthen upon one another: And under this universal Defect of Wisdom, Courage, and public Spirit, both the Interest and Glory of the Commonwealth was sacrific'd: For, how cautious soever Mr. *Burchet* has been, in communicating the Lights he had before him in relation to this Subject, it is apparent, that, after the Commanders on both Sides had come to these Explanations, they sought only to amuse the Nation, and skreen themselves from the Reproach, which all, in their several Capacities, were liable to.

Ashby, who, for what Reason has not been explan'd, did not assist at the joint Council of War, was order'd to stretch over to the Coast of *France*, with one First Rate, six Seconds, seventeen Thirds, one Fourth, and four Fireships, together with several *Dutch* Ships, to relieve Captain *Neville*, and take the proper Measures for the same Service: And it was agreed

(*x*) These three came in with the *North Holland* Squadron after the Engagement.

A. D. 1692. agreed that the reſt of the Fleet ſhould proceed towards *la Hogue* or *thereabouts:* But in their Paſſage from *Torbay*, Mr. *Ruſſel* receiv'd Orders from the Queen; which we are to *ſuppoſe* were of Revocation; for we are told by our Naval (*y*) Hiſtorian, above quoted, "That hereupon he came with the Tranſport-Ships to *St. Helens*." And all he thinks proper to add concerning this wild Affair is contain'd in the following Words: "And there lay a conſiderable time wind-bound; inſomuch, that the Winter-Seaſon being *very far* advanc'd, the great Ships were order'd to *Chatham*, the Land-Forces *put on Shore*, and the Fleet divided into Squadrons, according as it was judg'd moſt for the Advantage of the Service."

But this is ſo far from being the whole Truth, that Part of it does not ſquare with the Truth at all: For, not to inſiſt on what is affirm'd by other Authors, *viz.* That on the laſt of *July*, O. S. or ninth of *Auguſt* N. S. a Council of War was held, at which it was reſolv'd to return for *England*, it is certain, that, except two Regiments, the Forces (*z*) were NOT put on ſhore: That the Lords of the Cabinet, namely, the Lord-Steward *Devonſhire*, the Lord-Chamberlain *Dorſet*, and the Lords *Nottingham*, *Rocheſter*, *Sydney*, and *Cornwallis*, poſted down to *Portſmouth*, as ſoon as their Return was known at Court: That a new Concert was fram'd: That, in Purſuance thereof, the Tranſport-Fleet ſet ſail again, as ſoon as the Wind gave leave, under the Convoy of a Squadron of Men of War, commanded by Sir *Cloudeſly Shovel*: That they arriv'd in the *Downs* on the eighth of *Auguſt*: That on the 19th following, the Duke of *Leinſter* having receiv'd Orders to ſail on the 19th, did actually ſail the next Day; and that they arriv'd at *Oſtend* on the 22d, with what Deſign will be unfolded in the Sequel.

They return to St. Helens, and at laſt ſet out for Flanders.

It remains, in the mean while, to be told, to the Honour of the Queen, that when the Fleet came firſt to *St. Helens* after the Engagement, ſhe order'd 30,000 *l.* to be diſtributed among the Seamen, in Acknowledgment of their gallant Behaviour: That ſhe beſtow'd Medals of Gold upon the Officers; and that ſhe caus'd the Bodies of Admiral *Carter* and Captain *Haſtings* to be interr'd at the Expence of the Crown, with all the Honours that could influence the Living to behave as well: And that, on the other hand, when the Tranſports for the Victory were over, and the Expectations which had been rais'd of a Deſcent upon *France*, were thoroughly damp'd by ſo unexpected a Diſappointment, as alſo, that the *French*, who had loſt but few Men in the late Action, inſtead of expoſing themſelves to a ſecond Blow, let looſe their Privateers on all Sides to make Reprizals upon our Commerce, Thoſe who were hurt, grew louder in their Clamours than ever; which were aggravated in the Report by the Diſaffected, and, at laſt, echo'd all over the Nation; inſomuch, that under the Senſe of their daily Loſſes, they ſeem'd to have loſt all Remembrance of their late Deliverance. "The common Reflection that was made on our Conduct, ſays the *Hiſtorian of his own Times*, was, That the Providence of *God*, and the Valour of our Men, had given us a Victory, of which we knew not what Uſe we ſhould make." And again: "By an odd Reverſe of things, as we *made* no conſiderable *Loſſes* while the *French* were Maſters of our Seas two Years before, ſo now, when we triumph'd, our Merchants ſuffer'd the moſt. The Concluſion of all was, *Ruſſel* complain'd of the Miniſtry, and they complain'd no leſs of him; and the Merchants complain'd of the Admiralty; but they, in their own Defence, ſaid, That we had not Ships nor Seamen both to furniſh out a great Fleet, and, at the ſame time, to ſend out Convoys for ſecuring the Trade."

A. D. 1692.

To cloſe on this Head, as ſoon as it appear'd, that the *French* had nothing farther to apprehend with regard to their Coaſts, their ſeveral Camps in *Normandy* were broke up, and King *James* in a Fit (*a*) Deſpair return'd to *St. Germains*; where his Queen had, in this

(*y*) The Paſſage ſtands together thus, "In fine, altho' upon the Admiral his parting with Sir *John Aſhby*, it was agreed at a Council of War, That the reſt of the Fleet ſhould proceed to the *French* Coaſt off of *la Hogue* and thereabouts; yet in his Paſſage from *Torbay*, he receiv'd Orders from the Queen; whereupon, he, with the Tranſport-ſhips came to *St. Helens*, *&c.*" Now, the Author of the *Lives of the Admirals*, treating of this Circumſtance, uſes theſe Words, "Secretary *Burchet* ſays *poſitively*, That in his Paſſage he receiv'd Orders from the Queen to return." But ſurely there is nothing poſitive in what the Secretary ſays on this Head; and that there is not, ſeems to argue, that ſome ſecret Bias's induc'd him not to be ſo.

(*z*) In the *Lives of the Admirals* it is ſaid, That the Lords found all the Troops, except two Regiments, on Shore. But the Words of the Author of the *Memoirs of Europe* for the Month of *Auguſt*, are theſe: "In the mean while, the Troops, ſaving two Regiments, were NOT put on Shore."

(*a*) A Letter, in his Name, of the moſt abject kind, to King *Lewis* on the Affair of *la Hogue*, is inſerted in the *State of Europe*, and the *Memoirs of Europe*: In the Former with this Introduction,—— "There are many People who will have it to be a fictitious Letter; but I know not upon what Grounds they hold this Belief: However it be, we receiv'd it from *Paris* for Truth; and with this Circumſtance, That it was ſent by the Lord *Melfort*, and thought proper to be made public." And in the Latter with this, "There has gone about this Country *(France)* a pretended Letter from King *James* to the *French* King upon the Defeat of the *French* Fleet. I muſt confeſs to you, that I was, at firſt, ſo prepoſſeſs'd againſt that Piece, that I did not ſo much as caſt my Eyes upon it. I could not imagine it to be other than a mere Forgery, much like to ſo many others of that nature as are daily vended. But I was much ſurpriz'd to find a Copy of it in a Packet I receiv'd from *Paris*, together with a ſmall Adverriſement, wherein I am told, that there is nothing more true than this Letter. I muſt own to you that this has ſuſpended my Judgment, whereas, that before, I thought it altogether falſe, nay, and compos'd *eſtroberre*." But tho' neither of theſe Writers have the Courage to inſiſt on its being genuine, *Kennet*, *Boyer*, *Oldmixon*, *Tindal*, and, in general, all our profeſs'd Hiſtorians, except *Burnet*, ſwallow'd it whole: But, without requiring our Readers to do the ſame, the Tranſlation of it is here inſerted, *viz.*

"MONSIEUR, *My Brother*,

"I have hitherto with ſomething of Conſtancy and Reſolution ſupported the Weight of all the Misfortunes, which it hath pleas'd Heaven to lay upon me, ſo long as myſelf was the only Sufferer: But I muſt acknowledge this laſt Diſaſter utterly overwhelms me; and I am altogether comfortleſs, in reference to what concerns your Majeſty through the great Loſs that has befallen your Fleets. I know too well, that unfortunate Star it is, that has drawn down this Misfortune upon your Forces, always victorious, but when they fought for my Intereſt. And this is that which plainly tells me, that I no longer merit the Support of ſo great a Monarch, and who is always ſure to vanquiſh when he fights for himſelf: For which Reaſon it is that I requeſt your Majeſty no longer

A. D. 1692. this Interval, brought him a Daughter; who was born in the Preſence of the Archbiſhop of *Paris* (who chriſten'd the Infant the ſame Day) the Keeper of the Seals, *&c.* but not of the Princeſſes appointed by the *moſt Chriſtian* King to be preſent, becauſe the Birth was ſo quick and ſudden, that they could not come time enough to do Credit to the Fact by their Teſtimony.

It is now incumbent on us to reſume the great Buſineſs of the Continent, which, notwithſtanding the Menaces of *France*, and the Apprehenſions which prevail'd at home, continu'd alſo to be the great Buſineſs of his Majeſty.

On the very Day that King *Lewis* ſet out for *Flanders*, King *William* left the *Hague*; but tho' the Latter was nearer the Scene of Action, the Former made his Entrance firſt: It had hitherto been ſuppos'd, that the enterprizing Spirit of the *French* Court had expir'd with Mr. *Louvois*; and it ſcarce enter'd into any body's Imagination, that now, when his *Britannic* Majeſty was ſurrounded with his own victorious Troops from *Ireland*, and was aſſiſted both in the Cabinet and the Field with the Abilities, Power, and Credit of ſo great a Prince as the Elector of *Bavaria*, *France* would act offenſively on that Side, or that the great Buſineſs of the Confederates would be only to check the Progreſs of their Succeſſes, inſtead of attempting to wreſt their former Acquiſitions out of their Hands: Yet ſo it was: The Mantle of *Louvois* had fallen upon ſome other State-Prophet; and no ſooner was his *moſt Chriſtian* Majeſty arriv'd at his Army, which he found already at their Rendezvouz, in excellent Order, and furniſh'd with all things neceſſary for great Exploits, than ſuch Motions were made as open'd the Eyes of all *Europe*, and effectually convinc'd them, not only that the Genius of *France* was ſtill as active and vigorous as ever, but that even her Power had been meaſur'd by a very partial Standard.

On the 20th of *May*, N. S. King *Lewis* arrived in his Camp; and having review'd his Army, put the whole in Motion on the 23d following: The Confederates were immediately in pain for *Charleroy*: It appear'd to them, that the Storm was directed that way: But all at once it took another Turn: A Body of nine thouſand Horſe paſs'd the *Sambre*, and inveſted *Namur* on one Side, while Mr. *de Boufflers*, with the flying Army under his Command, did the ſame on the other. The King himſelf, aſſiſted by Mr. *de Vauban*, his great Engineer, with about forty-five thouſand Men, undertook to proſecute the Siege: And Mr. *Luxemburgh*, with upwards of ſixty thouſand more, had the Honour to cover it. It muſt be own'd, the Enterprize was worthy of ſo great a Prince and ſo great a General: The Place is one of the moſt conſiderable in *Flanders*: It is ſituated, as every body knows, between two Hills, at the Conflux of the *Meuſe* and the *Sambre*: The Citadel was deem'd one of the ſtrongeſt in the *Netherlands*; yet was cover'd with a new Work, which had been rais'd by Mr. *Coehorn* at the Inſtance of King *William*: And this new Work, Mr. *Coehorn* himſelf was now employ'd to defend: The Prince *de Barbaſon* was Governor, with a Garriſon of between nine and ten thouſand Men, furniſh'd with all the Requiſites for a long and obſtinate Defence: And what was of more Conſequence than all, it was expected, that King *William*, for the ſake of his own Glory, as well as the common Intereſt, would make all the Efforts in his Power to collect the whole Force of the Allies, and even run the Riſque of bringing the Enemy to a Battle, in order to raiſe the Siege. A. D. 1692.

Namur inveſted.

The *French*, however, reſolv'd to encounter all theſe Obſtacles, and to ſurmount them if poſſible: They open'd their Trenches on the 29th at Night: Mr. *de Boufflers* made himſelf Maſter of one of the Suburbs the next Day: In two Days more they carry'd the Counterſcarp by Aſſault; and having made three other terrible Attacks at the Gate of St. *Nicholas*, which was the weakeſt Part (in the laſt whereof the grand Magazine of the Town took fire and blew up) the Beſieged found themſelves under a Neceſſity to capitulate; which they did on the fifth of *July*, N. S. under the following Conditions: That the Burghers ſhould be maintain'd in their Privileges: That the Burgomaſters ſhould not be chang'd: That the Garriſon ſhould be allow'd forty Hours to retire into the Caſtle; during all which time there ſhould be a Ceſſation of Arms; and that in the Proſecution of the Siege of the Caſtle, there ſhould be no Firing on the Town from the Caſtle, nor on the Caſtle from the Town. *The Town ca-pitulates.*

King *William* was ſtill on his March between *Meldart* and *Ville* towards the *Mehaigne*, when he receiv'd Advice of this Event: And having been join'd, about the ſame time, by the Troops of *Brandenburg* and *Liege*, conſiſting, as we are told, of fifty Squadrons, and twenty Battalions, under the Counts *Fleming* and *Serclaes de Tilly*, which render'd his Army almoſt an hundred thouſand ſtrong, came in ſight of Mr. *de Luxemburgh*'s Lines immediately afterwards, and encamp'd within Cannon-ſhot; nothing dividing the two Armies but the little River *Mehaigne*, King William *marches towards the Enemy.*

---

to concern yourſelf for a Prince ſo unfortunate as my ſelf; but permit me to retire with my Family to ſome Corner of the World, where I may ceaſe to obſtruct the uſual Courſe of your Proſperities and Conqueſts, which only my Misfortune could interrupt. It is not juſt, that the potenteſt Monarch in the World, and the moſt flouriſhing above all others, ſhould ſhare in my Diſgrace, becauſe you are too generous: 'Tis better much, that I ſhall only retire till it pleaſe Omnipotent Providence to be more propitious to my Affairs. But howſoever it pleaſes over-ruling Heaven to diſpoſe of me and mine, or into whatever Recels I may be thrown, I can aſſure your Majeſty, that I ſhall always preſerve, to the laſt Gaſp of my expiring Breath, that due Acknowledgment which I ſtill retain of your Favours and conſtant Friendſhip. Nor can any thing more contribute to my Conſolation, than to hear, as I hope to do, when I have wholly quitted your Dominions, of the quick Return of all your wonted Triumphs both by Sea and Land, over your Enemies and mine, with my Intereſt ſhall be no longer intermix'd with yours.

I am,
Moſt dear, my Brother,
Yours, &c.
JAMES REX.

A. D. 1692. *baigne*, and about as much Ground of each Side, as would ſerve for the reſpective Diſpoſitions of the two Generals, to attack and defend the Paſſage.

All *Europe* was ſoon appriz'd of this near Neighbourhood of theſe formidable Enemies, and with every new Diſpatch expected to hear of a deciſive Battle: Our own *Gazettes*, and thoſe of *Holland*, were, in particular, fill'd with ſuch Articles as ſerv'd to heighten this Expectation. It was ſaid, The Allies had taken Poſſeſſion of all the Poſts on the River, without Oppoſition: That when the Cannonading betwixt the two Armies began, ſome of our Guns had not only diſmounted theirs, but thrown certain Squadrons of their Horſe into Diſorder: That Marſhal *Luxemburgh* had contracted his Lines, to prevent the Deſertion of his Troops: That Orders were given for laying Bridges over the River: That theſe Bridges were finiſh'd: That nothing was wanting but the laſt Orders to march and attack the Enemy: That by our lying ſo near the Enemy, we had given them ſo great a Diverſion, that they had been oblig'd to demand a Re-inforcement of fifteen thouſand Men: That the *Coeborn*, as the new Fort was ſometimes call'd, held out to Admiration, *&c.*

But while the Confederates were kept in Humour from time to time, with theſe and the like Amuſements, the *French* preſs'd the *Coeborn* in earneſt, not only by all the Methods and Expedients that ſuch a Maſter-Genius as Mr. *Vauban* could put in Practice, but with all the Vigour and Intrepidity that the Preſence of their Great Monarch could inſpire. There lay between them and the *Coeborn*, a ſort of Spur-Work of Paliſſadoes, call'd the *Devil's Houſe*, which was cover'd, both on the Side of the *Sambre* and the *Meuſe*, with ſtrong Outworks, and garriſon'd with three hundred *Spaniſh* Veterans. This they attack'd with all their Grenadiers, ſupported on the Right with the King's *Muſketeers*, and on the Left with the Horſe Grenadiers: And after an obſtinate Diſpute, in which they were ſeveral times repuls'd with great Slaughter, carry'd it Sword in Hand. The *Coeborn* was now open to their Approaches; and on the 13th their Batteries began to play upon it with great Fury; and ſo continu'd to do till the 19th, when Mr. *Coeborn* made a Sally at the Head of about three or four hundred Men, drove the Beſiegers from their Poſts, and deſtroy'd many of their Works. But this little Succeſs coſt more than it was worth; a Battalion of *Swiſs* oblig'd Mr. *Coeborn* and his Party to retire with Loſs; the Miſchief they had done was ſoon repair'd; and on the 22d following, fifteen Companies of Grenadiers, ſupported by ſeven Battalions from the Trenches, under the Command of the Duke of *Bourbon*, Lieutenant-General for the Day, attack'd the Cover'd-way on both Sides of the Fort, with ſo much Reſolution, that, after a bloody Conteſt, which laſted an Hour, and in which Mr. *Coeborn* himſelf was dangerouſly wounded, they not only made themſelves Maſters of it, but drove the Defendants into the Fort, in ſo much Diſmay and Conſternation, that A. D. 1692. they beat the Chamade, according to ſome Accounts, in two Places at once, and the ſame Day capitulated. *Fort Coeborn ſurrender'd.*

All that now remain'd to be done, was to reduce the Citadel; which was immediately undertaken with as much Spirit, as if it had been the firſt, or was to be the laſt of their Labours: Till the 27th at Midnight, their Cannons and Bombs roar'd without Intermiſſion; and then it was thought adviſeable to attack the Cover'd-ways and Counterſcarp of the great Hornwork: Thirteen Companies of Grenadiers, ſupported by four Battalions of Foot, were appointed for this Service; and began their March under the Diſcharge of twenty-ſeven Bombs into the firſt Cover'd-way, which made ſuch Havock, that they found it, upon their Approach, in a manner abandon'd: And all the Interruption they met with, was from two *Fougades* or Well-mines, which were fir'd under them, and blew up ſeveral. They proceeded, however, to the next Cover'd-way, and after receiving one Diſcharge from the Defendants, drove them to the Counterſcarp; where they not only made a deſperate Stand, but were vigorouſly ſupported by a large Body of the Garriſon poſted in the Breach, who, for ſome time, held the *French* at Bay with the Impetuoſity of their Fire; but that, by Degrees, abating, and the Aſſailants being perpetually re-inforc'd, they at laſt carry'd their Point, and made a Lodgment. All the 28th and 29th were ſpent on the Side of the Beſieged, in vain Efforts to diſlodge the Enemy: And at Night ſo profound was their Negligence, that they ſuffer'd the *French* Engineers not only to take a new Poſt about half the Heighth of the great Breach, but to ſurprize the whole Baſtion before they were diſcover'd; which had ſuch an Effect either on the Garriſon or the Governor, or Both, that before five o'Clock they beat a Parley; and before Night the Capitulation was ſettled; in virtue of which, the Governor and Garriſon evacuated the Place the next Day; and Mr. *de Guiſcard* took Poſſeſſion of it for his *moſt Chriſtian* Majeſty; who, as if his Glory was now at the full, immediately after return'd in Triumph to *Verſailles*; having firſt prepar'd his way by the exulting Letter that follows, to the Archbiſhop of *Paris*, appointing him to celebrate a ſolemn *Te Deum* on this great Occaſion, for the Entertainment of the good People of his Capital, in the Cathedral Church of that City: *and alſo the Citadel.* *King Lewis returns in triumph to Verſailles:*

" *My Couſin*,

" My Enemies had perſuaded themſelves, that having aſſembled *all their Forces* in the *Low-Countries*, they ſhould ſtop the Current of my Conqueſts; neverthleſs I fail'd not to undertake, in Perſon, the Siege of the City and Caſtle of *Namur*; the taking of which they thought impoſſible. They repair'd thither to the Number of an hundred thouſand Men, to force me to raiſe the Siege, but reſted contented with being the *Spectators* of it for three Weeks, and with *aſſiſting* at the Reduction of the Place, which I wholly ſubdued on the thirtieth of the laſt Month, after *His Letter to the Archbiſhop of Paris.*

A. D. 1692. ter the Trenches being open'd thirty Days. If any thing flatters me in so important a Conqueſt, it is much leſs the Glory that attends it, or the Encreaſe of my Territories, than the Hopes it gives me, that my Enemies, growing weary of their Loſſes, will at length ſubſcribe to the Offers I have for a long time made them of ending the War. It is alſo theſe Hopes that particularly oblige me to redouble to Heaven my Thankſgivings, and to proteſt at the ſame time before him that knows the Sentiments of my Heart, that I have no Deſire more ardent than the putting all my Subjects into a State of glorifying him in Peace. I write to you to this Purpoſe, to let you know that my Intention is, that you cauſe *Te Deum* to be ſung in the Cathedral-Church of my good City of *Paris*, *&c.*"

How far the Gall of this Letter embitter'd King *William*'s Repoſe, or whether he was as inſenſible of Deriſion as Dr. *Burnet* repreſents him of Applauſe, we are not authoriz'd by ſufficient Information to ſpecify; and whether he at all deſerv'd theſe Inſults, the World neither is, nor, perhaps, ever will be, agreed. His Enemies, on one hand, are pleas'd to ſay, in Arraignment of his Conduct, That tho' the Enemy were undoubtedly ſuperior to him in point of Numbers, they had abundantly more Employment for thoſe Numbers; and, conſequently, no Argument could be drawn from that Diſparity in his Favour: That the Army which carried on the Siege were oblig'd to occupy a mighty Compaſs of Ground, their inmoſt Lines, as uſual, being without Cannon-ſhot: That it was broke into many Parts, the *Maes* and the *Sambre* running through, and dividing their Camp: That they had no Circumvallation, and had only thrown up ſome ſlight Works, where their Quarters were moſt expos'd: That the Allies, being in Poſſeſſion of *Huy* upon the *Maeſe*, and *Charleroy* upon the *Sambre*, it was in their Power to have made an Attempt, at leaſt, to interrupt the Progreſs of the Siege: That they loſt as many, or more, by Sickneſs in their Camp, as ſuch an Attempt would have coſt; and that it had been more for their Honour and even their Intereſt, to have made a diſadvantageous Puſh, than to have made none at all. His Friends, on the other hand, aſſert as confidently, That nothing but the immoderate Rains which fell at his firſt Approach to the *Mehaigne*, and which continu'd to fall for many Days together, hinder'd his attacking Mr. *de Luxemburgh* in his Lines: That thoſe Rains had made a Bog of the Land on both Sides of the River, and even carry'd away the Bridges which he had caus'd to be laid over it: That he made ſeveral Motions in order to bring on a Battle, which were as often counter-check'd by thoſe of the Enemy: That a Detachment of Horſe, with the Generals *Athlone* and *d'Auverquerque* at their Head, did actually paſs the River, at a narrow Ford on the Right of the Army, and came in Sight of ſeveral Squadrons of the Enemy, whom they did not think proper to engage, for fear of being drawn into an Ambuſcade; and that, upon the whole, which is ſingular enough, he gain'd more Honour by his ſeveral Efforts to relieve the Town, tho' they were unſucceſsful, than King *Lewis* by taking it; though we are told by *Burnet*, it was reckon'd the greateſt Action of that Prince's Life. A. D. 1692.

Various Reflections on the Conduct of King William during the Siege.

Laſtly, it is urged by others, not altogether ſo prejudic'd on either Side, That the *French*, having the Start of the Allies in their Preparations, were in a Condition to ſecure all the advantageous Poſts on the Side of *Gembloux*, where only any rational Project could have been form'd for its Relief: That the Camps which the Duke of *Luxemburgh* had choſen, and the Diſpoſitions he made, were ſuch, as could ſcarce have been forc'd by an Army far ſuperior to his own: That when the King made a forc'd March, in order to gain the Camp of *Melle* and *Flerus*, where he arriv'd on the 24th, Mr. *de Luxemburgh* not only coaſted him all the way, but ſet down over againſt him, in a Place more inacceſſible than that which he had occupy'd before: And, laſtly, that the Caſtle of *Namur* was ſurrender'd many Days ſooner than was expected, or than was neceſſary, even by the Confeſſion of the *French* themſelves. It is certain, the Prince *de Barbaſon* did not eſcape Cenſure on this Occaſion; and that it was recollected to his Diſadvantage, that King *William* ſuſpected him from the Beginning, and would have prevail'd with the Elector of *Bavaria*, to commit the Defence of the Place to ſome Commander, of whom he had a better Opinion. But whether his Majeſty's Suſpicions were of ſuch a nature as could not be explain'd, or his Electoral Highneſs could not prevail on himſelf to enter on his Government with ſo ungracious a Proceedure towards a Perſon of his Rank, all that could be obtain'd, was, to place the Count *de Thian* about him, to obſerve his Conduct.

Namur being reduc'd, Mr. *de Luxemburgh* was left to command in chief for the Reſidue of the Campaign, with Orders to lye on the Defenſive, and to take ſuch Meaſures only, as he ſhould find neceſſary for the Preſervation of his Troops, and the Country committed to his Charge. Accordingly, his firſt Care was to detach eight thouſand Men, chiefly Horſe, into *Germany*, under the Command of Mr. *de Coigny*, to enable Mr. *de Lorges* to make a Figure on that Side. Mr. *de Boufflers*, with his ſeparate Corps, remov'd alſo to *la Buſſiere*, either for the Convenience of Forage, or to lye in wait for ſome Opportunity to ſnatch an Advantage. Twenty-five Battalions and two Squadrons were poſted in *Namur*, and the Marſhal himſelf, with the reſt of the Troops, took poſt at *Seigniese*. *Motions of both Armies afterwards.*

His Majeſty alſo, in conſequence of theſe Motions of the *French*, detach'd the Counts *Fleming* and *de Tilly*, with the Troops of *Brandenburgh* and *Liege* to their old Poſt in the Neighbourhood of *Liege*; as alſo, Count *Harn*, with ten Battalions of Foot and five Regiments of Horſe, towards *Ghent*; and remov'd himſelf with the reſt of the Army to *Genap*, where he took Poſt *July* the ſixth.

A. D. 1692. On the nineteenth his Majesty and the Elector of *Bavaria* gave his Electoral Highness of *Brandenburgh*, who had continu'd at *Cleves* during the whole time of the Siege of *Namur*, a Meeting at *Louvaine*: But no Account is given of what pass'd on that Occasion: On the 21st they return'd to their Camp; and on the 22d the Army pass'd the River *Senne*, and encamp'd at *Lambeque*; where they were the next Day re-inforc'd by the *Hanoverian* Troops, and *Galway*'s and *Langston*'s Horse, which had been just before landed at *Williamstadt*, from *England*.

When the King remov'd from *Genap*, it was with a Design of getting the Start of Mr. *de Luxemburgh*, who, he had been inform'd, design'd to encamp between *Steenkirk* and *Enghien*; but the Latter took his Measures so well, that he secur'd his Ground, and thereby oblig'd his Majesty to set down at *Lambeque*. However, the two Armies not being above six *English* Miles asunder, his Majesty thought he had still an Opportunity to strike such a home Blow, as should retrieve the Glory of the Campaign. On the 23d the Matter was debated in a Council of War; and all the Parties being agreed, the necessary Orders were given for making the Experiment on the Morrow: Accordingly, the heavy Baggage was order'd to repass the *Senne*; and the Army was put in Motion from the Left in two Columns; for so encumber'd was the Ground with Thickets, so travers'd with Hedges, and intersected with narrow and intricate Defiles, that they had not Room for any Extent of Front, or such other Dispositions as are usual in general Engagements. The Prince of *Wirtemburgh*, with four Battalions of *English*, and six of *Danes* and *Dutch* (according to the *London-Gazette*) was appointed to attack the Enemy on the Right, supported by Lieutenant-General *Mackay*, at the Head of another Body of Infantry, all *British*, which were also intermingled with several Regiments of *British* Horse. Count *Solmes* had the Command of the Center; and we must suppose that his Majesty and the Elector of *Bavaria* remain'd with the Rear, to regulate the Motions and provide for the sustaining of the whole, since we find no Mention of the first till the Business of the Day was pretty far advanc'd, nor of the Latter at all.

The Allies attack the French at Steenkirk.

But, tho' the Prince of *Wirtemburgh*, with the Van, began to march very early in the Morning, and the Distance between the two Armies was so small, such were the Difficulties which he had to surmount, that it was ten o'Clock before he came within Reach of the Enemy's Camp; and, having then taken Possession of a Hill, cover'd with Wood, and divided from those occupy'd by the *French*, by a hollow Way, it was an Hour longer before he could bring his Cannon to play upon them; and even then he was oblig'd to halt, by Order from the King, till two in the Afternoon, to give the rest of the Army time to come up: At length, however, the Word was given, and the Onset made, with so much Vigour, that though it was up Hill all the way, and the *French* were every where cover'd with Hedges and Ditches, the Prince and his Party drove them from all their Posts, took Possession of one of their Batteries of seven Guns, and, for Half an Hour, were Masters of their Lines. This is acknowledg'd, without any Reserve, by the *French* themselves; and they also add, that the Disorder and Confusion of their Camp, on this Occasion, was very great: But then our own Writers are also oblig'd to acknowledge in their Turns, that for want of making a proper Use of this Advantage, the Affair took a fatal Turn. Mr. *de Luxemburgh* had time to rally his broken Troops, to re-inforce them with fresh Battalions, and to make such a Disposition, as the Allies were not able to withstand. In short, the *French* recover'd their lost Ground, brought up a second Line to sustain their first; and, when our Forces began to reel under such repeated Shocks, let loose their Brigades of Guards, both *French* and *Swiss*, headed by almost all the Princes and Nobles in their Army, to improve the lucky Moment to the utmost. These, in a Bravade, charg'd Sword in Hand; and if Mr. *de Luxemburgh*'s Account to the King, his Master, is to be credited, did prodigious Execution. It is indeed agreed on all hands, that scarce any Encounter was ever more obstinate or more bloody: Thousands fell on both Sides: And never was the Sword more impartial; for both Officer and Soldier fell without Distinction: Such was the Contest, such the Carnage for four Hours together; when the Marshal *de Bouffiers*, who had receiv'd an early Summons to rejoin the Army on the *Spur*, falling in with his whole Corps; and the Allies being convinc'd, that all that remain'd was to provide for a good Retreat, the King himself undertook that Province, and fill'd it in so able a manner, that Mr. *de Luxemburgh* did not think proper to risque the Glory he had won in repulsing the Enemy, by exposing himself to be repuls'd by them. The *French*, satisfy'd with their Escape, remain'd in their Camp, and the Allies return'd unmolested to theirs. A. D. 1692. *and are repuls'd.*

With regard to the various Reflections made upon this Action, we find the Attempt accounted for in the *London-Gazette*, in these Words: "His Majesty, who had long fought an Opportunity to attack the Enemy, resolv'd to do it now, upon the Information of *some Persons*, who were thought to understand the Nature of the Ground." And the *Miscarriage* in these: "But the Enemy coming down upon our Men in great Numbers, and the Foot that was to have supported them (the ten Battalions) not being able to advance so fast, by reason of the Difficulties of the Ways through which they were to pass, we could not maintain that Post." Meaning the Post carry'd at first by these ten Battalions. And again, "But there appearing so many Difficulties, or rather an *Impossibility*, as their Camp was situated, to get to the Flank of the Enemy, as was design'd, and so to come to a general Engagement; and they being re-inforc'd by Mr. *Bouffiers*'s Troops, *&c.* it was thought adviseable *Various Reflections on the Action.*

A. D. 1692. advisable to desist." It is urged on the other hand, That all these Difficulties, how great soever, were actually surmounted by the ten Battalions: That two Hours were taken for the other Battalions to do the same: That *Mackey*, with those under his Command, did also surmount them: That by a (*b*) Mistake of Orders, the Latter posted themselves on the *Right* of the Former, instead of taking the same Rout, and pushing *right on* to support them: That the ten thus unsupported, withstood no less than thirty of the Enemy: That one of them, under the Command of Sir *Robert Douglas*, drove no less than four of the *French* from their Cannon: That tho' the Prince of *Wirtemburgh* sent one of his Aids de Camp twice, to require Succour from Count *Solmes*, and at last procur'd a positive Command from the King himself, so jealous was the said Count of the Prince's Glory, and so thoroughly did he hate the *English*, that he order'd his Horse, which he knew could not act for want of Room, to march, and his Foot to halt, purposely that the *English* might be massacred, and the Prince might be foil'd; saying to those about him, *Let us see what Sport these* English Bull-Dogs *will make us:* And that as to the Circumstance of the *French* Camp's being inaccessible in Flank, we find Mr. *de Luxemburgh*, in his Letter to the *most Christian* King, speaking of the Allies in a Strain of Acknowledgment, for not once thinking to make use of a rising Ground to annoy his Infantry in Flank with their Cannon; which, according to him, lay much expos'd, and for not throwing a Bridge across the River; which he suggests, would have render'd their Work much easier.

[Suit de l'Histoire d' *Holland* de Mr. *de la Nieuville*.] [L. Gazette.]

[Boyer.]

Others again who make it their Business to soften the Misfortune of this Day to the utmost of their Power, ascribe it to the Intelligence of the King's Motions, given to Mr. *de Luxemburgh* by one *Millevoix*, a Musician in the Service of the Elector of *Bavaria*, and a Spy in that of *France*; which put him on his Guard, and gave him time to make all the Preparations necessary for his Defence. But though the *French* Writers acknowledge, that their General did receive Intelligence occasionally from a Spy, by them call'd a Secretary, in the Confederate-Camp, they will not allow that he receiv'd any Benefit from it on this Occasion: On the contrary, they alledge, That their Spy was detected; that he was compell'd by Menaces, to send such Intelligence to the Marshal as should serve to mislead him; namely, that the Motions of the Allies was only in order to a general Forage; and that their Battalions of Foot in the Wood, were posted there only to cover the Foragers: That the Marshal, depending on the Informations of a Man who had never yet deceiv'd him, became so secure, that when he was, again and again, appriz'd by one of his own Scouts, that the Defiles between the two Armies were fill'd with Foot, Horse, and Cannon, he took no Precautions, as believing they had no farther Purpose than what had he receiv'd Notice of before: That he was not undeceiv'd till the Prince of *Wirtemburgh* actually attack'd his advanc'd Post on the Right, and defeated the Brigade of *Bourbonnois*, who had the Defence of it: That the whole *French* Army was hereupon thrown into the utmost Consternation; and that if the Allies had made a proper Use of their first Success, they had in all Probability obtain'd a complete Victory. A. D. 1692.

Even Mr. *de Feuquieres*, attach'd as he was, to Mr. *de Luxemburgh*, acknowledges all this; and that, notwithstanding all the Mastery in the Art of War, which that General manifested in forming his Troops, and recovering them out of the Panic and Confusion which had seiz'd on them at first, it was reasonable to believe, that if the Right Wing of the Allies, whose Province it was to attack *Enghien*, and the *French* Left posted there, had not mistook their way during their March in the Night; or if they had made their Attack at the same time that the Engagement began at the Right, Mr. *de Luxemburgh* would scarce have been able to sustain a Shock that he was so little prepar'd for.

To close on this Head, it is certain, that a Domestic of the Elector of *Bavaria*'s (whether Musician or Secretary, whether his Name was *Millevoix*, or *Rochemont*, as he is call'd by some, is not material) was detected about this time, and hang'd in the Sight of the whole Army on the sixth of *August*, N. S. And that both the King and Mr. *de Luxemburgh* were equally censur'd for the Conduct of that Day: Mr. *de Luxemburgh* for suffering himself to be surpriz'd, and for not considering that his Camp was no where to be attack'd, but where the Attack was made; and the King, for losing the Benefit of the Surprize, by causing his Troops to halt so long in Sight of the Enemy; and for making a wrong Disposition. The Prince (says Mr. *de Feuquieres*, according to his usual Phrase, when speaking of King *William*, and after acknowledging, that his Majesty's Design was truly

(*b*) This is founded on the Authority of a Letter from an Officer, inserted both in the *State of Europe* for *August*, and and the *Memoirs of Europe* for *September*. The whole Passage runs thus: "This Mistake is imputed to the Death of Lieutenant-General *Mackay*, who led them, and who was kill'd at that very Instant; and at the same time Lieutenant-General *Tettau* was wounded. The King of *England* perceiving that Party of Foot had taken a quite different way from what he had order'd, immediately hasted to them; but the Quarter of an Hour which this false Step had cost, spoil'd all the Measures that had been taken; for by that time the Infantry came up to the Wood, they found those who had made the Attack retreating, having been forc'd to give way to the overpowering Numbers of the Enemy." Bishop *Burnet*, on the other hand, alledges, That *Mackay* was order'd to a Post that he saw could not be maintain'd: That he sent his Opinion about it: That the former Orders were confirm'd; and that hereupon he went on, saying, *The Will of the Lord be done!* And if his Majesty did in Person interpose to rectify the Disorder occasion'd by the Death of *Mackay*, it is somewhat strange that he did not, in his way, exact Obedience from Count *Solmes* (on whom the Prelate, last quoted, admits, that the Blame fell of all the Errors of the Day.) And yet, more so, that he should content himself with exclaiming, according to some Authors, who think they do him Honour: *O my poor* English! *How are they abandon'd!*

A. D. 1692. truly great) ought not to have disposed his Forces in order of Battle, when they had pass'd thro' the Defiles; but as he march'd them in different Columns thro' those Defiles, he should have attack'd the Front of the *French* Camp in the same order, and on the same Direction, to take the whole Benefit of the Enemies first Surprize to penetrate their Lines, to hinder their forming at all, and to improve the Confusion so created, into a total Rout; which could scarce have been avoided, if he had proceeded in this manner; and if, while his first Line had been thus employ'd, he had drawn up his second in as regular a Front as the Ground would have admitted; for, in such a Case, Mr. *de Luxemburgh*, on being forc'd to abandon his Camp, would have had no Opportunity, and consequently could have entertain'd no Thought, of forming behind it; and for his last Resource must have been oblig'd to have made the best Retreat he could, at the Expence of all his Baggage, Tents, Cannon, *&c.*

As to the Loss, Mr. *de Feuquieres* estimates that of the Allies at twelve thousand; Mr. *de Luxemburgh* at ten thousand; King *Lewis*, in his Letter to the Archbishop of *Paris*, to order another *Te Deum*, at six thousand; and the Allies themselves at but three thousand two hundred and seventy-one, kill'd, and two thousand nine hundred and thirty-six, wounded; while, on the other hand, the Allies estimated that of the *French* at two thousand four hundred and fifty-nine, kill'd, and four thousand five hundred and nine, wounded: And if the *French* garnish'd their Narrative with the Names of two Lieutenant-Generals, *Mackay* and *Lanier*, seven Colonels, *Roberts*, *Douglas*, *Hodges*, *Angus*, *Andreé*, *Moor*, and *Goos*, seven Lieutenant-Colonels, *Preston*, *Fullerton*, *Fox*, *Vander-Abeé*, *de Dier*, *Hamerien*, and *Ohinga*, and five Majors; we also glory'd in the Fall of the Prince *de Turenne*, the Marquis *de Bellefonde*, the Marquis *de Tilladet*, Lieutenant-General, Brigadier *Stoupa*, the Chevalier *d'Estrades*, Colonel *Paulier*, and the Marquis *de Firmacon*, who were left dead on the Field; and had our List of Wounded, at the Head of which appear'd the Name of the Duke *de Chartres*, to counter-balance theirs. Both Sides, indeed, for a while, employ'd the Press in amusing the World; the one magnifying their Success, the other extenuating their Defeat. "All our Advices, (says the *London-Gazette*) assure us, that the Enemies Loss in the late Action is, at least, equal, if not greater than ours.——— There never was greater Bravery than our Troops shew'd on this Occasion: Of ours there were engag'd but twenty-two Battalions, with a Detachment of Dragoons: And against these the *French* brought down forty-five Battalions, and four Regiments of Dragoons: Divers of their old Regiments are quite ruin'd.——— The Musqueteers of the Houshold have suffer'd extremely: Several Officers, who were thought to have been kill'd on our Side, are, we hear since, Prisoners. We have likewise taken three Captains, a Comet, and several other Prisoners of the Enemy, with the blue Standard of the Regiment of *Dauphine*: And we do not hear that we have lost one Colour or Standard." This was follow'd at some Distance, with a Letter dated from *Paris*, which the Public was to believe, was writ by a *Frenchman*, tho' nothing could be less suitable to the Character of that Nation: For therein it is suggested, That the Joy occasion'd by the first News of the Action, was of short Continuance: That the second Account, which was more particular, as well as more true, discover'd how little Reason the *French* had to pretend to any Advantage: That their whole Army narrowly escap'd an entire Defeat: That their Loss, which, it was acknowledg'd, amounted to five hundred Officers and five thousand Soldiers, much exceeded that of the Enemy, *&c.* Again, in the same *Gazette* it is said, "The Enemies Loss appears by the Advices from all Hands, to be even greater than was at first reported; for we are assur'd, that they had eight thousand Men kill'd and wounded; that in their own Army they own this; and that among them are fourteen hundred Officers kill'd, or wounded so as to be unfit for Service." And, on the other hand, the Letter of King *Lewis* to his Cousin the Archbishop of *Paris*, which was translated into almost all the Languages of *Europe*, was calculated, at once, to feed the Vanity of the *French* and mortify the Allies, as follows: "After the taking of *Namur*, *&c.* the Enemy, enrag'd for the Loss of that Place, the Importance of which is so well known, and finding themselves under a Necessity to do something to repair their Honour, in some measure, and impose upon the People, and, moreover, trusting to the Goodness of their Infantry, which they always thought superior to mine, the third of this Month attack'd the Right Wing of my Army, which lay encamp'd among Enclosures, divided with Hedges and Ditches and Rivers, where Cavalry could act; but they were receiv-ed with so much Resolution and Vigour, and repuls'd with that Valour and Courage, that after my Men had utterly defeated a good Part of their best Infantry, kill'd upon the Place above six thousand, put the rest to Flight, taken ten Pieces of Cannon, eight Colours, and thirteen hundred Prisoners, they remain'd Masters of the Field. A Victory so signal, won by only *one Part* of my Army, and so apparently demonstrating, that God defends the Cause which I maintain, that I have resolv'd to make him those public Returns of Thanksgiving which belong to him, *&c.*"

A. D. 1692.

[*No.* 2789.]

[*No.* 2791.]

But whatsoever the Pretensions on either Side were, both were manifest Losers; and neither was in a Condition to draw the least Advantage. Till the first of *August*, O. S. they lay still in their several Camps; and then, before Break of Day, the *French* decamp'd first, and were follow'd by the Allies as soon as they had Notice of their Motions: But either that Notice came too late, or too much time was taken up in deliberating

The French decamp.

A. D. 1692. liberating upon it; for tho' his Majesty advanc'd with the Right Wing as far as *Enghien*, in hope of coming up with them, he found it impossible, and was forc'd to return to his Camp, with the Mortification of a new Disappointment.

Grandval's Conspiracy.

During this Interval, and for some time before, not only the Confederate-Camp, but all *Europe*, by Advices from thence, had been amus'd with a Discovery of a very extraordinary kind; and of which the *Historian of his own Times* hath made as extraordinary a Use: For, after speaking of the intended Descent from *Normandy*, under the Conduct of King *James*, and the Purposes the *French Court* propos'd to answer by it, he proceeds in these Words: "And in Case other Designs had fail'd, there was one in reserve, manag'd by the *French* Ministry and by *Luxemburgh*, of assassinating the King, which would have brought about all their Designs: The *French* King seem'd to think the Project was so *well laid*, that it could not miscarry: For, he said publicly, before he set out, *He was going to make an end of the War*. Now, the Registers of those Times only say, "That when the King receiv'd the Compliments of the Sovereign Courts at *Versailles*, after he had assur'd them, that he *would leave nothing omitted to put an end to the War*, he told them, That King *James*, on his Part, was labouring to bring about his Designs." Which Terms are far from being so absolute as those made use of by Dr. *Burnet*, and without great Violence cannot be tortur'd into the Meaning which he has thought fit to assign them: If therefore we are to conclude, that his *most Christian* Majesty was at the Bottom of so black a Design, we must derive better Proofs from the Story itself; which, in Substance, is told thus, in one of the Court Pamphlets of those Times.

[State of *Europe* for *May*, &c.]

Colonel *Parker*, one *du Mont*, and the late Mr. *de Louvois*, were the first Contrivers of it; but whether jointly or separately, has never been thoroughly explain'd: All, it seems, was at a Stand on the Death of that Minister: But his Son, Mr. *Barbasieux*, succeeding him in the Secretary's Office, and finding a Draught of the Project seal'd up in his Cabinet, brought it again in play, by the Means of one *Grandval*, a Knight of *Picardy* and a Captain of Dragoons, who was employ'd to find out *du Mont*, and form a new Concert with him and *Parker*; in Consideration of which, and his undertaking the Conduct of the whole Enterprize, he was to have a Dukedom and an Estate proportionable to that high Rank, for his Reward. Madame *de Maintenon*, and Mr. *Paparel*, Paymaster to the *French* Army, were also Parties in it: *Du Mont* was to be the Assassin, and to enter himself in the Confederate Army, that he might have the better Opportunity of shooting his Majesty when he went to visit the grand Guard or the Lines. *Grandval* and *Parker* had their Posts in the *French* Camp, and were to be furnish'd with a Party of Horse by Mr. *de Luxemburgh*, to rescue *du Mont* when he had struck the Blow; at least *du Mont* was told so for his Encouragement. All repair'd to their several Posts accordingly: But whether *du Mont*'s Heart fail'd him, or no Opportunity offer'd, after several Weeks Attendance, he stole away from the Camp; but instead of repairing to his Confederates, took Refuge at *Hanover*. This Disappointment did not, however, alter the Sentiments of the *French* Court; *Barbasieux* not only proceeded still in the same Track, but admitted Mr. *de Chanlais* into the Secret, and also enlarged his Band, by entering one *Leefdale*, a *Dutch* Baron, into it. *Du Mont*, who corresponded by Letter with *Grandval*, and by the Means of his Wife, whom he had left at *Paris*, with Mr. *Barbasieux* himself, was still in such Credit with all of them, that the Execution was left to him, as before: And Mr. *Chanlais*, in Person, was to assist *Grandval* in bringing him off. At *Uden* in the Country of *Ravesteyn*, *du Mont*, *Grandval*, and *Leefdale*, were to meet; and, at the same time, *Parker* was to pass over to *England*: But, before they could reach the Place of Rendezvous, all but *Parker* were seiz'd, by the several and separate Discoveries of *du Mont* and *Leefdale*, and deliver'd over to the Provost-Martial of the Army. A. D. 1692.

This Abstract is taken from a Piece, call'd, *Reflections on the Conspiracy against the Life of King* William, which, for many Reasons, ought to be laid at the Door of the Historian-Bishop of *Salisbury*: And we learn farther from the Preamble of the Evidence given in at *Grandval*'s Trial, and the Sentence of the Judges, publish'd by Authority, That *Leefdale* made his Discoveries first by Letter to his Relations in *Holland*, and *du Mont* his, to the Duke of *Zell*. As to the said Evidence in Detail, it was open'd by *Leefdale*, who, among Variety of other Circumstances, depos'd, That *Grandval* had, in the Winter, remitted two hundred Pistoles to *du Mont*, to keep him firm to the Business: That he had sent him ten Ducats more from *Brussels*, by Bill of Exchange: And that while they were at *Mons*, a Rumour prevailing, that some Disorders in *Scotland* would oblige the King to repass the Seas, *Grandval* shew'd an extreme Impatience to be gone, for fear of losing their Opportunity. One *d'Amours* then added, That *Grandval* had confess'd to him at *Brussels*, That he had a great Business to do, which had miscarry'd the last Year: That being asked by him, Whether he had any thing to say to the King? he answer'd, *Yes, To break his Neck*: That he, *d'Amours*, objecting the Difficulties he had to surmount, the Other reply'd, *I have given my Word to Mr.* Barbasieux, *and I'll do it*. *Du Mont* came last, and he took upon him to prove Madame *de Maintenon*'s Concern in the Affair, by a Passage out of one of *Grandval*'s Letters; in which he says, *He would accommodate the Matter by her Means*. He also said, he had imparted the Design to Mr. *Bedal*, alias *Hasfelt*, the *French* Minister at *Hanover*, who

A. D. 1692. not only expreſs'd his Approbation of it, but lent him fifty Crowns: And that he had been inform'd by one *Miller*, an Agent of the ſaid *Bedal*'s, that the Latter maintain'd a ſecret Correſpondence with Mr. *Moreau*, the King of *Poland*'s Envoy to the *States*. *Grandval*'s Letters to *du Mont* were alſo produc'd: So that the Proof being as plain as poſſible againſt him, he made an ingenuous Confeſſion of all he knew, and that, without ſo much as naming the Rack to him, as we are told in the Narrative, either before or after Sentence. It ſeems, however, that *Grandval* thought that there was ſome Merit in this Ingenuity; for on the Strength of it he ventur'd to preſer two Petitions to his Majeſty, both writ with his own Hand; in which he pleads, That he had acted but in Obedience to the Orders he had receiv'd from Mr. *Barbaſieux* and Mr. *de Chanlais*; and that, how great ſoever his Fault was, or worthy of Death, *du Mont* and *Leefdale* were as guilty as he. His Trial was before a Court-Martial, of which the Earl of *Athlone* was Preſident: And, by way of Preamble to the Sentence they pronounc'd, the whole Affair is given in Detail, and ſome Circumſtances are remember'd, which had been omitted before; namely, That the Priſoner, *Grandval*, contracted Acquaintance with *du Mont*, at the Houſe of Mr. *Rebenac*, in *Paris*; that being one Day in Company with *du Mont* and *Paparel*, the Latter ſaid, That if they had a mind to SEIZE the King of *England*, *du Mont* would be a fit Perſon for that Service: That *du Mont* reply'd, with Execrations, That he would *carry him off alive or dead*, as he had promis'd to Mr. *de Louvois*: That Mr. *Barbaſieux* would never ſee *du Mont*, for fear he, *du Mont*, ſhould be taken Priſoner, and, upon Examination, name him, which, he apprehended, would be detrimental to his Fortune: That the Priſoner, *Grandval*, having told *du Mont*, by Order of the ſaid Miniſter, That the King wore a Coat of Mail, *du Mont* reply'd, *No matter! I'll* KILL *him for all that*: That he, *Grandval*, was alſo engag'd with *Parker* as well as with *du Mont*, and that the ſaid *Parker* had told him, "That he had form'd the Deſign with Mr. *de Louvois*:" That he was brought acquainted with *Leefdale* by the Means of one *Sterck*: That growing very intimate, he communicated the Secret to him, and engag'd him in it, as a ſure way to obtain Preferment: That he afterwards introduc'd him to Mr. *Barbaſieux* and Mr. *Chanlais*: That the Day before they left *Paris*, all three, that is to ſay, *Grandval*, *Parker*, and *Leefdale*, went to *St. Germains* to ſpeak with King *James* about the ſaid Deſign, which he had Knowledge of, and to take their Leave: That he, the PRISONER, had Audience of the ſaid King *James*, the late Queen being preſent, and was told by him, "That *Parker* had given him an Account of *the Buſineſs*; and that if he and the other Officers did him that Service, they ſhould never want:" That the Manner, laſt agreed upon, of putting it into Execution, was this, *viz.* That, when the King ſhould ride along the Lines, or go out to take any View, or when the Army ſhould decamp, *du Mont* ſhould lye in Ambuſcade, and take his Opportunity of firing at his Majeſty, when he ſhould be within an hundred Paces of him: That the Priſoner and *Leefdale* were to accompany *du Mont* to the Camp of the Allies, for fear he ſhould not be punctual in obſerving his Orders: That when *du Mont* was at his Poſt, and the King approaching, the two Latter ſhould mix with his Majeſty's Followers: That when he had fir'd, and every body was in Purſuit of *du Mont*, they ſhould make the beſt of their way towards Mr. *Chanlais*, who was to be ready with three thouſand Horſe, at the Duke of *Luxemburgh*'s grand Guard, to bring them off: And that the Priſoner, in his way from *Paris*, told *Leefdale*, That if their Deſign took place, the Confederacy would be broke, and the ſeveral Princes concern'd would recall their Troops: In Conſequence of which, *France* would maſter the Reſidue of *Flanders*, and King *James* recover *England*.

A. D. 1692.

Upon the whole Matter, *Grandval* was condemn'd to be drawn, hang'd and quarter'd: And on the 13th of *Auguſt*, N. S. he was executed accordingly. It is added, That he left a Letter to a Lady of his Acquaintance at *Paris*, containing a Requeſt, That ſhe would inform the Archbiſhop of *Rheims*, that his obeying the Orders of Mr. *de Barbaſieux* had coſt him his Life; and that, ſome Days before he ſuffer'd, being told, That, probably, *Barbaſieux* would deny, that he had ever any Concern in a Buſineſs of that nature, he reply'd, "Let him deny what he pleaſes, yet, if I were put upon it, I would make it appear very plainly; for I have an original Paper under Mr. *Barbaſieux*'s own Hand, which I have lodg'd with a Friend of mine, who will not part with it to any body but myſelf; and no body elſe knows with whom I have entruſted it."

To make a proper uſe of all, when the *Court-Narrative* had been ſome time before the Public, the Paper of *Reflections* was alſo ſet forth; in which, by the Dint of Inference and Refinement, all poſſible Pains is taken to involve the *French* King himſelf in the Odium of ſo wicked a Deſign; and the whole Horror of it is fix'd, without the leaſt Qualification, on King *James*; while, on the other hand, the Generoſity of King *William*, in refuſing, both when he was Prince of *Orange*, and after he was King of *England*, to give the leaſt Countenance to the (*c*) Offers that were made him, to take off the *French* King; and alſo, while he was upon his March from *Exeter* to *London*, in giving thoſe to underſtand, who talk'd of proceeding

(*c*) The *Reflector* tells us, That one was contain'd in a Poſt-Letter from *Paris* to the Prince, at the *Hague*; and the other was made by the Undertaker, in Perſon, to the Biſhop of *Saliſbury*, a few Days before his Highneſs was put in Poſſeſſion of the Crown of *England*.

A. D. 1692. proceeding againſt King *James*'s Perſon, That he would ſuffer none who perſiſted in ſuch Talk to ſtay about him, was emblazon'd in the brighteſt Colours.

But then, for the ſake of Truth and Impartiality, it ought to be obſerv'd, that thoſe *Reflections* have as little Candour and Ingenuity, as other Party-Writings: For the Author takes Occaſion, from a Paſſage in the Narrative before alluded to, where it is ſaid, that but a *very few* of the Circumſtances, which *Leefdale* had with great Exactneſs depos'd, ſhould be mention'd there, to compliment King *William*, for the *Greatneſs of his Mind, in not expoſing an Enemy as much as he could*; whereas we have already ſhewn, that thoſe very Circumſtances are afterwards recited in the Sentence of the Judges. Again, in bringing the Sentence home to King *James* and his Queen, he ſuggeſts, "That the ſaid King had the Indiſcretion to entertain *Parker*, *Leefdale*, and *Grandval*, *all together*, on the ſame Subject; whereas we have alſo ſhewn, that the Words in the Narrative are ſimply theſe, *That the* PRISONER *had Audience*, &c. He alſo makes no Difficulty to conclude, that the *Deſign* then ſpoke of, was to *murder* the King: But King *James* only ſays, *the Buſineſs*; and there is ſome Room for Charity to conclude, That the *carrying off* his Majeſty, was rather the Point underſtood; ſince, according to *du Mont's* Evidence, the Affair diſcours'd of at Mr. *Rebenac's* Houſe, and propos'd by *Paparel*, was no more than the *ſeizing him*; and it is *du Mont* himſelf who undertakes to *carry him off*, alive or dead: Beſides, tho' *Grandval* does indeed confeſs, that the Project of an Aſſaſſination was entertain'd and agreed upon, he is expreſs, that it was the firſt time concerted by Mr. *Barbaſieux*, *Paparel*, *Parker*, *du Mont*, and himſelf; and the laſt by himſelf, Mr. *Chanlais*, and *Leefdale*; as alſo, that they had their laſt Orders from Mr. *Chanlais*. And, finally, the ſaid Author moreover inſiſts, that there is a remarkable Miſtake in the *Engliſh* Narrative of the Proceedings of the Court-Martial; namely, in that Paſſage which immediately follows King *James*'s Aſſurances to *Grandval*, and which runs in theſe Words, "And *Parker*, the Priſoner, and *Leefdale*, enter'd into a Diſcourſe about this Deſign." Now, according to him, the Words in *French*, are *Qu' alors* IL *a auſſi parlé avec le dit* Parker *&* Leefdale *de cette Affaire*: And the Turn he gives it, is, "That HE (meaning King *James*) not *Grandval*, ſpoke likewiſe to *Parker* and *Leefdale* about that Affair."

To finiſh on this Head, whether King *Lewis* could think this Project *well laid*, as Biſhop *Burnet* inſinuates, let the Reader judge; as alſo, whether it was poſſible, that ſo wiſe a Court ſhould place any great Dependence on it, though the ſame Author aſſures us, it was what they *truſted to moſt*. *Du Mont* and *Leefdale* were both Adventurers, and had it in their *Power* to get as much by diſcovering the Deſign, without any Hazard to themſelves, as by venturing their Lives to accompliſh it: The *French* Miniſters had not been over liberal to them: The Entrance-Fee given to *du Mont*, A. D. 1692. was but thirty Piſtoles: The Sum afterwards advanc'd to *Grandval*, for the Expences of the whole Junto, was no more than eighty *Louis d'Or's*, according to *Grandval's* Confeſſion, tho' *Leefdale* rais'd it to two hundred Piſtoles: And if they were thus thrifty in their Inducements, what Dependence could be plac'd on their Rewards? And at how ſmall a Value did they rate a Project that was to produce ſuch mighty Conſequences? Then as to *Grandval*, if he was not a Madman, he was ſo intoxicated by his own Dreams of Succeſs, and the ſplendid Vanities he had built upon it, that he was little better; as appears by the whole Courſe of his Conduct, and more particularly, by his frantic Anſwer to the ſurprizing Queſtion put to him by *d'Amours*, at *Bruſſels*: Yet farther, when the three Delinquents were brought into the Camp of the Allies, we find it obſerv'd by Mr. *Vernon*, in his Letter to Sir *William* [Tindal.] *Dutton Colt* at *Hanover*, that their Treatment was remarkably different; *Grandval* was kept in Irons, *du Mont* under the Care of three or four Soldiers, and *Leefdale* was left in a manner at Liberty: And tho' the ſame Gentleman afterwards uſes theſe Words, "I ſuppoſe it will be thought fit, he *(du Mont)* ſhould undergo a Trial for the Juſtification of his Majeſty's Proceedings throughout this whole Buſineſs." In another Letter, dated *Auguſt* 31, he writes as follows: "As to the Buſineſs of *du Mont*, I think that it is now over, upon his ſending a Petition to his Majeſty, in which he owns his Guilt, and implores his Majeſty's Mercy as to Life, upon the Account of his being one of the firſt Diſcoverers, ſubmitting himſelf to be diſpos'd as his Majeſty ſhall think fit, in any Place of Safety, and begging that Care may be taken of his ſubſiſting there; which Petition being refer'd to the Council of War that ſat upon *Grandval* for their Opinion, they have recommended him as an Object of Mercy, on account of his Diſcovery, and coming hither to teſtify what he knew of the Buſineſs; adviſing withal his being kept ſafely in ſome ſecure Place, with a Maintenance, that others may be encourag'd by this Example, rather to rely on his Majeſty's Clemency than perſiſt in their damnable Deſigns. So you ſee by this Proceeding, Regard has been had to the Promiſes that might have been made him in *Germany* upon his firſt diſcloſing the Buſineſs, which yet, I think, he might then, and ſince, have made more fully than he did."

And to conclude, Biſhop *Burnet* acknowledges, that upon *du Mont's* Diſcourſes at *Zell*, *Leefdale* was ſent to *Paris*, as a Perſon that would come into the Deſign, but in Reality to betray it.

A brave Action perform'd by a Detachment of the Liegois.

The Talk of this Affair, which for ſome time ſerv'd to amuſe the Public as well as the taking of a Town, or the winning of a Battle, was ſcarce over, before the *Gazettes* were fill'd with a pompous Account of a *brave Action* perform'd by a Detachment of the Troops of *Liege*, which was in Subſtance as follows: Count *Sarcales de Tilly* having receiv'd

A. D. 1692. ceiv'd Intelligence from the Governor of *Huy*, that Mr. *de Guiscard* frequently ſent Detachments in Boats from *Namur*, to fetch Paliſadoes from the Neighbourhood of *Salzyn*, about two Leagues from that Place, and that he deſign'd to ſend out a Party of three hundred Men the Night following, took a Reſolution to ſurprize them with one of his own: Accordingly, three hundred Foot, and two hundred Dragoons were detach'd for this Service, with Orders to poſt themſelves ſo near the Place where the *French* were to land, as they might attack them while they were coming out of their Boats. The *French* came, according to Expectation; but, inſtead of three hundred, prov'd to be upwards of a thouſand, under the Command of the Prince *d'Henrichment*. The *Liegois*, however, were not diſcourag'd, it ſeems, but, on the contrary, ruſh'd upon the Enemy with that Vigour and Succeſs, that they entirely routed them, kill'd a conſiderable Number on the Spot, and brought to *Huy* four hundred Priſoners, thirty Officers, among whom was the Prince *d'Henrichment* himſelf, and one of their Boats; having loſt but ſix of their own Men.

Sequel of the Duke of Leinſter's Expedition.

It was about this time that the Duke of *Leinſter*, with the Troops under his Command, landed at *Oſtend*; and, late as it was in the Seaſon, all *Europe* began to be perſuaded, that the Confederates would end the Year with as much Honour to themſelves, as *France* had begun it. Several Veſſels laden with Cannon and Ammunition, had been ſent down the *Meuſe* from *Maeſtricht* to join him: He was alſo reinforc'd with a large Detachment of Foot, and five Regiments of Horſe from his Majeſty's Camp at *Grammen*, under the Command of Lieutenant-General *Talmaſh*: His Mortars were taken out of the Tranſport-ſhips, and fixed upon Flat-bottom-Boats: And that the *French* might have the leſs Leiſure to interrupt the Progreſs of his Arms, the Troops of *Brandenburgh* and *Liege*, paſs'd the *Meuſe* at *Huy*, and mov'd towards *Charleroy*, in order, as it was given out, to enter the *French* Territories between the *Sambre* and the *Meuſe*, while the Troops of *Newburgh*, *Cologn*, and *Munſter* advanc'd into their Poſts, and undertook for the Protection of *Liege*.

All this had a Face of Enterprize; and as if they were for once reſolv'd to ſatisfy the Expectations they had rais'd, *Talmaſh* took Poſſeſſion of *Furnes* on the fourth of *September*, N. S. On the ſeventh the Duke, with the reſt of the Forces, proceeded on to the ſame Place. About the ſame time, that the whole Enterprize might be animated with a Portion of the King's own Spirit, the Earl of *Portland* and Mr. *d'Auverquerque* were ſent to be his Grace's Supporters, with ſuch additional Inſtructions and Powers, as were ſuitable to the high Rank of Favour which they held: On the 10th, a farther Reinforcement of four Regiments of Horſe were order'd to take the ſame Rout; and nothing elſe was talk'd of but the reducing of *Dunkirk*, and the making ſuch a Diſpoſition on that Side, as ſhould put *France* on the Defenſive for the time to come.

2

But, pleaſing as the Proſpect was, it was A. D. 1692. ſoon loſt in Clouds and Darkneſs: The Time that ſhould have been employ'd in Action, was waſted in Deliberation: *Dunkirk* was found, or thought to be, inacceſſible: Colonel *Cambon* was diſpatch'd to remonſtrate the State of Things to his Majeſty: And *Dixmuyde* having been reduc'd by Brigadier *Ramſay* on the 17th, Orders were given for covering both that Place and *Furnes* with new Works, and providing them with ſufficient Gariſons; which being done accordingly, a Paragraph was inſerted in the *London-Gazette*, ſignifying, That, by this Means, that Part of *Flanders* would be very much eaſed, that our Quarters would be enlarg'd, and that the *French* would be oblig'd to pay Contributions. The Command of theſe new Acquiſitions was given to Count *Horn*, a *Dutchman*: The Cannon and Baggage under a Guard of ſix Regiments of Foot and eight Squadrons of Horſe, were ſent back on the ſecond of *October*; the reſt of the Forces ſoon after embark'd at *Oſtend* for *England*: And thus ended this Expedition.

Reflections on his Majeſty's Conduct during the Campaign.

As to the Reſidue of the Campaign under his Majeſty's immediate Inſpection, it produced nothing material, unleſs the invidious Reflections of his Enemies on his Inactivity, ſhould be deem'd ſo: According to them, his Army, while he continu'd at *Grammen*, was near a hundred thouſand ſtrong; and that of Mr. *Luxemburgh*, poſted at *Courtray*, not above fifty thouſand. They ſay, that if the *French* Lines at that Place were too ſtrong to be forc'd, thoſe between the *Lys* and *Dunkirk* could not have been defended, unleſs the Marſhal had brought down his whole Army for that Purpoſe; in which caſe he had left *Courtray* expos'd, together with all the unfiniſh'd Works at that time erecting there. They farther ſay, that if his Majeſty had been repuls'd in this Attempt, he might, nevertheleſs, have march'd up the *Scheld*, and, by throwing Bridges over it, which they repreſent as the eaſieſt thing imaginable, not only laid the *French* Conqueſts under Contribution, but march'd into *France* it ſelf. And, laſtly, they ſay, that as *Furnes* was but five Miles directly on from *Newport*, and *Dixmuyde* but ſeven on one Side of it, which was in our Poſſeſſion, thoſe Places were not worth the Gariſons that held them, more eſpecially as the Diſtrict they commanded, would not furniſh Subſiſtence for a thouſand Men.

What was yet more provoking than all, the Troops of *Brandenburgh* and *Liege*, which had alſo been re-inforc'd with four thouſand *Walloons* and *Spaniards*, inſtead of entering into the *French* Territories between the *Sambre* and the *Meuſe*, as had been given out, made no Attempt at all, but lay quietly upon their Arms at *Waren*, between *Liege* and *Brabant*, while, on the other hand, Mr. *de Boufflers*, with about ſix thouſand Horſe, ſuch Bodies of Foot as he could draw out of the ſeveral Gariſons of *Dunkirk*, *Namur*, and *Maubeuge*, march'd on the 23d of *September* to *St. Tron*; and the next Day ſent out his Parties on every Side, which burnt ſeveral Villages,

A. D. 1692. Villages, and laid the whole Diſtrict under Contribution: After which, when it was expected that he would have paſs'd into *Germany*, to re-inforce Mr. *de Linges*, he found Ways and Means to increaſe his Army to almoſt twenty thouſand Men, and, all at once, inveſted *Charleroy*; Mr. *de Luxemburgh*, at the ſame time, removing from *Leuſe*, and taking up his Quarters in the Neighbourhood of *Condé*.

Charleroy bombarded by Mr. de Bouffiers.

The Confederates were thunder-ſtruck at theſe new Motions; which they ſo little expected, that the King had left the Army on the 26th, under the Command of the Elector of *Bavaria*, and had repair'd in great Compoſure to his darling Retreat at *Loo*. On the 28th, the Camp at *Grammen* broke up, the Foot marching to *Mariekerke*, and the Horſe to *Gaure*; and nothing ſeem'd to be thought of at the *Hague*, but Preparations to give their Stadtholder ſuch a Reception, as would have been more ſuitable to a Conqueror. The News did not reach his Majeſty till the 16th of *October*, when he was on the Road to the *Hague*; and what an Effect it had upon him, may be gathered from his returning full ſpeed to *Bruſſels*, where a Council of War was immediately held; and, upon the Iſſue, it was reſolv'd to put the Army into Motion, which had been already re-aſſembled, and lay encamp'd between the Village of *Ixells* and *Hall*, in order to raiſe the Siege. His Majeſty could not, however, ſtay to take upon him the Command, becauſe a Proclamation had been ſet forth on the 22d of *September* for the Parliament to meet on the fourth of *November*, for the Diſpatch of Buſineſs; and he choſe to open it in Perſon; but having adjuſted the Scheme of Operations with the Elector of *Bavaria*, departed the next Day at Noon; and by travelling all Night reach'd the *Hague* on the 21ſt, about ten in the Morning.

Mr. *de Bouffiers*, in the mean time, had on the 19th began to bombard *Charleroy*, and continu'd to do ſo all that Day, and till Noon of the next; but then, receiving Advice, that the Confederates were marching towards him, he diſmounted his Batteries, and remov'd towards *Philipville*: And his Electoral Highneſs having on the 21ſt, according to our Accounts, or the 23d, according to the *French*, put a Reinforcement of two thouſand Men into the Place, together with a ſufficient Quantity of Ammunition and Proviſion, having alſo ſupply'd *Aeth* in the like manner, immediately broke up his Army, and diſtributed them in their Winter-Quarters, without ſeeming to entertain a Thought of making Reprizals on the *French*.

Mr. *de Luxemburgh* had all this while lain quietly in his Cantonments between *Condé*, *Leuze*, and *Tournay*; but being now convinc'd that nothing more was to be apprehended from the Efforts of the Allies, return'd to *Paris*; and in his Abſence, the chief Command in *Flanders* was transferr'd to Mr. *de Bouffiers*, who took up his Reſidence at *Mons*.

Having thus cloſ'd the Scene on the Side of *Flanders*, we muſt now proceed to the Stage of *Germany*. Of the chief Actors there, we have already ſpoke, *viz.* of the Landtgrave of *Heſſe*, and the Prince of *Bareith*, on one Side, and the Marſhal *de Lorges* on the other. But before we can open the Campaign, it is neceſſary to touch upon a remarkable Incident which preceded it. Velt-Marſhal *de Schoening*, who, in conjunction with Mr. *Knock*, had negociated and ſign'd the Alliance between the two Electors of *Saxony* and *Brandenburgh*, having repair'd to *Doblitz* in *Bohemia*, for the Benefit of the Baths of that Place, was there ſeiz'd in the Night, between the 24th and 25th of *June*, N. S. by a Party of Imperial Dragoons, together with his Papers, Money, and ſome of his principal Domeſtics; and having been poſted firſt to *Prague*, was from thence remov'd to the Caſtle of *Speilbergh* in *Moravia*. To juſtify this violent Procedure, it was given out, That he had held a ſecret Correſpondence with the *French* Court, by the Means of Mr. *Bedal*, his *moſt Chriſtian* Majeſty's Reſident at *Dreſden*: That it was owing to his Intrigues that the Caſtle of *Namur* was ſo ſoon ſurrender'd: That his real Buſineſs in *Bohemia* was to create Troubles there, &c. But his real Crimes were the Concern he had in the Treaty above-mention'd, and the fatal Meaſure of withdrawing of the *Saxon* Troops out of the common Service in the Spring. The Elector his Maſter did not fail to interpoſe in his Favour, and even to expoſtulate with the Imperial Court in very high Terms upon it: But all the Satisfaction he could procure, was, firſt, a Reſcript from his Imperial Majeſty, allowing him to ſend Commiſſaries to be preſent at his Examination, and, laſtly, after the Marſhal had been kept in cloſe Cuſtody for upwards of two Years, a Warrant for his Diſcharge, on the hard Condition of his never being employ'd in the Empire any more.

A. D. 1692. *General Schoening ſeiz'd in Bohemia by the Emperor's Order.*

This was a new and notorious Proof, that the Differences between the Imperial Court and that of *Dreſden*, were farther than ever from a Deciſion; and while every Link of the *German* Concert was enfeebled by ſo ill an Example, the two Generals on the Upper *Rhine* could form no perfect Scheme of joint Operations, becauſe neither would give up his Pretenſions to the chief Command. The *Landtgrave* hearing that Mr. *de Lorges* had burnt this Camp near *Creutznac*, and was marching towards *Flonheim*, had indeed paſs'd the *Rhine* at *Mentz* in the Beginning of *July*, and advanc'd towards *Worms*, while the *Margrave* kept his Poſt on the *Neckar*, and undertook to open a Paſſage of his own, by throwing a Bridge over the firſt of thoſe Rivers: But, according to Mr. *de Feuquieres*'s Account, theſe ſeparate Meaſures might have been very eaſily improv'd to the Ruin of both: For the Body of Forces under the *Landtgrave*, were not only inferior to the *French*, but actually fell within their Power; and by the Precautions which Mr. *de Lorges* had taken to ſecure the Iſland of *Sandthoven*, which had been found by laſt Year's Expe-

Quarrel of the Princes of Heſſe and Bareith for the chief Command.

A. D. 1692. rience so commodious for a Bridge, the Margrave had Batteries to erect, and many Difficulties to surmount, before he could raise the Bridge which he propos'd to make use of.

There was a small Party of *French* in *Worms*, which the Landtgrave requir'd to surrender at Discretion. This Message was sent on the fourth, by a thousand Dragoons: But the Commandant not knowing how great a Force had pass'd the *Rhine*, and were at hand, resolutely answer'd, That he was provided for a Defence. This drew on an Attack, which hasted several Hours; in which Interval Mr. *de Lorges*, having receiv'd Advice of their Danger, posted five Squadrons of Horse to their Assistance: But they arriv'd too late: The *Germans* carry'd the Post Sword in Hand, and put all to the Sword, except a few Officers. The next Day both Armies encamp'd within Cannon-shot of each other; and that of the *Germans* in a Place so expos'd, and so utterly indefensible, that nothing could have sav'd them from utter Destruction, but the Scruples of Mr. *de Lorges*, who could not be prevail'd upon to depart from the Letter of his Orders. By these he was directed to act upon the Defensive only; and there being a small Stream between the two Armies, he would not run the least Risque in passing it, but rather chose to march round by the Head of it, in Order of Battle, which took up so much Time, that the Landtgrave had not only Leisure to become sensible of the Danger he had brought himself into, but to extricate himself out of it. On the other hand, it is certain, that the Re-inforcements which Mr. *de Lorges* expected, of Horse from *Flanders*, under Mr. *de Coigny*, and of Foot from Mr. *de Joyeuse*, who, about this time, receiv'd Orders to break up his Camp in *Enfelt*, were not arriv'd; and that if the *Germans* had made Use of this Opportunity to press him with their whole Force, they might, perhaps, have given the Law in *Alsace*, and thereby created such a Diversion, as had greatly facilitated the Efforts of the Allies in *Flanders*.

The Margrave, in the mean time, found the Difficulty of his Undertaking so much increas'd by the Measures which Mr. *de Lorges* had taken for defending the Passage of the *Rhine* at *Sandthoven*, that all *August* was wasted before he could carry his Point; nor had he succeeded then, if a sudden Swell of that River had not overflow'd both the Island and the Shores on each Side, which not only disabled the *French* from making use of their Batteries, but oblig'd them to dillodge, and leave ten Pieces of their Cannon behind them.

It was now indispensibly necessary for the two Generals to have an Interview, not only to find some Expedient, either to settle or suspend the Contest about the Precedency, but also to deliberate on the Plan of Operations, which Mr. *Gortz* had brought from the Confederates in *Flanders*. An Interview they had accordingly, at a Place call'd *Rebthach*, within a League of *Heydelburgh*: All the General-Officers assisted; and so far did they come to an Agreement, that, upon the Issue, it was resolv'd, That the Landtgrave, with his Division of Troops, should repass the *Rhine* at *Mentz*: That a strong Body of Horse, under the Command of Count *Stirum* should be detach'd to cover his Retreat: That two Regiments of Dragoons, and two Battalions of *Suabians*, should take Post at *Sinshiem* to observe the Motions of the Enemy on that Side: And that, after the Junction of the two Armies, they should act in Concert against the Enemy. A. D. 1692.

This Interview took place on the 23d of *August*, and on the last of the Month, the Landtgrave pass'd the *Rhine* at *Mentz*, and the *Neckar* at *Heydelburgh*, with all his Cavalry and *Hussars*: On the first of *September* his Foot and Artillery follow'd; and the two Armies having join'd each other the same Day, they immediately pass'd the *Rhine*, over the *Margrave*'s Bridge near *Manheim*. This took up the Residue of the first, and all the second; and upon the third, they continu'd their March, with a Purpose to attack that Party of the Enemy which had been posted at *Sandthoven*, and which had retreated to *Spires*, under the Command of the Marquis *de Feuquieres*. The Marquis himself has taken care to give us a circumstantial Account of what follow'd, tho' not without some Inconsistency; for, in the first Part of his Memoirs, he tells us, He had sent constant Intelligence to the General (*de Lorges*) both of the building and completing the Bridge: And in the last, he says, That when he succeeded to the Command, he found the Enemy had taken the Opportunity of a Swell of the *Rhine* to finish their Bridge, unknown to Mr. *de Mela*, who had the Command before him, and had already pass'd over four thousand Men. He afterwards proceeds to say, That this Body alone was too strong for his, which had been reduc'd by Sickness to less than three thousand: That, therefore, the only Expedient left was to cover himself with a Branch of the *Spirebach* (a small River which passes through *Neustadt*, and falls into the *Rhine* at *Spires*) to give Notice to his General (who, according to him, was nine Leagues off) of the Enemy's Motions, and to make the best Disposition he could to receive them at the Outlet of the Dyke of *Opau*, towards which, the Projection of their Bridge was made: That, accordingly, in the Space of twenty-four Hours, he made a shift to throw up Entrenchments, to raise a Battery of five Pieces of Cannon, and to present such a Front to the Enemy as he could best sustain, and they could least annoy: That the Orders he receiv'd from Mr. *de Lorges*, were to retire through Little *Holland* to *Philipsburgh*, and to mark out a Camp for his Army there; by which Motion he thought to oblige the Enemy once more to repass the *Rhine*: That when these Orders came to hand, they (the Enemy) were within Cannon Shot, which render'd it impossible for him to obey them; for having a Plain of three Leagues to cross, and they having no

The two Armies in a Body pass the Rhine.

and are repass'd by Mr. de Feuquieres at Spires.

A.D. 1692. less than a hundred Squadrons of Horſe, his whole Corps muſt have been infallibly cut to Pieces in the Experiment: That about four in the Afternoon the Attack was begun, and ſupported by the whole Force of the Confederate Army, but withal under ſo pitiful a Direction, that, inſtead of ſurrounding him, as with ſo vaſt a Superiority of Number, it was in their Power to do, and by which he muſt have been inevitably ruin'd, they contented themſelves with charging him in Front only, which drew the Conteſt into Length, and gave Mr. *de Lorges* an Opportunity to come up to his Relief: That by this time the Confederates were not only in Deſpair of Succeſs, but, in a manner, at the Mercy of the Marſhal; for, in the Progreſs of this Affair, all of them had enter'd what is called the *Landſwart*, and had no way out but thro' two Gates: That this great Advantage was not only pointed out to the Marſhal, but enforc'd with all the Remonſtrances that could poſſibly be made, but without Effect; and that he ſuffer'd them to retreat about Midnight, without giving them the leaſt Diſturbance, for the ſame Reaſon as had determin'd him at *Worms*, becauſe he would not break thro' his defenſive Orders.

[Memoirs of *Europe*.] It is thus the Story is told in Subſtance by the Marquis; but, according to other Accounts, Mr. *de Lorges* was himſelf advanc'd to Little *Holland* on the Day of the Engagement, and detach'd nine Battalions to re-inforce Mr. *de Feuquieres*, which came up at the very Beginning of the Attack. From theſe Accounts, we alſo learn, that a Part of the *Iriſh* Troops, by the Articles of *Limerick* ſo liberally made over to the Service of *France*, behav'd extremely well on this Occaſion: That as to the Retreat of the Confederates out of the *Landſwart*, they had, from the Beginning, provided for it, by ſecuring a Tower that commanded one of the Paſſes: And that whereas the Marquis computes the Loſs of the Confederates at a thouſand or twelve hundred, they acknowledge but three hundred kill'd and wounded.

All *Europe* now expected, that the Confederates would have laid Siege to *Landau*, or, at leaſt, that they would have undertaken ſome other Enterprize of equal Importance: But, inſtead of anſwering this Expectation, they amus'd themſelves for ten Days together in throwing up Entrenchments to cover their Bridge, and, in re-fortifying Old *Manheim*, as a proper Poſt for a ſtrong Gariſon, to ſecure the Paſſage of the *Rhine*; for ſo they gave out; but the Truth was, That the Quarrel between the two Commanders broke out a-freſh; That all Conſiderations were ſacrificed on both Sides to the Luſt of Power: And the only thing they agreed in, during this whole Interval, was in furniſhing out this Pretence, to cover the ill Effects of their Diſſention. At laſt, however the Landtgrave refus'd to countenance even this Pretence any longer; but decamping with his Troops on the 13th from *Mannheim*, march'd on to *Mutterſtadt*, and left the Margrave to follow him, or not, as he thought proper. Moſt fortunately, at this very Criſis, the Count *de Halsanlse* arriv'd in his Camp, with Inſtructions from the Imperial Court, to make up the Difference, if poſſible: And ſo much Regard was paid to his Remonſtrances, that on the 16th the two Armies once more join'd in the way to *Neuſtadt*; and, at a general Council of War held the ſame Day in the Prince of *Bareith*'s Quarters, an Accommodation was made, and the Landtgrave was induc'd to wave his Pretenſions, on Condition that the Troops under his Command ſhould have the Van-guard. A.D. 1692.

The ſame Evening both Armies encamp'd in the Neighbourhood of *Neuſtadt*, which the *French* had abandon'd: And towards the Cloſe of the next Day, certain Peaſants brought Advice, That Part of the *French* Army was in full March toward *Fort-Louis*; that they plunder'd and burnt all the Villages as they paſs'd along; and that their Purpoſe was to paſs the *Rhine*, and lay the Country of *Wirtemburgh* under Contribution. Nothing could have been more material than this Intelligence; and yet nothing could have been leſs regarded: Inſtead of taking inſtant Meaſures to follow them, the 18th, 19th, and 20th were employ'd in reducing certain little Forts within reach of the Camp: And on the laſt of thoſe Days, the Landtgrave, with eight thouſand Men decamp'd to inveſt the ſtrong Caſtle of *Ebernburgh*. What was yet more extraordinary, when ſeveral Deſerters from the Enemy, on the 21ſt, not only confirm'd the Report of the Peaſants, but with this Addition, That they had actually paſs'd the *Rhine*, and were committing all manner of Devaſtations, hardly any Credit was given to their Story; and the Duke, Adminiſtrator of that Country, was detach'd with five Regiments of Horſe to join the Body poſted at *Sinſheim*, rather by way of Precaution, than in a Belief, that he would find any Employment. On the 23d, however, the Margrave remov'd from *Eberſtein* to *Frankendal*; and having receiv'd freſh Intelligence the next Day, that the Detachment of *French* which had paſs'd the *Rhine*, was much ſtronger than had been at firſt reported, decamp'd immediately; and, having repaſs'd the *Rhine*, order'd all his Horſe to advance as faſt as poſſible to re-inforce the Duke of *Wirtemburgh*. It was the 28th when the Latter paſs'd by *Heydelburgh*. On the ſame Day, the Marſhal *de Lorges*, who, in this Interval, had paſs'd the *Rhine* at *Philipſburgh*, with his whole Army, and had reduc'd the Town of *Portzheim* on the River *Entz*, fell upon his Highneſs, and his little Party near *Entz-Wahingben*, having taken Advantage of a thick Fog to ſurprize him in his Quarters, and to deſtroy and diſperſe the whole Party, before they could take Horſe. Above nine hundred Men were kill'd upon the Spot, four hundred were taken Priſoners; and among the Latter, the Duke himſelf, and the Count *de Soyer*, Major-General of the *Bavarians*: Seven Standards, two Pair of Kettle-Drums, two Field-Pieces, together with the Baggage and Horſes of the whole Corps, fell alſo into the Hands of the Enemy: And what was worſe than all, the whole Duchy lay

The Landtgrave undertakes the Siege of Ebernburgh.

Mr. de Lorges paſſes the Rhine.

defeats the Duke of Wirtemburgh.

keeps the whole Duchy under Contribution.

A. D. 1691. lay open to all the Ravages and Impositions that could be levy'd or committed by a victorious Army, who had no Enemy to ſtand in awe of, and whoſe only Buſineſs was Rapine and Deſtruction. They penetrated as far as *Stutgart*, the Capital of the Country; they firſt plunder'd and then burnt the Towns and Villages; and when they were in a manner glutted with particular Miſchiefs, they demanded a general Contribution of two hundred thouſand Crowns, and took as many Priſoners as they thought proper, by way of Hoſtage for the Payment of it.

As to the Prince of *Bareith*, he was ſo far from being any longer in a Condition to face the Enemy, that he was oblig'd to take Sanctuary with the reſt of his Army under the Cannon of *Heydelburgh*, and to demand a Re-inforcement from the Landtgrave of *Heſſe*. The Loſs of the Duke of *Wirtemburgh*'s Party had render'd the Enemy ſuperior in Horſe; and the very Moment he prepar'd to repaſs the *Rhine*, the Troops which had been furniſh'd by the King of *Sweden*, as Duke of *Bremen*, quitted the Service, with a Declaration, that they had fulfill'd the Duties of the Campaign; and tho' ſolicited in the moſt preſſing manner to continue in the Field, till the neceſſary Meaſures had been taken to oblige the *French* to repaſs the *Rhine*, peremptorily refus'd, and pleaded the poſitive Orders of his *Swediſh* Majeſty for their Juſtification.

Thus Mr. *de Lorges* was in a Condition to give the Law in *Germany*; and Mr. *de Feuquieres* has made it the third capital Objection to his Conduct, during this Campaign, That he did not improve this great Opportunity, to re-transfer all the *German* War to the other Side of the *Rhine*, and conſequently to maintain it at the Expence of the Empire; whereas, when he had exhauſted the Duchy of *Wirtemburgh*, and laid the principal Towns in Ruins, he repaſs'd that River at *Philipſburgh*, in hope to ſurprize the Landtgrave of *Heſſe* under the Walls of *Ebernburgh*, which he had not been able to reduce: But the Landtgrave had Intelligence of his March time enough to be on his Guard; and having rais'd the Siege on the eighth of *October*, once more repaſs'd the *Rhine*. Soon after which, the Troops on both Sides being ſufficiently harraſs'd with the hard Duty they had undergone, were diſtributed into Quarters of Refreſhment.

and obliges the Landtgrave to raiſe the Siege of Ebernburgh.

As to the Confederate Forces of *Cologne*, *Neuburgh*, *Munſter*, *&c.* they did indeed take the Field, and ſo far contributed to the Common Cauſe, as to oblige the Enemy to keep a Body of Troops to obſerve their Motions, and cover their Frontier againſt their Incurſions: But as to any Feats perform'd by them, it is in vain to make any Enquiry. About the Middle of *September* they made a Shift to advance from *Limburg* into the Diſtrict of *Stavelo*, towards the *Ardenne* and the *Meuſe*; and we are told they rais'd Contributions as far as *St. With* and *Verviers*. They alſo detach'd two thouſand Horſe, and eighteen hundred Foot, making twelve Battalions, and three Squadrons, with ſix Pieces of Cannon, to attack the Marquis *d'Harcourt*, without knowing his true Strength, or how advantageouſly he was poſted; and the Succeſs was agreeable to the Raſhneſs of the Enterprize: The Marquis had five Battalions, and twenty-four Squadrons under his Command; his Camp was well choſen; and he had ſix Pieces of Cannon to encounter theirs: And yet, notwithſtanding all theſe manifeſt Diſadvantages, the Confederate-Horſe began the Charge as ſoon as they were within reach of the Enemy, without waiting for their Foot and their Field-pieces to come up, and having been once repuls'd, as precipitately made off; leaving, according to their own Accounts, one hundred and fifty of their Party dead behind them, and the Count *de Velan*, their Commanding-Officer, and two Captains Priſoners in the Hands of the Enemy. And, after this Miſadventure, we hear no more of them, except that they continu'd encamp'd in the Valley of *Sleyden*, near *Gemmond*, till the End of *September*: That the Troops of *Cologne* and *Neuburgh* then ſeparated from thoſe of *Munſter*, and march'd towards *Luxemburgh*: That they return'd ſome Days after, and took Poſt near *Zulpich*; and, that after ſeveral Conferences among the General-Officers, and ſeveral other Motions, all of equal Importance, they cloſ'd the Campaign with making the beſt Proviſion they could for the Security of the Counties lying between the *Rhine*, the *Meuſe*, and the *Moſelle*, during the Winter Seaſon.

A Detachment of the Confederates repulſed by the A. D. 1691. *Marquis d'Harcourt.*

Having found the *Imperialiſts* thus inefficient againſt their great Enemy on this Side, it is but natural to ſuppoſe, that their great Effort was made on the other; and that, in Conſequence thereof, the *Turks* were at laſt reduc'd to the Neceſſity of accepting ſuch a Peace, as his Imperial Majeſty ſhould think fit to impoſe.

The Seaſon for Action open'd as favourably for them as could have been wiſh'd; for when the Councils of the Divan ſhould have turn'd ſolely on the Means of relieving *Great-Waradin* (which had continu'd under all the Preſſures of a cloſe Blockade all Winter long, and was now more than ever ſtraiten'd by General *Heuſſar* who had the Command before it) and of making all the neceſſary Preparations for acting offenſively both in *Hungary* and againſt the *Venetians*, the Seraglio itſelf was rent into Parties, and diſtracted with Cabals and Intrigues, which were in a great Degree the Reſult of private Ambition, tho' varniſh'd over as uſual with public Pretences: The Viſier made it his chief Buſineſs to have no Competitor; and to be rid, if poſſible, even of his very Fears, put to death the Janizar Aga, and three other principal Baſhaws, and ſeiz'd on their Eſtates: He alſo diſplac'd the Muſſi, who had put himſelf at the Head of his Opponents, and would have ſtrangled him, if he had not apprehended the Reſentments of the People. But all theſe Precautions only ſerv'd to haſten his own Ruin: The diſcarded Muſti had not loſt his Credit with his Poſt; and the new one either thought it became him to tread in the Steps of his Predeceſſor, that he might

Campaign in Hungary.

ſhare

A. D. 1691. share in his Popularity, or that he ought to lift at his Maker, to ſecure his own Eſtabliſhment: Thus, he was ſcarce warm in his Office, before he enter'd into Confederacy with the *Caimacan*, whom the Viſier intended to deſtroy next, and made ſo ſtrong a Remonſtrance againſt him to the Sultan, accompany'd it with ſuch a Variety of Proofs in ſupport of every Article, and deduc'd ſuch a Series of frightful Conſequences, that his Sublime Highneſs, who was himſelf, perhaps, of the Cabal, and glad of an Opportunity to ſhake off an imperious Miniſter, gave Credit to all; and in the firſt Tranſports of his Indignation, call'd him *Infidel*, reproach'd him with the removing of his beſt Servants; and order'd the Executioner to cut off his Head: But, at the Deſire of thoſe preſent, only remov'd him to the *Dardanells*, together with his Son, his *Kaia*, and the principal of his Accomplices. The Perſon nam'd to ſucceed him was *Ali*, *Baſhaw* of *Derbeker* in *Meſopotamia*, for whoſe Head he had actually ſent; and had not an *Arabian* overtook the Meſſenger of Death on the Road, he had never had a Glimpſe of the Honour that was deſign'd for him. It was ſome time, however, before he could reach the Capital; and, according to the Maxims of his Predeceſſors it was his firſt and great Buſineſs, after his Arrival, to new-model the Court and the Empire, by dividing the Truſts and Profits of both among his own Creatures. In this tedious Interval, their Preparations for opening the Campaign went but ſlowly on, and the Gariſon of *Great-Waradin* being unable to ſupport their Diſtreſſes any longer, and, in utter Deſpair of all Relief, ſurrender'd by Capitulation on the third of *June*, N. S. The Imperialiſts, however, took no Advantage either of this Succeſs, or the Diſtractions which had made way for it. Poſſibly, they were now as weary of the War as the *Turks* themſelves, and had plac'd their principal Dependence on their Negotiations for a Peace: Mr. *Harbord*, the *Engliſh* Embaſſador to the *Port*, arriv'd at *Belgrade* about the End of *July*, in the Character of Mediator. The Viſier himſelf was but a Day or two behind him: The Conferences were open'd without Loſs of Time; and it was given out, that ſuch a Diſpoſition appear'd on both Sides, as made it reaſonable to conclude, That there was an Accommodation at hand. But whether this Repreſentation was true, or whether it was only given out to amuſe the World, the ſudden Death of Mr. *Harbord*, which happen'd on the 11th of *Auguſt*, N. S. gave a ſudden Damp to all Expectations of that nature: And' tho' Mr. *Van Heinſkirke*, the *Dutch* Envoy Extraordinary at *Vienna*, ſet out towards the End of *September* with full Power to ſupply Mr. *Harbord*'s Place till the Arrival of Lord *Paget*, who was appointed to ſucceed him, it does not appear that they reviv'd any more during the Reſidue of this Seaſon.

A new Viſier.

Great Waradin capitulates.

Death of Mr. Harbord.

Prince *Lewis* of *Baden*, who had again the Command in *Hungary*, did not put himſelf at the Head of the Army till the 22d of *Auguſt*; and, late as it was, inſtead of entering immediately into Action, was forc'd to ſend a Remonſtrance to the Court of *Vienna*, ſetting forth the State of it, and the utter Impoſſibility of attempting any thing conſiderable this Campaign. A. D. 1691.

The *Turks*, on the other hand, were no more in a Condition to act offenſively than he: They had taken Poſt beyond the *Save*, near *Belgrade*, and fortify'd their Camp, as the Imperialiſts had done theirs in the Neighbourhood of *Peter Waradin*. And in this State of Inactivity, Things continu'd till the Approach of the Winter made it neceſſary for both to quit the Field, and take Shelter in their Quarters.

The *Poles* were ſtill Parties in the War; but as if all they had to do was to keep their *German* Allies in Countenance, they only drew out their Forces, and made a Shew of attacking *Caminiec*; and having ſpent ſome time in marching, encamping, and removing, as if in order thereto, gave over their Deſign when they were within reach of the Place; and, having poſted four thouſand Men to hold the Gariſon in check during the Winter, diſpers'd their Army: So that all the Merit which his *Poliſh* Majeſty could clame from his whole Summer's Service, was the rejecting the Offer of a ſeparate Peace, which had been made him by an Envoy from the Cham of *Tartary*. *The Poles as inactive as the Imperialiſts.*

As little was done by the *Venetians*; for tho' they acted offenſively in the Iſle of *Candia*, and laid a formal Siege to the ſtrong Town of *Canea*, which laſted from the 17th of *July* to the third of *September*, they were not able to reduce it; but having loſt great Numbers in the Attempt by Sickneſs, Deſertion, and the Sword, were oblig'd to give it over, and re-embark the Remains of their Army for *Neopoli de Malvaſia* in the *Morea*. *The Venetians forc'd to raiſe the Siege of Canea.*

The Allies in *Italy*, in the mean time, prepar'd to exert themſelves in a very extraordinary manner, and, in all Appearance, had the faireſt Opportunity to do ſo which had ever occurr'd in the Memory of Man. By a Liſt of their Forces ſtill extant, their Army was upwards of fifty thouſand ſtrong; and, on the other hand, *France* was ſo many ways beſet, and had ſo many Projects in hand, that ſhe could only act on the Defenſive on that Side: Others, indeed, ſuggeſt, that ſhe took ſufficient Precautions in the Cabinet, though ſhe ſeem'd to give up the Field; and that by maintaining a cloſe Correſpondence with the Generaliſſimo, ſhe had ſo much the leſs Reaſon to be apprehenſive of his Army.

How well theſe Suggeſtions are founded, will appear in its Place: But, according to the Outſide of Things, Mr. *Catinat* was in no Condition to withſtand the great Efforts that were likely to be made againſt him, or to anſwer what was expected from him.

The Allies did not, however, apply their Superiority to recover *Savoy* out of his Hands, but to make ſufficient Reprizals, by entering into *France*, and thereby create ſuch a Diverſion, as ſhould not only render the Work of the Confederate Princes in *Germany* eaſy, but *The Duke of Savoy invades Dauphiné.*

A. D. 1692. but extend to *Flanders*, and generally to every Province of the War.

Agreeable to this Plan, a Body of four thouſand Men were poſted to obſerve the Gariſon of *Caſal*; and another of upwards of fifteen thouſand, under the Command of Count *Palſi*, to ſtraiten that of *Pignerol*, as alſo to attend the Motions of Mr. *Catinat*; while the main Body of the Confederates pour'd into *Dauphiné*; which they did towards the Beginning of *Auguſt*, in three Diviſions; the Van-guard conſiſting of upwards of ſeven thouſand, being led by the Prince *de Commerci* and the Marquis *de Parella*; the Center, of almoſt twenty thouſand, by the Duke of *Savoy* and the Marquis *de Leganez*; and the Rear, of four thouſand *Vaudois* and *French* Refugees, by the Duke of *Schomberg*.

Mr. *Catinat*, we are told, had early Intelligence of this Deſign; but ſo little apprehended the Succeſs of it, that, in Raillery, he ſent a Meſſage to the Prince of *Commerci* to wiſh him a good Journey: He, nevertheleſs, thought it adviſeable to give Count *Palſi* and his Detachment the ſlip in order to coaſt the Invaders as well as the Country would give him leave; and by that Means had the Mortification to ſee them inveſt *Guilleſtre*, from the other Side of the River *Durance*, without having it in his Power to relieve it, or even to ſtay in Preſence of the Enemy. The Place, however, which was gariſon'd by two hundred of our *Iriſh*, and ſix hundred Militia, held out two Days, and then ſurrender'd at Diſcretion. His Royal Highneſs proceeded in the next Place to *Ambrun*, which he inveſted in form on the fifth of *Auguſt*, and employ'd ten Days, not *ſome Weeks*, as Biſhop *Burnet* aſſerts, in reducing it; which were thought abundantly too much for ſo inconſiderable a Place. But if he was blameable for being ſo dilatory in his Operations before it, he was much more ſo for continuing on the ſame Spot twelve Days more, after he had won it, under the Pretence of raiſing Contributions. Indeed many Councils of War were held in the Interval, but they produc'd no Reſolution; except that the Marquis *de Leganez*, with Part of his own *Spaniards*, and three thouſand of the other Confederates, ſhould march back to *Guilleſtre*, to ſecure the Communication between that Place and *Ambrun*, and to obſerve Mr. *Catinat*, who had taken Poſt at *Briançon*.

Now *Briançon* was the Place where the *French* had their chief Magazines; and thoſe who are moſt diſguſted with the Conduct of his Royal Highneſs, affirm, that, inſtead of loſing his time at *Guilleſtre* and *Ambrun*, he ſhould have repair'd thither firſt; in which caſe not only all thoſe Magazines had fallen into his Hands, but he had cut off Mr. *Catinat*'s Retreat, and ſecur'd his own with one and the ſame Motion. [Memoirs of Savoy.]

The ſame Perſons farther affirm, that the Project of entering into *Dauphiné* conſiſted of two Parts, and was to operate two ways; for while the Duke of *Savoy* and the Confederates were employ'd in making Acquiſitions by the Sword, it was provided that the Duke of *Schomberg*, with the ſeparate Corps in the Pay of *England*, under his Command, ſhould endeavour to excite a Revolt among the *new Converts*, by undertaking to play the Part of a *Deliverer* in the Right of his Royal Maſter. Thus, upon his Entrance into the Territories of *France*, we find him ſpreading a Declaration in his Majeſty's Name; which, in the Preamble, we are told, was calculated to remove any Apprehenſions which might be entertain'd, That his Majeſty deſign'd to viſit the Iniquities of King *Lewis* on his innocent Subjects: And in which it is ſet forth, "That as his Majeſty had been obliged to take up Arms for the Defence of his own invaded Rights, ſo he ſhould never employ them but for the Preſervation of the Rights of all Men: That his Intention in cauſing the Duke to enter *France*, was to re-eſtabliſh the Gentry and the Parliaments in their ancient Luſtre, and the People in their ancient Rights: That he knew the Gentry were trod under foot: That the Parliaments were without Authority, and the People overwhelm'd with Taxes: That an Opportunity was now offer'd, which might never, perhaps, be offer'd again, to redreſs the Grievances of all, if they thought proper to embrace it: That his Majeſty had their Intereſt at Heart, as well as his own: That nothing could be more falſe than what had been given out by the Clergy to animate the People, that this was a religious War: That as a Proof of the Contrary, the Duke was authoriz'd by his Majeſty to take the ſaid Clergy of all Ranks under his Protection, to ſecure to them all their Poſſeſſions, Privileges, and Immunities; to chaſtiſe in the moſt exemplary manner, all thoſe who ſhould offer them the leaſt Outrage, and to engage, that no Alteration ſhould be made with reſpect to the *Roman* Catholic Religion: That, nevertheleſs, as the Kings of *England* were Guarantees of the Edict of *Nantz*, his Majeſty thought himſelf oblig'd to maintain that Guarantee, and to re-eſtabliſh that Edict: That all good *Frenchmen* ought to aſſiſt him in it, becauſe the ſaid Edict was the great Effect of the Wiſdom of *Henry* the IVth, whoſe Memory was ſo dear to them: That all ſuch of the *Roman* Catholics as had had the Generoſity to compaſſionate the Sufferings of the Reformed, would, undoubtedly, take Pleaſure in their Re-eſtabliſhment: That it was hop'd even the Clergy themſelves would be glad to teſtify, by their prudent and Chriſtian Behaviour, on this Occaſion, That they had no Concern in the Violation of that Edict, or the Cruelties which follow'd it: That thoſe who ſhould think fit to take Part with his Grace, ſhould receive ſuch Diſtinctions and Rewards as their Services merited, or he ſhould be in a Condition to beſtow: That, on the contrary, all thoſe, who inſtead of aiding and aſſiſting him, ſhould join with the Oppreſſors of his Country, were to expect all the Rigour of Military Execution; and that thoſe who continu'd quiet at home, without interfering either way, ſhould be no ways moleſted either in their Perſons or Eſtates." *A Declaration ſet forth there in the Name of King William by the Duke of Schomberg.* [Appendix to the Life of K. *William, vol.* ii.]

A. D. 1692. It is added, That all these fine Words had so good an Effect on the new Converts at least, that they came thronging in to the Duke of *Schomberg* on all Sides; and that if he had been enabled to give them Subsistence, and suffer'd to follow his own Measures, he would have made a better use of them than the Generalissimo did of his whole Army.

Now these Measures of his, according to the Report of these Gentlemen, were to march towards the *Rhone*, with a Purpose to excite an Insurrection in the *Cevennes*, to fortify himself there during the Winter, and early in the Spring to open a War in the very Bowels of *France*. He had already establish'd a Communication with the Malcontents there, by the Means of certain of his Officers, whom he had sent among them in the Guise of Peasants, and who had obtain'd a Promise from the Chiefs of them, of co-operating with his Grace, as soon as he was near enough to give them Protection. All this Mr. *de Schomberg* had communicated to the Duke of *Savoy*, and demanded his Concurrence in: But his Royal Highness, instead of granting it, is accus'd of making it his Business to defeat it; for, continuing true to his fundamental Maxim of seeming to serve his Allies, and doing real Service to himself, he form'd Pretences to retain Mr. *de Schomberg* and his Corps under his own Eye, and to discover his whole Project to the Court of *France*, together with a List of the Conspirators, who were all immediately seiz'd, and thrown into Prison. His Royal Highness is moreover accus'd of refusing to furnish Mr. *Schomberg* either with Ammunition or Provisions: The Consequence of which was, That the Majority of his new Associates not having had Bread to eat for eight Days together, and labouring besides under all manner of Difficulties and Discouragements, found themselves under a Necessity to desert their new Protector, and to make their Peace, by joining their own Militia against him; which they were yet farther induc'd to do, by seeing their Houses and Settlements plunder'd and burnt by the (*d*) Command of his Royal Highness, and the whole Country more cruelly and wantonly laid waste, than if it had been expos'd to the Incursions of the *Turks* and *Tartars* for many Campaigns together.

His Project frustrated, if not betray'd, by his Royal Highness.

It was in this manner one half of the Project of the Allies was dropt, almost as soon as it was enter'd upon: And for the other Half, over and above what has been said of his Royal Highness's dilatory Proceedings before *Amburn*, and his lingering so long there, after he had reduc'd it, he is charg'd with keeping up a regular Correspondence with the Enemy, and with having enter'd into an actual Concert with them, to retard the Progress of the Confederate Forces, as much as possible, or rather to proceed no farther with his Conquests than they gave him leave. But as all these several Articles are rather asserted than prov'd, our Conclusions only ought to be, That his Royal Highness lay in wait for a Treaty; not that he had concluded one: That he manag'd his present Superiority so as to convince the *French* Court, that they might have him if they would: That in order to work upon their Fears, he kept the Storm hovering over them: And that he would not suffer it to fall, because he would not make them desperate, and because he resolv'd to have no Sharers with him in the Profits of an Accommodation. A. D. 1692.

who falls ill of the Small Pox, and retires into his own Dominions.

It is farther alledg'd in his Justification, that he was taken ill at a Place call'd *Saxines*, in his March towards *Gap*; and having been twice let Blood, was forc'd to return to *Amburn*, where his Disorder prov'd to be the Small Pox, and, consequently, was of so critical a kind, that he was oblig'd to give himself up into the Hands of his Physicians, and to obey their Direction in all things: But his Army proceeded on to *Gap* notwithstanding: The *French* Forces deserted all the Passes, and retir'd as soon as they came in Sight: They found that Place abandon'd both by the Garison and the Inhabitants: They had the Benefit of all the Provisions and the Plunder, which they had left behind: The Country was every where alarm'd, and every where defenceless: And it was universally agreed, that not only *Grenoble*, but *Lions* itself, would have fallen into their Hands. His Royal Highness could not, however, be prevail'd on to transfer the chief Command, or to suffer the Allies to reap the Advantages that offer'd by any other Hand but his own. It is added, that the Pock was of so favourable a kind, that he was out of all Danger in eight Days time, and that he might have officiated in Person at the Head of the Army if he had thought fit: Instead of which, we are told, that he suddenly feign'd a Relapse, and, under that Pretence, came to a Resolution of evacuating all his new Acquisitions, and of retiring with his whole Force; which began to be put in Execution on the 15th of *September*; and, by the 19th, they were all in full March out of the *French* Territories, having left behind them many Monuments of their Cruelty, but none of their Valour.

Thus, an Expedition which had kindled such a Blaze of Expectation, ended in Smoke: And all we have farther to observe on the Summer's Transactions on that Side, is, That about the Middle of *May*, the *French*, with a Fleet of thirty-five Gallies, not only bombarded *Oneglia*, but actually took Possession of it. That while they were busy in setting fire to it, they were vigorously charg'd by a Body of the Militia, join'd with two hundred Veterans, who redeem'd the Prey out of their Hands, and oblig'd them to retire to their Ships: That in the Beginning of *August*, the Court of *Spain* set out a Fleet of sixteen Men of War, eighteen Gallies, and three Fire-ships to protect the Coasts of *Italy*, and contribute all that lay in their Power to the Efforts

(*d*) Some Authors disculpate the Duke, and ascribe these savage Orders to the Imperial and Spanish Commanders.

A. D. 1692. forts of the Duke of *Savoy*: And that though the Sea was as open to the one, as the Land to the other, they ply'd only from Port to Port, and, at laſt, winter'd at *Naples*.

Laſtly, the bare Mention of the two Armies in *Catalonia*, is rather more than they deſerve; for, having waſted the whole Campaign in waiting the Motion of each other, they ſeverally broke up their Camps, and, without making any one Attempt of either Side, quitted the Field.

Proceedings with regard to the ninth Electorate.

There remains now but one Foreign Affair to be treated of, before it will be incumbent on us to reſume the Conſideration of our own; namely, the Suit that was making to the Emperor and Empire for erecting a ninth Electorate, in favour of the Houſe of *Brunſwic-Lunenburgh*. In this King *William*, as we have already ſeen, had the Honour to be prime Solicitor; and we are told by Biſhop *Burnet*, that the Conſent which he had obtain'd of his Imperial Majeſty, being conditional, that he alſo obtain'd that of the other Electors, the Imperial Miniſters made it their Buſineſs, under-hand, to traverſe the Affair, which they had ſeemingly agreed to.

Diſingenuity is the Maſter-tool of every Court; and, unfortunately, that Court is eſteem'd the ableſt that makes the moſt uſe of it, and draws the greateſt Advantages from it: But the Diſingenuity of the Court of *Vienna* had always ſomething peculiar in it; for when their Selfiſhneſs was detected, or their Ingratitude complain'd of, they cover'd themſelves with Haughtineſs, and diſcours'd as if they had a right to the Services of the World; and as if their Acceptance of thoſe Services, was an Over-recompence for them.

This the Princes of *Lunenburgh* were thoroughly ſenſible of, and, therefore, thought it their wiſeſt way to proſecute their Suit without ſeeming to feel the Injury: They had been oblig'd to perform their Part of the Covenant firſt; and it was the known Practice of the Imperial Miniſters in every ſuch Inſtance, to make a new Merit of every Advance on their Side, and over and above, to derive ſome new Advantage both to their Maſter and themſelves: Their Highneſſes had alſo many other Obſtacles to overcome, beſides thoſe which aroſe from the Selfiſhneſs of the Imperial Court. His Holineſs the Pope took the Alarm, and rais'd a Cry, That the Church was in Danger: The Houſe of *Hanover*, in whoſe favour the new Electorate was to be inſtituted, were Proteſters againſt his Supremacy, and therefore he proteſted againſt their Elevation. Several of the Electors alſo made uſe of the ſame Pretence to cover Ends and Purpoſes of their own: And what was worſe than all, the whole Eſtate of Princes, either out of Fear or Envy, or both, openly remonſtrated againſt the whole Procedure, as a Breach of the Capitulation which the Emperor had ſign'd on his Admiſſion to the Imperial Dignity, and deſtructive to the *Germanic* Conſtitution.

All this Variety of Diſcouragements, gave riſe to as great a Variety of Negotiations; ſome of which ſucceeded, and ſome not: The Pope was inacceſſible to a Proteſtant Prince; but then as his Holineſs had already began to temporize with *France*, his Imperial Majeſty was induc'd to overlook his Reſentment: And if the major Part of the Electors were prevail'd upon to give their Conſents, the reſt continu'd immoveable: And as to the Princes, they would not give it the leaſt Countenance. A. D. 1692.

All, therefore, depended on the Authority of the Imperial Court, and the Uſe that ſhould be made of it at the Diet; and as we find they were induc'd, not only to ſacrifice the great Article of Religion, but to adopt ſuch Expedients as ſerv'd to bring the Affair to an Iſſue, we cannot help ſuppoſing, That they only meant to hold the Houſe of *Lunenburgh* as long in Dependance as poſſible, and to make them pay as dear as poſſible for their Promotion, and never to diſappoint them of it.

Nov. the Remonſtrance of the College of Princes, above alluded to, was made to the Emperor before the Affair was mov'd in the Electoral College; and it is obvious, that his Miniſters might have taken Advantage of their Oppoſition, and the Diſſent of ſome of the Electors, to have inſiſted on ſuſpending it, till the Latter were unanimous, and till the Former were better diſpos'd to give it their Sanction; inſtead of which, they ſuffer'd the Electors to determine upon it by Plurality of Voices, and without imparting it to the College of Princes at all, though the Princes had caus'd a Declaration to be made to the Imperial Commiſſioners, That they would take no Cognizance of the Electoral Votes, if the Point in queſtion was not firſt communicated to them.

In virtue of theſe Conceſſions, therefore, and by the help of theſe Expedients, on the 17th of *October* it was reſolv'd in the College of Electors, That, in Conſideration of the humble Prayer of Prince *Erneſt Auguſtus*, Duke of *Hanover*, to the Emperor and the Lords Electors, as alſo of the great Merits of his Highneſs, the Power and Rank of his Houſe, and the Succours which he had already granted, and *was ſtill to grant*, againſt the Common Enemy, it was upon the Queſtion reſolv'd, That the Dignity of Elector ſhould be confer'd on him and his Heirs Male, and that he ſhould receive the Inveſtiture from his Imperial Majeſty, together with all the Honours, Rights, &c. thereunto belonging.

It is true, this very Vote was clogg'd with a Proviſo, That till the Diſpute which had aroſe between the Catholic and Proteſtant Electors (namely, that in caſe the Electorates of *Bavaria* and *Palatine* ſhould deſcend to the Proteſtant Heirs of thoſe Families, and thereby the Suffrages of the Proteſtants ſhould out-number thoſe of the Catholics, the Ballance ſhould be reſtor'd to the Latter by a new Creation, which Theſe contended for, and Thoſe oppos'd) ſhould be accommodated, the new Elector ſhould not be admitted into the College: And alſo a Requiſition to the Emperor, That he would not grant the Inveſtiture either by Letters-Patents or otherwiſe,

A. D. 1692. otherwise, till the Electoral College had determin'd after what manner he ſhould be receiv'd: But tho' the Duke's Admiſſion into the College was delay'd as long as poſſible, the Inveſtiture was, notwithſtanding, granted in Form by his Imperial Majeſty on the 19th of *December* following: On which ſolemn Occaſion, his Highneſs's two Plenipotentiaries, the Baron *de Groot*, and the Baron *de Limbach*, became his Repreſentatives; and, after performing the uſual Homages, and taking the uſual (*e*) Oaths of Vaſſalage and Fidelity on their Knees, at the Foot of the Imperial Throne, in the Name of his Electoral Highneſs, their Maſter, receiv'd the Electoral Bonnet; which was all that was wanting in point of Ceremony, to make the Dignity complete.

Having thus finiſhed the political Tour of *Europe*, for this Year, we ought now to attend the Seſſion of Parliament, which was open'd in *Ireland* on the ſixth of *October*, by the new Lord Lieutenant, *Sydney*: But, as we ſhall have Occaſion to touch on the Parliamentary Proceedings there, when we come to treat of thoſe of *England*, it will be moſt adviſeable to make but one Section of both; and by way of Introduction thereto, to give ſuch a Sketch of the Experiments made by the ſeveral Parties among us on the Minds of the People, thro' that common Vehicle, the Preſs, as may beſt ſerve to explane their ſeveral Purpoſes, and make us beſt acquainted with the real Temper of the Nation.

Account of the principal State-Tracts at this time made public, viz. [Reflections on King *James*'s Letter of Invitation.]

While the Terrors of the Invaſion were yet impending, a Paper of *Reflections* had been ſet forth, under the Countenance, if not by the Authority of the Court, upon K. *James*'s Letter of Invitation to his *Privy Counſellors*, to be preſent at the Delivery of his Queen, tending in general to ſhew, That when he ceas'd to be a King, he ceas'd to have a Privy Council: That the ſame Act of State which depriv'd him of the Crown, had extinguiſh'd the Pretenſions of his whole Line: That, conſequently, the People had no Concern in the Delivery: That the Right of the King and Queen could be no ways affected by it: That the Silence of Parliaments, in relation to the former Birth, inſtead of amounting to a tacit Admiſſion that it was real, according to the Allegations of the *Jacobites*, only ſerv'd to ſhew, That in the Opinions of thoſe Parliaments, the Government was ſettled on ſuch a Bottom, as render'd it quite immaterial, whether it was real or not: That a Prince, whoſe Religion was different from that of his People, was incapable to govern them: And, laſtly, that the Continuance of our Freedom and Happineſs depended on the Continuance of our Fidelity to King *William* and Queen *Mary*, who had done ſuch mighty things for us.

This Paper was follow'd by thoſe two of Dr. *Lloyd*'s, call'd, *A firſt and ſecond Letter to a Friend*, concerning a *French* Invaſion to reſtore King *James* to his Throne, and what may be expected from him ſhould he be ſucceſsful in it. The laſt of theſe, which contains a formal Anſwer to King *James*'s Declaration, we have already quoted: The Scope of Both is to work upon the Fears of the Nation: And, in order to do this in the moſt effectual manner, the Author endeavours to ſhew, That nothing was to be expected from King *James*, but a Repetition of the ſame Meaſures as had render'd him ſo juſtly odious before: That while he continu'd a Papiſt, and in ſo cloſe an Union with his *moſt Chriſtian* Brother of *France*, he could not be kind or juſt to his Proteſtant Subjects, if he would: That, if inſtead of being directed by Papiſts, as before, he ſhould now think it his Intereſt to be directed by *Nonjurors*, the Caſe of the Bulk of the People would be the ſame, and they would find the Yoke of the one as heavy, and the Reſentment as ſevere, as thoſe of the other: That his very Penitence was not to be truſted: That the Weight of the Taxes was the only Reproach that could be levell'd againſt the new Government: That thoſe Taxes aroſe from the Neceſſities of the Times: That we had a hopeful Proſpect of ſeeing an end of them: That our Men had now got a Habit of beating the *French*: That Revolutions were in their own nature chargeable Things: That one was enough for one Age: That how much ſoever the laſt had coſt, our Money had been well laid out; and that another would coſt ten times as much, and entail *French* Popery and Slavery upon us into the Bargain. A. D. 1692. *Dr. Lloyd's two Letters.*

Theſe again were re-inforc'd by two other Pieces of the ſame Nature and Tendency; namely, one entituled, *The Pretences of the French Invaſion examin'd, for the Information of the People of* England; and the other, *Reflections on the late King* James's *Declaration*. In the Former, theſe Pretences are thus enumerated: *Viz.* 1. The repairing the Injury done to the late King: 2. The delivering the People from the Oppreſſions they ſuffer'd under the preſent: 3. The ſettling the Government on its old Baſis: And, 4. The ſecuring the Proteſtant Religion for future Ages: And the Method taken to explode them, is, To ſhew, 1. That King *James* was the Author of his own Ruin; and that if he had never vacated his Throne, he had never been depriv'd of it. 2. That the Nation was never ſo free or ſo happy as at preſent; for even as to the Taxes which occaſion'd ſo much Clamour, they had given as much before, for aſſiſting *France* to ruin *Europe*, as now aſſiſted *Europe* to humble *France*. *Pretences of the French Invaſion examin'd; and Reflections on K. James's Declaration.*

(*e*) To this Effect: "That his Electoral Highneſs, for himſelf and his Heirs Male, will be always devoted, faithful and obedient to the Empire and Emperor: That he will always be ready to ſerve them: That he will not be preſent at any Counſels that ſhould be held, or engage in any Enterprizes that ſhould be reſolv'd againſt the Perſon of his Imperial Majeſty, his Honour, his Dignity, or his Intereſt: That, on the contrary, he will always maintain, defend and ſupport them to the utmoſt of his Power: That if he ſhould be informed of any Deſign to the Detriment of the Emperor or Empire, he ſhould immediately apprize his Imperial Majeſty thereof: And that he ſhould, on all Occaſions, do all that lay in his Power, and all that became the Duty of an obedient Elector and Vaſſal of his Imperial Majeſty and the Holy *Roman Empire*, according to the Laws and Conſtitution thereof, without any Fraud or mental Reſervation whatſoever."

A. D. 1692. *France*. 3. That, in effect, the Government ſtill reſted on its old Baſis; for tho' the Perſon of the King was chang'd, the Monarchy remain'd the ſame, and was likely to remain ſo; for tho' King *William* was a Republican in *Holland*, he was not ſuch a deſperate Foe to his own Intereſt as to uncrown himſelf and become the People's Vaſſal here: And, 4. That as to the Proteſtant Religion, it could never be ſecure under a Popiſh Prince, and that it could never be in Danger under the Head and Protector of all the Proteſtant Churches in *Europe*.

The *Reflections*, and indeed every other Paper from the ſame Quarter, made uſe of the ſame Topics, and brought all to the ſame Concluſion; only the Author of this laſt Piece does admit, that the Taxes levy'd on account of the War, were *ſomewhat greater than ordinary*: But then he qualifies this Conceſſion, by adding, That as they were legally impos'd, they could not be oppreſſive; and both the *Reflecter* and the *Examiner* make no Difficulty to pronounce, That in caſe King *James* was to be reſtor'd, the whole Kingdom would be immediately mortgag'd, to indemnify *France* for the Charge of the War in general, as well as that particular Service.

This was the Language of the Court-Advocates; and with what Confidence ſoever it was deliver'd, or Partiality it was receiv'd by thoſe under the ſame Influence, the *Jacobites* were ſo far from being ſilenc'd by it, that they took up the Pen as ſoon as their Adverſaries had laid it down, and uſed their Endeavours to prove, That there was not a ſingle Article which had been urg'd againſt King *James*, that might not be urged with more Juſtice againſt King *William*. Their Champion upon this Occaſion, was Sir *James Montgomery*, ſo often before mention'd: The Piece he ſet forth was that call'd *Great Britain's juſt Complaint*, ſo often before quoted; and the Taſk he undertook, was, to eſtabliſh the four ſeveral *Pretences* which the *Examiner*, by him ſuppos'd to be the Earl of *Nottingham*, had undertaken to ſubvert. According to him, the Prince of *Orange* inſpir'd King *James* with the very Councils which he afterwards improv'd to his Ruin: The Lords *Sunderland* and *Churchill*, though Favourites of the King, were Tools of his Highneſs, and made uſe of their Aſcendancy over their Maſter, to put him on the very worſt Meaſures that he is reproach'd with in the Prince's Declarations: If his Highneſs had not approv'd the Cruelties exercis'd in the Weſt, after *Monmouth's* Inſurrection, he would not have prefer'd *Kirk* in the Army, and *Pollexfen* on the Bench, who, after *Jeffreys*, were the principal Promoters of them: The Earl of *Bath* could bear witneſs, if he pleas'd, That nothing but the Importunity of thoſe about him had induc'd him to regulate Corporations, which he never could be brought to approve. His Majeſty's Evil Counſellors had ſince made a Merit of theſe Treacheries, and had not only met with Indemnity, but Rewards: His Highneſs had ſufficiently avow'd the real Purpoſes of his Expedition, by aſſuming and exerciſing the ſovereign Authority, before the King was withdrawn, or he had receiv'd any Deputation either from the Peers or People: The King's Deſertion was not voluntary, but the Reſult of the Treatment which he receiv'd, and the Practices that were try'd upon him: The Prince manifeſted his Luſt of Power, by cauſing the Convention to be inform'd, That he would not ſubmit to their intended Limitations: And how little Dependence was to be put on his Promiſes, not only by leaving the Diſpenſing Power, as he found it, but by exerting it in favour of Catholics more publicly and notoriouſly than ever King *James* had done, in the Capitulation of *Limerick*: In no Reign whatſoever, the Liberty of the Subject, which was their Birth-right, had been ſo abus'd, ſpoil'd, and broken in upon, as in this; in which Miniſters had firſt affronted the Laws in the groſſeſt manner, and then procur'd a Parliamentary Licence or Pardon for ſo doing; which was making the Nation *Felo de ſe*: More unqualify'd Perſons had Commiſſions in the Army than ever: A Governor (Sir *William Phipps*) had been impos'd on *New England* on the *Quo-Warranto*-Footing, even contrary to the Opinion of the Privy-Council: Criminal as it had been repreſented in his Highneſs's Declaration to reject the Petitions of the Subjects, a Petition from the Majority of the *Scotiſh* Parliament, founded on their National Claime of Right, had been ſcornfully and diſdainfully refus'd and rejected: And tho' in the ſame Declaration it had been objected to King *James*, that a Peer of *England* had been proſecuted for aſſerting, that the Subject was not bound to obey a Popiſh Juſtice of Peace, another Peer of *England*, the Earl *Feverſham*, had lately been order'd to leave the Kingdom, tho' accus'd of no Crime, and conſequently obnoxious to no Law: The Prince of *Orange* had compland'd of the cloſeting of Members to preengage their Votes, and yet not only contima'd that Practice himſelf, but diſcarded the Intractable without Mercy: The ſame Abuſes of appointing Judges irregularly, and keeping them in ſervile Dependence on the Court, of (*f*) extravagant Bail, of free Quarterings, the Exerciſe of Martial Law and Military Executions, which were held ſo intolerable under King *James*, were yet more flagrant under King *William*: His Highneſs had promis'd to concur in every thing that might procure the Happineſs of theſe Kingdoms, and yet had ſtifled ſeveral uſeful and neceſſary Bills, before they had paſs'd the Forms; and had in *Scotland* rejected ſeveral afterwards,

[*Great Britain's juſt Complaint.*]

A. D. 1692.

(*f*) To illuſtrate this Topic, he adds, That when certain injur'd Perſons, who were intirely in the Intereſt of the Government, laid their Complaints before the Secretary of State, by the Hands of the Knight of the Shire, they were ſcornfully rejected, with this Anſwer, *That Men and Horſes muſt eat.*

A. D. 1692. afterwards, as well as the Judges Bill in *England*: The Right and Power of levying Money had been acknowledg'd to be the Peculiar of the People in Parliament; and yet the *Scotiſh* Privy-Council had oblig'd the Subjects of that Kingdom, at their own Charge, to furniſh Carriages and Horſes for the Uſe of the Army, under the ſevereſt Penalties, by the Authority of a Proclamation only: As to the Freedom of Elections, the Frequency of Parliaments, and the employing them for Redreſs of national Grievances, it was notorious, that Elections were no longer free, becauſe the Court interpos'd in them openly, and made uſe of all the Influence both of Menaces and Rewards: That as to the Frequency of Parliament, it was metamorphos'd into Frequency of Seſſions; and as to the Redreſs of Grievances, it was no longer thought of: But the one Thing needful, was the giving Money; which being done, all was done; inſomuch, that the Court was in a fair way of having it in their Power to plead Preſcription againſt Parliaments, as to any other Buſineſs but Money-Bills: Laſtly, even Freedom of *Speech*, was, in effect, at an end; for as on the one hand, that Member was ſure to be turn'd out, who gave the leaſt Countenance to any popular Point, ſo on the other, the Money of the Nation, as well as the Places of Truſt and Profit in the Gift of the Court, were ſo openly and viſibly employ'd, to the debauching of Members from their Honour and Integrity, that all Public Spirit was at an end, and the great Purpoſes of Parliaments were more effectually fruſtrated than they could poſſibly be by violent Courſes.

It is in this manner Sir *James* endeavours to eſtabliſh a Belief, that both Prince and People had been equally injur'd under the Notions of an Abdication and a Deliverance: And to ſhew, that the Government had undergone an eſſential Alteration, he cites, firſt, The ſetting aſide the Clames of the ſuppos'd Prince of *Wales*, without a parliamentary Enquiry into the *juſt and viſible Grounds of Suſpicion*, mention'd in the Prince's Declaration; which Enquiry had been promis'd in the ſaid Declaration, had been aſſented to by King *James* himſelf, and had been petition'd for by ſeveral Perſons of Honour and Quality, in *October*, 1690: Secondly, That Clauſe in the Vote of Succeſſion, by which King *William* is continu'd in Poſſeſſion of the Crown, in caſe he ſurviv'd the Queen, to the Prejudice of the Princeſs of *Denmark* and her Children: Thirdly, he alledges, That by entailing the Crown on the Heirs of the Prince of *Orange*, the Clames and Rights of all the collateral Heirs were cut off; and upon the whole, pronounces, That it was not poſſible for the Wit of Men to contrive a Vote, which, in ſo few Words, could more viſibly alter the Nature of an Hereditary Monarchy. He then touches on our foreign Syſtem: Aſks on what Footing the then boaſted Confederacy was founded? Whether any Proviſion was made for re-aſſerting our ancient Title to the Crown of *France*, or even for the Recovery of the Maritime Provinces of that Realm, which was the Inheritance of our Kings, to compenſate our Labours in *Flanders* for the Benefit of *Spain* and *Holland*? Whether our preſent Clame to the Sovereignty of the Seas was likely to be eſtabliſh'd and confirm'd by the total Deſtruction of the *French* Fleet, which had more than once defeated that of *England* and *Holland* in Conjunction? Whether our domeſtic Miſeries were like to be countervail'd by new Acquiſitions of military Glory? And anſwers all in the Negative, by ſuggeſting, That the Glory and Intereſt of *England* were alike out of the Queſtion: That as the Revolution had been the Reſult of foreign Intrigues, ſo Foreigners were to reap the only Fruits of it: And inferring from the Loſs of *Mons* and *Namur*, and the Battles of *Steenkirk* and *Fleruſ*, That even in point of Succeſs, as little was to be expected from the future Conduct of the War, as had flow'd from the Former. Laſtly, to ſolve the Problem, That the Proteſtant Religion would be for ever ſecur'd by the Reſtoration of a Catholic King, he firſt inſinuates, which can never be believ'd, That King *James*, while on the Throne, if left to himſelf, would never have aimed at any more than the eſtabliſhing a bare Liberty of Conſcience: That the Extravagances he had been guilty of were owing to the blind Zeal of ſome, and the artful Treacheries of others: That the ill Succeſs of thoſe Attempts, had convinc'd him of the Folly and Danger of them: That the Catholics in *England* bore ſo ſmall a Proportion to the Bulk of the People, that it was utterly impoſſible for them to get the Maſtery: That *France* would never lend her Intereſt to bring about a National Converſion here, becauſe the Difference of Religion between the two Nations, was the principal Reaſon why we were not able to make as ſucceſsful Inroads into their Country now, as formerly: That King *James* was willing to return to his People on their own Terms, and to give them all the Securities that they themſelves ſhould require, both for their Civil and Religious Liberties: That, whatſoever was urg'd to the contrary, this was ſufficiently prov'd, by the Grant which he had made under his Great Seal to ſome Gentlemen of the *Scotiſh* Nation, who had been active againſt him, of the ſeveral Immunities which the Prince of *Orange* had refus'd them: That as to his Engagements to *France* and the Pope, which had been made ſuch a Bugbear, it was impoſſible he ſhould have any to the Latter, becauſe the Prince of *Orange* had all along been favour'd with the whole Intereſt of the Holy See againſt him: That as to the Former, the whole Expence of *France* in the *Iriſh* Expedition, did not exceed three hundred thouſand *Louis-d'Ors*: And it was not likely, that great Princes who had piqu'd themſelves in doing great and magnanimous Actions, would imitate the mercenary Temper of the *Dutch*, in making Merchandize of their Favours.——— A. D. 1692.

But we have follow'd him far enough: The whole Pamphlet takes up no leſs than ſixty-

A. D. 1692. sixty-one Quarto Pages, and was thought of such Importance, that though printed at a private Press, and circulated in a clandestine manner from Hand to Hand, it was thought expedient to send forth an Antidote to the Poison: And for fear that Antidote should not have Force and Virtue enough to disarm the Contagion, a Proclamation was issu'd on the 13th of *September*, against such evil-dispos'd Persons, as, in Contempt of the Royal Mercy and Clemency, which their Majesties had extended to their Subjects, as well by their *general*, as *particular Pardons*, did make it their Business to write and print sundry false, infamous, and scandalous Libels, as had a Tendency not only to traduce the Government and the Ministers, but to dispose the Minds of the People to Sedition and Rebellion, offering a Reward of twenty Pounds to such as would discover any Person or Persons who had receiv'd any such Libel to print or transcribe, and fifty Pounds for the Discovery of the Author, or the Person who had handed any such Libel to the Press: And, as if to render *Libellers* so much the more infamous, another Proclamation of the same nature was not only issued against *Highwaymen* in the opposite Column of the same *Gazette*; but the Reward for apprehending one of the Latter was made ten Pounds less than that which was offer'd for the Former.

A Proclamation against Libellers.

Neither of these Expedients had, however, the Effect propos'd; the Press had to the full as much *libelling* Business as before; and as fast as one Discovery was made at one *Printing-House*, and one Impression of a Book was seiz'd, it was undertook at another.

But all these unlicens'd Pieces were not of the *Jacobite* kind; some, without meddling with the Titles of Kings, treated only of the Grievances of the Subject; and others were the Work of Mal-Content-*Whigs*, who had nothing in view, but to out the *Tory*-Part of the Administration, and engross the King to themselves.

Reasons for a new Bill of Rights.

Among the first of these is a Treatise call'd, *Reasons for a new Bill of Rights, humbly submitted to the Consideration of the ensuing Session of Parliament*, and which was apparently occasion'd by the numerous and unwarrantable Committments and other State-Persecutions of the preceding Summer: For herein the Author contends, in the first Place, for a new Effort in favour of the Bill for *regulating Trials in case of Treason*, as a necessary Security for the *Life of the Subject*, in Opposition to certain bold Whisperers, as he calls them, who, as if there had been no Revolution, pretended, That the Times either were, or might be, dangerous: That the Crown ought to have a Power to support itself: That the Bill would help to make Convictions difficult: That the Government must, sometimes, have a List: That there should be Methods at hand to lop off an Enemy, or the Head of a Party now and then: That no Method was more convenient than a doubtful Law: That, therefore, no Explanation or Amendment would be politic. In the second, for the Security of the Subjects Estate, by some new Provision to restrain the Exorbitances of that Prerogative-Court, call'd *Chancery*, and to reform the Abuses and Corruptions of the Law, which had put it into the Power of Judges and Keepers, to punish Men in their Property, for their political Opinions, and for the Sins of the Party they had the Misfortune to belong to. And, thirdly, for the Liberty of his Person against the insidious Pretences and arbitrary Encroachments of Power, which had extended so far, and affected so many of late Years, that the greater Part of the Nation, either by themselves, or their Friends, under one Administration or other, were thoroughly acquainted with them; and which had been practis'd with so much Boldness, that both Commons and Peers, sitting the Parliament, had found their Privilege no Protection against them. It is on the last of these Particulars that he dwells longest; and, having premis'd, That, how fondly soever our Judges affect to talk of Liberty, as the Birthright of the Subject, the Darling of the Law, &c. the Practice had almost in all Ages given the Lie to these Pretences, he proceeds to point out the Defects of the *Habeas-Corpus*-Act; namely, That it doth not enjoin an Oath to be mention'd in the Warrant of Commitment: That it does not require that the Cause of Commitment should be specially signify'd: That it has not provided a Remedy for the Subject in case of wrong Imprisonments, nor sufficiently against the Oppressions of Messengers, who frequently detain'd their Prisoners many Days, Weeks, or, perhaps, Months, before they carry'd them to Examination: That it left the Affair of Bail so much at the Discretion of Ministers and Judges, that they had it in their Power to insist on what Terms they pleas'd; and even in Cases of bare Suspicion, to connive at keeping the Bonds in force, and the Suit in Suspence from Term to Term, for seven Years together: That it has not expressly provided against Commitments under the hard and illegal Conditions of being debar'd the Use of Pen, Ink, and Paper, or the Access of Friends: That in case a Man is committed at *Hull* or *Canterbury*, or to any Country-Goal, it has left him remediless till an Assize; for though the Law allows the Prisoner his Choice of the Assize, or the *King's-Bench*, the Judges had been pleas'd to restrain him by their Opinions to the Assize only: That for want of some farther Explanation, the Clause in the Act most favourable to the Subject, had been explan'd away: For whereas it is said, "That if no Indictment the first Term, the Party to be bail'd, unless Oath be made, that the King's Witnesses could not be produc'd that Term;" meaning plainly, that he should be bail'd in case there was not sufficient Evidence to be found on Indictment, the Interpretation was left to the *Affidavit-Maker*, or *Solicitor of the Treasury*, who gave it what Sense, and made what use of it, he pleas'd: That if a Man was committed in *Wales*, as a dangerous Man, who had not Money to defray his Charges to *London*, he could have no Relief at their Session of Goal-Delivery, because the

A. D. 1692.

Treason

A. D. 1692. Treason not being specially signify'd in the Warrant, it could not be decided there, whether it was bailable or not: So that to such a Wretch as this, there was, in Effect, no *Habeas-Corpus* at all: And, lastly, tho' the Act has laid a Penalty on the Judge or Judges, if they deny'd a *Habeas-Corpus*, it has laid none upon them for refusing to bail or discharge; which left the Operation of the Law imperfect, and the Subject liable to Torture, tho' obnoxious to no Law, and, consequently undeserving of Punishment.

The Whig-Pamphlets, at least the Principal of them, came from the Earl of *Warrington* and Mr. *John Hampden*. It was now that the Former publish'd his *Dialogue between a Lord-Lieutenant and one of his Deputies*, so often already quoted; and the Latter, his *Considerations on the most proper way of raising Money*; in which, after making a Court-Sacrifice, by admitting, that the Government and Confederacy ought to be maintain'd, and that the necessary Sums ought to be readily and chearfully granted for those Ends, he puts in his Protest against a general Excise, which began to be talk'd of by those in Power, as the Method of furnishing the Supply for the following Year; which he calls a troublesome and a slavish sort of Tax. "The present Government, says he, came in upon a Foot of Liberty: What was the Reason that the Chimney-Money was taken off, but only this, That every Man might have his House free? Shall the Nation be mock'd by taking off a Feather, and in the Room of it, laying on a Millstone? This is a way to bring a *Lord-Dane* into every one of our Families." He also endeavours to expose the oppressive Nature and pernicious Tendency of Excises, by giving a short History of their Rise and Progress in *England*; by shewing, that they never fail to become perpetual, when once establish'd; and that if they should not actually destroy the Being of Parliament, they would infallibly their Independency, and thereby unhinge the Constitution. And, lastly, he proposes, that, instead of giving the least Countenance to so ruinous a Project, the forfeited Estates in *Ireland* might be set to sale, agreeable to the Declarations which had been made in Parliament: That the Commissioners of public Accounts might be call'd upon for their Report, that those who had fatten'd on the Spoils of their Country, by receiving immoderate Pensions, and who had cheated the Public of such incredible Sums, might be made to refund; and that what might be still wanting to complete the Aid, should be supply'd by a Land Tax; which being never impos'd but in time of War, would cease of course when the War was over.

Considerations on the most proper way of raising Money.

He also set forth another Pamphlet, after the Meeting of the Parliament, call'd, *Some short Considerations concerning the State of the Nation*; which, in five several Instances, he supposes to be in a State of Decay; namely, 1. By the Loss of our Ships, by him computed at two thousand. 2. The Consumption of our Seamen arising from that Loss, and our own Neglect of our own Fisheries, and those of *Newfoundland*, which were the great Nurseries of Seamen, and were, in a manner, abandon'd to the *French*. 3. The daily Diminution of our Commerce, invaded by our Enemies, supplanted by our Friends, and unprotected by ourselves. 4. The miserable Condition of our Coinage, wasted in the Hire of foreign Bottoms; the Pay of foreign Forces, and the Service of foreign Lands; whence it never return'd but in such an impair'd and wasted Condition, as to be full 20 and 25 *per Cent* under its current Value: And, 5. The Slaughter and Havock of our best and bravest Men, whose Blood had been spilt like Water upon the Ground, needlessly, in the Wars of *Ireland*, and lavishly at the Battle of *Steenkirk*. His next Endeavour is to shew, That we are in an *unsettled State*; which he also exemplifies in several Particulars: As, first, the Prevalence of *Jacobitism*, and the Impunity it met with. Secondly, the false Titles set up for the new Government by the Parasites of the Court: The want of an *Abjuring Bill*, and a solemn Declaration of the *Lawfulness* and *Rightfulness* of their Majesties Tenure, which had been so long struggled for in Parliament, without Success: The want of Solidity in the very Structure of Parliaments themselves; the Benefits and Advantages of which the Nation was no longer secure of, than Parliaments were necessary to the Crown, to supply the Necessities of the Year: The Insecurity of the Subjects Liberty: The Necessity of some new Provision for its Preservation, and for ascertaining Prosecutions and Trials in case of Treason: The great Grievance of quartering Soldiers in private Houses, contrary to the ancient Law, the Petition of Right, and the express Letter of the Act of *Car.* II. with this additional Aggravation, that a Bill having been prepar'd last Session, to regulate that Matter legally, it was rejected because of some free Passages in the Preamble, and because of some Clauses in it, which made bold with the Prerogative: The Violation of Property, by forcibly taking up of Transport-ships, without settling any Fund for the Payment of them; by which many Persons had been ruin'd: The useless and burdensome Condition of the Militia; which, by the help of proper Regulations, might be render'd a sufficient Security for the Kingdom against all Invaders, without the Help of Mercenaries: The suffering our Allies to carry on an open Commerce with *France*, and to supply them with all Necessaries, while our own People labour'd under the severest Prohibitions, and thereby became the Cullies of the very Powers whom they supported: And, lastly, the want of Ability in our own Cabinet, the want of Intelligence of the Designs of the Enemy, and such an apparent Improvidence, Remissness, Tardiness and Indigestion in all our Designs and Undertakings, whether offensive or defensive, as could be owing to nothing but Treachery, and a settled Purpose to precipitate the Nation once more into its former Bondage.

A. D. 1692.

Thus, we find both *Whig* and *Jacobite* joining

A. D. 1691. *Other Considerations on the present State of Affairs.*

joining in many of the same Clamours, at the same time that the Former call'd for Vengeance on the Latter; and the Courtiers of all Sorts seem'd to be equally incens'd against both; for as they had rais'd the Cry against *Jacobitism* on account of the Invasion, so now the Malcontent-Whig was to be render'd equally obnoxious for presuming to exercise that Liberty which the King had undertaken to restore. Of this we are furnish'd with an Instance in a ministerial Piece, call'd, *Short Considerations on the present State of Affairs*, written plainly in Opposition, tho not by way of formal Answer, to the two Tracts of Mr. *Hampden*'s, just quoted; in which, by way of Introduction, a Parallel is drawn between the *English* and the *Jews*; between the late Deliverance of this Nation out of the Hands of King *James*, and that of the *Israelites* out of *Egypt*; and our Murmurings and Repinings are compar'd to theirs. After which, passing over the profess'd Enemies to the Establishment, he comes to the *Murmurer*, the *Discontented*, the *Envier*, and the *Busy-body*; Persons whom he is pleased to esteem Friends still: But such as are grown melancholy on reflecting, that their Deserts and Services were not enough acknowledged; that their Notions were not follow'd; that their Enemies are not punish'd; that those should be trusted again, who had once misbehav'd; and that any Man should be promoted to a *Place* which they had conceiv'd was fit only for themselves. "Thus Guilt, says he, sticks to Places of Profit and Credit, as the *Jewish* Leprosy did formerly to the Walls of Houses; and you must *go out* of them to get clear of the Infection." He then cautions them not to sink the Vessel because they are not at the Helm; insists, That where opposite Parties in a State are equally powerful, the Favours of the Government ought to be shar'd equally between them: That Matters should be manag'd by balanc'd Councils: That a ceremonious Stiffness belongs only to *Plato*'s imaginary Republic: That Insinuations, Condescensions, and Compliances, were the Qualities in Esteem at Court: That a King of ripe Years and mature Judgment, would not be put back into his Pupilage; nor could be persuaded, that to clip the Monarchy, was the way to make himself great: Complains of a timorous Party, who thought every Disaster decisive; and that a Cause was lost whenever the Enemy got an Advantage: Declames on the dreadful Consequences of King *James*'s Restoration: Expectiates on the Valour of our Troops; the Superiority of our Fleets; the Necessity of continuing the War, and maintaining the Confederacy at all Events: Argues, that if *Flanders* was lost, *Holland* must follow; in which case, *England* would become the Seat of War, and the landed Interest must submit to maintain an Army at home, which they were unwilling to maintain abroad: That therefore the darling Project of a Descent could not be prosecuted, unless the Service there was first and effectually provided for: That, consequently, our Supplies must bear a Proportion to our Necessities; That we ought not to be over-nice in the Ways and Means of raising them: That it was more advisable to pay a Tenth, an Eighth, or some such ratable Part of one's Expences by a general Excise, than to run a probable Risque of losing all: And for a Conclusion he intimates, That though he does not contend for a general Excise, yet, if it was capable of performing such Wonders, as those who declar'd against it had suggested, he should rejoice, that the Nation had so rich a Vein yet unopen'd: That he could not conceive how a general Excise, like the *Trojan* Horse, could carry a House of Commons in its Belly; and that however dreadful they had render'd the Phantom in their Descriptions, he did not think it necessary for People to break their Necks out of a Window to avoid it.

A. D. 1692.

Lastly, there was yet another Pamphlet publish'd about this time, which was of a singular kind, because national, and level'd at all Parties alike: It is call'd, *The State of Parties, and of the Public, as influenc'd by those Parties*: And the general Plan of it is to shew, That as no Country is more secure from Invasions than this, while Sovereign of the Sea, so none is more expos'd to them, or liable to worse Consequences, when depriv'd of that Advantage: That all Parties, *Williamite* or *Jacobite*, or however subdivided, are ultimately concern'd in the Maintenance of this Sovereignty, because all would be independant of Foreigners, and in a Condition to maintain that Independancy: That, nevertheless, so infatuated were all with their narrow, selfish Pursuits, that neither bestow'd a Thought on this grand Concern; and yet such were their Pursuits, that, except to Individuals, they were, in their own Nature, unattainable: That if, as the *Jacobites* seem'd to wish, for the sake of another Restoration, the *French* should become Masters at Sea, they would become Masters for themselves; and King *James* would be no more than King *Lewis*'s Substitute: That, on the other hand, as the *Williamites* conducted the War, our Trade was already at the Mercy of the Enemy; and as that was the Fountain of our naval Strength, our naval Strength must follow it: That the Assistance given to the King for the Maintenance of a Land-War was absolutely thrown away: That instead of recovering, we had lost Ground every Campaign: That either to force a Way into *France*, by reducing the triple Rows of Garisons, which cover'd it on the *Flemish* Side, one by one, or by leaving them all behind, was what the most sanguine could scarce dream of: That the Efforts of the *Spaniards* in *Catalonia*, and of the *Germans* on the *Rhine*, did not amount to so much as a Diversion: That all Hopes from *Savoy* were at an end: That the Project of a Descent was yet less to be depended upon, than the feeble Efforts of our Allies, or those other Chimeras of our own: That our Manner of conducting the War at Sea, was as fatal to our true Interest, as our fruitless Attempts at Land: That thus, a Court-Complaisance for King *William*, or a blind Attachment to King

State of Parties.

A. D. 1692. *James*, was equally ruinous to the Nation: That the only way to preserve ourselves, and reduce *France*, was to turn all our Power and Riches against the *French* Commerce, both in the *West-Indies* and the *Mediteranean*, the *French* Ports, and the *French* Navy; which, in such case, would not be doubly lost, by being dissipated among Foreigners, and by being dissipated in vain, but would really disable them, and make us really useful or formidable, as true Policy should require, to the rest of *Europe*: And that while these great Points were either neglected or sacrifice'd, and it was the great Endeavours of those in Power to gratify the King in his own way, not only by giving into all the Extravagances of a Land-War, but by advancing the Prerogative, instead of reducing it, according to the just Expectations of the People, it was a vain thing to look for Relief, from a Change of Ministers or the Promotions of Men, merely for their Party-Merits; or the gratifying the Court with such prodigious Sums as might, if possible, suffice their Greediness or surmount their Lavishment.

If there are any who read History for Amusement only, they will be disgusted with the whole preceding Section; but those who read for the sake of Information, which ought to be the great End both of Reader and Writer, will see Cause to acknowledge, that the Narrative Part would have been imperfect without it. (*g*) We have now the whole Circle of things, both foreign and domestic, open around us, and may accompany the King from *Holland*, to meet his People in Parliament, with the Clue in our Hands to all the Business likely to be transacted there.

It was on the 11th of *October*, O. S. as we have already seen, that his Majesty return'd post to the *Hague* from *Brussels*; where having settled the Plan of Operations for the ensuing Year, with their High and Mighty Lordships, as well as the shortness of the Time would permit, he sail'd out of the *Maes* on the 15th; and on the 20th arriv'd at *Kensington*, having been met by the Queen at *Newhall*, and receiv'd by the Inhabitants of *London* and *Westminster*, as if he had dragged the *Common Enemy* at his Chariot Wheels. The Compliments of his Courtiers of all sorts, and the formal Congratulations of the Magistracy of *London*, were Matters of course: But his Majesty thought a little Popularity now so seasonable, that he accepted their Invitation to honour the City with his Presence at Dinner upon the Lord Mayor's Day; and farther, set forth a Proclamation, signifying, That for as much as it had pleas'd *Almighty God*, of his infinite Goodness, in answer to the Prayers humbly and devoutly offer'd up to him (during the Monthly Fasts before appointed, that is to say) to preserve their Majesties and their Government against the Designs and Attempts of their open and secret Enemies; to give their Majesties a great and signal Victory at Sea against the *French* Fleet; to protect his Majesty's Person from the many and great Dangers of the War, in his late Expedition beyond the Seas; to disappoint and defeat the barbarous and horrid Conspiracy for taking away his Majesty's sacred Life by Assassination; and to bring him back in Safety to this Kingdom, their Majesties, adoring the Divine Goodness, and duly considering, that such great and public Blessings did call for public Acknowledgments, had thought fit, with the Advice of their Privy-Council, to appoint and command a general Thanksgiving, *&c.* and did farther charge and command, That the said public Day of general Thanksgiving should be religiously observ'd by all their loving Subjects, as they tender'd the Favour of Almighty *God*, and upon pain of suffering such *Punishments* as their Majesties could justly inflict for the Contempt or Neglect thereof.

A. D. 1692.

King William *returns to* England.

Proclamation for a national Thanksgiving.

Now, if what Bishop *Burnet* suggests be true, namely, That *Jacobitism* was more openly profess'd and more universally prevalent than ever, this last minatory Clause had no other Tendency than to expose Men to the Indignation of the Government for being disaffected, or to make them Hypocrites in their own Defence: And yet the same Bishop complanes, in Effect, That Hypocrisy was the reigning Vice of the Times; for, at the same time that he compliments the King and Queen on the great Example they had set the Nation, and on the Alteration it had made in public Practices, he calls that Alteration but an outward Form; and he acknowledges, that the Nation was corrupt at Heart, both as to Morals and Principles: And instead of ascribing any Efficacy to their Prayers, as the Proclamation had done, he intimates, that the Righteous were under great Apprehensions, that their Sins would have drawn down *heavy Judgments from Heaven upon them.*

Productive of Hypocrisy or Persecution.

To proceed; *November* the fourth, being the Anniversary of his Majesty's Birth, and, for that Reason, selected for the meeting of the Parliament, his Majesty open'd the Session with the following Speech:

" *My Lords and Gentlemen,*

" I am very glad to meet you again in Parliament, where I have an Opportunity of thanking you for the great Supplies you have given me for the Prosecution of this War; and I hope, by your *Advice* and *Assistance*, which has never fail'd me, to take such Measures as may be most proper for supporting our Common Interest against the *excessive* Power of *France*.

King's Speech to both Houses.

We

(*g*) It ought not to be forgot, that on the seventh of *June*, this Summer, the greatest Part of the Town of *Port-Royal* in *Jamaica*, was, in a Minute's time, devour'd by an Earthquake, accompany'd with an Inundation: And that on the eighth of *September* following, great Part of *Europe* was alarm'd with a Shock of the same kind; but without incurring any of those terrible Effects which it produc'd at *Jamaica*.

A. D. 1692. We have great Reason to rejoice in the happy Victory, which, by the Blessing of *God*, we obtained at Sea: And I wish I could tell you that the Success at Land had been answerable to it; I am sure my own Subjects had so remarkable a Part in both, that their Bravery and Courage must ever be remembred to their Honour.

The *French* are repairing their Losses at Sea with great Diligence, and do design to augment their Land-Forces considerably against the next Campaign; which makes it absolutely necessary for our Safety, that at least as great a Force be maintain'd at Sea and Land, as we had the last Year: And therefore I must ask of you, Gentlemen of the House of Commons, a Supply suitable to so great an Occasion.

I am very sensible how heavy this Charge is upon my People; and it extremely afflicts me, that 'tis not possible to be avoided, without exposing ourselves to inevitable Ruin and Destruction: The Inconvenience of sending out of the Kingdom great Sums of Money for the Payment of the Troops abroad, is indeed very considerable; and I so much wish it could be remedy'd, that if you can suggest to me any Methods for the Support of them, which may lessen this Inconvenience, I shall be ready to receive them with all the Satisfaction imaginable.

My Lords and Gentlemen,

None can desire more than I do that a Descent should be made into *France*, and therefore, notwithstanding the Disappointment of that Design this last Summer, I intend to attempt it the next Year with a much more considerable Force; and so soon as I shall be enabled, all possible Care and Application shall be used towards it.

And upon this Occasion I cannot omit taking notice of that signal Deliverance, which, by the good Providence of *God*, we receiv'd the last Spring, to the Disappointment and Confusion of our Enemies Designs and Expectations: This has sufficiently shewn us how much we are exposed to the Attempts of *France*, while that King is in a Condition to make them; let us therefore improve the Advantage we have at this time, of being joined with most of the Princes and States of *Europe* against so dangerous an Enemy: In this, surely, all Men will agree, who have any Love for their Country, or any Zeal for our Religion: I cannot therefore doubt but you will continue to support me in this War against the declar'd Enemy of this Nation, and that you will give as speedy Dispatch to the Affairs before you, as the Nature and Importance of them will admit, that our Preparations may be timely and effectual for the Preservation of all that is dear and valuable to us.

I am sure I can have no Interest but what is yours; we have the same Religion to defend, and you cannot be more concern'd for the Preservation of your Liberties and Properties, than I am that you should always remain in the full Possession and Enjoyment of them; for I have no Aim but to make you a happy People.

Hitherto I have never spared to expose my own Person for the Good and Welfare of this Nation; and I am so sensible of your good Affections to me, that I shall continue to do so with great Chearfulness upon all Occasions, wherein I may contribute to the Honour and Advantage of *England*." A. D. 1692.

Some Authors tell us, this Speech was receiv'd with the universal Applause which it deserv'd: But if it was deservedly applauded, it was not immediately applauded: The Commons adjourn'd for six Days, without proceeding to Business, by reason of the Thinness of the House: And the Proceedings of the Lords seem'd to shew, that they did not think what his Majesty had so plausibly said concerning Liberty and Property, was sufficiently warranted by the Measures of his Government: The Malecontents, not only affected to wonder, that the maintaining the Confederacy, and furnishing a suitable Supply, should be the only connecting Circumstances between the Crown and the People, but, from the Alteration of his Majesty's Stile, concerning the Power of *France*, which he calls *Great* in the Beginning of the War, and now *excessive*, to insinuate, that our Supplies were thrown away, and that the Confederacy was not worth the Cost. They had also the Boldness to accuse his Majesty of Impolicy, in discoursing thus publicly of a Descent, if he had really any such Purpose; and of Collusion, if he had none: And they made no Difficulty to point out the Unlikelihood of his succeeding any better the next Year without a greater Force, than he had done this.

Bishop *Burnet* acknowledges, That the Session of Parliament was open'd under great Disadvantages: "The Earl of *Marlborough*, says he, and some other Peers, had been put into the *Tower*, under a false Accusation of High Treason; which was evidently prov'd to be a Conspiracy, design'd by some profligate Creatures, who *fancy'd* [*how reasonable or not, will appear in the Sequel*] that Forgeries and false Swearing would be as acceptable in this Reign, as they had been formerly: But till this was detected, the Persons accus'd were kept in Prison, and were now only out upon Bail."

The whole Case, which his Lordship has passs'd thus tenderly over, in few Words, was thus: One *Young*, infamous for his Forgeries and Villanies of all sorts, for which he had several times undergone the Discipline of the Law, having been lodg'd in *Newgate* till he had paid the Fine which had been last impos'd on him, was there encourag'd by one *Pearson*, a Prisoner for Debt, to fly at higher Game, and make use of his Knack of counterfeiting Hands to forge a Plot, and father it on the Earls of *Marlborough* and *Salisbury*, Archbishop *Sancroft*, *Sprat*, Bishop of *Rochester*, and others, which would infallibly procure him Money enough to pay his Fines, procure his Discharge, *&c.* *Young* greedily embrac'd this Proposal, and for his first Trial of Skill endeavour'd to procure the Countenance of Archbishop *Tillotson*, to whom he sent several Letters towards the Close of the preceding

Young's Conspiracy. [Sprat's Relation, 4to. 2 Parts.]

A. D. 1692. preceding Year, ſignifying, that a moſt infernal Plot was on foot; as alſo deſiring his Grace to make the King acquainted with it: And his Grace not being over-fond of the Office, he ply'd him with Letters full of treaſonable Matter, which, as he pretended, had been written to him by ſome of the greateſt Men in *England*. Theſe the Archbiſhop thought it his Duty to communicate to his Majeſty; who, having read them over, generouſly ſaid, *Really, my Lord, theſe Papers may reſemble ſome of theſe Perſons Hands; but I do not in the leaſt diſtruſt them: I am confident they are innocent, and this is a Villany; and therefore I will not have them diſturb'd on this Account:* And here the Miſchief ſlept till the Terror of an impending Invaſion encourag'd *Young* to ſpread his Snares anew; and the Apprehenſions or the Devices of the Court made his wicked Offers acceptable: But to whom they were made, or who ſtoop'd ſo low as to make uſe of ſo vile a Tool, is out of the Power of Hiſtory to aſcertain: For tho' the Ducheſs Dowager of *Marlborough* is pleas'd to make uſe of theſe Words in her Account, *viz.* "My Lord *Romney* (then *Sydney*) Secretary of State, had ſent to one *Young*, who was then in Jail for Perjury and Forgery, and paid his Fine, in order to make him a legal Evidence: For, as the Court-Lawyers ſaid, *Young* not having loſt his Ears, was an irreproachable Witneſs," her Grace's Authority in this Caſe, is, at leaſt, apocryphal: For Lord *Sydney* ceas'd to be Secretary of State when he was made Lieutenant of *Ireland*; and it is expreſly declar'd in the *Gazette*, N°. 2746, that he reſign'd the Seals to the King upon the third of *March*, being the Evening before his Majeſty departed for *Holland*: And it is ſcarce to be ſuppos'd, that he continu'd to officiate after he had given up his Authority for ſo doing. This, however, is certain, that the Earl of *Marlborough* was the firſt Perſon who was impriſon'd upon *Young*'s Accuſation: That the Earls of *Scarſdale* and *Huntington* met with the ſame Treatment at the ſame time; but whether upon his Evidence or not, is not ſo certain; and that the Biſhop of *Rocheſter* and the reſt had been clapt up next, if by the great Ingenuity of his Lordſhip's Behaviour before the Council, his extraordinary Preſence of Mind, and the concurring Evidence of many of his Servants, he had not, on the very Spot, clear'd himſelf from every Circumſtance laid to his Charge, and prov'd his Accuſer to be one of the greateſt Villains upon Earth.

The Biſhop was arreſted at *Bromley* on the ſeventh of *May*, and had his Papers ſeiz'd: On the eighth he was examin'd before a Committee of Council, and was kept under a Guard at his own Houſe till the 18th, when he was diſcharg'd: On the 25th, *Young*'s Fines were paid, and he was diſcharg'd out of *Newgate* with new Cloaths on his Back, and Money in his Pocket: On the eighth of *June* the Biſhop was ſummon'd by a Letter from Lord *Nottingham* to attend the Council again: On the 10th he was confronted by one *Blackhead*, who was to ſwear, that he had been the Meſſenger, and had carry'd on the Correſpondence between his Lordſhip and *Young*; and then it was that he not only ſo effectually exculpated himſelf [by proving, that *Blackhead* came to him, as from one Dr. *Hookes*, a Country Clergyman, that the Buſineſs pretended was to detect a Perſon accus'd by the ſaid ſham Doctor of counterfeiting the Biſhop's Orders; and by aſſerting, that all he could recollect concerning *Young*, was, That he once receiv'd a Letter from one of that Name, out of *Newgate*, deſiring him to recollect, that he, *Young*, had officiated ſome Weeks for the Chaplain of *Bromley*-College, and to ſend him a Certificate thereof, together with ſome Relief by way of Charity; both which, on hearing a very bad Character of him, his Lordſhip refus'd] but overwhelm'd *Blackhead* in ſuch a manner, with the irreſiſtible Force of Truth, that he confeſs'd his whole Concern in the Forgery: And when the Biſhop, after having been clear'd with the utmoſt Honour by the whole Board, put in a ſeaſonable Caveat, that the Fountain of Wickedneſs which had been near deſtroying him, might not be ſuffer'd to break forth elſewhere, to the Ruin of any other innocent Man, the Earl of *Devonſhire* reply'd, "My Lord, you need never fear this Fountain can break forth any more, to do you or any other good Man, any Prejudice, he (*Blackhead*) having been ſo palpably convicted of Knavery and Lying." As yet *Young* himſelf had not appear'd; but the Biſhop, on his Return to *Bromley*, having collected all the Proofs that could be given by his whole Houſhold, in order to trace the Villany to the Bottom, and returning to *London* on the 13th, in order to lay them before the Council, found himſelf on that Occaſion confronted by him alſo; and declaring, that he had no Knowledge of him, *Young* reply'd, with an inſolent Confidence, *You will know me better when Captain Lawe appears: I warrant, you don't know Captain Lawe neither.* Thus a third Perſon was brought upon the Stage; and, ſoon after, a fourth; for *Young*'s Wife being call'd in, and aſked by Lord *Nottingham*, from whom ſhe receiv'd that Paper (which his Lordſhip then took up from off the Table) anſwer'd, That ſhe had receiv'd it from Captain *Lawe*, who left it with her for her Huſband; and that when he came for it again, her Huſband refus'd to part with it, ſaying, "No; theſe Lords whoſe Names are ſubſcrib'd, have not been ſo liberal in their Relief of my Wants as formerly; and therefore I will make another Uſe of this Paper." *Blackhead* was then again produc'd; and, being aſked by Lord *Nottingham*, Why, on his ſecond coming to *Bromley*, he was ſo earneſt to ſee the Biſhop's Study, and whether it was in order to lodge any Paper there? after ſome Heſitation anſwer'd in the Affirmative; as alſo, that he did lodge it in a Flower-pot in one of the Parlour-Chimneys: And being again queſtion'd by the ſame Lord, why he went to *Bromley* a third time, while the Biſhop was under Confinement, he confeſs'd, That he was deſir'd by *Young*, ſeeing the Paper had

A. D. 1692. Detected by Sprat, Biſhop of Rocheſter.

A. D. 1692. had not been found by those who search'd the House, to try to recover it, that being the Original; That he did recover it accordingly; and that it was the same which lay upon the Table; which was the Draught of an *Association*, to assist King *James* at his Landing with thirty thousand well armed Men; to take care that some strong Garison should be put into his Hands; to furnish him with a considerable Sum of Money for the Support of his Army, and to seize on the Person of the Princess of *Orange*, alive or dead; and it was subscrib'd with the Names of *William Canterbury*, *Thomas Reffen*, *Marlborough*, *Salisbury*, *Cornbury*, *Basil Firebrace*, and *John Wilcox*; with Intervals or Blanks for five Names more. *Young* was then confronted with *Blackhead*, who averr'd to his Face all that he had confess'd before; and the Lords themselves, in Proof that he had said nothing but Truth, testify'd, That *Young* gave express Directions for those that were sent to *Bromley*, to search the Flower-pots: But with an Impudence beyond Example, he deny'd all, and insisted, that the Bishop and *Blackhead* had combin'd in this Matter to baffle his Discoveries. Lastly, the Bishop having brought along with him the Letter which he had receiv'd from *Young* in the Name of *Hooke*, the Lord-President discover'd, that the pretended Association was writ in the very same Hand; and all the Lords present, not only spoke with Detestation of *Young*'s Villany, but seem'd to agree with the Bishop, That for the sake of Truth, Justice, and the Safety of every other honest Man, the whole of this *Black Contrivance* ought to be sifted to the Bottom; and that nothing could be of more Service to the Government, than to cause such perjur'd Informers to be punished according to their Demerits.

But notwithstanding all that had pass'd, *Young* proceeded in his Plot, and his Captain *Lowe* not chusing to appear, endeavoured to suborn one *Holland* to make a second Evidence, who communicated all that pass'd to Lord *Nottingham*, and also made Oath of it before the Grand-Jury of *Middlesex*, who found a Bill of Forgery and Subornation of Perjury against *Young*. What, however, is most strange, the whole Year was suffer'd to elapse, before his Trial came on: *Blackhead* twice made his Escape out of the Hands of the Messenger who had him in Custody: A Letter was put about in his Hand, declaring, in Effect, That in his Examination he had injur'd no-body but *Young*: And Advantage was still taken of a Combination so notoriously wicked, to make Lord *Marlborough* undergo the very worst Usage that Power could inflict upon him: For, in the first Place, when he was brought up, with many Others, to the *King*'s-*Bench*, to demand the Benefit of the *Habeas-Corpus*-Act, accompany'd by the Marquis of *Halifax*, the Earls of *Shrewsbury*, and *Carbury*, and Mr. *Boyle*, afterwards Earl of *Burlington*, who were to be

The Case of the Earls of Marlborough *and* Huntington.

his Bail, Mr. *Aaron Smith*, the Court-Solicitor, took care to have such an Affidavit prepar'd, as should both furnish the Judges with a Pretence for remanding him and them to their several Prisons, and screen himself from the Guilt and Punishment of Perjury: For, instead of the Word *Witnesses*, according to the Statute, he only swore, first, That there was *Evidence* against *each Prisoner*; and then, that there were *Witnesses* against *the Prisoners*: And though the Equivocation was obvious enough to the Bench, they chose to overlook it, and remand the Prisoners, as if on a Supposition that the Law was satisfy'd. Again, after they had been admitted to Bail, and they came again into Court in the Beginning of *Michaelmas* Term to require the Discharge of their Bondsmen, their Demand was refus'd, and the Court even persisted in their Refusal, after the Lords had declar'd, They would make their Appeal to the House of Peers. A. D. 1692.

Thus it is scarce to be wonder'd, that the Session should be open'd under great Disadvantages: And it is scarce to be imagin'd, that the King's Speech should be universally applauded. Under any Reign, such Proceedings as these would have excited very melancholy Reflections; but under that of a *profess'd Deliverer*, they could not fail to excite the Indignation of the Public.

Debates there on in the House of Lords.

The Lords, for what Reason is not specify'd, adjourn'd for three Days, as the Commons had done for six; and then, instead of making their Compliments to the Crown, enter'd with great Warmth on the Vindication of their Privileges. The suffering Lords open'd the Matter, by making their several Complaints, and laid their great Stress on the Circumstance of their being refus'd Bail on *Smith*'s Affidavit, and the want of Information against them by Oath of two Witnesses: Their Friends took care to support them with all their Eloquence, and all the Use that could be made of it: And the Result of the first Day's Day's Debate, was, an Order for Lord *Lucas*, Constable of the *Tower*, to produce the Warrants of Commitment; as also for the Clerk of the *King's-Bench* to produce *Smith*'s Affidavit, upon which the Lords had been remanded to Prison; and a Resolution to refer the whole Matter to a Committee, who were empowered to send for Papers, Persons, and Records.

On the ninth, the same Affair was resum'd, and the Debate turn'd principally on the Refusal of the *King's-Bench* to discharge the Recognizance; but no Resolution was taken upon it: It was indeed propos'd, That the said Recognizances might be remov'd to the House of Peers, as the supreme Court: But the Lord Chief-Justice *Holt* undertaking to shew, that it could not be done, the House acquiesc'd in his Opinion, and the Motion was dropt. The next Day, the Judges and *Aaron Smith* attended the House; and the Former having been heard in their own (*b*) Defence, the Latter was

(*b*) Which they manag'd in such a manner as gave *Mr. John Hampden* Occasion to say, "That the very same Opinions were now deliver'd for Law, which King *Charles* and King *James*'s Judges were infamous for." "It is but a few

A. D. 1691. was requir'd to anſwer upon Oath, Whether he had two Witneſſes againſt each of the Lords? but refus'd, till threaten'd to be himſelf committed by Order of the Houſe. The Queſtion then put to him, was, Whether he had two againſt the Earl of *Huntington?* and his Anſwer was, That he knew but of one. This brought the Matter to the Point contended for, viz. Whether one Witneſs was ſufficient to authoriſe the Commitment of a Peer, or the holding him under Bail after he had enter'd his Prayer at the *King's-Bench* to be try'd, as the *Habeas Corpus* Act directs? The latter Part of the Queſtion was argu'd firſt: And among ſuch a Variety of Opinions, Arguments and Authorities as were made uſe of on both Sides, the whole Affair grew ſo intricate, that a Committee was appointed to draw up a Reſolution on the general Senſe of the Houſe, to be reported the next Day; under an expreſs Proviſion, That no other Buſineſs ſhould intervene: And the Reſolution they came to, was, That no Peer ſhould be continu'd upon Bail, unleſs there were two Witneſſes againſt him: But this the Court-Lords could not be brought to agree to; and a new Debate aroſe, which was maintain'd with ſo much Obſtinacy on both Sides, that it was adjourn'd till the Morrow, when all the Judges were order'd to attend: And now, the Anti-Court Lords becoming ſenſible of their Strength, the Lord *Scarſdale* made a new Complaint, That his Houſe had been ſearch'd by one of the King's Meſſengers; which was receiv'd and incorporated with the Buſineſs before them. The Committee then reported their general Reſolution on both Parts of the general Queſtion; namely, That no Peer ought to be remanded to Priſon, by the Court of *King's-Bench*, on his appearing before them, by virtue of the *Habeas Corpus* Act, after having enter'd his Prayer to be try'd as the ſaid Act directs; or kept under Bail, unleſs there be againſt him two Witneſſes upon Oath: And the Senſe of the Houſe inclin'd ſo manifeſtly to that of their Committee, that all the Court-Lords had for it, was, to call for the Opinion of the Judges; who, upon this Occaſion, thought it their wiſeſt way, to trim between the two Parties: And while, on the one hand, they argu'd in Abatement, That the requiring two poſitive Witneſſes to authoriſe a Commitment, was requiring too much, for one might be abſent, or ill, they admitted, on the other, That two Witneſſes were neceſſary to warrant a Proſecution. But this mix'd Opinion of theirs did not ſerve to bring the Houſe into the ſame Temper; the Courtiers thought they had granted too much; the Malcontents too little; every Man had ſomething of his own to urge in a Caſe that might become his own: And that all might be at full Liberty to utter and maintain their Sentiments, the Debate was once more adjourn'd, in order to be diſcuſs'd in a Committee of the whole Houſe, on the 14th, being *Monday*. Accordingly, both Sides having recapitulated all their former Arguments, A. D. 1692. and re-inforc'd them with all the new Matter that occur'd to them, it was, at laſt, reſolv'd, and declar'd to be the Senſe of the Committee, "That it was the Duty of all the Judges of *Oyer* and *Terminer*, and General-Goal-Delivery, in purſuance of the Statute 31 *Car.* II. commonly call'd, The *Habeas Corpus* Act, to ſet at Liberty the Priſoner on Bail, if committed for High Treaſon, unleſs it be made appear upon Oath, That there are two Witneſſes againſt the ſaid Priſoner, who cannot be produc'd in that Term, Seſſions, or General-Goal-Delivery. And it was alſo farther reſolv'd, That in caſe there ſhould be more than one Priſoner to be bail'd or remanded, 'tis the Intention of the ſaid Statute, that there muſt be Oath made, that there are *two* Witneſſes againſt *each* of ſuch Priſoners, in order to remand them to Priſon reſpectively. *as alſo their Lordſhips Votes and Reſolutions.*

The Houſe being then reſum'd, and theſe Reſolutions reported, both were ſeverally receiv'd and adopted: But a Motion being made to enter them in the Books, as a ſtanding Direction to all future Judges, and to cut off all Excuſe for any ſuch Illegalities in times to come, it gave riſe to another fierce Debate, which laſted ſeveral Hours; and ended, at laſt, in a Diviſion of the Houſe; when it appear'd, that the Contents had a Majority of thirty-five Voices againſt twenty-eight.

The next great Point to be diſcuſs'd, was the manner of ſetting free the ſuffering Lords: This was argued the very next Day, and contended for with ſo much Vehemence, that the Courtiers began to be in pain for the Fate of the Seſſion, and thought it high time to ſubmit to a Compromiſe. Accordingly, after the Debate had laſted ſeveral Hours, it was hinted, by way of Expedient to the Houſe, that his Majeſty would cauſe them to be diſcharg'd the next Day. This was accepted, but with ſo much Caution, that they would hear of no other Buſineſs till they were aſſur'd the thing was done; and to avoid any Surprize, adjourn'd to the 17th. Nor, when inform'd, at their next Meeting, that their Lordſhips had been actually diſcharg'd by the King's particular Command, was the fiery Spirit of the Houſe allay'd; for thoſe who had obtain'd the Victory, inſiſted alſo on ſetting up a Trophy. This the Courtiers could not bear, and oppos'd with all their Might. Another Debate enſued, which took up the reſt of the Day: And, on the Morrow, when it appear'd, that Peace was to be had on no other Terms, a formal Entry was made in the Journals, That the Houſe having been inform'd, that his Majeſty had given Directions for the Diſcharge of the Lords under Bail in the *King's-Bench*, the Debate about that Matter ceas'd. *The Diſpute compromiſ'd.*

Biſhop *Burnet*'s Summary of theſe Proceedings, is contain'd in theſe remarkable Words: "The Lords paſs'd ſome Votes, aſſerting *Remarks on the whole.*

Days ago, continues he, that ſome of the Judges declar'd in the Lords Houſe, That one Witneſs to a principal Treaſon, and another to a Circumſtance, was ſufficient to convict a Man that is indicted for Treaſon; which was the worſt of all the Opinions deliver'd upon the Bench by the late Chief Juſtice *Jeffreys*." [*Short Conſiderations*, p. 18.

A. D. 1692. ferting their Privileges, and were offended with the Judges for detaining some in Prison, *tho' there was no Reason or* COLOUR *for their Displeasure*: But when the Privilege or the Dignity of Peerage is in question, it is not easy to keep the House within Bounds." And, on the other hand, the *Jacobites* made no Scruple to set forth in Print, "That it had very much detracted from the Reputation, Justice and Honour of the House of Lords, that they had tamely conniv'd at such an Injury done unto, and Affront put upon, their honourable Fellow-Members [by *Aaron Smith*;] and that they did not both imprison the presumptuous and daring *Deposer*, and order him to be prosecuted according to the utmost Rigour of the Law; or, at least, that they voted him not to be for ever incapable of serving the Government in any Place or Capacity whatsoever."

[A Letter to Mr. Secretary Trenchard.]

The Bishop also adds, "The Debate *went off* in a Bill that indemnify'd the Ministry for those Committments, but limited them for the future by several Rules: All which were rejected by the Commons. They thought those Limitations gave a legal Power to commit in Cases where they were observed; whereas they thought the safest way was, to indemnify the Ministry, when it was visible they did not commit any but upon a real Danger, and not to set them any Rules; since, as to the committing suspected Persons, when the Danger is real and visible, the public Safety must be first look'd to, and supersede all particular Laws."

To conclude on this Topic, though in this particular Instance, which *so nearly* concern'd themselves, it is not, perhaps, to be wonder'd, that the Majority of the Lords, who are generally Courtiers, should make so firm a Stand against the Encroachments of the Crown, it certainly is, that they should shew so little Complaisance in the Manner of it: And, perhaps, this can be no otherwise accounted for, than by the present Divisions of the Court; which were more in Number, and had spread wider than ever. The Princess of *Denmark* not only continu'd under Disgrace, but all imaginable Means had been used to mortify her as much as possible: Her Guards had been taken away: The Mayor of *Bath* (whither her Highness had been oblig'd to repair for the Recovery of her Health) had receiv'd an express Command from the Earl of *Nottingham*, in her Majesty's Name, to discontinue the Honours to her, which had been usually paid to the Royal Family: And even the Minister of *St. James*'s Church, where she used to attend Divine Service during her Banishment from Court, was forbid to lay the Text on her Cushion, or to take any more Notice of her than of other People. As all these Persecutions arose from her persisting in her Friendship to Lord and Lady *Marlborough*, it was but natural that, in Return, she should employ her whole Interest, both to countenance his Lordship while under Confinement, and to procure him Satisfaction afterwards. The Marquis of *Hallifax* adher'd to him for the sake of Opposition; the Earl of *Shrewsbury*, because he was his particular Friend, according to Dr. *Burnet*, and because he thought him *ungratefully* and *unjustly* persecuted: The Earl of *Nottingham* himself, in the whole Course of the Examination, had acted like a Man who was not in *Young*'s Secret, and who made it his Business to expose the Villany of it, in order to detect a Rival, and, of Course, an Enemy: And not only the Lord *Montagu* and *Bradford*, but even Lords *Devonshire*, had refus'd to sign Lord *Marlborough*'s Warrant of Committment at the Council-Board, as thinking it infamous to send him or any Man to Prison on such Evidence. The Earl of *Mulgrave* was of the Party, that he might have an Opportunity to display his Abilities, and exact that Consideration from those in Power which they deserv'd. The Earls of *Stamford*, *Monmouth*, *Warrington*, and other *Whigs*, pleaded Principle for embracing the same Side; but, according to the *Historian of his own Times*, were more actuated by their own Discontents and Jealousies of those who had supplanted them: And as to the *Jacobites*, whatever had a Tendency to embroil, was sure to have both their Approbation and Assistance.

A. D. 1692.

So great a Conjunction of Passions and Interests was necessary to make up one effectual Opposition: And that it was not thoroughly so, argued, that either it was very ill cemented, or that the Court had a secret Dissolvent whose Operation was irresistible.

And now, on the 18th and not before, their Lordships condescended to take the King's Speech into Consideration; but did it in such a manner as serv'd to shew, that the Tempest was still raging, though such a Sacrifice had been made to appease it: For, as we shall find the Commons had done, they took the Hint from the first Paragraph, in which his Majesty makes use of the Word *Advice*, as well as *Assistance*, to suggest, that, according to the Order in which these Words had been used by him, Advice ought to precede Assistance: And so good a Use was made of it by those who drew up the Address, that the House were led unawares into an Engagement, to gratify his Majesty both ways; tho' they very well knew, that he had mention'd the one only for the sake of the other: It was, however, the 23d, even before this Address was presented, and during that whole Interval, and for many Days afterwards, all the busy Spirits of the House were hard at work, in collecting Matter to make their Address as unpalatable to the Court, and as grateful to the People, as possible.

The Lords take the King's Speech into Consideration.

It is now time to speak of the Commons, who set out with a Face of Opposition as well as the Lords: For they had no sooner voted their Address of Thanks for the Speech, than they call'd upon the Commissioners of Accounts for their Report; and, at the Instance of Sir *Thomas Clarges*, voted an Address, for his Majesty's foreign Alliances to be laid before them. They also the next Day, brought in a Bill for regulating Trials in Cases of High

The Commons call for the foreign Alliances.

A. D. 1692. and pass a Vote of Thanks to Admiral Russel.

High Treason: And, after having pass'd a Vote of Thanks to Admiral *Russel*, and the Commanders, Officers, and Seamen under him, for the late Victory obtain'd by them over the *French*, set on foot an Enquiry, Why the said Victory had not been pursu'd? Why the Descent had not been made? And why Care had not been taken to cover the Trade, by having a sufficient Number of Convoys and Cruisers in Stations proper for that Purpose? By the Vote of Thanks given to the Admiral, and which had been echo'd in Form from the Chair, with a suitable Introduction, it was manifest, that this Enquiry was rather calculated to skreen than expose him. But how the House of Commons, constituted as it was, came to espouse his Cause against Lord *Nottingham*, who was principally drove at, cannot at this Distance of time, be satisfactorily accounted for, without better Lights than have as yet, been communicated to the Public. The Admiral, however, undertook to shew, That no Misconduct could be justly imputed to him; for that he had written Orders to Sir *John Ashby* to follow the *French* Ships which fled thro' the *Race* of *Alderney*: And that as to the Descent, it was so late before the Land-Forces join'd the Fleet, that, according to the joint Opinion of all the Seamen, it was not adviseable to expose the great Ships to the Hazards they were liable to, in standing over to *St. Malors* and the other Places propos'd. In order therefore to trace the Matter as far as they could, the House severally order'd the Lords of the Admiralty to lay before them the Copies of all the Orders which they had sent to the Admiral; as also, the Admiral to bring Copies of his Answers; and the Commissioners of the Transports, Victuallers, Office of Ordnance, *&c.* to deliver in an Account of their Proceedings, *&c.*

The Commons Addresses and their Majesties Answers.

Having thus discover'd what Disposition they were in, they agreed to the Report of the two Addresses to the King and Queen; which, on the 14th, were presented by the whole House, to the following Effect, *viz.* To the King, "That they acknowledg'd the great Affection his Majesty shew'd to his Subjects, by taking Notice of their Bravery and Courage; by that sensible Concern he express'd for the Charges on his People; and that tender Regard for the Preservation of their Religion, Liberties and Properties, which must ever be remember'd with Gratitude by all his faithful Subjects. They likewise acknowledg'd the Favour of *God* in restoring his Majesty to his People, after so many Hazards and Dangers to which he had expos'd his Sacred Person, that there might be nothing wanting on his Part to oppose the ambitious Designs of his Enemies, and to maintain the Honour of *England*, and the Liberties of *Europe*. They then congratulated his Deliverance from the secret and open Designs, which the Malice of his Enemies had form'd against him: And assur'd him, that they would always *advise* and *assist* his Majesty in the supporting of his Government against all his Enemies." To the Queen they also set forth their thankful Acknowledgments, "For her gracious and prudent Administration of the Government, whilst his Majesty was hazarding his Royal Person abroad; and for the Blessings of Peace which they enjoy'd at home, under her auspicious Reign, at a time when the greatest Part of *Europe* was suffering the miserable Effects of War. They also congratulated her Majesty, not only on the signal Deliverance which they had receiv'd from a bold and cruel Design, form'd and prosecuted for their Destruction, when it was just ready to be executed, but likewise on the Return of her Majesty's Fleet with so complete and glorious a Victory, as was not to be equall'd in any former Age. And they assur'd her Majesty, that the grateful Sense they had of their Happiness under her Government, should be always manifested in constant Returns of Duty and Obedience, and a firm Resolution to do all that was in their Power to render her Reign secure and prosperous." A. D. 1692.

In answer to these Compliments, his Majesty was pleas'd to say, "I thank you heartily for your kind Address: And I assure you my Design is to do all I can for the Honour, Safety and Interest of the Nation." And the Queen simply, "My Thanks to the House for this kind Address."

These Answers being severally reported to the House, the next Day the Courtiers propos'd to take the King's Speech into Consideration, as the first Step towards a Supply: But those who had Credit enough with the House, to make the public Business subservient to their own, oppos'd it, urging, That his Majesty expected their *Advice* as well as their *Assistance*; and they could neither furnish him with the one, nor the other, till they had the Alliances, the public Accounts, the Estimates, *&c.* before them, and till the whole State of Things was thoroughly understood. And these Reasons and Pretensions had such Weight with the House, that the Consideration was postpon'd till the 22d following; in which Interval, they prosecuted their Enquiry into the Miscarriages of the Year, by sending for Sir *John Ashby*, whom Mr. *Russel* had made accountable for that Part of the *French* Fleet, which had escap'd thro' the *Race*; but who gave so fair, clear and candid an Account of his own Behaviour, that the House, by their Speaker, declar'd themselves equally satisfy'd with his Conduct then, and his Recital now; and dismiss'd him from any farther Attendance. And thus one Branch of the Enquiry, namely, Why the Victory had not been prosecuted? fell to the Ground.

They undertake to give the King Advice.

The Accounts, Alliances, *&c.* being now on the Table, they proceeded next to the great Article of giving Advice: And that it might not be thought that they meant to give Advice only, they pass'd a previous Vote, *Nemine Contradicente*, That a Supply should be given to his Majesty. This was done the 22d: And the next Day, after a long and warm Debate, on the Partialities shewn to the Foreign Generals, meaning the *Dutch*, and their ill Behaviour to the national Forces, especially Count *Solmes*, who was particularly

A. D. 1692. larly named, and whose Conduct at *Steenkirk* was severely reflected on, it was at first urged, That no foreign General should be allow'd on the *English* Establishment: And this being over-rul'd, it was finally resolv'd, That one Article of Advice to his Majesty should be, That he would be pleas'd to fill up such Vacancies as should happen among the General-Officers, with such only as were Natives of their Majesties Dominions; and that the Commander in Chief of the *English*, should be an *Englishman*: In Consequence of which, Count *Solmes* must have been remov'd, without the Formality of an Address for that Purpose: And here a Member, who either was not in the Secret of the Opposition, or had a Purpose to disjoint it, mov'd, That the House would recommend Lieutenant-General *Talmash* to his Majesty, who, he said, was a better and more experienc'd Officer than *Solmes*: But as the Success of this Motion would have totally disconcerted the Views of the *Marlborough*-Faction, it was suffer'd to drop, without being so much as seconded.

Three Days after, the Affair of the Transports, which had been referr'd to a Committee, and whose Report was that Day receiv'd, was taken into Consideration; and, after several warm Speeches thereon, it was unanimously resolv'd, That, in regard many of the great Affairs of the Government had been, for some time past, *unsuccessfully* manag'd, *the House should humbly advise his Majesty to prevent the like Mischiefs for the future, by employing Men of Knowledge, Ability and Integrity.* The Success of this Vote encourag'd some of those who had carry'd it, to lay the Axe to the Root of all our Mismanagements, by complaining of Cabinet-Councils; which, tho' a Novelty in our System of Government, was now become the first Mover in it, and gave what Direction it pleas'd to the whole; insomuch, that the Privy-Council was jostled out of its Place, and serv'd only to countenance the Measures which they had no Share in advising. But these Complaints, however justly founded, or manifestly tending to restore the Constitution, did not meet with the Notice which they deserv'd; but were suffer'd to drop, as a Matter either too great to be manag'd, or too tender to be touch'd: Tho' the Truth really was, That those who were loudest in their Clamours, thought least of a Reformation.

On the 30th, the Debates were conducted on a still narrower Bottom, and were calculated more openly and visibly to answer the Purposes of a Party; for the great Drift of the angry Speeches of that Day, was to shew, That all the bad things which had so grievously affected the Nation, and which then employ'd the Attention of the House, arose from the bad Principles of those in the Administration; whereas, the great Misfortune of the Commonwealth was, that those in Power, Place, and Authority, seem'd to have no Principle at all, but were govern'd solely by Ambition and Avarice. It was said, That those who had oppos'd the Settlement of the Government, could not be expected A. D. 1692. to serve it with the Zeal which the present Circumstances requir'd: The Earl of *Nottingham* was nam'd by one Member, but no body seconded him; and, upon the Issue of all, it was resolv'd, That his Majesty be humbly advis'd, for the necessary Support of the Government, to employ in his Councils and the Management of his Affairs, such Persons only whose *Principles* oblig'd them to stand by him and his Rights, against the late King *James*, and all *other Pretenders* whatsoever.

On the fifth of *December*, the Current of Opposition ran still in the same Channel; and it became more and more apparent, that the Earl of *Nottingham* was the principal Obstacle which was to be remov'd by it: Mr. *Russel* had not only clear'd himself from all Blame, but had tacitly laid it upon his Lordship: For being call'd upon to shew Cause, why it was so late before the Transports join'd him, he excus'd himself, by saying, That twenty Days had pass'd between his first Letter to the Earl of *Nottingham* after the Fight, and his Lordship's Answer to it. This seem'd to be a Proof, that the Secretary was in Fault: And as no Endeavours were wanting to enflame the House against him, so neither did he want for Advocates to argue as fiercely in his Behalf, and to recriminate upon the Admiral. Thus when the first Question came to be put upon the Debates of the Committee, both Parties agreed, That there had been an apparent Miscarriage in the Management of the Affairs relating to the Descent last Summer: But when the second, which was directed against the Secretary in these Words, "That one Cause of the said Miscarriage was the want of giving timely and necessary Orders, by such Persons to whom the Management of this Matter was committed," came also to be put, the two Parties divided, and appear'd so equally match'd, that it was carried in the Affirmative but by one Voice, *viz.* 165 against 164.

This seem'd to be a stunning Blow to both; for those who had carry'd their Point, durst not venture to make any immediate Use of it; and those who had lost it, were forc'd to be quiet for that Reason. On the eighth, therefore, when the Committee sat again, Advantage was taken by Sir *Richard Temple*, to give the Debates of that Day an indifferent Turn, by moving, That, in Pursuance of the King's Speech, they would take it into Consideration, how to pay the Forces abroad, by sending over *English* Manufactures, and thereby preventing the Exportation of so much Money yearly. This Expedient being seconded, it was resolv'd to move the House to appoint a Committee to consider thereof: But as if nothing which had a national Aspect, was to answer any other End, than to blind and mislead the Nations, this Resolution was no sooner taken, than Sir *Francis Winnington*, the Chairman, was call'd upon to leave the Chair: And that appearing to be the Sense of the Committee, the Speaker resum'd his Place: In Consequence of which abrupt Proceeding,

A. D. 1692. all that had been done was void; and even the Committee itſelf was at an end: For as the Chairman had receiv'd no Directions to make a Report, nor to apply for Leave to ſit again, he could do neither the one nor the other: The Committee was however reviv'd by the Houſe, and directed to ſit on the 12th following; at which time it was again adjourn'd, at the Inſtance of Admiral *Ruſſel*, to the 16th, and then ſcandalouſly dropt for good and all: For, a Motion being made, to adviſe his Majeſty, to remove Colonel *Gower* and Mr. *Meeſters*, two *Dutch* Officers, out of the Ordnance, and a Debate ariſing upon it, ſome Military Men, who had Seats in the Houſe, took Occaſion to ſay, That if they had nothing of more weight to lay before the King, they might as well go to their Dinner, the Hint was taken by the Majority to break up the Committee as before.

but give over at all.

Now if any one, more concern'd for the Credit of this Reign, than the Cauſe of Truth, and the Intereſt of Poſterity, ſhould take Offence at paſſing ſo harſh a Sentence on this Event, let them recollect, that even Biſhop *Burnet* himſelf, who is exceedingly careful not to throw too much Light on theſe Tranſactions, ſpeaks of them as follows: "The Commons began with great Complaints of the Admiralty; and then they had the Conduct in *Flanders*, particularly, in the Action of *Steenkirk*, before them; and they voted ſome Heads of an Addreſs relating to thoſe Matters; but by a SECRET MANAGEMENT they let the whole thing fall, after they had paſs'd thoſe angry Votes." What this SECRET MANAGEMENT was, there is no need, at this time of day, to explane; and it is to be fear'd, that the fatal Experience of this Age, will ſufficiently enlighten thoſe to come.

They vote the Supply for the Navy, Army and the Deficience of the Quarterly Poll.

To return; while the *previous* Point of *Advice* was viſibly languiſhing from Adjournment to Adjournment, that of *Aſſiſtance* gather'd Strength in Proportion: According to the Eſtimates ſent in by the Commiſſioners of the Admiralty, a Proviſion was to be made for thirty-three thouſand Seamen, and two Regiments of Marines: And tho' the Houſe could not be brought to admit the Latter, they made very little Difficulty to provide for the Former: And the Sum granted for this Service, as alſo that of the Ordnance, and for finiſhing the Dock-Yard at *Plymouth*, and building four Bomb-Veſſels, and eight new Fourth-Rates, was One Million, nine hundred and twenty-ſix thouſand, eight hundred and ſixteen Pounds, which was more by upwards of three hundred and thirty-five thouſand Pounds, than was given the former Year. This was done *December* the ſecond; and the next Day they made a farther Grant of Seven hundred and fifty thouſand Pounds to ſupply the Deficiency of the Quarterly Poll. Nothing now remain'd, but to provide for the Land-Forces: And as this was the Article in which the King was moſt concern'd, they choſe to keep it longeſt in Suſpence, for Reaſons of their own. The Eſtimates were indeed taken into Conſideration on the third, but the Grant was not completed till the 10th; and, in that Interval, the Craftſmen of all Sides ſhew'd the utmoſt of their Skill, in endeavouring to over-reach and circumvent one-another. The Number of Men demanded, was fifty-four thouſand, of whom twenty thouſand, as Lord *Ranelagh* the Pay-Maſter gave the Houſe to underſtand, were to be kept at home for the Defence of the Nation, while the reſt were employ'd abroad, in concert with the other Troops of the Confederacy. Under the ſame Head of Land-Service, were alſo comprehended the Subſidies paid to the Electors of *Saxony* and *Hanover*; together with the Artillery, Tranſports, Pay of General-Officers, Hoſpitals, and Contingencies of all Sorts; every one of which Items afforded ſufficient Matter for Diſpute and Altercation, and conſequently for the adverſe Party-Leaders to manifeſt their Importance, by expoſing and diſtreſſing the Court on one hand, and by their Endeavours to gratify it on the other. The Item firſt conſider'd, was the fifty-four thouſand Men; and as theſe were for two different Services, thoſe in the Oppoſition choſe to have them propos'd to the Houſe, under two ſeveral Queſtions; which the Courtiers, for a while, ſtrenuouſly withſtood, but at laſt gave way to, as not caring to endanger the thing by being over-rigid in preſcribing the manner: And now the Home-Queſtion being ſtated firſt, the whole Houſe appear'd of one Mind; for it was carry'd without one diſſenting Voice: But when the Foreign Branch came to be propos'd, the Debates were renew'd with more Vehemence than ever: Several declar'd themſelves averſe to the ſending any Forces into *Flanders*, where we had no immediate Intereſt of our own to ſerve, and where Experience had ſhewn us, there was ſo little Probability of Succeſs: Others again, were for continuing to aſſiſt our Allies on the Continent with a Proportion of Land-Forces; but then it was to be ſuch a one as became an Auxiliary, not a Principal, and at ſuch an Expence as the Nation could eaſily and chearfully bear. The whole Debate laſted till nine o'Clock, and then it appear'd, that the Courtiers had obtain'd ſo great a Majority, that their Opponents did not think it proper to expoſe their own Weakneſs, by dividing the Houſe.

A. D. 1692.

The greater Points being thus carry'd, the leſs follow'd almoſt of courſe: Upon the following Days, the Charge of the Staff-Officers, the Train, and the Tranſports, were ſeverally allow'd; and nothing remain'd but the Hoſpitals and the Mercenaries, which, as if to make Amends for the Diviſion of the great Queſtion on the third, was on the ninth compriz'd in one Article, under the Head of *Hoſpitals* and *other extraordinary Charges*; in which they ſtretch'd their Complaiſance to the Crown to a very remarkable Degree: For, whereas it appear'd on the Face of thoſe Treaties, which the King had caus'd to be laid before the Houſe, that, tho' the *Dutch* and we were joint Contracters with the *German* Princes, they bore but one Third of the Expence, and we the other Two, the Houſe, inſtead of openly and avowedly condemning

A. D. 1692. demning this open and avowed Inſtance of Partiality, choſe this lumping Method to enable his Majeſty to fulfil a Bargain, which they could not but diſapprove; and by way of Palliative granted but Two hundred thouſand Pounds for the Jobb, in lieu of Two hundred and thirty-five thouſand Pounds, as it was rated in the Eſtimate. Nor was this all; for, ſo much was the Temper of the Majority alter'd by this time, that a Motion being made, that the Prince of *Wirtembergh* and the Major-Generals *Tetteau* and *la Foreſt*, who commanded the *Daniſh* Troops now in the *Dutch* Pay, might have the Difference between the *Dutch* and *Engliſh* Pay made up to them by us, thoſe, who in the Beginning of the Seſſion could ſcarce bear the Mention of a foreign General, now made no Scruple to ſet up ſo ſtrange a Precedent in favour of theſe, under the Notion of a Conſideration for their good Services.

Here, however, they ſtopt, and on ſumming up all the ſeveral Items which they had by this time engag'd for, they voted and reſolv'd the next Day, That Two Million, ninety thouſand, five hundred and ſixty-three Pounds, ſhould be given to his Majeſty for the Land-Forces, and the other Extraordinaries of the War, which was One hundred and fifty-four thouſand, ſeven hundred and ſeventy-ſix Pounds more than they had given the Year before. And now nothing remained but to furniſh the Ways and Means: But before we follow them through that Walk, it will be expedient to reſume the Proceedings of the Lords.

Proceedings of the Lords on the Head of Advice.

Their Lordſhips, as we have ſeen, had reſolv'd to *adviſe* as well as the Commons; and indeed *Advice* was the proper Province of their Houſe, as *Aſſiſtance* was the Peculiar of the other: They ſet out with a Suppoſition, that the King had aſked their Advice; whereas, he had only dropt the Word by the Way, in Hopes that no body would think it worth picking up; and they were diſpos'd to give him, if not more than he wanted, more than he would uſe. It was, however, the 28th of *November* before they could agree on the firſt Head; and then, as well in Compliment to Lord *Marlborough*, as to attack the Court in its weakeſt Place, they open'd their Batteries againſt the foreign Intereſt, by reſolving to adviſe his Majeſty, to employ one of his *Engliſh* Subjects to be the Commander in Chief of his *Engliſh* Forces. It was yet many Days longer before they could agree on their next Stept: And in that Interval it occur'd to ſome of thoſe who were moſt in earneſt, and who beſt knew how infinitely difficult it was, to carry ſo vaſt and perplex'd a Buſineſs thro' all the Forms of a numerous Aſſembly, not only againſt the Inclination, but the fundamental Intereſts of the Court, that, as each Houſe were on the ſame Queſt, if they could ſo contrive it, as to procure the Management to be veſted in a joint Committee of both, arm'd with proper Powers and Authorities, they ſhould proceed with more Eaſe, on ſuter Grounds, and with more Certainty of Succeſs. Accordingly, this Notion of theirs was communicated to the reſt, who warmly eſpous'd it; and on the ſeventh of *December* it was mov'd for in the Houſe, and ſupported with all the Arguments, adorn'd with all the Eloquence, and animated with all the Spirit of the Party; againſt which the Court oppos'd their whole Phalanx, that is to ſay, all the Lords of the Cabinet, except the Lord Steward *Devonſhire*, all thoſe other Lords, whoſe Conſciences were under the Dominion of their Places and Penſions, and all the Biſhops preſent, except *Watſon*, Biſhop of *St. Davids*. Theſe altogether made up forty-eight, whereas, the others were but thirty-ſix. And thus, after a long Debate, the Courtiers became Maſters of the Field of Battle; while the Vanquiſh'd cover'd their Retreat with a thundering Proteſt; which was ſign'd in the firſt Place by Lord *Shrewſbury*, and after him, by the Lords *Stamford*, *Monmouth*, *Crew*, *Torrington* *Granville*, *Marlborough*, *Ayleſbury*, *Colchmondeley*, *Mulgrave*, *Cornwallis*, *Vaughan*, *de Longueville*, *Montagu*, *Bath*, *Macclesfield*, *Warrington*, and *Fitzwalter*; of whom above three Fourths were eminent *Revolutioners*; which deſerves ſo much the more Notice, becauſe Biſhop *Burnet*, ſpeaking of this Propoſition of theirs, is pleas'd to ſay, That it was what had never been offer'd, but when the Nation was ready to break out into Civil Wars; and, that if it had once been admitted, it would have grown in a ſhort time into a Council of State, which would ſoon have brought all Affairs under their Inſpection. The Proteſt itſelf was as follows:

A. D. 1692.

"1. Becauſe his Majeſty, having particularly and expreſly deſir'd the Advice of his Parliament at this time, when he ſo much ſeems to need it, no other Method was, nor, in our Opinions, could be propos'd, by which the two Houſes might ſo well and ſo ſpeedily be brought to that Concurrence which is neceſſary to render their Advice effectual.

2. Becauſe it appears by ſome Papers already imparted to this Houſe, that ſeveral Members of the Houſe of Commons are concern'd in the Matters before us, as having been ſo lately employ'd in his Majeſty's Service; and we conceive it the eaſieſt, propereſt, and faireſt way of Communication between the two Houſes, to have ſo great and important Buſineſs tranſacted, and prepar'd in a Committee ſo choſen.

3. Becauſe it cannot be expected that ſo many Members of the Houſe of Commons, from whom we ſhall need Information, can in any other manner be here preſent ſo often (tho' with the Leave of their Houſe) as will be neceſſary for a ſufficient Enquiry into the ſeveral Affairs now under Conſideration.

4. Becauſe, if the Houſe of Commons intend alſo to give Advice to his Majeſty, 'tis very probable that both Houſes of Parliament may receive ſuch Information ſeverally, as will be thought fit to be communicated as ſoon as poſſible; and we conceive no way of doing that can be ſo proper or ſpeedy, as in a Committee of both Houſes.

5. Becauſe in a time of ſuch imminent Danger to the Nation, by reaſon of the many Miſcarriages

A. D. 1692. Miſcarriages as are ſuppos'd generally to have been committed, the cloſeſt and ſtricteſt Union of both Houſes is abſolutely neceſſary to redeem us from all that *Ruin which we have too much Cauſe to fear is coming upon us.*"

This Project having been thus fruſtrated, their Lordſhips the next Day reſum'd the Affair of giving Advice, notwithſtanding; and having taken into Conſideration the Eſtabliſhment of the Ordnance, objected to the two *Dutchmen*, *Gower* and *Meeſters*, whoſe Names they found therein, and made it (*i*) another Head of their Addreſs, That his Majeſty would be pleas'd to remove them; which renders it ſo much the more remarkable, that the Commons ſhould break up their Committee eight Days afterwards, as we have ſeen they did, on this very Circumſtance, and withal that they ſhould throw ſo ſtrong a mark of Contempt upon it.

The next Point ſtarted, was that of the Precedency, when the *Engliſh* and *Dutch* were employ'd conjunctly in the ſame Service. The Earl of *Marlborough* aſſerted, it was not only due to the Former, but had been ſolemnly yielded by the Latter; and for Proof, he referr'd to the very Capitulation which had been ſign'd by the two States: The Lords apply'd to the Paper-Office for a Copy of this Piece: The Anſwer given was, That it could not be found. The Earl then produc'd a Copy himſelf, and upon the Authority of it, the Houſe came to a Reſolution, That another Head of their Advice ſhould be to this Effect, That his Majeſty would be pleas'd to give the Precedency to the *Engliſh*; and, that an *Engliſh* Officer might command all *Dutch* Officers of the ſame Rank, tho' his Commiſſion was of a later Date. This, in ſhort, was the plain *Engliſh* of the Vote; but in the Addreſs we ſhall find, that a leſs invidious Turn was given it.

There were ſtill four *Dutch* and three *French* Regiments in the Kingdom: Theſe were juſtly obnoxious to the Nation, as the continuing them here, while we were oblig'd to furniſh ſo large a Body of our own Troops to the Support of the Common-Cauſe on the Continent, ſeem'd to argue a Diſtruſt of the *Engliſh*, and an Opinion, that thoſe who had been the firſt Inſtruments to bring about the Revolution, were ſtill neceſſary to maintain it. Theſe, therefore, as a national Nuſance, their Lordſhips made it their next Effort to remove; and the principal Diſpute ſeem'd to be, after what manner the Effort ſhould be made: Some were for adviſing his Majeſty humbly, to ſend them all away; others, who were for trimming between the Intentions of the Malcontent Lords, and the King's known Inclinations, recommended, That his Majeſty might be adviſ'd to bring no more into the Kingdom than thoſe that were already complain'd of: And, at laſt, the Matter took this Turn, to make it part of their Addreſs, That the twenty thouſand Men to be left in *England*, might be all *Engliſhmen*. A. D. 1692.

Having made their way thus far, the Lords who led the Chace, believing, that they might carry yet another Point of ſtill greater Conſequence, or if not, that the Honour of making the Experiment, would more than compenſate the Diſappointment, endeavour'd to perſuade the Houſe, That ſeeing the Blood and Treaſure of *England* were employ'd in a Quarrel not entirely our own, it was but reaſonable, that the Powers we aſſiſted at ſuch an Expence, namely, *Spain* and *Holland*, ſhould put certain *cautionary Towns*, ſuch as *Oſtend*, *Newport*, *Sluys*, *&c.* into our Hands, as had been done by the Latter, when they firſt implor'd the Aſſiſtance of Queen *Elizabeth*. But tho' the Proportion was warrantable both by Reaſon and Example, and endur'd a very long and fierce Debate, the Majority, which were 36 to 24, were pleas'd to reject it; under what Pretences has never been explain'd.

Another Motion, which there is reaſon to think, was either made by, or at the Inſtance of, Lord *Warrington*, ſome Days after, was, That it might be Part of their Addreſs, to adviſe his Majeſty to remove out of the Lieutenancy of *London* ſuch Perſons as were *reputed* not to be well affected to the Government: But this was not only rejected, as unfit to be made a Part of the preſent Concern, but when it came afterwards to be conſider'd ſeparately, was found liable to ſo many juſt Objections, that it dropt of courſe.

And, laſtly, that their Addreſs might not ſeem to concern the *Engliſh* Soldiery only, they took into Conſideration the Grievances of the Seamen, ariſing from their being forc'd into the Service, and from the Outrages committed upon them by the Preſs-Officers; and with a Cauſe in their Favour, thus clos'd their Proceedings.

Thus, after ſo long a Purſuit, which had amus'd the Public from the 18th of *November* to the 23d of *February*, they waited upon his Majeſty with an Addreſs or Remonſtrance, conſiſting of theſe five Articles only; namely, 1. That the Commanding-Officer of the *Engliſh* Forces under the King, ſhould be an *Engliſhman*. 2. That the *Engliſh* Officers might have Precedency of all Officers of equal Rank in the Confederate Forces, tho' their Commiſſions were of later Date, thoſe of Crown'd Heads excepted, the contrary Practice during the preſent War, being, as they conceiv'd, a great Diminution to the Crown of *England*, and a great Diſſatisfaction for their Majeſties Subjects. 3. That the twenty thouſand Men to be left in *England*, might be all *Engliſh*, under the Command of an *Engliſh* General. 4. That effectual Orders might be given for remedying the great Abuſes committed by preſſing Men for the Fleet; and that ſuch Officers as were guilty of that Practice, might be caſhier'd, and farther *Their Lordſhips Addreſs.*

(*i*) The Houſe divided upon *Gower*'s Caſe; and it then appear'd, that the Malcontents had a Majority of Three: the Number againſt him being 41, and for him but 38.

A. D. 1692. farther puniſh'd according to Law: And, 5. That there might be no Foreigners at the Board of Ordnance, becauſe they eſteem'd it a Prejudice to their Majeſties Service, and a Diſcouragement to their Subjects. His Majeſty's Anſwer was, *That he would take their Addreſs into Conſideration*; which, in the Language of the Throne, was as much as to ſay, That he ſhould pay no Regard to it at all: Their Lordſhips did not, however, as the Commons have ſometimes done, on the like Occaſion, preſs his Majeſty for an Explanation; nor did they ſo much as talk of addreſſing again, to know by whoſe Advice they had been expos'd to ſuch Treatment.

The King's Anſwer.

But tho' their Lordſhips were in this Inſtance true to the fundamental Maxim of their Houſe, never to be on deſperate Terms with the Crown, they ſeldom or never ſuffered their ill Humour to riſe to ſuch a height, or to break out ſo many various ways as during this Seſſion; as will be farther exemplify'd in its proper Place.

Nothing, indeed, could be more myſterious to the Public, than to be amus'd from Day to Day with Accounts of their Lordſhips notable Efforts to rectify the Errors of Government; and yet to find the Majority as ſedulous to ſkreen Lord *Nottingham*, as they ſhew'd themſelves to cenſure Admiral *Ruſſel*: For ſuch was the Caſe: And tho', when they call'd for all the Papers, Orders, and Replies relating to the Deſcent, they ſeem'd to have no particular Biaſs, the contrary ſoon became apparent; as alſo, that the two Houſes would ſooner come to a Breach, than either would lay aſide Favour and Affection, for the ſake of doing Juſtice to their Country.

Proceedings of both Houſes with relation to Lord Nottingham *and Mr.* Ruſſel.

On the fifth of *December*, Lord *Nottingham* brought into the Houſe his own Book of Entries, together with the whole Correſpondence that had paſs'd between him and the Admiral; which were referr'd to the Conſideration of a Committee: And his Lordſhip having moreover added ſome Particulars tending to prove, That by Word of Mouth, the Latter had been guilty of many things which had contributed greatly to the Miſcarriage, another Committee was appointed on the ninth, to enquire, What way might be found for their Lordſhips to ſpeak with a Member of the Houſe of Commons, or to have him before a Committee; and on the tenth, the ſaid Committee made their Report of an Expedient, which they conceiv'd would be effectual, and which, after ſome Debate, was adopted by the Houſe. The ſame Day alſo, Sir *John Aſhby* was examin'd at the Bar; and a Queſtion ariſing from the firſt Committee, whether the Account they were preparing, to be communicated to the Commons, ſhould be drawn up, as coming from the Houſe, or Lord *Nottingham*, the Former was reſolv'd on; and his Lordſhip was directed to draw up the Subſtance of his own verbal Charge himſelf. It was in Expectation of theſe Papers that Mr. *Ruſſel* had procur'd the Adjournment of the Committee of Advice, in the Houſe of Commons, before ſpoken of: And on the 19th following, the Lord Preſident and the other Lords of the Committee, deliver'd the ſaid Papers at a Conference to a Committee of the Commons, with Theſe or the like Words: "Gentlemen, we deliver theſe Papers to you by Command of the Houſe of Lords; and ſome Members of the Houſe of Commons are often mention'd in the ſaid Papers, from whom, poſſibly, you may be more particularly inform'd of the Matter contain'd in them." Now Biſhop *Burnet* aſſerts, in the moſt peremptory manner, that the Commons would not ſo much as read theſe Papers: And yet nothing is more certain, than that there is an Entry in the Journals, to this Effect, That at another Conference, which the Commons had demanded, and which was held on the 21ſt, their Committee declar'd, in the Name of the Houſe, "That they had *read and well conſider'd* thoſe Papers which their Lordſhips had ſent them, and which they now return'd by Order of the Houſe; and that finding Mr. *Ruſſel* a Member of their Houſe often mention'd in them, they had unanimouſly reſolv'd, "That Admiral "*Ruſſel*, in his Command of the Fleet, dur- "ing the laſt Summer's Expedition, had be- "hav'd with Fidelity, Courage, and Con- "duct."

A. D. 1692-3.

Thus it appear'd, that their Lordſhips *Expedient* had not anſwer'd their Purpoſe; and all that that remain'd, was to give ſome Vent to the Diſpleaſure which aroſe from the Diſappointment. This could be only done at a free Conference; and it was a doubtful Point, whether a free Conference could be demanded, unleſs in caſe of a Diſagreement between the two Houſes: Hereupon Precedents were ſearch'd, ſome were found, and, after a long Debate, another Committee was appointed to inſpect Precedents, whether the Reſolution of the Houſe of Commons, deliver'd at the laſt Conferences, was agreeable to the uſual Proceedings of Parliament, and alſo to conſider of Heads to be deliver'd at a free Conference on that Subject. A free Conference was accordingly demanded by their Lordſhips, and (*k*) granted by the Commons, but under this Reſtriction to their Managers, That how *free* ſoever the Lords Committee might be on their Side, they were to make no Reply. This Demand was made *January* the firſt, 1692-93. the two Committees met on the fourth, Lord *Rocheſter* was Spokſman for the Lords; and what he ſaid was to this Effect, "That he was commanded by the Houſe of Lords to repreſent to them, That their Lordſhips look'd upon the late Vote and Proceeding of the Houſe of Commons, in returning their Papers

(*k*) Mr. *Tindal* not only ſays it was refus'd, but gives the Numbers on each Side when the Houſe divided on the Queſtion; and yet afterwards gives an Account of what paſs'd at it. The Diviſion of the Houſe, therefore, could not be on refuſing the Lords a free Conference, which would have given them the greateſt Advantage, but whether the Conference ſhould be free on their Side, as the Fact is ſtated above.

A. D. 1692-3. Papers about the laſt Summer's Expedition, to be irregular and unparliamentary; for that their Lordſhips having tranſmitted thoſe Papers to them for their Information in a Matter wherein ſeveral Perſons ſeem'd to be concern'd, they expected that the Commons would not only have *duly conſider'd* them, but likewiſe have communicated to their Lordſhips what Lights they had before them relative to that Matter, and at leaſt the Facts and Reaſons which they had grounded their ſaid Vote upon." His Lordſhip alſo gave in a written Paper, to the ſame Purpoſe; which Colonel *Granville* receiv'd on behalf of the Commons; ſaying, That they would report what their Lordſhips had ſaid to the Houſe, which was all they had in Charge. And ſo ended this *half-free* Conference; and with it all Expectations of ſeeing the Nation better ſerv'd: For while it was admitted on all hands, that Affairs had been ill manag'd, and the ill Managers could not be detected, a Door had been open'd by the Legiſlature itſelf, for Abuſes on one hand, and Impunity on the other.

We are not, however, to forget, that while the Lords were at all this Trouble to ſet a Mark on Admiral *Raſſel*, the Commons made it Part of their Buſineſs to return the Compliment to Lord *Nottingham*: For about the ſame time that a Motion to adviſe his Majeſty to fill the Admiralty-Board with Perſons of known Experience in maritime Affairs, which imply'd ſo ſtrong a Cenſure of the (*l*) preſent Commiſſioners, was over-rul'd, an Addreſs, That, for the future, all Orders for the Management of the Fleet might paſs through the Hands of the ſaid Commiſſioners, was carry'd; which could anſwer no other End, than to enter a ſort of Proteſt againſt the Conduct of the Secretary's Office in the Journals of the Houſe: For ſtill the Orders of the Cabinet were to paſs through the ſame Channel, and only went farther about, before they could be carry'd into Execution.

Ways and Means. In this Interval alſo, the Commons enter'd on the Conſideration of Ways and Means; and for their firſt Step, reſolv'd, "That a Pound Rate of four Shillings in the Pound, for one Year, ſhould be charg'd upon all Lands according to their yearly Value; as alſo upon all perſonal Eſtates, and upon all Offices and Employments of Profit, other than military Offices in the Army and Navy." This capital Vote was completed *December* the 15th; and in the Act that was form'd upon it, the King was enabled to take up Money on the Credit of it, at 7 *per Cent.* Secondly: They farther enabled his Majeſty to raiſe a Million on the general Credit of the Exchequer, by granting Annuities after the rate of 14 *per Cent.* for one Life, or of ſeven to ſuch as ſubſcrib'd under the Reſerve of Survivorſhip. Thirdly: They made an Addition to the Cuſtoms, by impoſing ſeveral new Duties on a Variety of Imports in the Act ſpecify'd. Fourthly: They brought in a Bill for a Review of the laſt quarterly Poll; and made a Proviſion therein, that, in caſe upon the Return of the Duplicates of Aſſeſſment, it did not produce three hundred thouſand Pounds, the Deficiences might be borrow'd on the general Credit of the Exchequer, at eight *per Cent.* And, fifthly, they prepar'd another Bill for continuing the Impoſitions on Wine and Vinegar, together with thoſe on Tobacco and Sugar, which were to have expir'd in 1696, till 1698; and thoſe on *Eaſt-India* Goods, which were to have expir'd in 1695, till 97; as alſo, for laying a new Impoſition of eight *per Cent.* on the capital Stock of the *Eaſt-India* Company, then eſtimated at ſeven hundred and forty-four thouſand Pounds; one *per ann.* on the *African*, and five Pounds on ever Share of the *Hudſon's-Bay* Stock, and enabling his Majeſty to borrow five hundred thouſand Pounds upon it, at eight *per Cent.* All theſe Sums were given expreſly for the carrying on a vigorous War with *France*. And we are told, that when King *Lewis* was inform'd how liberally his Majeſty was ſupply'd out of the Coffers of his People, he was heard to ſay, with ſome Emotion, *My little Couſin the Prince of* Orange *is fix'd in the Saddle*: And again, after a little Pauſe, *No matter, the laſt Louis d'Or muſt carry it.* [*Cruſoe's Teſt. againſt Hutchinſon*, fol. p. 10.]

A. D. 1692-3.

On the Supply, the Malcontents of both Houſes very well knew depended the Fate of the Seſſion; when, therefore, by virtue of the *ſecret Management*, before ſpoken of, all Obſtacles were overcome in that of the Commons, the Lords began to caſt about for ſome ſuch Expedients as ſhould put them within reach of the Sweets of this ſecret Management too: And this could no otherwiſe be done, than by retarding the Money-Bills, when they ſhould come before them. Accordingly, when that for the Land-Tax, which was firſt diſpatch'd, came up, the Lords *Halifax*, *Mulgrave*, &c. apply'd their whole Strength to graft a Clauſe upon it, That the Lords ſhould tax themſelves: And tho' Biſhop *Burnet* pronounces, That in the way in which the ſaid Clauſe was drawn up, it could not be defended, it met with ſo much Countenance, that it was actually adopted by the Majority; and the Bill ſo amended, was moreover return'd to the Commons on the 17th of *January*, who immediately took it into Conſideration, and not only rejected it with one Voice, but with ſuch peculiar Tokens of Indignation, as they thought ſo flagrant a Treſpaſs on their peculiar Right deſerv'd: That the Lords alſo might not have room to fancy, that they heſitated a Moment, they ſent to demand an inſtant Conference; but their Lordſhips had the Addreſs to fruſtrate them in that Particular: For they had no ſooner ſent down the Bill, than they went on the (*m*) hearing of

(*l*) It is aſſerted of one of them, That, being apply'd to by certain *Barbadoes* Merchants for a Convoy for the Trade of that *Iſland*, he told them, The *Virginia* Convoy would be order'd to take care of them.

(*m*) They had alſo made uſe of the ſame *Cauſe* before this to retard the Progreſs of the Million Annuity Bill: For Sir *John Somers* being *Chairman* of the Committee of Ways and Means, and being alſo obliged, as Attorney General, to attend

A. D. 1692-3 of Lord *Banbury*'s Clame of Peerage; and while that was depending, the Meſſengers could not be admitted. This produc'd an Adjournment; for the Commons would proceed in no Buſineſs whatſoever, till they had aſſerted their Privilege; and it was not till the next Day that they had an Opportunity to let their Lordſhips know, at a Conference, "That they diſagreed to the Clauſe in queſtion, as being a notorious Encroachment upon the Rights of the Houſe of Commons, to order and ſettle all Matters relating to the giving of Money; which Right their Anceſtors had been ſo jealous of, that they thought it underwent a Diminution when they gave their Lordſhips any Reaſon in ſupport of it."

Thus the Controverſy was fairly ſet on foot, and it remain'd with the oppoſing Lords to make all the Uſe of it they could: Accordingly, when the Report came to be debated, they contended with unuſual Vehemence, ſays *Burnet*, for a Delay, till a Committee ſhould be appointed to examine Precedents: Who the Speakers were, he does not ſtay to ſpecify; but then he gives us to underſtand, that the Earl of *Mulgrave* was at the Head of them: For he ſays, that he preſs'd his Point *many Hours*, with a great Force of Argument and Eloquence, beyond any thing that he had ever heard in that Houſe: And yet all that he remembers of either, is contain'd in the following Words: "*He inſiſted much on the Dignity of the Peerage, and made* THIS *which was now propos'd to be ſo main a Part of that Dignity, that he exhauſted all the Topics of Rhetorick to convince the Lords, That if they yielded to* THIS, *they diveſted themſelves of their true Greatneſs, and nothing could remain but the Name and Shadow of a Peer*, which was but a Pageant." What ſort of an Inſtance this is of Argument and Eloquence, there is no need to point out; and how highly ſoever the Biſhop himſelf might value it, we find him undertaking with three Lines more, to ſubvert all that the Earl had taken ſo much Pains to eſtabliſh. "But after all the Pomp and Heat of his Oratory, continues he, the Lords conſider'd the Safety of the Nation, more than the *Shadow of a Privilege*: And ſo they paſs'd the Bill." Meaning, that they parted with their Clauſe; which was, in truth, the Buſineſs immediately before them, and the great Point which the Earl of *Mulgrave* had ſo vigorouſly withſtood.

Upon the whole, it ſeems, their Lordſhips had only adopted it by way of Experiment: And the very Moment that the Houſe of Commons appear'd ſteddily reſolv'd, to riſque all rather than give way to it, their Reſolution was to relinquiſh it: And A. D. 1692-3. this appear'd ſo clearly to be the Senſe of ſo great a Majority of the Houſe, that on putting the Queſtion, it paſs'd without a Diviſion; and the only Salvo they could have recourſe to, was to appoint a Commitee to draw up Reaſons for their Conduct; which having been approv'd by the Houſe, were communicated to the Commons at a Conference, and were in Subſtance as follows, *viz.* That their Lordſhips had agreed to paſs the Bill without Alteration; and that they had done ſo, merely in regard to the preſent urgent State of Affairs, as being otherwiſe of opinion, That they had a Right to inſiſt upon their Clauſe.

And thus it appearing, that in the eſſential Buſineſs of the Supply, the Court had taken their Meaſures ſo, as to be ſure of overcoming all Obſtacles in both Houſes, the Heads of the Party had nothing left to do, but to keep up the Spirit of the Seſſion, by feeding the Flame with all the Combuſtibles that lay within their Reach.

A bold, but impolitic, Pamphlet, call'd, *King William and Queen Mary Conquerors*, had been ſet forth by one Mr. *Blount* (tho' he did not prefix his Name to it) under the Sanction of *Bohun* the LICENSER OF THE PRESS; and, tho' it contain'd no other Doctrine than what had been propagated, not only thorough the whole Dioceſe of *Sarum*, but through every Dioceſe in the Kingdom, in a paſtoral Letter of Bp. *Burnet*'s, and what had been preach'd before their Majeſties by Dr. *Lloyd*, Biſhop of *Worceſter*, *November* the fifth, 1690, whole (*n*) Sermon, with large Additions and Corrections, was afterwards printed by AUTHORITY; that Doctrine was now eſteem'd and repreſented to be an Inſult to the whole Nation, and what the whole Nation was concerned to have puniſh'd. Accordingly, *January* 20, a formal Complaint was made in the Houſe of Commons againſt the ſaid Pamphlet, as containing Aſſertions of dangerous Conſequence to their Majeſties, to the Liberty of the Subject, and the Peace of the Kingdom. The *Licenſer* was ſent for in Cuſtody of the Serjeant at Arms, as were alſo the Bookſeller and Printer: And all having been examin'd, it was reſolv'd, *nemine contradicente*, That the ſaid Pamphlet ſhould be burnt by the Hands of the common Hangman; and that his Majeſty ſhould be humbly mov'd to diſmiſs the ſaid *Licenſer* from his Employment. Nor did they ſtop here; for the like Complaint having been alſo exhibited againſt Biſhop *Burnet*'s Paſtoral Letter, in which it was ſaid, the Notion of Conqueſt had been *firſt* promulgated (though he himſelf, in his Hiſtory, aſcribes the Honour of it to Dr. *Lloyd*) a Debate aroſe, whether the ſaid Paſtoral

Proceedings againſt a Pamphlet, call'd, King William and Queen Mary Conquerors.

and Burnet's paſtoral Letter.

[*F. i. p. 824.*]

---

attend the Lords on that Occaſion, they caus'd him to be ſent for out of the *Chair*; and as he had offended one Houſe, by ſuffering them to wait for him; ſo he offended the other as much, by obeying that Summons rather too abruptly, and breaking up the Committee without a due regard to the uſual Forms.

(*n*) On this Text, "For Promotion cometh neither from the Eaſt, nor from the Weſt, nor from the South.

But *God* is *the Judge*: He putteth down one, and ſetteth up another. Pſal. lxxv. Ver. 67."

Under this Title:

A Diſcourſe of God's Way of diſpoſing of Kingdoms:

And with this Motto:

"With *God* I would have you begin and end, who is King of Kings, the Sovereign Diſpoſer of the Kingdoms of the World, who putteth down one and ſetteth up another." [*King Charles the Firſt's Works, p.* 713, *in his Letter to his Son.*

A.D. 1692-3. toral Letter ſhould not undergo the like Cenſure: And tho' it was adjourn'd for that Day, it was not only reſum'd the next, but the Houſe dividing on the Queſtion, Whether the paſtoral Letter ſhould be burnt at the ſame time with the other, it was carry'd in the (o) Affirmative, by 162 Voices againſt 155. Biſhop *Lloyd's* Book was alſo mentioned as equally worthy of the ſame Fate; but either in reſpect to their Majeſties, who had given it their peculiar Sanction, or out of Partiality to the Man, or thinking they had *already* ſet a ſufficient Brand on the Doctrine it contain'd, they let the Motion drop.

The next Day the Houſe was inform'd by Mr. *Chancellor of the Exchequer*, That, in anſwer to their Addreſs for removing *Bohun*, the Licenſer, his Majeſty had ſaid, *It ſhould be done*. And, in this Interval, the Lords having join'd in the ſame Cry, and being deſirous not only to overtake, but even to ſurpaſs the Commons in the Purſuit, firſt deſir'd a Conference; and thereat ſignify'd, That, upon Occaſion of a late Libel, entituled, *King* William *and Queen* Mary, CONQUERORS, which their Lordſhips had order'd to be burnt by the *common Hangman*, their Lordſhips had agreed to a Vote; which they thought to be ſo important, that they thought fit to communicate the ſame to the Houſe of Commons, *viz.* "Reſolv'd by the Lords, Spiritual and Temporal, in Parliament aſſembled, That the Aſſertion of King *William's* and Queen *Mary's* being King and Queen by CONQUEST, was highly injurious to their Majeſties, and inconſiſtent with the Principles on which this Government is founded, and tending to the Subverſion of the Rights of the People." This being reported to the Commons the ſame Day, by their Committee, they not only adopted it, *nemine contradicente*, but after the Words, *injurious to their Majeſties*, made the following Addition, RIGHTFUL TITLE *to the Crown of this Realm*: And under this double Sentence of both Houſes, the Pamphlet was burnt accordingly. After which, *Bohun*, who had been all this while, that is to ſay, from the 20th to the 28th of *January*, in Cuſtody of the Serjeant, upon his Petition, was brought to the Bar of the Houſe; and, having been reprimanded upon his Knees, by the Speaker, was diſcharg'd.

Againſt preſſing for the Land-ſervice.

This Fire-work had ſcarce ſpent itſelf, before another was let off from the ſame Quarter, on the following Occaſion: The Servant of one Mr. *Manſel*, a Member, going in his Livery for his Maſter's Letters, was preſs'd, clapt on board a Tender, and with others in the ſame Circumſtance, hurry'd down to *Harwich*, in order to his being ſent to *Flanders*. On the ſecond of *February*, this was complain'd of in the Houſe, and ſo highly reſented, that an Order was immediately made, for the Mayor of *Harwich* to ſearch all Tranſport-Ships, Packet-Boats, and all other Veſſels in the ſaid Harbour, for the ſaid Servant; and, in caſe he found him, not only to cauſe him to be releas'd, but to ſend to the Houſe a particular Account, where, and in whoſe Cuſtody he found him; and alſo, to take his Examination, and to tranſmit it to the Houſe. On the ſeventh, Mr. *Lutterel*, another Member, made the like Complaint; upon which, a Committee was appointed to examine the Particulars, as alſo, to enquire into the great Abuſes daily committed by Preſs-Maſters: And the Mayor of *Harwich*, having comply'd with the Order of the Houſe, and ſent up the Informations requir'd, his Letter was order'd to be laid before the King, accompany'd with a ſuitable Recommendation of it to his Majeſty's Attention. On the ninth, Sir *Edward Seymour* reported his Majeſty's Anſwer; which was to this Effect, "That his Majeſty had been graciouſly pleas'd to take notice of the great Violation of Juſtice, which had been committed, by *kidnapping* his Subjects (under the *Pretence* of preſſing them) into foreign Service: That his Majeſty had a very great Reſentment, that his Subjects ſhould meet with ſuch Uſage: That he would take all poſſible care, for the future, to puniſh the Authors of it: That he had already been pleas'd to call before him the Officers of the Army, and to give them a ſtrict Charge, that as they had no Power to preſs, they ſhould not receive any into the Service who were preſs'd: That his Majeſty would cauſe this Order to be made public, by having it printed: That he had alſo given Orders to the Admiralty to examine the Preſs-maſters, who had committed the Abuſes complain'd of; and that there ſhould be ſuch exemplary Puniſhment inflicted upon them, as ſhould deter others from doing the like." This mollifying Anſwer, for a while, had all the Effect that could be deſir'd; and that, more eſpecially, as it was accompany'd with a Royal Mandate in the *Gazette*, to all Commiſſion-Officers, not to receive impreſs'd Men, on pain of being immediately caſhier'd; and to all Non-commiſſion-Officers, of the ſevereſt Puniſhments that might be inflicted on them; and a Declaration, That his Majeſty had alſo given his Orders for the puniſhing Preſs-Maſters offending therein, with the utmoſt Rigour, according to their Demerits. But, when it appear'd, that this Mandate was not obſerv'd, and that there was as much Reaſon given to complain of the Abuſe as ever, Advantage was taken to renew the Enquiry concerning them. In particular, the Houſe being inform'd, that one Captain *Winter* had preſs'd ſeveral Perſons for the Land-ſervice, whom he detain'd in Cuſtody; and that ſeveral other Perſons who had in like manner been preſs'd for the ſame Service, were detain'd in Cuſtody of one *Bright*, in *Drury-Lane*, and one *Davis* (Deputy-Provoſt-Marſhal)

A.D. 1693.

(o) This is one of the Circumſtances which the *Hiſtorian of his own Times* had reaſon to paſs over in Silence; and of which, perhaps, he complains, when he ſays, "It was a hard thing in ſuch a divided Time, to reſolve to be of no Party, ſince Men of that Temper are puſh'd at by many, and protected by no Side. Of this we had many Inſtances at that time; and I myſelf had ſome very ſenſible ones, but they are too inconſiderable to be mention'd." [*Vol.* II. *p.* 118.

A.D. 1692-3. ſhal) in *Parker's-Lane*, under very hard Uſage; and that there were two Perſons attending at the Door, who could farther inform the Houſe concerning thoſe Matters; the ſaid Perſons were call'd in, and having been examin'd at the Bar, the Serjeant at Arms was order'd to bring the ſaid *Winter*, *Bright*, and *Davis*, together with all the Perſons held in Confinement by them, to the Bar of the Houſe; which being done accordingly, all thoſe who had been preſs'd, were immediately diſcharg'd by ſpecial Order of the Houſe: Finding alſo ſome Reaſon to ſuſpect, that all the Priſoners had not been as yet produc'd, the Serjeant at Arms was again ſent back to make a new Search, to take an Account of ſuch others as he ſhould find, and to bring the reſpective Books of Impriſonments and Diſcharges kept by the ſaid *Davis* and *Bright*: And upon the whole Matter, obſerving Captain *Winter* to be the Undertaker-general for this Method of recruiting the Army, they order'd him to be carry'd in Cuſtody of the Serjeant, before the Lord Chief-Juſtice, to be examin'd by his Lordſhip, who was alſo to take the Informations againſt him, in order to his being proſecuted according to Law.

While the Clamours, occaſion'd by this Affair, were yet ringing in the Ears of the People, the Mal-Adminiſtration of the Government of *Ireland*, ſo lately *deliver'd* from the *Oppreſſions* of King *James*, furniſh'd freſh Matter for Remonſtrances within Doors, and Invectives without.

and on the Mal-Adminiſtration of Ireland.

Several Gentlemen of that Kingdom; namely, Sir *Francis Brewſter*, Sir *William Gore*, Sir *John Macgill*, Lieutenant *Stafford*, Mr. *Slone*, and Mr. *Kerne*, either by Invitation from hence, or, in Proſecution of their own particular Quarrels, were come over from *Ireland*, purpoſely to lay the Complaints of that Kingdom before the Parliament of this. All made their Appearance at the Bar of the Houſe of Commons, and at firſt ſpecify'd their Complaints by Word of Mouth: But theſe not giving full Satisfaction, both the Hearing and the Debate which it occaſion'd, were adjourn'd; and they were ſeverally requir'd to give in their Narratives in Writing. This they did accordingly on the 24th of *February*; and the Subject Matter of them may be gather'd from the two Papers of *Slone* and *Brewſter*; both Members of the *Iriſh* Parliament.

[*Slone's* Narrative.]

Slone's was the moſt full, but ſo deficient in point of Method, that his Facts and Arguments loſt much of their Force for want of a due Connection with, and a Dependence on, each other. His firſt Head was National Grievances; and of thoſe he began with the Non-payment of the Army; which had furniſh'd thoſe Gentlemen with an Excuſe for raiſing what Sums they pleas'd for their own Subſiſtence, by their own Authority: And when theſe Contributions were either refus'd, or could not be anſwer'd, they made no Scruple to levy them by Diſtreſs, as if they were arm'd with the Laws as well as with the Sword. And in this manner he ſuppoſes they had levy'd above two hundred thouſand Pounds. His next Topic, was the Miſapplication and Embezzlement of the forfeited Eſtates, both real and perſonal; the Value of which laſt, as return'd by the Commiſſioners, amounted alone to about a hundred and thirty thouſand Pounds; of which but a very ſmall Part had been accounted for to their Majeſties. He then mentions it as another national Complaint, that ſo many of the Papiſts were not only ſuffer'd to keep Arms, but even to ſerve in the ſtanding Army; as alſo, that they ſhould be cover'd from the due Courſe of Law, by unlawful Protections: That the Outlawries of many of them, who were comprehended in no Articles, but ſuch as they had made themſelves, ſince the War ended, ſhould be revers'd: And that when it was aſked, Why ſuch Favour was ſhewn them? it was anſwer'd by an Agent of the Court, That, perhaps, this was one of the *Arcana Imperii*, which was not fit to be divulg'd. And, laſtly, he ſpoke of the Prorogation of the *Iriſh* Parliament, as the greateſt Grievance of all: But in order to illuſtrate that, he gave ſuch a Detail of the Behaviour of the Lord-Lieutenant and his Courtiers, during the time of their Sitting, as ſeem'd to argue, that the whole was grievous alike.

A.D. 1692-3.

There never was, he ſaid, a Houſe of Commons of that Kingdom, of greater Property, or better Principles, than thoſe which met under Lord *Sydney's* Adminiſtration; nor could any Men be more gratefully ſenſible of the Kindneſs, which, in their Diſtreſs, they had receiv'd from the *Engliſh* Nation, or more cordially diſpos'd to make ſuch Returns to the Crown, as became them. After Parliaments had been diſcontinu'd for about twenty-ſeven Years, with an Exception to that held by King *James*, nothing could be more welcome than ſuch a Meeting. The Lieutenant's Speech was alſo receiv'd with great Joy; tho', in effect, a Supply was demanded in it, as the Price of that Meeting, which was ſaid to be the greateſt Demonſtration of their Majeſties Affection to that Kingdom in their Power to give. Then, as to the Proceedings of the Houſe, he ſuggeſted, That tho' the Supply was the laſt Article in the Speech, ſuch was the Complaiſance of the Members, that they gave in to the Inſtances of the Courtiers, and made it the firſt of the Buſineſs. The civil and military Liſts having been laid before them, by Order of the Lord Lieutenant, together with his own Computation of the Revenue, Mr. *Pulteney*, his Secretary and firſt Miniſter, demanded a Fund, or Funds, for the raiſing ſeventy thouſand Pounds *per ann.* more, to make the Income of the Government anſwerable to the Expences of it. The Houſe, on the other hand, took his Excellency's Word for both; for, tho' it was obſerv'd, that the one was leſſen'd, and the other magnify'd, and that the Country was ſo exhauſted with the late War, that it was rather in a Condition of demanding Abatements from the Government, than to contribute farther to it; ſuch was their Zeal, that they adopted the Secretary's Motion, and reſolv'd to make Proviſion

A.D. 1692-3. sion accordingly. Ways and Means came next under Conſideration; and, whether they were not over dextrous in that Purſuit, or they found it reaſonable to prolong it, till the national Bills they were preparing, ſhould overtake them, the Court grew impatient and ſent down two Bills ready drawn, from the Council Board, and requir'd the Houſe to paſs them without any farther Ceremony. The Purport of one, was to impoſe an additional Exciſe upon Beer, Ale, and other Liquors; and the other to lay a Tax of fifteen Pence an Acre on all Corn throughout the Kingdom. The firſt of theſe was tolerably well reliſh'd, as to the Matter of it; but the ſecond was almoſt univerſally diſlik'd, as being unequal in its Nature and Effects: For neither was all Corn of the ſame Value; nor was the Market-Price of any one kind of Corn the ſame throughout the Kingdom: Beſides which, the Graſier would be wholly exempt from it, and the Farmers, having ſuffer'd the moſt in the late Calamities, were leaſt able to bear it. Then as to the manner of Introducing theſe Bills, both were in the higheſt Degree diſſatisfactory: For tho' by *Poyning*'s Law, no Bill was to be paſs'd in *Ireland*, till it had firſt receiv'd the Sanction of the *Engliſh* Privy-Council, it was never pretended, that the Commons of *Ireland* were by that Act foreclos'd from taxing themſelves their own way. Tho' willing therefore to oblige the Court, and diſpos'd to adopt the additional Exciſe-Bill, they were reſolv'd to maintain their own Rights: And, accordingly, after an Inſpection of their Journals, and a ſolemn Debate, it appear'd upon the Iſſue to be the general Senſe of the Houſe, that they had a Right to reject the ſaid Bills; and that all Money-Bills, whatſoever, ought firſt to take their Riſe from themſelves. That, however, the Court might have ſo much the leſs Reaſon to complain of them, and the Courtiers to miſrepreſent their Proceedings, they ſuffer'd the Exciſe-Bill to lye before them, and prepar'd a Poll-Bill to make up the Deficiency thereof. But the ſaid Courtiers appear'd at firſt too angry, and too determin'd, to give ear to any ſuch Temperament: They ſaid publicly, That if their Money-Bills were not paſs'd in their own way, the Army ſhould continue at free Quarter, or to that Effect. And when it appear'd that theſe high Words did not intimidate the Members ſo much as was expected, the next Expedient, was to preſs the Houſe to paſs the two Bills, with a Salvo to their Right: But this was oppos'd by *Slone* himſelf and others, who thought, that the Exertion of Right was worth more than any Salvo to preſerve the Claim; and that it was adviſeable to poſtpone the Court-Bills, till thoſe of the Nation, before ſpoken of, were ready to accompany them (which were, a *Habeas-Corpus*-Bill; a Bill for reſtraining the Juriſdiction of the Council-Board; a Bill to prevent the buying and ſelling of Offices; a Bill againſt Frauds and Perjuries, *&c.*) leaſt, A.D. 1692-3. when the Former were paſs'd, the Latter might be left behind. At laſt, however, an Expedient, and the Neceſſity of an immediate Supply was ſo earneſtly preſs'd, that the Houſe was mollify'd, and they conſented to paſs the Exciſe-Bill, with a Declaration, That it was only for this time; and that it ſhould never be drawn into Precedent: But then, at the ſame time, they rejected the Corn-Bill, for that expreſs Reaſon, becauſe it did not take its riſe among the Commons. And now it was underſtood, that the Diſpute was at an end; the poor Commons thought they had topt their Parts, by reconciling thus notably the Service of King and Country, and expected equal Acknowledgments from both: More eſpecially, they thought, that they had won the Heart of his Excellency the Lord-Lieutenant, for all his Creatures had join'd unanimouſly in this Compromiſe: When they recommended their Chaplain to him for Preferment, as uſual, he anſwer'd, That tho' he had heard a good Character of him before, he ſhould pay the greater Regard to it in Compliment, to the Recomendation of the Houſe: And the ſame Day, being *November* the ſecond, he appointed the fourth for the Committee to wait on him in Council, with the Heads of their new Laws: And yet in the midſt of all this ſeeming Calm, no ſooner was he in Poſſeſſion of the additional Exciſe, then he ſent for them up (on the third, that is to ſay) and having reprimanded them ſeverely, (*p*) for entrenching on his Majeſty's Prerogative, and the Rights of the Crown of *England*, by their Votes for maintaining their Right of raiſing Money by Ways and Means of their own, and rejecting the Corn-Bill, and enter'd his Proteſt in the Lords Books againſt thoſe Votes, he prorogu'd them to the 16th of *April*.

The laſt Topic of *Slone*'s Diſcourſe, was chiefly upon an Occurrence which had happen'd ſince the Prorogation. It ſeems this Behaviour of the Lord Lieutenant had opened the Eyes of the Members; and, ſuſpecting, that he who was capable of tricking, would make no ſcruple to miſrepreſent, them, they came to a Reſolution, to ſend over Agents of their own to guard againſt his Devices, by laying a plain and true State of their whole Conduct before their Majeſties. This was no unuſual thing; but then it had been uſual, at leaſt it was ſo alledg'd, to aſk the Conſent of the Government; and it was reſolv'd to do ſo now, that their Conduct might be, in all reſpects, unexceptionable. Accordingly, a Petition, requeſting his Conſent, was preſented to his Excellency, by Sir *Robert King*, Sir *Arthur Rawden*, Sir *Arthur Longford*, and Mr. *Anneſly*; and the Anſwer they receiv'd was, That they could not have a better Agent than the King himſelf, who had been Agent for the Proteſtants theſe twenty Years: But if they would have leave for any to go over and beg the King's

(*p*) This is according to his Excellency's printed Speech; but *Slone* himſelf ſuggeſts, That his real Words were, *for behaving themſelves undutifully and ungratefully, by invading their Majeſties Prerogative, &c.*

A. D. 1692-3. King's Pardon for their riotous and seditious Meetings, they might have it; or to that Effect. This sounded very harsh in the Ears of the Gentlemen to whom it was said, and, in general, to all others, who believ'd them to be Men of Worth and Integrity. Nor was this all; an Order was issu'd to prosecute them upon an Information in the *King's-Bench*; but stopp'd on better Advice; the Gentlemen being resolv'd to defend what they had done. To set a Mark upon them, however, Sir *Arthur Rawden* was remov'd from the Goverment of *Down*, and Mr. *Osborne* and Mr. *Broderick*, Serjeants at Law to their Majesties, who were suppos'd to be at the Bottom of all this Opposition, were not only depriv'd of that Honour, but even struck off the List of Justices of the Peace.

Lastly, to shew how reasonably the Petition to send Agents to Court, was founded, it is farther alledg'd by *Slone*, That, according to Common Fame, the Papists were allow'd that Liberty, and made annual Collections to support the Expence of it; and if the same Liberty had been extended to the Protestants, the House would, in all Probability, have had no Occasion to render themselves obnoxious, by rejecting so many bad Bills with very fair Titles, as had been transmitted to them; namely, a Bill to confirm the Act of Settlement, so worded, as to make the Remedy worse than the Disease; another to reverse the Proceedings under King *James's* Act of Attainder; which had such a Clause in the Body of it, as made those very Persons afraid to accept of it, who had been fearful enough to desire it; a third to punish Mutiny and Desertion (but without any Clause for the regulating Quarters) for a stated Term of three Years, and from thence to the next Session of Parliament, which it was in the Power of the Crown to postpone for twenty-seven Years longer; and a fourth for a new Establishment of the Militia, which requir'd some Counties to raise more Men than the Protestant-Inhabitants in them amounted to; and impos'd such arbitary Methods of raising the Money for their Support upon all, under such severe Penalties, that the House, tho' desirous to render the Militia useful, rejected it, as a Burden too grievous to be borne.

This is a Brief of *Slone's* Narrative, which tho' sufficiently declaratory of an evil Spirit in the Government, did not furnish sufficient Matter to proceed directly against those who had the Management of it: But Sir *Francis Brewster*, though he did not take so large a Scope, kept rather closer to the Point which he knew would be most regarded, and met with Attention accordingly. He had been one of the Committee of Grievances and Accounts, and, by that means, had been furnish'd with all the Lights that could as yet be procur'd, to examine those fraudulent Transactions to the Bottom.

Sir Francis Brewster's Narrative.

He began with saying, That so many Complaints came before them, concerning the unequal Disposition of forfeited Lands, and accompany'd with such a Variety of Proofs, that the whole Affair appear'd a Series of Jobbs; that for fear they shou'd not have time allow'd them to take in the whole Circle of Grievances, they came to a general Resolution, That it was a great Breach of Trust, as well as a Grievance, for the Commissioners of the Revenue to set forfeited Lands to themselves, or to any in Trust for them: And then to shew how reasonable it was for them to do so, he adds, That by all he could find in the Books and Rent-Rolls, the greatest Part of those Lands were set for the private Advantage of Favourites, the Favourites of Favourites, and the Creatures of the Court. The Persons he first nam'd were, first, Mr. *Culliford*, as the grand Delinquent; and after him, the Lord Chief Baron , Judge *Linden*; and, in general, those concern'd in the Revenue, or in Trust for them; for that many of the most valuable Lands were so held, appear'd by the Instance of a Hackney-Coachman, who was nominal Tenant to several of the best Farms in the Neighbourhood of *Dublin*. He acknowledg'd the Method pretended to be used for setting them, was very fair, but the Practice widely different: For such Artifices were used, that very few had even the Liberty to bid for the Lands they liv'd on: And the Consequence to them was truly deplorable; for they were turn'd out without Money or Compassion, to seek a Settlement where they could find one; and many of them, after they had crop the Ground they were dispossest of. What made this so much the more remarkable, the Dispossess'd were *English* Protestants, the new-admitted generally *Irish* Catholics; and the Rents they paid but a Fifth or Fourth of what had been paid by the Former: So that whereas the forfeited Lands were set for thirty-two thousand Pounds the first Year, when only two of the Provinces were entirely reduc'd to their Majesties Obedience; the second Year, when the whole Kingdom was reduc'd, and Peace every where restor'd, the Amount of the whole did not exceed ten thousand Pounds. Upon Enquiry into the Cause of this Difference to Loss, when it was so reasonable to expect as wide a Difference to Profit, the Answer given was, That it was occasion'd by the Articles of *Limerick* and *Galway*, which had vacated many Outlawries, and, consequently, restor'd many Estates to the original Proprietors: But to this it was reply'd, That, how many soever had the Benefit of those Articles, and what Advantage soever had been taken to render them beneficial to those who had no real Clame to make upon them, still the Increase of Forfeitures, by the Reduction of the whole Kingdom, was greater than the Diminution, by the vacating those Outlawries. And, upon the whole, he declar'd it to be his Opinion, That the Frauds upon this Occasion, amounted to some hundred thousand Pounds. His next Transition, was to the forfeited Goods and Chattles, which *Slone* had touch'd on before, and of which, as he testify'd, the Accounts deliver'd in, were so perplex'd, that it would have taken up some Months to have render'd them intelligible. He was even expres, That the whole seem'd nothing but a Trick, without either

A. D. 1692-3.

A. D. 1691-3. either Check or Voucher, Method, or Form; insomuch, that there was a Necessity to examine every particular Officer concern'd in the Jobb, before a regular Charge could be brought against any one of them: And yet upon the whole, it was apparent, That out of a hundred and thirty-five thousand Pounds worth of Goods deliver'd into the Commissioner's Charge, not above ten thousand had been brought to their Majesties Account: And it was said, that near as much more had been probably dispos'd of in the Country, by private Orders from Mr. *Culliford*. But tho' the Crown was so little the better for these Forfeitures, he further alledg'd, that the Commissioners had not been wanting on their Side to extend them as far as possible; as appear'd in the Case of Mr. *Joy*, Knight of the Shire for *Waterford*, who, taking Refuge in *England* from the Oppressions of the *Irish* Government, had his Estate and Effects seiz'd; and on his Return, after the Settlement, hearing, that a Quantity of his Wooll was still in the King's Warehouse at *Waterford*, apply'd to the Government for Restitution, but instead of obtaining it was referr'd from one Set of Commissioners to another; and, at last, was told at the *Exchequer*, That he could have no Remedy but by common Law: He sought that Remedy also, and a Quirk was found out, by which he had Judgment given against him, and lost his Wooll: All this *Joy* set forth in a Petition to the *Irish* Parliament; which he put into *Brewster*'s Hands to present and speak to. "But, said he, there was in our Sessions no Room for private Grievances, our public were so many; and, therefore, the Gentleman was only pity'd among the Number of afflicted Protestants."

Sir *Francis* then signify'd, that another Branch of their Enquiry was into the Value and Application of the Stores, left by King *James*. These, it seems, had been entrusted to the Care and Management of one Mr. *Robinson*: And unless there had been such Stores, none could have been taken care of; nor was there any Pretence to appoint a Manager of them. According to Common Fame, they were of great Value, and might have been of great Use: But nothing of this could be made appear by the Committee on their Enquiry. It was indeed publicly said, that Mr. *Robinson* had found the *Value* to be eighty thousand Pounds, and *some body* else the *Use* of that Sum: But if so, his Management had been so ingenious, and, being one of Lord *Conningsby*'s Deputies in the Treasury (which was an Office that had an Influence over all the other Offices in the Kingdom) he was so every way defended from every Quest of every kind, that no Proof nor Evidence could be brought against him, as long as the whole Administration was of a-piece. It had indeed been pretended, that the Corn had rotted in keeping; which, if true, had argu'd inexcusable Negligence; because at that time both Soldiers and Inhabitants were reduc'd almost to Extremity for want of it: But others suggested, That they were too good Managers to suffer any thing to rot in their Custody; that, on the contrary, they supply'd the *French* out of these very *Stores*; and that Quantities of Beef, Butter, and other Provisions had been shipp'd for that Kingdom: In particular, it was said, That a Ship-Load of Wooll had been taken out of the Stores of *Waterford*, and so dispos'd of by *Robinson*, under Pretence of sending it to be employ'd in the Siege of *Cork*; and that Captain *Pedar*, Commander of one of his Majesty's Ships, having taken a Vessel laden with *French* Goods, and brought her into *Waterford*, Orders were sent to him, to deliver her up to the Officers of the Customs; *for that she belong'd to Dublin*; which the Captain refusing, and being menac'd for so doing, he put an end to the Controversy, by saying, *They had best be quiet; for he had such Proofs in his Hands of the Correspondence which they had settled in* France, *as would do their Business.*

A. D. 1691-3.

The last of these Particulars, Sir *Francis* advanc'd on the Credit of a Colonel of the Army, who was then attending at the Door, in order to give a more full Account, as he he had receiv'd it from the Captain's own Mouth.

Proceeding then to the Administration of the Treasury, which, as he observ'd, had never before been in the Hands of the chief Governor, he took notice, That, according to the former Oeconomy of that Office, all Receipts and Payments were transacted by *Exchequer* Orders and Acquittances, which were enter'd from Day to Day in the several Offices, and all finally lodg'd in the Pells; from whence an Abstract was sent to the Chief Governor every *Monday* Morning; who thereby became acquainted with the whole State of the Treasury; and had it in his Power to detect and punish every indirect Practice: But that now this wholsome Method was entirely laid aside, and all Payments were made by Paper-Assignments from the Treasury; by which means, the Use and Virtue of the *Exchequer* was lost; and not only the Officers of the Treasury, but even the Collectors and Receivers had it in their Power, almost, to do what was right in their own Eyes. Nor was this the worst; for the Mismanagement in the Treasury had contributed to the Ill-payment of the Army; and the Ill-payment of the Army had furnish'd Pretences for the Ruin of the Country; which is the Reason, said he, for laying this Matter before the Parliament.

He then touch'd on the Disorders which had been committed by the Army, as also the Proposals which had been made by the Country to rectify them, and which had been rejected by the Government. And he added, That the Resentment of this Usage, and the Persuasion which had generally prevail'd, that the Produce of the Forfeitures, and the right Application of the Stores, might have prevented the Army from being any Burden to the Nation, drew down some very hard Reflections on Lord *Conningsby*. "Not, said he, that I speak this to reflect on his Lordship; for I never had any Concern with him, but as my Estate

A. D. 1692-3. lay under the common Calamity of his Government."

Laſtly, he complain'd, on the Behalf of the City of *Dublin*, which he repreſented in the *Iriſh* Parliament, That they were not allow'd to chuſe their own Magiſtrates; a Privilege, that, till now, they had never been refus'd: And, for a Cloſe of all, he ſaid, That he had aſſerted nothing but what many thouſands in *Ireland* were ready to confirm.

The Lords take up the Affair and examine other Perſons.

Both theſe Papers, and thoſe of the other Perſons before nam'd, were ſeverally given in to the Lords, as well as the Commons; and their Lordſhips, that they might be Maſters of both Sides of the Queſtion, went ſo far, as to ſummon and examine ſeveral other Perſons, as the Lady *Anglas*, the Biſhop of *Meath*, Sir *Robert Southwell*, and Mr. *John Pulteney* himſelf, who appear'd as an expreſs Advocate for the Government, and omitted nothing that could extenuate his Excellency's Conduct with regard to the *Iriſh* Parliament; or thoſe Tranſactions without Doors, which had, in ſo remarkable a manner, excited the Diſpleaſure of the Country.

Their Interrogatories to Brewſter, and his Anſwers.

The whole hearing took up ſeveral Days, and it ought not to be forgot, that, in this Interval, Sir *Francis Brewſter*, having been call'd upon by their Lordſhips, to inform them, Why he did not communicate the Reaſons to them, that were aſſign'd to him by the Perſons aggriev'd in *Ireland*, for not making their Complaints to the Lords Juſtices; his Anſwer was, That it was becauſe they believ'd nothing was done by the Commiſſioners of the Revenue there, but what was agreeable to their Majeſties Pleaſure.

That being alſo requir'd to name the Perſons who told him, It was to no Purpoſe to complain to the Government of any Grievances, and that ſuch as did would be treated as Enemies, he ſpecify'd Mr. *Joy*, in the Caſe of his Wool; Mr. *Henry Downes*, in the Caſe of certain Salt-Pans ſet to Judge *Linden*; Mr. *Cocker*, in the Caſe of the Embezzlement of the Stores, who having a ſmall Employment, was afraid to ſpeak out, for fear of loſing it; and Mr. *Edward Haines* of *Dublin*, in the Caſe of that City's Right to elect their Lord Mayor, who ſaid farther, That he had been indited, by the preſent Lord Mayor's Order (who was a Creature of the Court) at their own Seſſions, for having appear'd in behalf of the City, though the Pretence was, for *Words* ſpoken; and that the Grand Jury having refus'd to find the Bill, he had been proceeded againſt in the *King's-Bench*, and had heard, they meant to ruin him.

And, laſtly, being aſked, what *Somebody* he meant, that had profited ſo greatly by Mr. *Robinſon's* Help, in the Management of the Stores? his Anſwer was, *I mean my Lord* Coningſby *and himſelf*.

Having thus the whole Matter before them, each Houſe prepar'd an Addreſs, or rather Remonſtrance, upon it, and ſeverally preſented them to his Majeſty on the ſame Day, namely, *March* the ninth: In that of the Lords it was urged, 1. That there had been great Abuſes in the diſpoſing of the forfeited Eſtates, inſomuch, that of the perſonal Eſtates, which amounted to a hundred and thirty-five thouſand Pounds, but ten thouſand had been accounted for to the King. 2. That Protections had been granted to the *Iriſh*, not included in the Articles of *Limerick*, whereby the Proteſtants had been depriv'd of the Benefit of the Law againſt them. 3. That the Quarters of the Army had not been paid, though the ſame was deducted out of the Pay of the Troops; and that the Parliament had made ſufficient Proviſion for both. 4. That a Mayor had been impos'd for two Years together upon the City of *Dublin*, contrary to their ancient Privileges and Charter. 5. That one *Gaffney* and ſeveral others, who were accus'd of the Murder of ſome of Colonel *Foulkes*'s Men, were executed without any Proofs, and one *Sweetman*, who was the moſt guilty, diſcharg'd without any Proſecution. And to all his Majeſty was pleas'd to anſwer, "Your Lordſhips may be aſſur'd, I will, as ſoon as poſſible, take care to remedy all theſe Matters."

A. D. 1692-3. *Their Lords Ships Addreſs on the whole Matter.*

The Addreſs of the Commons was more full, free, and concluſive: Under whatever ſecret Management they were, they had nevertheleſs ſo much Firmneſs remaining, as to urge, That their Duty to his Majeſty oblig'd them to lay before him the great Abuſes and Miſmanagement in the Kingdom; by expoſing the Proteſtant Subjects to the Miſeries of free Quarters, and the Licentiouſneſs of an Army, to the great Oppreſſion of the People there; which they conceiv'd had been chiefly occaſion'd by the want of that Pay, which they did hope they had fully provided for. 2. By recruiting his Majeſty's Troops with *Iriſh* Papiſts, and ſuch Perſons as had been in open Rebellion againſt his Majeſty, to the great endangering and diſcouraging of his Majeſty's Proteſtant Subjects in that Kingdom. 3. By granting Protections to *Iriſh* Papiſts, whereby Proteſtants were hindred from the legal Remedies, and the Courſe of Law was ſtopp'd. 4. By reverſing Outlawries for High Treaſon againſt ſeveral Rebels in that Kingdom (not within the Articles of *Limerick*) to the great Diſcontent of his Proteſtant Subjects there. 5. By letting the forfeited Eſtates at under Rates, to the leſſening of his Majeſties Revenue. 6. By the great Embezzlements of his Majeſty's Stores in the Towns and Gariſons of that Kingdom, left by the late King *James*, and in the great Embezzlements which had been made in the forfeited Eſtates and Goods, which might have been employ'd for the Safety and better Preſervation of *Ireland*. 7. By the Addition made to the Articles of *Limerick*, after the ſame were finally agreed to, and ſign'd, and thereupon the Town ſurrendered; which had been a great Encouragement to the *Iriſh* Papiſts, and a weakning to the *Engliſh* Intereſt there. All which Abuſes they moſt humbly beſought his Majeſty to redreſs; particularly, that the Soldiers might be paid their Arrears, and the Country their Quarters: That no Papiſt might be admitted to ſerve in the

and that of the Commons.

A. D. 1692-3. Army: That forasmuch as the reducing of *Ireland* had been of great Expence to this Kingdom, agreeably to his Majesty's gracious *Assurances*, no Grant might be made of the forfeited Lands in *Ireland*, till there might be an Opportunity of settling that Matter in Parliament: That a true Account of all Forfeitures real and personal, and of the Stores left by the late King *James*, might be laid before the Commons assembled in Parliament: That no Out-lawries might be reversed, or Pardons granted to the Rebels, but by Advice of Parliament: That no Protections might be granted to the *Irish*: And that the additional Articles in the Capitulation of *Limerick*, by which so wide a Passage had been open'd to the *Irish* Papists to come in and re-possess themselves of the Estates, which they had forfeited by their Rebellion, might be laid before the Commons, that so the manner of obtaining the same, and the Prejudices that had been thereby occasion'd to the Protestant Interest, might be inquir'd into: And, for a Conclusion, they said, "That as his Majesty had been pleas'd to give such gracious Assurances of his Readiness to comply with them in any thing that might tend to the Peace and Security of this Kingdom, so they doubted not his Majesty's like Grace and Favour to that of *Ireland*; in the Safety and Preservation whereof this his Majesty's Kingdom was so much concern'd." His Majesty was all Grace and Condescension, as before to the Lords, and answer'd, "I will always have a great Regard to what comes to me from the House of Commons; and what may have been amiss in *Ireland*, I will take care to remedy."

But Remonstrances, however pointed, are but lame Expedients, unless enforc'd by Examples. Sir *Francis Brewster* had mention'd several Persons, whose Rapaciousness seem'd to deserve the Chastisement of Parliament; and *Stone*, in his Narrative, had expressly said, That what by Grants, and Promises of Grants to Lord *Sydney*, Lord *Athlone*, Lord *Coningsby*, and others, scarce any of the Forfeitures remain'd for the Use of the Public: And yet the House of Commons not only chose to overlook, in Effect, their own Votes and Addresses on that Head, and his Majesty's Engagements, but to wave all Proceedings against the Persons so mention'd. Indeed *Stone* had distinguish'd Mr. *Culliford*, as the chief Delinquent of the second Class, and had been most particular in his Charge against him: Against him even the *Irish* Committee of Grievances, had ventur'd to proceed, till he pleaded his Privilege as a Member of the Parliament of *England*: And when that Plea had given a check to those Proceedings, they took care to perfect the Evidence against him; by which it appear'd, That while he was a Commissioner of the *Irish* Revenue, he was guilty of several very great Breaches of Trust, by seizing and converting to his own Use, forfeited Goods of considerable Value, and by letting or procuring Leases in Trust for himself of the Mills and Wears of *Kilmainham*, the Estate of one Mr. *Krief*, and one Mr. *Warren* of *Carduff*, the Cranage and Wharfage of *Cork*, on which he had grafted certain new Exactions never demanded before; all at very inconsiderable Rents, in comparison to their real Value: And to all he had added *Sweetman*'s Estate, as a Composition for the Murder of the Soldiers near *Dublin*, formerly spoken of: Against this *Culliford*, therefore, the Indignation of the House seem'd, for a while, to be particularly levell'd: They made an Order for him to attend in his Place; and, upon his absconding, they proceeded to deprive him of the Benefit of his Privilege, as a Member, till he obey'd it: But when he did appear, which was the Day before the Prorogation, instead of bringing the whole Stress of their own Power and Authority to bear against him, they gave him leave to wave his Privilege; and so left him in the Hands of the *Irish* Committee: From which whole Proceeding, it is pretty plain, that instead of intending to give the *Irish* the Consolation of any one Example, they only hung up the Rod in Sight of the Offenders; and that, perhaps, with a View to terrify those concern'd into a Composition, rather than to warn others from committing the like Enormities.

A. D. 1692-3.

No Disposition in either House to make Examples.

The *Historian of his own Times* touches on these Matters, but then it is in a very cursory manner; which certainly argues either want of Candour, or want of Judgment; for as in the two late Reigns, the Genius of the Court was constantly represented to the People, according to the Figure it assum'd in the Provinces, where it was most at Liberty to assume what Figure it pleas'd, Impartiality requires that the same Use should be made of the same Standard in this: What was fair and just in one Instance, being equally just and fair in the other. The Bishop, after premising, that the *Irish* Parliament met full of Discontent, and in a Disposition to find fault with every thing, does indeed acknowledge, that they had too much Matter to work upon: But then he does not stay to specify what that Matter was; nor does he give a Brief of those Addresses (of the two Houses) which, he says, were very *invidiously penn'd*; and in which, according to him, every Particular was *severely aggravated*.

A Place-Bill propos'd in the House of Commons.

The same unwarrantable Inclination to extenuate and disculpate those in Power, appears yet farther, when he comes to speak of the *Place-Bill* (to make use of a more modern Phrase) which the Malcontents, this Session, brought into the House of Commons: For, after having allow'd, that the Majority of that House were under a corrupt Influence, after having expressly declar'd, that the Speaker himself was the Factor between the Court and the Members in that Corruption, and after acknowledging, that he (the Bishop) had made his Complaint of it to the King in Person, who justify'd it from the Necessity of his Affairs and the Depravity of the Times, and, notwithstanding the Concessions he makes, as he goes along, he speaks of that Measure in these Words: "When the Party, that was set against the Court, saw they could carry

A. D. 1692-3 nothing in either House of Parliament, then they turn'd their whole Strength against the present Parliament, to force a Dissolution: And in order to that, they first loaded it with a Name of an ill Sound: And, whereas King *Charles*'s Long Parliament was call'd the *Pensioner Parliament*, they call'd this the *Officer*'s *Parliament*; because many that had Commands in the Army were of it: And the Word that they gave out among the People, was, that we were to be govern'd by a *Standing Army* and a *Standing Parliament*. They try'd to carry a Bill, that render'd all Members of the House of Commons incapable of Places of Trust or Profit; so that every Member that accepted a Place, should be expell'd the House, and be incapable of being chosen again to sit in the current Parliament. The Truth was, it came to be observ'd, that some got Credit by exposing the Government; *and that to silence them, they were preferr'd:* And then they chang'd their Note, and were as ready to flatter, as before to find Fault. This gave a *specious Colour to those who charg'd the Court with Designs of corrupting Members, or at least of stopping their Mouths by Places and Pensions.* When this Bill (continues his Lordship) was set on, it went through the House of Commons with little or no Difficulty: Those who were in Places, had not Strength and Credit to make great Opposition to it, they being the Persons concern'd, and look'd on as Parties: And those who had no Places, had not the Courage to oppose it; for in them it would have look'd as an Art to recommend themselves to one. So the Bill passed in the House of Commons; but it was rejected by the Lords, since it seem'd to establish an Opposition between the Crown and the People, as if those who were employ'd by the one, could not be trusted by the other."

This is his Lordship's whole Account of that Matter, but not all that ought to be said concerning it. It was call'd, *A Bill touching free and impartial Proceedings in Parliaments*; it was brought into the House of Commons by Sir *Edward Hussey*, one of the Members for *Lincoln*; and it was founded on the Votes of the *old Whigs* in that House, during the Reign of King *Charles* II. when a corrupt Influence in Parliament began first to be felt, and when the fatal Effects of it seem'd to be really apprehended: So much Tenderness was, however, shewn to the present Members, that it was not to be in force till his Majesty thought fit to call a new Parliament: It was order'd up to the Lords on the 22d of *December*, while the Supply was yet depending, and consequently, long before the Fate of the Session was decided; and it was not rejected by them with so much Facility, as might be conceiv'd from the Bishop's manner of recording that Event. The first Reading produc'd nothing extraordinary; but, on the second, when a Motion was made by the Malcontents for committing it, notwithstanding all the Efforts of the Courtiers to over-rule it, the Former carry'd their Point by a Majority of nine Voices: Nor was this all; for in the Committee they were still triumphant: And even on the Report, when the Court exerted their whole Strength, of the Lords present, forty-two were for the Bill, and only forty against it; so that the Scale was turn'd by the Proxies; of whom the Court had seven, and the opposite Lords but three: Difference upon the whole, TWO.

and sent up to the Lords.

A. D. 1692-3

Every body that knows any thing of parliamentary Affairs, knows, That Ministers esteem such a Division as this, an Escape, rather than a Victory; and surely this was one of the narrowest that ever befell any Ministry whatever: Besides, the vanquish'd Party rally'd the most considerable Persons of their Corps, among whom, it is most remarkable, was Prince *George* of *Denmark*, Duke of *Cumberland*, and enter'd their Protest in the Journals of the House, for these Reasons, *viz.*

who reject it. & Protest thereon.

1. Because the principal Objection made to this Bill, was the great Danger that might happen thereby, of the *too long continuing this present Parliament*, which is an ill Consequence that we can no ways apprehend, since we hope and humbly conceive, his Majesty will never be capable of taking any Advice of that kind, so *plainly destructive* to the Subjects *just Rights* of Election to *frequent Parliaments*, and so many ways inconsistent with the Good of this Nation.

2. Because we are not only *very sensible* of the *just Occasion* given for such an Act (tho' we are loath to enlarge upon so *tender a Subject*) but have good Reason to believe the House of Commons would not have begun and passed a Bill of this Nature, wherein the Members of that House are so particularly concern'd, without having been *fully satisfy'd in the Reasons for it, and plainly convinc'd of that great Need the People of* England *are in, at this time, of so* JUST AND WISE A PROVISION.

The Lords who signed this, together with his Royal Highness, were *Warrington*, *Thanet*, *de Longueville*, *Weymouth*, *Montagu*, *Denbigh*, *Fitzwalter*, *Rivers*, *Vaughan*, *Sandwich*, *Clifford*, *Stamford*, *Arundel*, *Mulgrave*, *Marlborough*, *Cholmondeley*, *Caernarvon*, *Aylesbury* and *Ashburnham*; and, as a parting Blow, the Earl of *Mulgrave*, who had more distinguish'd himself by his Eloquence in this Debate than ever, was induc'd to print his Speech, which was every where receiv'd as if it had been a new Revelation: And how well it deserv'd to be so receiv'd, may best be gather'd from the (*g*) Speech itself.

It

(*g*) Which follows:

" *My Lords,*

" This Debate is of so great Consequence, that I resolv'd to be silent, and rather to be advis'd by the Ability of others, than to shew my own want of it; besides, it is of so nice a Nature, that I, who speak always unpremeditately, apprehend extremely, saying any thing which may be thought the least reflecting; tho' even that ought not to restrain a Man

A.D. 1692-3. It appear'd, moreover, that the Courtiers, in admitting, as a Fence againſt the Bill, that the long Continuance of the preſent Parliament was an Evil, had moſt foully bewray'd themſelves; and that their Antagoniſts had Sagacity enough both to diſcern and make the moſt of the Advantage: For before the Former had recover'd themſelves from the Pannic which the *Place-Bill* had thrown them into, the Earl of *Shrewſbury*, whom Biſhop *Burnet* is pleas'd to ſuppoſe was *drawn* into the Oppoſition, that he appear'd at the *Head* of, brought in another Bill, which provided, That there ſhould be a new Parliament every three A.D. 1692-3.

Man here from doing one's Duty to the Public, in a Buſineſs where it ſeems to be ſo highly concern'd.

I have always heard, I have always read, that foreign Nations, and all this Part of the World have admir'd and envied the Conſtitution of this Government. For, not to ſpeak of the King's Power, here is a Houſe of Lords to *adviſe* him on all important Occaſions, about Peace or War; about all things that may concern the Nation, the Care of which is very much entruſted to your Lordſhips: But yet, becauſe your Lordſhips cannot be ſo converſant with the generality of the People, nor ſo conſtantly in the Country as is neceſſary for that Purpoſe, here is a Houſe of Commons alſo choſen by the very People themſelves, *newly* come from among them, or who ſhould be ſo, to repreſent all their Grievances, to expreſs the true Mind of the Nation, and to diſpoſe of their Money, at leaſt ſo far as to begin all Bills of that Nature; and if I am not miſtaken, the very Writ for Elections ſent down to the Sheriffs does impower them to chuſe; What? their Repreſentatives.

Now, my Lords, I beſeech you to conſider the Meaning of that Word, *Repreſentatives*: Is it to do any thing contrary to their Mind? It would be abſurd to propoſe it: And yet how can it be otherwiſe, if they, after being choſen, change their Dependency, engage themſelves in Employments plainly inconſiſtent with the great Truſt repos'd in them? And that I will take the Liberty to demonſtrate to your Lordſhips they now do, at leaſt according to my humble Opinion.

I will inſtance firſt in the leaſt and loweſt Incapacity, they muſt be under, who ſo take Employments.

Your Lordſhips know but too well what a general Careleſſneſs there appears, every Day more and more, in the public Buſineſs: If ſo, how is it likely that Men ſhould be as diligent in their Duty in Parliament as that Buſineſs requires, where Employments, and a great deal of other Buſineſs ſhall take up both their Minds and their Time.

But then in ſome Caſes 'tis worſe, as in Commands of the Army, and other Employments of that kind, when they muſt have a divided Duty: For it does admirably become an Officer to ſit voting away Money in the Houſe of Commons, while his Soldiers are perhaps taking it away at their Quarters, for want of his Preſence to reſtrain them, and of better Diſcipline among them; nay, perhaps his Troop or Regiment may be in ſome Action abroad, and he muſt either have the Shame of being abſent from them at ſuch a Time, or from that Houſe where he is entruſted with our Liberties.

To this I have heard but one Objection by a noble Lord, that if this Act ſhould paſs, the King is not allow'd to make a Captain a Colonel, without diſabling him to ſit in Parliament.

Truly, if a Captain has only deſerv'd to be advanc'd for *expoſing himſelf in Parliament*, I think the Nation would have no great Loſs in the King's letting alone ſuch a Preferment.

But, my Lords, there is another ſort of Incapacity yet worſe than this; I mean that of Parliament Men having ſuch Places in the Exchequer, as the very Proſit of them depends on the Money given to the King in Parliament.

Would any of your Lordſhips ſend and entruſt a Man to make a Bargain for you, whoſe very Intereſt ſhall be to make you give as much as he can poſſibly?

It puts me in mind of a Farce, where an Actor holds a Dialogue with himſelf, ſpeaking firſt in one Tone, and then anſwering himſelf in another.

Really, my Lords, this is no Farce; for 'tis no laughing Matter to undo a Nation: But 'tis altogether as unnatural for a Member of Parliament to aſk firſt in the King's Name for ſuch a ſort of Supply, give an Account from him how much is needful towards the paying ſuch an Army, or ſuch a Fleet, and then immediately give by his ready Vote, what he had before aſked by his Maſter's Order.

Beſides, my Lords, there is ſuch a Neceſſity now for long Seſſions of Parliaments; and the very Privileges belonging to Members are of ſo great extent, that it would be a little hard and unequal to other Gentlemen, that they ſhould have all the Places alſo.

All the Objections that have been made may be reduced to theſe.

Firſt, 'Tis told us, that 'tis a Diſreſpect to the King, that his Servants or Officers ſhould be excluded.

To this, I deſire it may be conſider'd, that 'tis in this Caſe, as when a Tenant ſends up any Body to treat for him: Would any of your Lordſhips think it a Diſreſpect; nay, would the King himſelf think it any, if the Tenant would not wholly refer himſelf to one of your own Servants, or the King's Commiſſioners in the Caſe of the Crown? And if he chuſes rather ſome plain honeſt Friend of his own to ſupply his Abſence here, will any Man blame ſuch a Proceeding, or think it unmannerly?

Beſides, your Lordſhips know even this Act admits them to be choſen, notwithſtanding their Employments, provided the Electors know it firſt, and are not deceived in their Choice.

All we would prevent is, that a good rich Corporation ſhould not chuſe to entruſt with all their Liberties a plain honeſt *Country Neighbour*, and find him within ſix Months chang'd into a preferred cunning *Courtier*, who ſhall tye them to their Choice, though he is no more the ſame Man, than if he were turn'd Papiſt; which, by the Law, as it ſtands already, puts an Incapacity upon him.

Another Objection is, that this Act may, by its Conſequence, prolong this Parliament, which they allow would be a very *great Grievance*, and yet ſuppoſe the King capable of putting it upon us, which I have too much Reſpect for him to admit of; tho' I am glad, however, that it is objected by Privy-Councellors in Favour, who conſequently, I hope, will never adviſe a thing which they now exclaim as ſo great a Grievance.

But pray, my Lords, what ſhould tempt the King to ſo ill a Policy? Can he fear a Freedom of Choice in the People, to whoſe *Good-will* he owes all his Power, which theſe Lords ſuppoſe he may uſe to their Prejudice?

And therefore give me leave to ſay, as I muſt not ſuſpect him of ſo ill a Deſign as the perpetuating this Parliament, ſo he cannot, he ought not to ſuſpect a Nation ſo entirely, I was going to ſay, *ſo fondly* devoted to him.

My Lords, no Man is readier than myſelf to allow that we owe the Crown all Submiſſion as to the time of calling Parliaments according to Law, and appointing alſo where they ſhall ſit. But with Reverence be it ſpoken, the *King* owes the Nation entire Freedom in chuſing their Repreſentatives; and it is no leſs *his* Duty, than it is *his* true Intereſt, that ſuch a fair and juſt Proceeding ſhould be uſed towards us.

Conſider, my Lords, of what mighty Conſequence it may be, that ſo many Votes ſhould be free, when upon one ſingle one may depend the whole Security or Loſs of this Nation. By one ſingle Vote ſuch things may happen, that I almoſt tremble to think: By one ſingle Vote a General Exciſe may be granted, and then we are all loſt: By one ſingle Vote the Crown may be empowered to name all the Commiſſioners for raiſing the Taxes, and then ſurely we ſhould be in a fair way towards it.

Nay, whatever has happen'd may again be apprehended; and I hope thoſe Reverend Prelates will reflect, that if they grow once obnoxious to a prevalent Party, one ſingle Voice may be as dangerous to that Bench, as a general Diſſatisfaction among the People proved to be once in a late Experience: Which I am far from ſaying by way of threatning, but only by way of Caution.

My Lords, we may think, becauſe this concerns not the Houſe of Lords, that we need not be ſo over-careful of the Matter: But there are Noblemen in *France*, at leaſt ſuch as were ſo before they were enſlaved, who, that they might domineer over others, and ſerve a preſent Turn, perhaps, let all things alone ſo long till the People were quite maſter'd, and the Nobility themſelves too, to bear them Company.

So that I never met a *Frenchman*, even of the greateſt Rank (and ſome had ten thouſand Piſtoles a Year in Employments) that did not envy us here, for our Freedom from that Slavery which they groan under; and this I have obſerv'd univerſally, except juſt Monſieur *de Louvois*, Monſieur *Colbert*, or ſuch People, becauſe they were the Miniſters themſelves who occaſion'd theſe Complaints, and thrived by the Oppreſſion of others.

My Lords, this Country of ours is very apt to be provoked; we have had a late Experience of it; and though no wiſe Man but would bear a great deal rather than make a Buſtle, yet really the People are otherwiſe, and at any time change a preſent Uneaſineſs for any other Condition, tho' a *worſe*; we have *known it ſo too often, and ſometimes repented it too late.*

Let them not have this new Provocation, in being debarr'd from a Security in their Repreſentatives; for malicious People will not fail to infuſe into their Minds, that all thoſe vaſt Sums, which have been, and ſtill muſt be raiſed towards this War, are not diſpoſed away in ſo fair a manner as ought to be: And I am afraid they will ſay, their Money is not *given*, but *taken*.

However, whatever Succeſs this Bill may have, there muſt needs come ſome good Effect of it: For, if it paſſes, it will give us *Security*; if it be obſtructed, it will give us *warning*."

A. D. 1692-3. three Years, that there ſhould be a Seſſion annually; and, as in the old Triennial-Bill, that, in caſe the Crown did not order the Writs to be iſſu'd at the time prefix'd, the Lord-Chancellor, or Keeper, or Commiſſioner of the great Seal, ſhould iſſue them, in virtue of their Office, and by Authority of this Act, under ſevere Penalties. This Bill *our Hiſtorian* takes occaſion to brand, as *another Attempt* of the Oppoſition; and, making a Tranſition to the famous Act of King *Edward* III. which provides, That Parliaments ſhould be held once *a Year*, or *oftener, if need be*, not only adopts the old Quibble of the Court-Lawyers, whether the Words, *if need be*, related to the whole Act, or to thoſe other Words, *or oftener*, only, but adds, *That the Non-obſervance of this Act had never been complain'd of as a Grievance*; which is an Aſſertion that nothing can excuſe: For whenever Government became a Grievance, for want of thoſe neceſſary Checks which can only be ſupply'd by Parliaments, or when the Parliament itſelf was thought ſo, as was the Caſe of the long Parliament in the Reign of *Charles* II. the Benefit of this Statute had been ever demanded, on Behalf of the People; and every political Pen was employ'd in ſhewing how clear a Right they had to it.

A Bill for frequent Parliaments brought in by Lord Shrewſbury.

It muſt, however, be own'd, that what he principally aims at in this Paſſage, is to ſhew, that this Bill took in a larger Scope, than any other of the like Nature had done; which is true; but from thence no Inference can be drawn, that it extended farther than was neceſſary. Indeed, the Biſhop himſelf ſeems to have form'd no ſettled Opinion concerning it: For though he is pleas'd to pronounce, that annual Parliaments would, according to the preſent Direction of Things, be an *unſupportable Grievance* to the People, his Sentence cannot affect this Bill; which provided only for a Triennial-Parliament, and Annual-Seſſions: And when he comes to ſpeak of the Bill itſelf, he gives the Arguments on both Sides of the Queſtion, without declaring for either: For the Bill, he ſuggeſts, "That a Parliament of long Continuance ſeem'd to be very dangerous either to the Crown or to the Nation. If the Conjuncture of their Proceedings gave them much Credit, they might grow very uneaſy to the Crown, as happen'd in King *Charles* the Firſt's Time: Or, in another Situation of Affairs, they might be ſo practis'd upon by the Court, that they might give all the Money and all the Liberties of *England* up, when they were to have a large Share of that Money, and were to be made the Inſtruments of Tyranny, as it was in King *Charles* the Second's Time (which, by the way, is not ſtrictly true; for tho' this long Parliament gave much, they could not be prevail'd upon to give all.) It was likewiſe hop'd, that frequent Parliaments would put an end to the great Expence Candidates put themſelves to in Elections; and that it would oblige the Members to behave themſelves ſo well, both with relation to the Public, and in their private Deportment, as to recommend them to their Electors at Three Years End; whereas, when a Parliament was to ſit many Years, Members, cover'd with Privileges, were apt to take great Liberties, forgot that they repreſented others, and took care only of themſelves: So it was thought that *England* would have a truer Repreſentative, when it was choſen every Third Year, than when it run on to the End of the Reign." And again; "All that was objected againſt this, ſays he, was, That frequent Elections would make the Freeholders proud and inſolent, when they knew that Application muſt be made to them at the End of Three Years: That this would eſtabliſh a Faction in every body which had a Right to an Election: And that whereas an Election, as the Caſe then ſtood, put Men to a great Charge all at once, the Charge, upon ſuch an Alteration, would be continu'd thorough the whole Term; and thoſe who were already choſe, muſt behave as Candidates till they were choſe again."

A. D. 1692-3.

He then paſſes on to the immediate Object of the Bill, which was the Diſſolution of the preſent Parliament; concerning which, he gives us to underſtand, That ſome (meaning the Courtiers) were for leaving it to the general Triennial Clauſe, in order to continue it for three Seſſions longer. "They thought, ſays his Lordſhip, That, during ſo critical a War, as that in which we were now engag'd, it was not adviſeable to venture on a new Election, ſince we had ſo many among us, who were ſo ill-affected to the preſent Eſtabliſhment; to which it was reply'd, That this Parliament had already ſat Three Years; and that, therefore, it was not conſiſtent with the general Reaſon of the Bill, to let it continue any longer: So the Bill paſs'd in the Houſe of Lords." That is to ſay, the Anti-Courtiers carry'd their Point; ſo far, at leaſt, as to provide, that the preſent Parliament ſhould not be ſuffer'd to continue, longer than the firſt of *January* then next enſuing.

The Bill paſs'd by the Lords.

This was by no means pleaſing to thoſe in Power, who had, in general, ſo much Reaſon to be ſatisfy'd with the preſent Repreſentative, that they did not care for the Expence, Trouble, and Hazard of a new Election. When therefore the Bill was ſent down to the Commons, they labour'd hard to beſpeak an Oppoſition to it, by repreſenting, That a Bill of ſuch a nature, did not come properly from the Lords, who were not to be affected by it; for tho' the Body of the Commons might be alter'd by it, the Lords would remane the ſame, *&c.* And ſuch Effect had theſe and the like Suggeſtions, together with the Concern which many had for their Seats, or rather the Profits and Emoluments connected with them, that on the very firſt Reading, a ſtrong Party appear'd for rejecting it: But thoſe who acted in Concert with the oppoſing Lords, contending as violently for it, and being alſo ſupported by others, who had not, as yet, loſt all Senſe of Decency, the Queſtion was not only carry'd for a ſecond Reading, but, on the ſaid ſecond Reading, the Bill was committed to a Committee of the whole Houſe.

A.D. 1692-3. And now came on the great Struggle, which was maintain'd with great Obſtinacy on both Sides, and various Succeſs; for tho' the Courtiers had not ſufficient Strength or Courage to throw out the Bill, they carry'd ſeveral Points which were clearly in their own Favour: Thus, when the Queſtion was put on that Clauſe, which provided, that there ſhould be a Seſſion every Year, it was carry'd in the Affirmative by a hundred and ſeventy-one Voices, againſt a hundred and ſixty: And when they came to the Term of [Tindal.] Diſſolution, they extended it from the firſt of *January* to the 24th of *March*, or ſooner, if his Majeſty thought fit, which ſecur'd another Seſſion: But when a Clauſe was offer'd by way of Salvo for the King's Right of diſſolving and proroguing Parliaments, they rejected it by a Majority of ſeven Voices, becauſe it was thought to caſt a Reflection upon the Bill; as if it were derogatory to the Prerogative, which they would not allow it to be, but only an Explanation of an old Law.

The Report occaſion'd yet another long and warm Debate, and yet another Mortification to the Court; for, on the Iſſue, the Queſtion being put for the third Reading, it was carry'd in the Affirmative by two hundred againſt one hundred and ſixty-one: After which it was ſent up to the Lords, who having ſignify'd their Concurrence to the Amendments the next Day, *Feb.* 10, nothing was wanting but the Royal Aſſent to paſs it into a Law.

A King of *England* never makes a more ungracious Uſe of his Prerogative, than when he refuſes his Aſſent to any Bill preſented to him in Parliament. His Majeſty had, once before, furniſh'd his Enemies with Matter of Complaint againſt him, by rejecting the Judges Bill; and now he was induc'd to fall into the ſame Error, on a more national Point, though ſure of redoubling thereby the Reſentment of the Nation. Biſhop *Burnet* ſays, "The King let the Bill lye for ſome time upon the Table, ſo that Mens Eyes and Expectations were much fix'd on the Iſſue of it." And it appears, that the Lords were ingenuous enough to put him in mind of it, in ſuch a manner, as, at once ſerv'd to diſtreſs, if not expoſe, his Majeſty, and exempt themſelves from any Cenſure on that Account: For the Act to puniſh Mutiny and Deſertion, which had alſo paſs'd both Houſes, being to come in force on the 10th of *March*, that Day being at hand, and no Notice having been receiv'd of the King's Intention to come to the Houſe in order to paſs it, the Malcontent-Leaders affected to be in Pain for what might happen, either if the Army ſhould be left, for ever ſo little time, without the Bridle of the Law, or, in caſe of any Diſorder, ſhould be unlawfully puniſh'd for it. On the ſeventh, therefore, they made uſe of theſe artful Pretences to obtain an Order, for the Lords with white Staves, to acquaint his Majeſty with that Circumſtance, That, in caſe he thought proper, he might come to the Houſe and give the Royal Aſſent to that and ſuch *other Bills* as lay ready for it. The Courtiers were aware of the Difficulty this would bring upon his Majeſty, and, therefore made ſome A.D. 1692-3. Oppoſition to it, though rather, it may be preſum'd, for the ſake of acquitting themſelves to the King, than any thing elſe; for the Queſtion was carry'd in the Affirmative, without a Diviſion; but produc'd no other Effect than a ſudden Reſolution to cloſe the Seſſion as faſt as poſſible, to prevent any other Attack of the like nature: Which was done accordingly on the 14th: On which Day, and not before, his Majeſty was pleas'd to paſs the Mutiny-Bill, ſo particularly recommended to him and all the reſt that were preſented, except a Bill to veſt the *entire* Property of all Mines in the Lord of the Soil, and *That* for *frequent Parliaments*, *It is rejected by the King.* which, as before hinted, he thought fit to reject. Biſhop *Burnet* indeed ſays, he had an unqueſtionable Right to do ſo: And yet nothing is more certain than that many of the Whiggiſh Writers have both queſtion'd this Right, and back'd their Arguments, with the very Letter of the Coronation-Oath; as alſo with that ancient Cuſtom of making Proclamation in *Weſtminſter-Hall*, before the End of every Seſſion, of the Day of Diſſolution, that all Matters depending might have a regular Deciſion; and yet again, by the Statute 2 *R.* II. No. 28, which provides, That all Petitions and Bills preſented in any future Parliament, ſhould have a good and gracious Anſwer and Remedy ordain'd thereupon, before the departing of every ſuch Parliament.

It ought not, however, to be forgot, That *The Act to retrain the Preſs continu'd.* among the Bills ſo preſented and paſs'd, there was one for *continuing* and *explaining* certain *Temporary Laws* then expiring or expir'd; among which was the Law, for preventing Abuſes, in printing ſeditious, treaſonable, and unlicens'd Books, and for regulating Printing, or Printing Preſſes. This Law had its Riſe in the Beginning of the Reign of King *Charles* II. had been reviv'd in the firſt Year of King *James* II. for a Term of ſeven Years, and was now continu'd for one Year, and from thence to the End of the next Seſſion of Parliament. What Oppoſition it met with in the Houſe of Commons, does not appear; but when it came before the Lords, it was not only oppos'd, but proteſted againſt by the Lords *Halifax*, *Shrewſbury*, *Mulgrave*, *Marlborough*, *Stamford*, *Macclesfield*, *Oſſulſton*, *Hunſdon*, *Granville*, *Lincoln* and *Vaughan*, for theſe Reaſons: Becauſe two Proviſoes, *viz.* 1. That no Search ſhould be made in the Houſe of any Peer for a Printing Preſs, without Oath being firſt made. 2. That in caſe the Names of the Printer and Author of any Book was prefix'd to it, it ſhould not be neceſſary to take out a Licenſe, were not admitted: Becauſe, in their Opinions, the Benefit occurring to the Public by the Continuance of the ſeveral Acts mention'd in the Bill, would not countervail the Prejudice which might ariſe in many reſpects from rejecting the ſaid Clauſes; and becauſe it ſubjected all Learning and true Information to the arbitrary Will and Pleaſure of a mercenary, and, perhaps, ignorant Licenſer, deſtroy'd the Properties of Authors in their Copies, and ſet up many Monopolies.

A.D. 1692-3. Some Notice ought alſo to be taken of the Bills; which either by the *ſecret Management*, more than once already ſpoken of, or the Tricks and Refinements of the Managers, miſcarry'd. Of theſe, the Bill for regulating Trials, was one: It was brought in, as before obſerv'd, in the very Beginning of the Seſſion, and had the Favour not only to be read twice, but alſo to be committed, though not without a very violent Oppoſition from the Courtiers, who divided the Houſe upon the Queſtion, and loſt it by a Majority of twenty Voices. But this ſhew of Succeſs was mere Matter of Amuſement and no more; for while the Caſe of the impriſon'd Lords was yet freſh in Memory, it was not held adviſeable to cruſh it with an arbitrary Negative: The Managers had, however, an Expedient at hand, that anſwer'd the ſame End; and at the ſame time obviated all the Clamours to be apprehended from a contrary Proceeding; which was to load it with ſuch Clauſes on the Behalf of the Crown, as ſhould render it rather a Snare, than a Relief to the Subject. Accordingly, when it came to be deliberated in a Committee of the whole Houſe, a Proviſo was offer'd and admitted by way of Amendment, That the Act ſhould not take place till after the Expiration of the War: And this being agreed to, on the Report by a Majority of 165 againſt 140, another Clauſe was offer'd, importing, That it ſhould be High Treaſon for any Perſon to declare, by Word or Writing, that their Majeſties were not lawful and rightful King and Queen of this Realm: But this was oppos'd with great Heat and Sharpneſs by the Fautors of the Bill, who inſiſted, That it was irregular to ſuperinduce ſuch a Clauſe as was tantamount to a new Law; as alſo, that it was a thing utterly unknown to our Conſtitution to make Words Treaſon: And now it appearing that the Senſe of the Majority was on their Side, the Courtiers thought it their wiſeſt way to withdraw their Clauſe; which was done accordingly; and Leave was given, in lieu of it, to bring in a Bill for the Preſervation of their Majeſties Sacred Perſons and Government. Such a Bill was, moreover, actually brought in, and read twice; but when a Motion was made for committing it, the Queſtion paſs'd in the Negative; and another Motion being made to reject the ſaid Bill, it was rejected accordingly. This happen'd on the 14th of *December*; and, as no farther Mention was made of the Trial-Bill during this Seſſion, it is reaſonable to think, that the Diſpute was compromis'd, on Condition that neither ſhould be proſecuted any farther.

Proceedings on the Bill to regulate Trials.

and on the Eaſt-India *Trade.*

Another Matter of Importance, which was left in Suſpence, was the great Controverſy in relation to the *Eaſt-India* Trade: On the 14th of *November*, Sir *Edward Seymour*, by his Majeſty's Command, had laid before the Houſe a Copy of the new Regulations, formerly inſerted, together with the Company's Objections thereto; as alſo the Opinion of the Judges thereon, *viz.* That the Company muſt have three Years Notice before they were diſſolv'd, and that no new Company ought to be ſet up in that time; for which Reaſon his Majeſty had done nothing in the Affair, and left it to the Commons, to proceed in it as they ſhould think proper. On the ſame Day alſo the aſſociated Merchants, *&c.* preſented a Petition for the diſſolving the old Company, and erecting a new one, to preſerve that Trade which they alledg'd was already in a great Meaſure loſt to this Kingdom, and would wholly fall into the Hands of our Neighbours, unleſs timely prevented. On the 17th, the Pretenſions on both Sides were taken into Conſideration; and, upon the Iſſue of that Day's Debate, it was reſolv'd, *nemine contradicente*, That a Bill ſhould be brought in for regulating, preſerving and eſtabliſhing the *Eaſt-India* Trade to this Kingdom. On the 24th, it was farther reſolv'd, in a Committee of the whole Houſe, That there ſhould be a new Subſcription of a Joint-Stock, not exceeding two Millions, and not leſs than one Million five hundred thouſand Pounds, to continue for twenty-one Years. On the ſeventh of *December* it was yet farther reſolv'd, That no Individual ſhould have above ten thouſand Pounds Stock; That the Deputy-Governor ſhould have ten thouſand Pounds: That the Company ſhould every Year export *Engliſh* Manufactures to the Value of a hundred thouſand Pounds; and that they ſhould be oblig'd to furniſh the Government with five hundred Tons of Salt-petre, yearly, at a certain Rate. All theſe ſeveral Heads having been thus agreed to, it was reſolv'd to move the Houſe that a Bill might be brought in thereon to ſettle the ſaid Trade. On the 10th the Report was made and receiv'd; and it was now expected, without Doors at leaſt, that the whole Affair would be brought to a ſpeedy Iſſue: But, it ſeems, the Company underſtood ſecret Management as well as the Court: From this time the Affair cool'd again: The Chairman grew weary of his Seat: And though Advantage was taken of a thin Houſe, on the fourth of *January*, to procure a Vote, That the Subſcription for a new Stock ſhould be open'd ten Days after the paſſing of the Act, it does not appear that any farther Progreſs was made in the Bill: But, as if the main Purpoſe of the Houſe was to huſband the Jobb as thriftily as poſſible, it was finally reſolv'd on the twenty-fifth of *February*, That an humble Addreſs ſhould be preſented to his Majeſty by the whole Houſe, that he would be pleas'd to diſſolve the ſaid Company upon three Years warning, according to the Condition of their Charter. On the ſecond of *March* the ſaid Addreſs was preſented accordingly: His Majeſty's Anſwer was conceiv'd in theſe Words: "Gentlemen, I will always do all the Good in my Power for this Kingdom, and I will conſider your Addreſs." And thus the Company had the Grace to be once more repriev'd.

But if there is any thing unaccountable in this Proceeding, what ſhall we ſay of their rejecting their own Bill, to aſcertain the Commiſſions and Salaries of the Judges, which, as in the Caſe of the Bill for frequent Parliaments

Judges Bill rejected by the Commons.

A. D. 1692-3. liaments now, the King had the Odium of rejecting the Seſſion before? And yet ſuch was actually the Caſe; the ſaid Bill being rejected on the ſecond Reading, on the 17th of *December*.

Another to prevent the Exportation of our Coin there of Neglect.

Another Anti-Coort-Bill, to prevent the Exportation or melting of our Specie (which, perhaps, was rather calculated to increaſe the Difficulties of the Court, than with any Hope to remedy the Miſchief complain'd of) was ſuffer'd to die of Neglect.

But whatever Complaiſance the Majority of this Houſe of Commons occaſionally ſhew'd to the Views of the Court, they were not ſo thoroughly form'd and diſciplin'd, as to obey the Word of Command implicitly, as often as it was given, and without any regard to the Service they were put upon; on the contrary, they ſometimes heſitated, ſometimes mutiny'd, ſometimes turn'd ſhort upon their Leaders, and now and then ſeem'd to caſt a relenting Thought on their ſuffering Country. There was ſome Policy, if not Virtue, in their perſiſting to continue the Commiſſion to take and ſtate the public Accounts: And, whatever Reaſon their Deſcendants have, to complane of their providing ſo ineffectually for the Current Service, as to entail the Miſeries of the War on their Poſterity, by entailing on them ſuch Debts as they are never like to be in a Condition to diſcharge, it muſt be allow'd, that they conſider'd their own Intereſt in ſo doing, at leaſt; for, thereby, the Burden was render'd ſo much the more eaſy to thoſe on whom it was immediately impos'd; and by encumbering the Crown with Debts, they made the Aſſiſtance of Parliaments neceſſary, at leaſt for a Generation or two to come. This, however, is ſaid, rather to account for their Conduct in that reſpect, than to excuſe it. The Steward who makes it his Buſineſs to feed his Maſter's Extravagancies in ſuch a manner as ſhall render the Approaches of his Ruin imperceptible, though ſure and unavoidable, deſerves double Condemnation: But then it is really Matter of Credit to them, at leaſt if Comparatives may be uſed, That they did not eſpouſe every Job that was offer'd; and, that, during this very Seſſion, in particular, they rejected the

Application in pursuit of the London Orphans rejected,

Application of the City of *London*, to ſaddle the Debt on the Nation; which they had incurr'd by a moſt notorious Breach of Truſt, in expending the Fortunes of about fourteen hundred Orphans, which they had oblig'd their Executors and Guardians to lodge in the Chamberlain's Office: As alſo, that when the Bill for taking the public Accounts was under Conſideration, and a Motion was made to empower the Commiſſioners to examine and ſtate the old Debt of the Bankers, occaſion'd by King *Charles*'s ſhutting up the *Exchequer*, they refus'd to give it the leaſt Countenance; as being juſtly apprehenſive, that the ſaid Motion was either calculated to tranſfer the ſaid Debt to the Public, or to check the Progreſs of the Bill.

as alſo a Motion relating to the Bankers Debt.

Lord Mohun's *Trial.*

Lord *Mohun*'s Trial is the only remarkable Occurrence of this Seſſion that remanes to be ſpoke of; and tho' the whole Caſe is

A. D. 1692-3. ſo well known to the preſent Times, it is fit that a Brief of it ſhould find a Place in our Annals, to gratify the Curioſity of thoſe to come. His Lordſhip was indicted, together with one Captain *Hill*, for the wilful Murder of Mr. *Mountford*, a celebrated Comedian: The Bill had been found by the Grand Jury of *Middleſex*: His Trial was held in *Weſtminſter-Hall*, before the whole Peerage, ſitting as a Court. The Lord Steward for the time being, was the Lord *Danby*, Marquis of *Carmarthen*, who for ſo many Years together had laid under the Terrors of a capital Impeachment himſelf. The Matter of Fact ſworn againſt the Priſoner in Subſtance, was, That three Nights before the Murder was committed, he was in Company with *Hill* at a Tavern, when the ſaid *Hill* threaten'd to be the death of *Mountford*, becauſe he obſtructed ſome Deſigns of his on Mrs. *Bracegirdle*, another celebrated Commedian, but not that he heard that Declaration of the ſaid *Hill*: That on the Day the Murder was committed, his Lordſhip din'd with *Hill* at another Tavern: That the Diſcourſe turn'd on a Deſign of *Hill*'s to carry off Mrs. *Bracegirdle* in a Coach and Six: That *Hill*, on that Occaſion, ſaid, If the Villain, meaning *Mountford*, offer'd to reſiſt, he would ſtab him; and Lord *Mohun* ſaid, He would ſtand by his Friend: That the ſame Evening they chang'd Coats: That they did attend with a Coach and ſix Horſes to carry her off, and made their Attempt accordingly near *Craven Houſe*, in *Drury Lane*; *Hill* undertaking to force her into the Coach, and Lord *Mohun* ſitting within to receive her: That tho' they had Soldiers to aſſiſt them, ſo many came up to her Reſcue, that the ſaid Attempt miſcarry'd: That Mrs. *Bracegirdle* being conducted to her Lodgings, they reman'd before the Door, with their Swords drawn; and being aſked, Why they did ſo? *Hill* anſwer'd, To be reveng'd on *Mountford*, who, by the way, does not appear to have had any Concern in the Reſcue: That *Mountford* himſelf, though warn'd of their Intentions, came up while they were thus poſted: That while he was expoſtulating with Lord *Mohun* on his countenancing ſo bad an Action, *Hill* interpos'd, and with one Hand gave *Mountford* a Box on the Ear, and with the other, having his Sword ready drawn, ran him through the Body; which *Mountford* alſo affirm'd with his laſt Breath: That Lord *Mohun* afterwards declar'd, He was glad *Hill* had made his Eſcape; and farther, That he did not care a Farthing if he was hang'd for him. His Lordſhip, the Priſoner, on the other hand, call'd Witneſſes (among whom were *Hill*'s Footboy, and Mrs. *Bracegirdle*'s Maid, who had avoided the Coroner's Summons, and had been conceal'd ever ſince) to prove, That he had no Malice to *Mountford*: That *Hill* gave *Mountford* fair Warning to draw and ſtand upon his Guard: That three or four Paſſes, one ſaid one, two, ſaid another, were exchang'd before *Mountford* fell, in the laſt of which, his Sword was broke: That Lord *Mohun* had no Concern in the Fray, directly, or indirectly:

That

A.D. 1692-3. That the reaſon of their ſtaying under Mrs. *Brazegirdle*'s Window, was to beg her Pardon for the Inſult they had offer'd to her: That if *Mountford*, inſtead of going directly home, had not gone out of his Way to meet them, this Rencounter had not happen'd: And that whereas both *Hill* and *Mountford* made off, the firſt full ſpeed, and the laſt as faſt as he was able, his Lordſhip did not ſtir, but ſurrender'd himſelf as ſoon as the Watch came up. We have here the Merits of the Caſe on both Sides: And their Lordſhips, having amus'd themſelves and their Auditory, with putting a Variety of Caſes, by way of Parallel, to the Judges, and receiv'd their Opinions thereon, at laſt proceeded to give their Judgments ſeriatim; on the Iſſue of which, it appear'd, that his Lordſhip, the Priſoner, was acquitted by a great Majority; the *Not-Guilties* being ſixty-nine, and the *Guilties* but fourteen.

Account of Bills paſs'd.

And now all that remains to bring the Seſſion to a Period, is to ſpecify the moſt remarkable Acts which receiv'd the Royal Aſſent, together with the Mutiny-Bill; that of the Additional-Impoſitions; that for the Review of the Quarterly-Poll; that for prolonging certain Duties, and charging Joint-Stocks; that for examining and ſtating the Public Accounts; and that for reviving, continuing, and explaining certain temporary Laws, before-mention'd; and which were, 1. The Act for preventing (*r*) Suits againſt ſuch as had acted for their Majeſties Service in Defence of this Kingdom. 2. An Act for raiſing the Militia for the Year 1693. 3. An Act to authoriſe the Judges to empower ſuch Perſons, other than common Attorneys and Solicitors, as they ſhould think fit, to take ſpecial Bail, except in *London*, *Weſtminſter*, and ten Miles round. 4. An Act to encourage the apprehending of Highwaymen. 5. An Act to prevent clandeſtine Marriages. 6. An Act for the regaining, encouraging, and ſettling the *Greenland* Trade. 7. An Act to prevent malicious Informations in the Court of *King's-Bench*, and for the more eaſy Reverſal of Outlawries in that Court. 8. An Act for the better Diſcovery of Judgments in the Courts of Law. 9. An Act for delivering Declarations to Priſoners for Debt. 10. An Act for regulating Proceedings in the Crown-Office. 11. An Act for the more eaſy Diſcovery and Conviction of ſuch as ſhould deſtroy the Game of this Kingdom: And, 12. An Act for continuing the Acts for prohibiting all Trade and Commerce with *France*, and for the Encouragement of Privateers.

As to the parting Speech from the Throne, it reſembled that of a parting Lover, who, having gain'd his Point, inſenſibly converts Paſſion and Energy into Gratitude and Complaiſance.------But it is fit his Majeſty ſhould ſpeak for himſelf. A.D. 1692-3.

"*My Lords and Gentlemen,*

"The large Supplies which you have given me this Seſſion, are ſo great Teſtimonies of your good Affections, that I take this Occaſion, with great Willingneſs, to return my hearty Thanks to you. And I aſſure you, it ſhall be my Care to ſee, that that Money you have given may be effectually apply'd to ſuch Services as may be moſt for the Honour and Intereſt of *England*. *The King's Speech.*

I muſt recommend to your Care the Peace and Quiet of the ſeveral Counties to which you are now returning, and doubt not but by your Care, the Supply, which you have ſo freely given, will not only be effectually levied, but with the greateſt Equality too, and the leaſt Uneaſineſs to the People that is poſſible.

My Lords and Gentlemen,

The Poſture of Affairs does neceſſarily require my Preſence abroad; but I ſhall take care to leave ſuch a Number of Troops here, as may be ſufficient for the Security of the kingdom againſt any Attempts of our Enemies.

I ſhall add no more, but that, as I ſhall continue to expoſe my own Perſon, upon all Occaſions, for the Good and Advantage of theſe Kingdoms, ſo I do likewiſe aſſure you, that my hearty and ſincere Endeavours ſhall never be wanting, in any other kind, to make this a great and flouriſhing Nation."

Alterations in the Miniſtry.

We muſt now follow the *Hiſtorian of his own Times*, but not blind-fold, to the Door of the Cabinet (which having been ſhut againſt him, we are not to expect that he ſhould open to us) as alſo thorough that Maze of Faction and Cabal, which gave riſe to the intricate Tranſactions of theſe Times.

According to his Lordſhip, it was to ſoften the Diſtaſte which the King's rejecting the Bill for *frequent Parliaments* might otherwiſe give, that his Majeſty was induc'd, at the Cloſe of the Seſſion, to make conſiderable Alterations in his Miniſtry. Now the conſiderable Alterations ſpecify'd by him, are, the taking the great Seal out of Commiſſion, and giving it to Sir *John Sommers*; and the beſtowing the Secretary's Seals, which had lain ſo long dormant, on Sir *John Trenchard*; both which Steps, he further tells us, were aſcrib'd to the great Credit which the Earl of *Sunderland* had gain'd with the King (and which he openly made uſe of in favour of the *Whigs*) and had a *great Effect on the* WHOLE PARTY, who were thereby *brought to a better Opinion of his Majeſty*: So that we are to conclude, that an Alteration of Men was, even in thoſe Days, to be eſteem'd an Equivalent for an Alteration of Meaſures; and that as the People

(*r*) The Preamble of which ran as follows:

"Whereas in this preſent Year, 1692, it was notoriouſly known, that there were great Preparations for an Invaſion intended from *France*; the Lords of the Council, and thoſe that have acted by their Authority, having apprehended and impriſon'd ſeveral *ſuſpected Perſons*, and ſeiz'd and uſed Horſes and Arms, and caus'd ſome Part of the Militia of this Kingdom to be rais'd, continu'd, and maintain'd, otherwiſe than is authoriſe'd by the Acts made in the Reign of *K. Charles* II. in that Behalf, and to march and be quarter'd in divers Places upon that Occaſion: That thoſe Proceedings in that extraordinary Juncture, and the Parties concern'd therein may be indemnify'd therefore, and for the preventing the Trouble and Charges which the ſaid *Lord Sollicit.* might be put to by the Proſecution of their Majeſties, their Heirs and Succeſſors, or by the means of Suits of any Perſon whatſoever, for, and by Reaſon of, their Actings and Doings aforeſaid, Be it enacted, *&c.*"

A.D. 1692. People had no other Communication with the Crown than by the Means of their Repreſentatives, ſo the Devotion and Munificence of the People were to be rewarded in the Perſons of their Repreſentatives only.

But we ſhall find, that the Biſhop is not conſiſtent with himſelf in ſuggeſting, that the Effects of this Alteration extended to the *whole Party*; and that we are, by no means, to ſuppoſe, that becauſe Lord *Sunderland* was re-converted to *Whigiſm*, and had re-obtain'd ſuch an Aſcendency at Court, none but *Whigs* were now the Favourites there: For, as to humour one Party, his Majeſty had promoted Sir *John Sommers* and Sir *John Trenchard*, ſo, to humour the other, he remov'd Mr. *Ruſſel* from his Command at Sea, and Lord *Cornwallis* and Sir *Richard Onſlow* from the Admiralty-Board, to make Room for Mr. *Killigrew* and Sir *Ralph Delaval*. The Biſhop's own Account of this Matter is contain'd in theſe Words, "The King was now poſſeſs'd againſt him *(Ruſſel)* for he diſmiſs'd him from his *Service*, and put the Command of the Fleet into the Hands of three Perſons, *Killigrew*, *Delaval*, and *Shovel*: The two firſt were thought ſo inclinable to King *James*'s Intereſts, that it made ſome inſinuate, that the King was in the Hands of thoſe who intended to betray him to his Enemies: For though no Exception lay againſt *Shovel*, yet it was ſaid, he was only put with the other two, to give ſome Reputation to the Commiſſion, and that he was one againſt two; ſo that he could neither hinder, nor do any thing. The chief Blame of this Nomination was thrown on the Earl of *Nottingham*; and of thoſe who belong'd to his Office, many Stories were rais'd and ſpread about, as if there had been among them, beſides a very great Remiſſneſs in ſome of the Concerns of the Government, an actual betraying of all our Secrets and Councils. The Opinion of this was *ſpread* both within and without the Kingdom; and moſt of our Confederates were poſſeſs'd with it: He juſtify'd not only himſelf, but all his under Secretaries: Both King and Queen continu'd ſtill to have a good Opinion of his Fidelity; but they ſaw ſome Defects in his Judgments, with a moſt violent *Party Heat*, that appear'd on all Occaſions, and even the ſmalleſt Matters." What Party Heat appears in this whole Paſſage, there is no need to point out: The ill Opinion that was ſpread of the Earl of *Nottingham*'s Fidelity, was ſpread by his Enemies; and neither that Opinion, nor the Inſinuations againſt *Killigrew* and *Delaval* were ſupported by any Fact. The Writer of King *William*'s Life, on the other hand, takes occaſion to ſay on the Removal of *Ruſſel*, That his Majeſty expreſs'd himſelf with reſpect to his Officers, as *Cæſar* had done with reſpect to his Wife, That they ſhould not only be free from Guilt, but Suſpicion. But if his Majeſty had really laid that down for a Rule, he ſhould have remov'd Lord *Nottingham* as well as Mr. *Ruſſel*; and, as the Fact ſtands, it is reaſonable to lay as little Streſs on the Scandal of one Party, as of the other.—But to return.—Though our Hiſtorian has thought fit to ſeparate theſe Veins of Promotion, as if they had broke out at different times, nothing is more certain, than that they were the Production of the ſame Criſis, and that they are both recorded in the ſame *Gazette*; which *Gazette* alſo bears witneſs, that Mr. *Ruſſel* was not diſmiſs'd from his Majeſty's Service, but that on the contrary, he was only tranſlated from the Fleet to the Houſhold, of which he was made *Treaſurer*. And thus it appears, that the Alterations on one Side, were ballanced by thoſe on the other: As alſo, that the whole Proceeding was no more than a new Experiment on the old *trimming* Principle, which his Majeſty had made the Rule of his Government, ever ſince the Scales of Power had been firſt put into his Hands.

A.D. 1692.

[*Vol.* ii. *p.* 360.]

[*Numb.* 2836.]

We are now to ſhew, that this Expedient did not, however, anſwer his Ends; and for this Purpoſe it is again neceſſary to make uſe of our *Hiſtorian of his own Times*. "But as the employing thoſe Men [*Sommers* and *Trenchard*] ſays his Lordſhip, had a very good Effect on the King's Affairs; ſo a Party came to be now form'd, that ſtudy'd to croſs and defeat every thing. This was lead by (1) *Seymour* and *Muſgrave*. The laſt was a Gentleman of a noble Family in *Cumberland*, whoſe Life had been regular, and his Deportment Grave; he had loſt a Place in King *James*'s Time; for though he was always a high *Tory*, yet he would not comply with his Deſigns. He had, indeed, contributed much to increaſe his Revenue, and to offer him more than he aſked; yet he would not go into the taking off the Teſts. Upon the Revolution, the Place out of which he had been turn'd, was given to a Man that had a good Share of Merit in it. This alienated him from the King; and he being a Man of good Judgment, and of great Experience, came to be conſider'd as the Head of the Party; in which he found his *Account* ſo well, that no Offers that were made him, could ever bring him over to the *King*'s *Intereſts*. Upon many critical Occaſions, he gave up ſome important Points; for which the King found it neceſſary to pay him very liberally."

Burnet's Account of them unadvertised upon.

Thus we are furniſh'd with another flagrant Inſtance of the ſhameleſs Intercourſe, which had been open'd between the Court and the Repreſentatives of the People; and the Hiſtorian who could paſs over it, without a Note of Abhorrence, would not deſerve the Attention of his Country.

The Biſhop adds, "But the Party of the *Tories* was too inconſiderable to have rais'd a great Oppoſition, if a great Body of *Whigs* had not join'd them." And here we have the Inconſiſtence before alluded to; for if a great Body join'd with the *Tories*, it could not

(1) As Sir *Edward Seymour* continu'd to be one of the Commiſſioners of the Treaſury till *May*, 1694, it is reaſonable to think, that the Biſhop is a little too early in the Date of his Oppoſition.

A.D. 1692-3. not be truly said, that the Promotion of *Sommers* and *Trenchard* had a great Effect on the *whole Party*: But the former Part of this Fact is mis-stated, as well as the Latter; for the Majority of the House of Commons were *Tories*; and as the Court-Majority, agreeable to the Mixture which compos'd the Cabinet, was compos'd of both *Whigs* and *Tories*, so the Opposition was the same. Moreover, in proceeding, as he does, to, say, "That some of those *(Whigs)* had such *Republican* Notions, that they were much set against the Prerogative; and they thought the King was become too stiff in maintaining it," he does not reason over candidly; for surely it is the Corner-Stone of *Whigism* to be jealous of the Prerogative: Consequently the *Whig* of Principle could not be otherwise: Besides, any Man might be so without having the least Biass towards a Republic; and as Abuse of the Prerogative was the great Fault of the preceding Reigns, the least Tendency of that kind, must, in their Eyes, have very much misbecame a Prince, who professedly undertook to remedy that Abuse. How truly and justly he has given the following Account of Mr. *Foley* and Mr. *Harley*, who, together with Mr. *Hampden*, the Younger, had the Direction of the Malcontent-*Whigs*, cannot be decided till we come to sum up the Evidence to their Characters." Others, says his Lordship, were offended, because they were not consider'd nor prefer'd, as they thought they deserv'd. The chief of these were Mr. *Paul Foley* and Mr. *Harley*: The first of these was a younger Son of one, who, from mean Beginnings, had, only by Iron Works, rais'd one of the greatest Estates, that had been in *England* in our *Time*; he was a learn'd, tho' not a practicing Lawyer, and was a Man of Virtue and good Principles, but morose and and wilfull; and he had the *Affectation* of passing for a great Patriot, by his constant finding Fault with the Government, and keeping up an ill Humour and bad Opinion of the Court. *Harley* was a Man of a noble Family, and very eminently learn'd, much turn'd to Politics, and of a restless Ambition: He was a Man of great Industry and Application, and knew Forms and the Records of Parliament so well, that he was capable both of lengthning out and perplexing Debates; nothing could answer his aspiring Temper: So he and *Foley* join'd with the *Tories* to create Jealousies and raise an Opposition: They soon grew to be able to delay Matters long, and set on foot some very *uneasy things* that were popular, such as the Bill against Parliament Mens being in *Places*, and that for dissolving the Parliament, and having a new one every third Year." His Lordship then makes a Transition to the King's personal Deportment, and acknowledges, it was such as gave the Malcontents great Advantages over him: He reminds his Readers, That his Majesty was not over-gracious in his manner of receiving those who paid their Court to him, A.D. 1692-3. nor over-easy of Access: That his living at *Kensington* the little time he was in *England*, contributed to render him more and more unpopular: That his chief Confidents were *Dutch*: That he took no Notice of the Clergy: That he seem'd to have little Concern in the Matters of the Church, or of Religion; and that not only *Socinians*, but *Atheists* and *Deists* were suffer'd to publish Books against Religion in general, and more particularly against the mysteries of our own Faith, who expressing great Zeal for the Government, gave a Handle to those who were waiting for all Advantages to spirit up the Bulk of the Clergy against him, under the Pretence of providing for the Security of the Church. *Discontents of the Clergy.*

It is certain, that no Part of his Majesty's Conduct was more pernicious to his Repose, than his Disregard of the Clergy; and yet, as a Politician, he had very good Reasons to assign for those very Instances which the Bishop has urged as Matters of Complaint. It was apparent, that though the Bulk of the Clergy had submitted to his Goverment, they were not thoroughly reconcil'd to the Measures of it; and that they were no otherwise to be reclam'd, than by giving them the Necks of their Enemies, who were his Majesty's best and surest Friends.

As, therefore, he could not prevail with himself to purchase their Good-will on such injurious Terms, and it was to be fear'd, that they would improve every Access of Power and Credit to their own Profit and Emolument, rather than his, he gave way to such a Method of treating them, as had a gradual Tendency to humble their Pride, by exposing the Abuses it was founded upon, and to redeem the Laity out of their Hands, by enabling them to think and judge for themselves. And thus for political Regards, Reason was allow'd fair Play in spiritual Matters; and Men thought they had Leave given them to make use of their own Eyes for their own sakes, when it was only to enable them to detect the Blindness and Perverseness of their Guides.

But though the Grievances of the Church were echo'd loudest by the discontented *Tories*, the discontented *Whigs* directed all their Attention to those of the State: And it might have been worth the Bishop's while to recollect, that, immediately after the Close of the Session, the Leaders of that Party set forth a Pamphlet, call'd (*t*) *An Enquiry; or, a Discourse between a Yeoman of* Kent, *and a Knight of a Shire, upon the Prorogation of the Parliament to the second of* May; as also to appropriate Posterity, That the *Knight*, after premising in that Discourse, That, according to the ancient Constitution of this Kingdom, Parliaments were to meet of *course*, at least twice every Year, and that we had positive Laws for annual *Parliaments*, is made to use these very Words: "I must confess to you, *Of the Whigs.* [State Tracts Tem. III. Vol. ii. p. 330.]

(*t*) This Piece is ascrib'd to Major *Wildman*, Mr. *Hampden*, &c. But if they were in the Secret of the Composition, it seems most reasonable to me to conclude, that Lord *Warrington* was the Penman.

A.D. 1692-3. [4to Edit. p. 2.] you, nothing prevail'd with me more, to concur with our King in his *Pretenſions* to reſtore our Parliaments and the Laws to their due Authority, than my own Knowledge, that the late Civil Wars in this Kingdom, and the Subverſion of our Religion, Laws, and Liberties, were principally occaſion'd by the Powers uſurp'd in ſeveral late Reigns, to refuſe the calling of ſucceſſive Parliaments, and to continue the ſame Parliament for many Years, and to form them into a Compliance with their Deſigns of Deſpotic Power. When I read the ſolemn and repeated Aſſurances his Majeſty gave us, *That his Deſigns of coming into* England, *was to remove from the Adminiſtration of the Government, thoſe evil Miniſters that had promoted the Murders and Treaſons committed, in attempting to ſet up an Arbitrary Power over the People and their Parliaments*; and alſo heard him deſire the Parliament, *to make ſuch an effectual Proviſion for their fundamental Laws and Liberties, that they might never hereafter be in Danger to be again invaded*, I thought the ancient, legal Courſe of *annually cheſen Parliaments* would have been immediately reſtor'd, and the ſtrongeſt Fence made for that Conſtitution, that the Wiſdom of the Kingdom could have enacted. But I muſt tell you, to my Sorrow, that we are left as much to the King's Will for a Seſſion of Parliament, as evil Miniſters in the late Reign deſir'd we ſhould be." Again,

[*Ibid. p.* 3.] "We concluded upon ſolemn Debates, that he was highly concern'd to have this Bill enacted, to juſtify his coming with Force and Arms to deliver us from Arbitrary Power, and to ſettle our Laws and Liberties. We thought that the Reputation of his Concurrence with the Advice of the great Council of his Kingdom, oblig'd him to a free Conſent to that Bill; the Expectations of all *Europe* being ſo exceeding great from the Reſult of this Parliament's Councils and his Union with them. We believ'd his Deſire to ſecure to his Subjects their Government by Law, would have made him glad of the Opportunity of this Bill, leſt any Accident ſhould befal him in this War, and he ſhould loſe the Glory of his Deſign, by leaving them unſettled. We thought it for his Intereſt to paſs this Bill, to induce the People to pay their great Taxes freely, and to advance them to as great Sums as the Acts of Parliament would allow; it being the ancient Courſe in Parliaments, that the King always paſs'd ſome Bills for the Peoples Advantage when they had great Sums from them; and we thought his Majeſty had the leſs Reaſon to deny his Aſſent to the Bill, in regard it depriv'd the Crown of no legal Prerogative, but only reviv'd and confirm'd the ancient Laws of the Realm, than which nothing is more frequent, when wholſome and neceſſary Laws grow into Diſuſe. We alſo conceiv'd that his Majeſty was bound in Honour to make good the Matter of his Declarations, and his ſolemn Promiſes to the

[*Ibid. p.* 7.] People in them."----- And again, "I want Advice as much as you, how to ſatisfy thoſe who ſent me to Parliament, about the King's Refuſal of this Bill: Yet one thing vexes me worſe, that, having been zealous for the Revolution, I know not how to reſtrain, nor yet well to bear, the Scoffs of ſome of our Enemies, at my Folly. They call to mind, that I, ſimple Man, as I was, confidently ſaid, That the Government ſhould be reform'd, and our Laws and Liberties fully ſecur'd. They now aſk me, Whether I find by Experience, a King of our own making more ready to do the People Right, than the old ones that claim'd by lineal Deſcent? Some of them laugh'd, and told me, That I gap'd for a *New Jeruſalem* to drop from Heaven, wherein there would be nothing but Righteouſneſs.----- They have upbraided me with what I ſaid, That *God* had ſent us a Prince that would deny his People nothing."---

A.D. 1694.

This was the Language of the *Whigs*; and in this we have a new Proof, That thoſe who aſſiſted in ſetting their Deliverer on the Throne, made no Scruple to put him in mind of his Obligations to make their Deliverance complete, nor to prompt the People to be as tenacious of their Privileges, and as jealous of the Abuſe of Power, under the new Eſtabliſhment, as under the old.

and of the Jacobites.

Laſtly, the *Jacobites*, during this whole Interval, were as attentive as ever to the Conduct of the King, the Diſguſts of the two Houſes, and the Animoſities of every kind that rag'd among the People, and as ſedulous out of all to derive ſome Advantage, if poſſible, to themſelves. Neither the Proclamation againſt Libellers, nor the reviving the Licenſing Act, deterr'd them from the Uſe of the Preſs; and, either thro' an Exceſs of Zeal, or the cruel Artifice of thoſe who believ'd, that the Sufferings of Individuals would communicate new Strength and Vigour to their whole Party, a Pamphlet, ſo outrageouſly virulent, was ſet forth from that Quarter againſt the Government, as no Government would over-look. It was call'd, *Remarks upon the preſent Confederacy and late Revolution:* And the chief Points endeavour'd to be prov'd in it, are, 1. That if the Prince of *Orange* had not ſucceeded in his Expedition againſt his Father, there would have been no ſuch Confederacy. 2. That the ſeveral Powers which favour'd the Former, did ſo with a View of making the Wealth and Strength of *England* ſubſervient to the Latter. 3. That tho' *England* was held thus neceſſary to the great Deſign of reducing *France*, ſhe was to have no Share of the Spoil: And, laſtly, That, inſtead of finding their Account balanc'd by the Virtues of their new Maſter, and the Happineſs reſulting from them, the Nation was on the Point of being undone by his Ambition, Perfidy, Oppreſſion, and Corruptions, he had introduc'd among us, both in Church and State.

About the ſame time another far more dangerous, becauſe more rational and temporate Pamphlet, was alſo ſet forth, under the Title of, *A* French *Conqueſt neither deſirable nor practicable*; which was a ſort of ſecond Part to a Piece call'd, *The* Jacobite *Principles vindicated*, publiſh'd ſome time before;

A. D. 1692-3. one being dedicated to the *Queen* and the other to the *King of England*, meaning the late King *James* and his Queen. Of both ſomething ought to be ſaid, as well becauſe of the relation they had to the general State of Things at this Criſis, as to the more particular Views, Deſigns, and Pretenſions of the *Jacobite* Party. In the former Part, which treats of their *Principles*, the Writer takes upon him to aſſert, "That there were among the *Jacobites*, Perſons, who would join with any other *Engliſhmen* to *aſk*, in a reſpectful manner, for every honeſt Thing that was neceſſary to ſecure us from arbitrary Power and the Violence of all ſorts of Prieſts; and who were themſelves ſatisfy'd, and could authentically ſatisfy others, that the King *(James)* had been a *long Time* willing to make all thoſe neceſſary Conceſſions that would ſecure the Church of *England* as the eſtabliſh'd Church, make an *impartial* Toleration ſafe, and, for the future, put our Liberty and Property (as much as good and wholſome Laws could do it) out of the Power of Mal-Adminiſtration; who were of *Gourville's* Opinion, *That a King of* England, *who would be the Man of his People, was the greateſt King in the World; but that if he inſiſted on being more, he became nothing at all*; and who were for Reformations, tho' they believ'd them more laſting under inconteſted Titles, than where Title was too great a Part of the Diſpute: That it was plain by the Condeſcentions of King *James* to the *Scottiſh* Gentlemen, that he was convinc'd, That a Compliance with his People was his true and only Intereſt: That the People ought not to take a Standard either of the King's Inclinations, or thoſe of his Friends from the indiſcrete Tattle of thoſe who talk'd too loftily and dogmatically concerning Prerogative and the Nature of Monarchy? That the ſtrained Uſe of ſome Powers and Prerogatives in the Reign of *Charles* I. for which the flattering Lawyers had ſome dark Semblance of Authority, gave riſe to the civil War: That the firſt Parliament call'd by King *Charles* II. after the Reſtoration, paſs'd many Acts that plainly own'd the great Inexpediency, if not Illegality, of ſeveral things done in his Father's Days: That he himſelf, had he liv'd a little longer, would have ſeen Cauſe to own he had carry'd the *Quo Warrantos* too far: That he, the Author, deſir'd no body to ſerve King *James*, but on the Principles of making him the *Father of his Country*: That it was the Intereſt of the King himſelf, as well as of all Orders and Degrees of Men, that he ſhould be reſtor'd upon civil Securities: That there were thoſe about the King who would lay before him the Neceſſity and Wiſdom of complying with all reaſonable Demands; And that if thoſe Demands were not unfit either in Matter or Manner for an *Engliſh* King to grant, thoſe Men, *Jacobites* as they were, would not only deliver, but ſecond the PETITIONS that ſhould be prefer'd to him." This is an Abſtract of the firſt Piece: And in the ſecond, the Author declares, in the Name of his Party, "That they were ſo far from wiſhing King *Lewis* ſhould conquer the Nation, that A. D. 1692-3. they did not deſire King *James* ſhould: That *Father*, not *Conqueror*, was the Language of their Loyalty: That there was not one *Burnet* or *Lloyd* among the *nonjuring* Clergy: That they were very glad, that thoſe *who ſat in the two Houſes* had fix'd ſuch a Brand on the Doctrine of Conqueſt: That if the King *(James)* ſhould be forc'd to reduce theſe Nations with a high Hand, all the wiſe and influencing *Jacobites* would interpoſe, if it ſhould be found neceſſary to keep him from Revenge: That, however, he had never talk'd of his Subjects but with Compaſſion inſtead of Indignation: That of the Princeſs of *Orange*, herſelf, he had found Occaſion to ſay, 'That ſhe had ſuch natural 'Foundations of Goodneſs, as Dr. *Burnet* 'and the Biſhop of *London* could never de'ſtroy:' And that all thoſe who had been at *St. Germains* knew with what Indignation the King treated all thoughts of reſtoring him, otherwiſe than by a great Concurrence of his own People." Drawing then to his immediate Point, he proceeds to inculcate, "That it was the common Intereſt of all the Princes and Powers of *Europe* to withſtand the Deſigns of *France*, if they ſhould entertain any to reduce this Iſland: That the Jealouſy which they had already ſhewn of the *French* Greatneſs, was ſufficient to ſhew alſo, that they would never ſuffer her to make an Acquiſition which would render her formidable to the whole World: That the *French* Court were too ſenſible of the Unweildineſs of ſuch an Attempt to venture upon making it: That it was not even the Intereſt of *France* to run the Riſque of the Experiment: That if it was poſſibly for her to ſucceed in it, that very Succeſs might be fatal to her: That it would be as hard to hold theſe Nations in Obedience, as to conquer them: That the Vicegerency was too great a Truſt for any Subject; and yet the Government here could no otherwiſe be adminiſter'd: That it would ſo far exhauſt the Wealth and Strength of *France*, that ſhe would fall an eaſy Prey to thoſe Neighbours who waited only for ſuch an Opportunity to ruin her: That the *French* rarely, if ever, ſucceeded in ſuch Enterprizes as were far remov'd from their own Frontiers, and the reach of thoſe Reſourſes which were at all times neceſſary for their ſupport: That this was of all things the moſt difficult; for without ſubduing the Winds and Waves, as well as our Fleets and Armies, and indeed the very Spirit of the Nation, it would be impoſſible for the *French* to eſtabliſh their Dominion here: That, again, inſtead of its being their Intereſt to aſſiſt in enſlaving us under Kings of our own, or in reconverting us to the Religion of *Rome*, it was, on the contrary, their Intereſt to have the Power of the Monarchy held in Balance by Clames of the People; and that the very Religion which was call'd Hereſy on that Side of the Water, ſhould be the Eſtabliſhment on this: That paradoxical as this might ſeem, nothing was more true: That it would be the greateſt Soleciſm imaginable in the Po-

A. D. 1697-8 litics of the *French* Cabinet, to make the King of *England*, who had alſo Pretenſions to the Crown of *France*, Maſters of their People; becauſe in ſo doing, he would enable them to proſecute thoſe Pretenſions as often as they thought fit, without ſoliciting Aids, by the tedious Forms, and under the numerous Checks of Parliament; and that, for the ſame Reaſon, it would be equally abſurd and impolitic for them to excite any Alteration in the preſent Mode of Religion, or remove the *Shibboleth* of the different Creeds of the two Nations, which ſerv'd more effectually than any other Bar to keep them in their preſent State of Separation. He alſo takes ſome Pains to ſhew, that this Nation never was effectually conquer'd, either by *Romans*, *Saxons*, *Danes*, or *Normans*; and that we were never like to be ſo, till we fell into civil Wars amongſt ourſelves; in which caſe, we muſt expect to be made the *Cockpit* of the World, by means of the foreign Auxiliaries; which both Parties alike would not fail to call over to their reſpective Aſſiſtance: But then, how likely we were to fall into that Predicament, or, at leaſt, how deſirous he, the Author, was, that we ſhould do ſo, rather than King *James* and his Family ſhould continue in Exile, appears from what follows; which it is proper to inſert in his own Words: "And tho' all the *Jacobites* abhor a *French* Conqueſt, and ſo does the King too, yet if the Nation will not come to ſuch a Temper as to reſtore him without their Help, the *King*'s *Friends* cannot be blam'd for being willing to admit of ſuch a moderate Number of *French*, or any other Forces as may be neceſſary *to cover them*, when they come to him, till they get together, and as may give them Opportunity to riſe. *We* had rather; *He* had much rather; nay, the King of *France* declares, he had rather his Reſtoration ſhould be wholly owing to his own Subjects: *We* will never agree that he ſhould bring ſuch a Force as may give any the leaſt Jealouſy, that either He or *France* deſigns to conquer; and he is perfectly reſolv'd to come in that manner that ſhall be agreed to by ſuch Friends of his, as the World muſt allow to be Men of Honour, regardful of the *Britiſh* Rights, and of the Proteſtant Religion."

Laſtly, by way of Uſe and Application of all, he farther ſays, "Can any Men of Senſe believe, that the Earl of *Middleton*, who could never, during his whole Miniſtry, be drawn into any irregular Step, would go over upon any other Errand? That great Man is known to underſtand his Duty to his *Country* as well as his Prince, and thinks he ought at the ſame time to be the Miniſter of both; and his Affection and Firmneſs to Proteſtancy was never once ſuſpected: He will neither betray our Laws nor his *own* Religion; nor will he, to do the King but Juſtice, be tempted to either; for all that we have *miſliked* in the King's *Meaſures* abroad, has proceeded from *Miſrepreſentation* from hence: And my Lord *Middleton* is ſo fraughted with the genuine Intereſt, as well as Senſe, of theſe Nations, that the moſt inveterate of our Enemies, will have, *hereafter*, no Opportunity to clamour and exaſperate. This is a Truth, which, in a ſhort time, will need no Voucher. The *future* Acts of State that came from that Court, will prove he has diſcours'd many of the *leading Men*, and compromis'd the Grievances of all Parties." A. D. 1697-8

Now, in order to underſtand what is here ſaid of Lord *Middleton* and his Errand, we muſt again have recourſe to the *Hiſtorian of his own Times*, who ſays, That the ſaid Lord went over to *France* in the Beginning of this Year: That it was believ'd he was ſent by a great Body among us, with a Propoſition, which, if his Lordſhip had had the Aſſurance to make, and the King the Wiſdom to embrace, would have greatly increas'd our Factions and Jealouſies; namely, for King *James* to reſign his Title in favour of his Son, and likewiſe to ſend him to be bred in *England*, under the Direction of a Parliament, till he ſhould be of age: That he, the Biſhop, could never hear that the Earl endeavour'd to communicate this Propoſal; and that all the apparent Effect of his Miſſion was, to obtain a new Declaration in a quite different Strain from the Former; for whereas that was in the Stile of a Conqueror; this promis'd every thing, pardon'd every body, and, as far as Words could go, gave Content to all." The Biſhop adds, "His Party got this into their Hands: I ſaw a Copy of it, and they waited for a fit Occaſion to publiſh it to the Nation."

Lord Middleton goes over to France with a new Propoſition from the Diſaffected.

A new Declaration founded thereon.

His Lordſhip might alſo have ſaid, That by the Care of the ſaid Party it was printed, and that it was ſtill extant in the *State Tracts* of this Reign. As to the Contents of it, King *James*, in the Preamble, ſets forth, That being ſenſible that nothing had ſo much contributed to his Misfortunes and the Miſeries of his People, as the Calumnies of his Enemies, he had thought fit to make ſuch Condeſcentions as ſhould be moſt proper for removing the ſaid Calumnies, and moſt likely to give the fulleſt Satisfaction to all Men: And farther, That becauſe he rather deſir'd to be *beholden* to the Love of his Subjects, than any other Expedient whatſoever for his Reſtoration, he had alſo thought fit to let them know before-hand his Royal and Sincere Intentions; and that when his own Circumſtances and his Peoples united Deſires ſhould give him an Opportunity to come and aſſert his Right, he ſhould come with the Declaration that follow'd; which was to this Effect, That when he reflected upon the Calamities of his Kingdoms, he was willing to leave nothing unattempted that might reconcile his Subjects to their Duty: That tho' he would not enter into all the Particulars of Grace and Goodneſs, which he was willing to grant, yet he did aſſure them they might depend upon every thing that their own Repreſentatives ſhould offer to make them happy; it being his nobleſt Aim to do more for the Conſtitution, than the moſt renown'd of his Anceſtors; and, in his Opinion, his chiefeſt Intereſt, to leave no Umbrage for Jealouſy, in

[*Vol.* II.]

relation

A. D. 1692-3. relation to Religion, Liberty, and Property: That for his part, he was ready and willing to lay aside all Thoughts of Animosity and Resentment for what was past, and desir'd nothing more than that it should be bury'd in perpetual Oblivion: That he did by this his Declaration under his Great Seal, solemnly promise his free Pardon and Indemnity to all who should not oppose him and his Adherents, in a certain Number of Days after his Landing: That he farther promis'd to reward, according to their respective Merits, such as should come to his Assistance: That he would, with all Speed, call together the representative Body of the Kingdom: That from them he would inform himself what were the united Interests and Inclinations of his People; and that with their Concurrence, he would be ready to redress all their Grievances, and give all those Securities of which they should stand in need: That he would protect and defend the Church of *England*, as it was then establish'd by Law, and secure to the Members of it all their Possessions, Immunities, Rights, and Privileges: That he would, with all Earnestness, recommend to that Parliament such an *impartial* Liberty of Conscience as they should think necessary for the Happiness of these Nations: That he would not dispense with, nor violate the Test: That for the Dispensing Power in other Matters, he would leave it to be explan'd and limited by Parliament: That he would also give the Royal Assent to all such Bills as were necessary for the frequent calling and holding of Parliaments; the free Election and fair Returns of Members, and to provide for impartial Trials; and that he would ratify and confirm all such Laws made under the present Usurpation, as should be tender'd to him by that Parliament: That in the same Parliament he would also consent to every thing that they should think necessary, to re-establish the late Act of Settlement of *Ireland*, made in the Reign of his dearest Brother; and that he would advise with the said Parliament how to recompense such of that Nation as had follow'd him to the last, who would be Sufferers by the said Re-establishment: That if *Chimney-Money*, or any Part of the Crown-Revenue had been burdensome to his Subjects, he was ready to exchange it for any other Assessment which should be thought more easy: That in all these several Concessions, he had follow'd the Advice, and conform'd to the Intimations which he had receiv'd from great Numbers of his loving Subjects of all Ranks and Degrees, who had adjusted the manner of his coming to regain his own Right, and relieve his People from Oppression and Slavery: That after this it would be unnecessary to enumerate the tyrannical Violations and Burdens, with which his Kingdoms had been oppress'd and were now like to be destroy'd: That whereas his Enemies had endeavour'd to affright his Subjects with the Apprehensions of great Sums to be repaid to *France*, he did positively assure them, That his dearest Brother, the *most Christian* King, expected no other Compensation for what he had done for him, than merely the Glory of having succour'd an injur'd Prince; and that he besought *God* to give him Success in the Prosecution of his Right, as he sincerely intended to confirm the Liberties of his People."

A. D. 1692-3.

This Piece was dated *April* the 17th, N. S. 1693, and was dispers'd by the *Jacobite* Party in *London* about the Middle of *May* following: But one *Canning* and one *Dormer*, who had undertaken, with others, it must be presum'd, that dangerous Office, were, on the 21st of that Month taken up by the Watch, as they were thus employ'd, and committed to *Finsbury* Prison. On the 15th of *July* following, they were brought to their Trial at the *Old-Bailey*; and in their Indictment were not only charg'd with dispersing and publishing, but with *making* and *composing* a certain false and malicious *Libel*, call'd *King* James's *Declaration*, with an Intent to disturb the Peace of the Kingdom, to raise War and Sedition against the King and Queen, and to withdraw their Subjects from their Duty and Allegiance. And thus by the Refinements of the Lawyers, all the Merit which King *James* and his Minister, *Middleton*, propos'd to themselves from so many gracious Condescentions, were transfer'd at once to the two Prisoners at the Bar; and what was calculated to do so much Service to the Former, was made use of to the Ruin of the Latter: But tho' the Words *making* and *composing* were inserted in the Indictment, no Evidence was brought in Support of them; on the contrary, all that was prov'd, was, That the said Prisoners had given a Paper to one *Brown*, which he call'd a Ticket for a Play: That a Watchman, whom they met, as they left *Brown*, and who held up his Lanthorn to their Faces, took up two of the like Papers in the Street: That upon examining the Contents, they resolv'd to pursue them: That in *Coleman-Alley*, where they were taken, two several Parcels of the like Papers were found the next Day on the Top of a Shed: That Mrs. *Dormer* had confess'd, she had burn'd several Papers after her Husband was committed; but said, she knew not what they were: And, lastly, *Stephens*, the Messenger of the Press, depos'd, That he had often found *Canning* to be a busy Man, and disaffected to the Government: That he had taken a private Press of his, as also many seditious Papers; and that he had been in Custody several times. The Prisoners deny'd all, and insisted it was hard to prove, that they were the same Men who had been met by *Brown* and the Watchman, or that the Papers then produc'd in Court, were the same which had been found by them in the Street; and that no Proof was offer'd, that they had dispers'd the said Papers: *Brown* reply'd, That he knew *Canning* when he was taken; and the Watchman, That he found not any Paper in the Street before he met the Prisoners, and that he found several afterwards. And, upon the whole, Sir *Salathiel Lovel*, the Recorder, was pleas'd to observe, That the Le-

Two Men taken up and prosecuted for dispersing it. [Lord Somers's *Col. Vol.* xxii.]

nity

A.D. 1692-3. nity and Patience of the Government had been highly manifeſt, in hope, by fair and gentle Means to conciliate them to the preſent Government: That inſtead of being ſo wrought upon, Theſe and other evil-diſpos'd Perſons had taken Encouragement to grow more impudent and audacious: That traiterous, ſeditious, and ſcandalous Papers, Books and Libels had, through Impunity, greatly multiply'd and increas'd; which had made it *indiſpenſibly neceſſary* for their *Majeſty's Honour and Safety*, and the Preſervation of the Public Peace, to exert the Juſtice of the Public, and to put the Laws in Execution againſt ſuch Offenders, till the Smart had made them ſenſible of their Crimes: That nevertheleſs, in the Caſe of the Priſoners at the Bar, more of Mercy than of Rigour had been ſhewn: For tho' the Offence was Treaſon, the Indictment had been laid for a Miſdemeanor only: And with this Impreſſion of the Mildneſs of the Government, and the Incorrigibleneſs of the Priſoners (but without any Hint of the Inſufficiency of the Evidence to authoriſe a capital Proceſs) the Jury were left to conſider of their Verdict; which, having done, or affected to do, they found both the Priſoners guilty of the Offences mention'd in the Indictment. All that now remain'd, was to pronounce Sentence; which was done by the Recorder, to this Effect, That the Court, conſidering their Inability to pay a Fine proportionable to their Offence, had reſolv'd to inflict a Puniſhment upon them, partly corporal, and partly pecuniary; and did, accordingly ſentence them to pay a Fine of five hundred Marks a-piece, to ſtand in the Pillory three ſeveral Times, at three ſeveral Places, to lye in Cuſtody till their Fines were paid, and to find Sureties for their good Behaviour for a Twelvemonth.

This, however, was not the firſt Effort which had been made, to provide for their Majeſty's *Honour and Safety*, by complying with the *indiſpenſible Neceſſity* which appear'd, of exerting the Juſtice of the Public againſt *Libellers*; for one *Anderton*, the ſuppos'd Printer of the *Remarks on the late Revolution and preſent Confederacy*, and that other Piece, call'd, *A* French *Conqueſt neither deſirable nor practicable*, was ſeiz'd by *Stephens* the Meſſenger of the Preſs (*May* the 2d) and committed to *Newgate*, by Lord Chief Juſtice *Holt*, at firſt, for a Miſdemeanor; but, on offering ſufficient Bail, was, by a freſh Warrant, continued there under a Charge of High Treaſon: His Trial came on the firſt of *June*; *Treby*, Lord-Chief-Juſtice of the Common-Pleas preſided on the Bench; by whoſe Direction the Priſoner was deny'd a Copy of his Indictment; which was in Subſtance for compoſing, printing, and publiſhing the ſaid Libels. The Witneſſes againſt him were *Stephens*, the Beadle of Stationers-hall, a Conſtable and a Pariſh-Beadle, two Printers and a Stationer. *Stephens*, who was an avow'd Enemy of *Anderton*, open'd his Evidence with ſwearing, That the Priſoner not only reſiſted, but did in Words diſown the Government, and

Anderton's remarkable Caſe.

call'd King *William*, HOOKNOSE! And having properly prepar'd the Jury with this Inflamatory, proceeded to ſwear, That in the ſame Houſe where *Anderton* lodg'd, he found an old Trunk, which he knew to be *Anderton's*, fill'd with the ſaid Papers and Pamphlets; and that out of his Deſk he alſo took ſorty or fifty of each ſort. The Conſtable and the two Beadles, who accompany'd *Stephens* on this Occaſion, ſwore to the ſame Circumſtances. The two Priſoners ſwore that they had ſeen the Types at *Stationer's-Hall*, which had been ſeiz'd at *Anderton's*, and that they did believe them to be the ſame which had been uſed for printing the ſaid Libels: And the Stationer ſwore, that he had ſold the Priſoner Paper, who, upon that Occaſion, went by the Name of *Williamſon*, about three Quarters of a Year before. The Priſoner, on the other hand, inſiſted, That the Trunk was not his: That it was not found in any Apartment of his: That the Deſk was too ſmall to contain half the Number of Pamphlets ſworn to be taken out of it; and that for Proof, he deſir'd it might be ſent for into Court, and that the Experiment might be there made for the Satisfaction of the Jury. But this was over-rul'd, and the Witneſſes were permitted to recede from any poſitive Number, and to ground their Evidence on one of each. The Priſoner then aſked the Conſtable, How he knew the two Books then produc'd to be the ſame with thoſe in queſtion? And deſir'd him to read the Titles of them: But the latter Part of this Requeſt could not be comply'd with, becauſe the Conſtable could not read: And as to the former, it was ſaid, that he knew them by a *private Mark* which he had ſet upon them; which *private Mark* had not, however, been made on the Spot at *Anderton's* Lodgings, but four Hours afterwards at the Lord-Chief-Juſtice *Holt's* Chamber, on two Books produc'd by *Stephens*, out of his own Pocket. The Priſoner, moreover, objected to the Evidence of the two *Printers*, That their *Belief* ought to have no Weight where poſitive Proof was neceſſary; and that by the ſame Rule, all the Printers in *London* were liable to be hang'd; for all had Types of the ſame kind. And it is farther alledg'd in his Caſe, printed after his Death, That if this Evidence of the Printers had, been true, it ought to have acquitted him and if falſe, no Regard was due to it: For the Government had then in their Cuſtody the Perſons who were deepeſt in the Secret of the *French Conqueſt*, and one of thoſe Perſons in a ſubſequent Trial, ſwore in open Court, that he, and the two Priſoners then at the Bar, were the only Perſons concern'd in printing that Piece; whence it follow'd, that if the two Pamphlets were printed from the ſame Types, either that Perſon was perjur'd, or *Anderton* was innocent. From the *Stationer's* Evidence, no Concluſion could be drawn; for ſimply to buy Paper was no treaſonable Act, and nothing was ſworn to ſhew that he had made a treaſonable uſe of it. Upon the whole, *Anderton* inſiſted, That

A.D. 1692-3.

by

A.D. 1693. no Part of the Indictment was made good by the Witneſſes; that is to ſay, that he had either compos'd or printed, or publiſh'd the ſaid Pamphlet: And the Chief-Juſtice, on the contrary, undertook to perſuade the Jury, that all was made out as plain as Noon-Day. Fearful, therefore, that the Authority of the Bench would weigh more with the Pannel, than the Matter of Fact, the Priſoner ſtarted a Queſtion in Law, Whether printing was Treaſon within the Statute, 25 *Edward* III? And demanded the Benefit of Council, as his Right, which even in the Caſe of Colonel *Sydney*, had not been deny'd, nor indeed in any Caſe before. But *Treby* in this Caſe was reſolv'd to ſurpaſs *Jeffreys* himſelf, and rather make a Precedent than looſe his Point. Accordingly, he refus'd the Priſoner's Demand, with leſs Difficulty than he found to ſet a Colour on that Refuſal: And reduc'd to this Neceſſity, the poor Man was forc'd to be his own Counſellor; but acquitted himſelf ſo well, that it no longer ſeem'd a Hardſhip, that he had been oblig'd to do ſo. The Points which he principally inſiſted on, as to Matter of Law, were three, *viz.* 1. That Printing (though even that was not prov'd) was not Treaſon. 2. That the Crime laid to his Charge came not within the Purview of the 25 *Edward* III. 3. That if it did, yet by the ſaid Statute he ought to be diſcharg'd; becauſe there was not ſuch Witneſs againſt him as that Statute requires, and without which it condemns no Man. And theſe he prov'd fully and clearly, by ſeveral Caſes in Law, by ſeveral Authorities from the Lord *Coke*, and from the Letters of the Laws and Statutes themſelves: He argued from the Statute whereon he was indicted, that whereas that made two things Treaſon, *conſpiring the Death of the King, and, levying War*, the Printer who work'd for his Hire, could not be guilty of either, whatever the Author might: And farther, that the Books contained nothing of ſuch Matter, but the contrary, of which he produc'd an Inſtance full and plane: He alſo argued, That the ſaid Statute allow'd no conjectural Preſumptions, Inferences, or Strains of Wit, but requir'd direct and manifeſt Proof by, at leaſt, two Witneſſes; whereas, there was not one againſt him that ſpoke to the Purpoſe, or any thing like it: He preſs'd and explan'd the Statute 1*mo Mariæ*, even to a Demonſtration of his Caſe: For, whereas that Statute ſaith, *No Act, Deed, or Offence, ſhall be adjudged Treaſon, but ſuch as are declar'd and expreſs'd to be ſuch by the* 25*th of* Edward III, it was abſolutely impoſſible, that Printing ſhould be any ways declar'd or expreſs'd in that Act; the Art not being known in *England* till eight Kings Reigns after, and not long invented before it travell'd hither: And, laſtly, he cited the Printing Act of the 13th and 14th of *Charles* II. now lately reviv'd; and the penal Clauſes thereof to ſhew, That the very making that Law, argu'd, That the Government were at a Loſs to puniſh Printing, as ſuch, before, and, conſequently, that all Offences A.D. 1693. ariſing from the Abuſe of it could be meaſur'd by no other Standard.

It now reſted on the Bench to confute or confirm what the Priſoner had alledg'd, out of the Law-Books: But whether *Treby* did not care for the Trouble of ſo long a Diſquiſition, or whether he choſe to paſs over what he found it troubleſome to anſwer, he paſs'd a general Cenſure on all he had ſaid, as inſufficient, or nothing to the Purpoſe, cited the Caſe of Lord *Cobham*, which had occurr'd almoſt a Century before the Art of Printing had been diſcover'd, and ſome others equally material; inſiſted, that as the Subject-Matter of the two Libels was treaſonable, the printing them was an Overt-act of Treaſon; and, in general, labour'd as heartily to caſt the Priſoner, as if he had been a Council, who was reſolv'd to deſerve his Fee, rather than a conſcientious Judge who was ſworn to do equal Juſtice to Sovereign and Subject.

All that now remain'd, was for the Jury to bring in their Verdict: And while they were debating the Merits of the Caſe among themſelves, *Stephens*, the Meſſenger, being aſked by a Gentleman, as we are told, *What was like to be the Fate of the Priſoner?* had the Inſolence to anſwer, *The Rogue pleaded bravely; and I believe, hopes he has Friends enough among the Jury to get him off: But, if ſuch as He are acquitt'd, the Government muſt give us Orders to ſtab them wherever we find them.*

In Reality, many of the Jury were inclin'd to pronounce on the favourable Side, and were at no ſmall Pains to bring over the reſt: The Diſpute laſted above two Hours; and when they return'd into Court, it ſoon appear'd, that they came to have their own Scruples anſwer'd, not to decide the Fate of the Priſoner: For being aſked, Whether they were agreed? one of them anſwer'd bluntly, *No:* And the Foreman put the following Queſtion to the Bench, *viz. Whether the Priſoner's having thoſe Papers by him, without making any farther Uſe of them, or there being any poſitive Proof that he printed them, did affect him as to Life? Treby*, with a Frown, anſwer'd, *No*; but added, *That was none of their Buſineſs: They were to find him guilty of Printing, which, in the preſent Caſe, was a ſufficient Overt-act.* And when a Juryman again interpos'd with a Remonſtrance, *That their Foreman was of Opinion, the Fact was not proved*, his Lordſhip rejoin'd, to this Effect, "Poſitive Proof is not to be look'd for; and though the bare finding of the Books in his Cuſtody would not be Treaſon, yet it appearing, that he had a Printing Preſs which no body had Admiſſion to but himſelf, that he had the ſame Types in his Poſſeſſion as had been uſed in printing thoſe Books; that the Errata, &c. were found in his Poſſeſſion, as well as many of the Books themſelves, it muſt be inſer'd, That he printed the (*u*) Treaſon." Here another

(*u*) What the particular Paſſages were which were brought to warrant this ſevere Proſecution, are no where ſpecify'd: But that the Reader may be convinc'd, as indeed he ought to be, for Impartiality's ſake, that never any Pamphlet

A. D. 1691. another Juryman admitted, That the Presumption was very ſtrong; and Mr. Baron *Powel* put an end to the Parley, by adding, That a very ſtrong Preſumption was tantamount to occular Demonſtration. Under theſe Directions (which were given in the moſt rude and overbearing manner imaginable, intermix'd with frequent Revilings; the Bench ſeveral times calling them, *Ill Men! Ill Subjects!* and, *A Pack of Knaves!*) the Jury once more withdrew; and, after another Diſpute, which laſted about three Hours longer, and which was decided at laſt rather by the Menaces of the Court-Zealots among them, than their Arguments, brought in their Verdict, *Guilty*: Upon which *Treby* ſmoothed his Brow, which had been hitherto furrow'd with continual Frowns, and was pleas'd to ſay, That they had acted like *good and honeſt Men*.

Sir *John Fleet* was then Lord Mayor of *London*, and of Courſe had the Place of Honour in his own Court; and *Anderton*'s Caſe being thought ſo particularly hard, he was adviſ'd, by his Friends, to lay a Petition before him, ſetting forth the many Points of Law that were to be urged in his Favour, and beſeeching that Judgment might be ſuſpended, till thoſe Points had been argu'd by his Council. But as his Lordſhip had been paſſive during the Trial, he refuſ'd to intermeddle, now it was over. When *Anderton* was brought up to receive Sentence, he, nevertheleſs, produc'd the ſame Petition; and, having read it in open Court, farther enforc'd it, with the four following Queries: "1. Whether, if a Jury, not being competent Judges of the Matter of Fact whereof they are to judge, bring in their Verdict againſt the Defendant contrary to Law; I ſay, whether Judgment ought, in ſuch Caſe, to paſs upon the Defendant, becauſe of that Verdict? 2. Whether if a Judge (who is Council for the Defendant, and therefore indiſpenſibly bound to take particular Cognizance of what the Defendant urgeth in his own Behalf, as well as what is alledg'd againſt him) in ſumming up the Evidence, doth omit (out of Forgetfulneſs or otherwiſe) the only material Point upon which the whole Indictment is founded, and which the Defendant ſo much urged in his own Behalf; and alſo which inevitably led the Jury into this Miſtake of their Verdict; whether, I ſay, this be not ſufficient to ſtay Judgment? 3. Whether any Judge, &c. can conſtrue Printing to be a ſufficient Overt-Act, till it be ſo declar'd by Parliament? 4. Whether the Statute of 13 *Car.* II. does not plainly intimate the contrary? and likewiſe the 13th and 14th *Car.* II. lately reviv'd." But all was ineffectual; *Lovel*, the Recorder, was now the Mouth of the Court; and he made no Difficulty to countenance all that *Treby* had done before him, by delivering him up to Execution, according to the dreadful Form made uſe of on ſuch capital Occaſions.

A. D. 1691.

All

---

pillet was of a more provoking kind than the *Remarks*, the following Quotation is here inſerted.

"What is become of the wounded and maim'd in *Ireland* and *Flanders*, who, no doubt, were very numerous, *God* only knows: The moſt reaſonable Conjecture is, they are either ſuffered to periſh abroad, by being refus'd Paſſage home, or knock'd on the Head to ſave their Pay, and that they might not come home and tell Tales of their hard Uſage, to the diſcouraging their fellow Slaves from entering upon the Service. The Story of fifty wounded *Engliſh* being burnt in a Barn by the *Dutch*, at the Command of the P. of O. in *Ireland*, upon the abſolute Refuſal of an *Engliſh* Officer, who had ſome Remains of Compaſſion and natural Affection for his own Countrymen, is real Matter of Fact, and ought not to be forgotten; which was done, as is ſaid, merely to avoid the Trouble and Charge of curing them. Theſe are ſome of the Hardſhips the Soldiery groan under, and a Specimen of the brutiſh Temper as well as Unpoliticknels of our *Uſurpers* and ſooner or later he muſt expect to reap the juſt Fruits of his Cruelty and Folly both. What glorious Atchievements can he ever pretend to do with Soldiers, who muſt in due time (if there be ſo much Mercy reſerved in Heaven, have their Eyes opened, ſee their Error) and relent ſuch ill Uſage and Partiality! However our dull and unthinking Bigots may flatter themſelves with great Expectations of what he has, moſt ſillily, given out in his Speech to both Houſes, of his Reſolution, to make a Deſcent and do Miracles in *France*, the Soldiery are of the contrary Opinion, and through mere Deſpair of ever getting their Pay, or ſpending any thing upon their Enemy, have deſerted conſiderably, and really entertain low and mean Thoughts of his Conduct, ſee through the Cheat, and are only hindred by the Strictneſs of his Diſcipline from running unanimouſly to their old and beſt Maſter. They own, as many as get over, that they are hated in *Flanders*, abuſed at all rates by the *Dutch*, expoſed upon all Accounts as Forlorns: They can tell you how divers of their Officers were cudgell'd, and Soldiers hang'd immediately after the Battle at *Steinkirk*, for avoiding being knock'd on the head by the *Dutch*, when a numerous Army ſtood looking on, and not one ſingle Troop or Company was permitted (though ſome of the *Engliſh* deſired it, and were ready to hazard their Lives to relieve their poor Countrymen) to go in to their Aſſiſtance. By ſeveral Letters from Officers in *Flanders* in the *Engliſh* Army, we have been informd how the poor wounded Men, through the intolerable Pains they endur'd, curs'd and damn'd to the Pit of Hell, with their laſt Breaths, him who brought them to that horrid Butchery. They can tell you likewiſe what great Numbers deſerted his Service immediately after the Fight, chuſing rather to run the Hazard of being hang'd, and loſing all their Pay and Arrears, than to continue in his Service. They can tell you how the *Engliſh* are univerſally hated by the Country People there, that they ſcarce let them have Neceſſaries for their Money, and that the *Flanderkins* have more Reſpect for the Enemy, than for their pretended Friends the Allies, and much better Uſage for them. They can tell you, that their Wounded and Priſoners that fell into the Hands of the *French*, were more kindly treated by them, than among their Friends; and how far ſuch Uſage may work upon the Minds of a People, naturally generous, though at preſent bereav'd of their Senſes, Time may demonſtrate. They can tell you how the P. of O. is undervalu'd and no'd by the Confederates in general, diſtruſted by the *Dutch*, deſpiſed by the Inhabitants, in all the Cities and Towns in *Flanders*, and hated by all, and that for want of thoſe Qualifications we are made to admire, and ſo fooliſhly and ſuperſtitiouſly have hitherto magnify'd in him. What Wonder then is it, that our *Engliſh* Seamen and Soldiers mutiny, run away, &c? They can neither get their Pay nor good Words, but at a dead Lift: If they modeſtly demand their own, though incited to it by the keeneſt Neceſſity, they are immediately hang'd or ſhot to death without the leaſt Remorſe or Pity! Had we ever ſuch Acts of Parliament made in any Kings Reigns, for enſlaving and puniſhing of Seamen or Landmen, as ſince this Revolution: to many brave Men hanged or ſhot to death for Trifles; ſuch kidnapping our Landmen, under Pretence for Sea Service, and ſent to the Lord knows whither? Nay, I am credibly inform'd it has been no unuſual thing to preſs Landmen, and ſell them for three Pounds a Head to the *Dutch*, or into other Foreign Service. What Apology can be made for the wicked Abuſes of the Mariners, a Parcel of brave young Fellows, who were kept on board till they were almoſt all dead of the Small pox and other Diſtempers, the remainder cheated of and deny'd their Pay, and then forc'd to a ſickly and moſt piteous Condition to beg from Door to Door; as *London* and other Places can ſufficiently teſtify? To recount all the Miſeries of our diſtreſt Countrymen, who are actually engag'd under this Government, would be an endleſs Task. All I ſhall add under this Head, is, that this ill Uſage looks more like the Effect of Malice and a perfect Hatred, and Diſbrain, than of any Neceſſity upon our Governors: but if ſo, our Condition is deplorable and remedileſs, by all the Supplies we are able to give, though never ſo willingly, and without our moſt juſt and preſent Reſentment, a certain Forerunner of inevitable Ruin." P. 25, 30.

A. D. 1693. All that now remain'd, was for the poor Convict to make the best Efforts he could to soften the Queen and Council: But Mercy and Power were upon as ill Terms as Law and Justice: His Wife could make her Way no farther than the Doors of the Council Chamber; and the only Answer she could obtain, was, *That it was expedient that one should die.* "And thus, says the Writer of *Anderton*'s Case, we have bravely secur'd our Lives, Liberties, and Estates, when Men are hang'd for Reasons of State, not for Offences against Law." To conclude; on the fifteenth of *June* he suffer'd Death at *Tyburn*; and in his last Paper, which is still extant, there is a solemn Protest against the whole Proceeding of the Court, which, according to him, was not appointed to *try*, but to *convict* him, and a charitable Prayer for his *repenting Jury*.

As this is the first Instance to be found in our Annals, of a Man hang'd for printing, and as it is much to be lamented, that any Instance is to be found of a Man hang'd on Presumptions only, instead of that positive Evidence which the Law requires, it was of Importance to set a suitable Mark on so dangerous an Innovation; and that more especially, as *Anderton* himself, in his said last Paper, insists, that the Court Account of his Trial was not only unfair, lame, and imperfect, but stuffed with downright Falshoods.

There remanes yet another remarkable Case to be discuss'd, which was the peculiar Growth of these Times, and which presented such a Phænomenon in Government as had never occur'd in our System before.

Dr. Oldys, the King's Advocate, refuses to prosecute certain Prisoners as Pirates, who had King James's Commission.

Towards the Close of the preceding Year, King *James* had issu'd Commissions to several Adventurers, empowering them to enter the Ports of these Kingdoms, and either there, or at Sea, to take and apprehend, and, in case of Resistance, to sink, burn or otherwise destroy all Ships and Vessels belonging thereto, as also those of the States of *Holland*: But, by way of farther Precaution, the said Adventurers had furnish'd themselves with the like Commissions under the Authority of *France*; and both were accompany'd with the usual Conditions and Limitations, That the Parties concern'd should give Security to bring all their Prizes into the *French* Ports, and submit the Legality of the Capture to the Decision of the Courts of Admiralty there.

As several of these Ships had been very successful in their Cruizes, so several others fell into the Hands of our Men of War, together with their Commissions: And those of King *James* so exasperated our Court, that they came to a Resolution to prosecute the Captains and Crews as Pirates. Accordingly, in *November* of the said Year, Dr. *Oldys*, the King's Advocate, was commanded to proceed against one *John Golding* and others for High Treason and Piracy: But the Doctor, having his Scruples, not only excus'd himself from obeying that Command, but gave his Opinion in Writing, That they were not Pirates, and ought not to be proceeded against as such.

This founded so harsh at Court, that Dr. *Oldys* himself was look'd upon as a Delinquent, and summon'd before a Committee of Council, together with Sir *Thomas Pinfold*, Dr. *Walker*, Dr. *Littleton*, and Dr. *Tindal*, to shew Cause for his Disobedience; which he did to this Effect, That Pirates were avow'd Enemies of all Mankind; and, instead of pretending to any legal Authority, set all Laws and all Governments at Defiance; whereas these Prisoners produc'd a Commission, sign'd *James* R. at the Court of *St. Germains*, counter-sign'd, *Melfort*; and in every other Respect agreeable to the Forms in use on these Occasions. Mr. *Trenchard* reply'd, That King *James* having parted with his Sovereignty, together with his Crown, had no longer any Right to grant such Commissions. The Doctor answer'd, That tho' a King might be depos'd, he was still a King, and had still a Right to make War, and to issue military Commissions as before. This the Secretary admitted; but, said he, What if he abdicated? The Doctor reply'd, That, after a real Abdication, like that of the Emperor *Charles* V. or that of Queen *Christina* of *Sweden*, a King became a private Person, and had no longer any legal Power to grant Commissions, or exercise any other Act of Kingship: But though his Commissions were illegal, it was a question whether a Privateer, who had once known him in undisputed Possession of all the Rights and Powers of Sovereignty, and who was not, perhaps, inform'd of his Abdication, might act innocently under them; for, in such a Case, a reputed Power was tantamount to a real one. It was notorious, he added, That King *James* had once been a lawful King: That when he was deserted by his Army, he fled to *France*, as to an Ally for Aid: That he had since re-asserted his Clame in *Ireland*: That the Soldiers fighting under his Commissions, had been treated as Prisoners of War, not as Robbers: That Numbers of the same Soldiers had since been suffer'd to follow him into *France*: That these believ'd he had still Authority to grant Commissions as well by Sea as by Land; and under these Commissions, came out *animo hostili*, as Privateers, but not *animo furandi*, as Pirates: That, consequently, the colourable Authority remaning in King *James* secur'd them from the Guilt of Piracy; more especially, since the Abdication had been never publish'd, nor so much as heard of, in *France*; and that in Piracy, which deserv'd *ultimum supplicium*, if prov'd, all Circumstances of Favour and Mitigation ought to be allow'd: That, therefore, a general Acknowledgment of a false Authority in another Country, where the Commissions were taken out, would absolve them from a felonious Intent in taking them, and, of course, from Piracy: That King *James* was own'd and reputed a King in *France*; and, therefore, in this Case, it was undoubted Law, *Communis Error facit Jus*. Here both the Secretary and Lord *Falkland*, with warmth, suggested, That his Reasons amounted to High Treason; and call'd upon him to give

A. D. 1693. *He is summon'd before the Privy-Council.*

his

A.D. 1693. his own Opinion concerning the Abdication. The Doctor reply'd, That the Queſtion was odious and enſnaring: That, perhaps, his Opinion of it was the ſame as theirs: That ſince it was voted, it bound; at leaſt in *England:* That, however, the Priſoners not knowing of that Vote, and being in a foreign Country, where it did not BIND, were excuſable for acting under an Authority which was there admitted, tho' it was otherwiſe here. Sir *Thomas Pinfold* was then aſked, What his Thoughts of the Matter were? and reply'd, That he agreed entirely with Dr. *Oldys*. Dr. *Walker*, and Dr. *Newton*, deſir'd Time to conſider farther of the Caſe; only the Latter ſaid, It was againſt his Conſcience to have a hand in Blood. Dr. *Littleton*, on the contrary, held, That King *James*, in Conſequence of his Abdication, was now a private Perſon: That he was not in a Condition to make War: That he had no Revenues: That he could neither ſend nor receive Embaſſadors; and, that conſequently theſe Adventurers under his pretended Authority, were not Privateers, but Pirates, and ought to be dealt with accordingly. Dr. *Tindal* had the Complaiſance to ſay after Dr. *Littleton:* And, upon the whole Matter, Dr. *Oldys* was remov'd from being King's Advocate; Dr. *Littleton* was promoted in his Room; the Priſoners, whom he had thus prejudg'd, were try'd before him; the Sentence was verify'd upon them; and ſeveral of them were executed accordingly.

and remov'd from his Place, which is given to Dr. Littleton, who hang'd the Priſoners.

Of all theſe Incidents, Advantage was taken by the *Jacobites*, to inveigh againſt the vindictive Spirit of the Government, and to put in Practice all the Arts which had been ſo ſucceſsfully uſed by their Adverſaries, to augment the Diſcontents and Diſaffection of the People, in order to bring about a new Revolution. But as that was the conſtant Object of all their Cares and all their Endeavours, and of courſe they were expos'd to continual Dangers, they never were more induſtrious to expoſe the Court, than when the Miniſtry lent their Countenance to Villains on record, to ſwear them out of their Lives, not for the treaſonable Practices they were actually guilty of, which the Intelligence of the Court was ſeldom good enough to diſcover, but for the Fictions imputed to them by thoſe Miſcreants, for the ſake of Pardons and Rewards. On theſe Occaſions they were ſure to excite Compaſſion on one hand, and Diſguſt on the other; and what was of ſtill more Conſequence, by proving the Charge brought againſt them in ſome Inſtances, to be mere Matter of Forgery and Subornation, they weaken'd the Credit of the Government in all, and render'd real and pretended Diſcoveries odious alike.

The Government had furniſh'd them with but too many Opportunities of this kind; *Fuller* had met with abundantly more Countenance than he deſerv'd; *Blackhead*, after his ſecond Eſcape from the Meſſenger, had not only found a Place of Refuge, but a ſufficient Proviſion in *Ireland*: And even *Young*, himſelf, though he was treated as an Impoſtor, and ſuffer'd the Penalties of the Law as ſuch, had ſome Reſources, which kept up his Spirits under his Proſecution, and made it more than ſuſpected, that the whole Secret was not diſcovered. A.D. 1693.

In the Beginning of this Year, by ſome Accident, it was diſcover'd, that blank Warrants, ready ſign'd and ſeal'd by the Secretary of State, were lodg'd in proper Hands to be fill'd up as Occaſion offer'd: And there was ſo near a Reſemblance between this Method of proceeding, and the Practices of arbitrary Courts, that it occaſion'd very ſevere Reflections, not only among the *Jacobites*, but all Parties whatſoever: In order therefore to ſtop the Progreſs of theſe Clamours, a Proclamation was iſſued, complaining, That Lord *Nottingham*'s Hand and Seal had been *forg'd* by the *Diſaffected*, annulling all the ſaid Warrants, and all others, ſign'd with the *old Seal*, declaring, that a *new one* was preparing with all Speed, and offering a Reward of five hundred Pounds to any Perſon or Perſons who ſhould diſcover the Contriver of the ſaid Forgery.

And, laſtly, *Whitney*, the famous Highwayman, being, about the ſame time, under Sentence of Death in *Newgate* for his manifold Villanies, found Encouragement, as we are told, to coin a Plot, and to put in for a Pardon, on the Merits of turning Diſcoverer. The *Jacobites* ſay, that certain Creatures of the Court firſt prompted him to make uſe of this Expedient: But it is moſt likely, that, finding every other Avenue to Mercy ſhut againſt him, he, himſelf, had recourſe to this, as the only way left. However this may be, he was viſited in his Cell by ſome Perſons of Diſtinction; and immediately after, he charg'd the Lords *Litchfield*, *Ayleſbury*, *Saliſbury*, and ſome others, with having enter'd into a Treaty with him, to aſſemble his Gang and kill the King, while hunting in *Epping* or *Windſor-Forreſt*, and having offer'd him vaſt Rewards in caſe of Performance. He alſo undertook to make good this Charge, by producing another Witneſs; and, by his Means, tracing the Stream to the Fountain-Head. *Whitney*'s Houſe was at *Cheſton* in *Hertfordſhire*; and one Dr. *Thorogood*, a Neighbour of his, together with one Mr. *Pike*, a Friend of the ſaid *Doctor*'s, had ſometimes met *Whitney* in Town, and drank with him at one *Burchill*'s, a Public Houſe in *Swan Yard* in the *Strand:* On theſe, therefore, he fix'd to be the Agents between the Lords and him; on *Burchill*'s Houſe as the Place of Treaty, and on *Burchill* as a Perſon privy to what had paſs'd there. A rough Draught of all was ſent to Lord *Nottingham* in Writing; *Whitney* was immediately repriev'd; Warrants were iſſued againſt *Thorogood* and *Pike*; and a Method was taken to force *Burchill* into the Service, whether he would or no. One *Bowes*, a Dragoon, calls at his Houſe, tells him he was going to viſit *Whitney*, and prevails with him to do the ſame. *Whitney* receiv'd them as Perſons he was glad to ſee; and, in Return for the Concern which *Burchill* expreſs'd for ſeeing him in ſuch a Condition

Whitney the Highwayman's ſham Plot.

[New Court Contrivances, or more ſham Plots ſtill againſt true hearted *Engliſhmen*, 4to. 1693.]

A. D. 1693. dition, told him, It was in his Power, not only to save his (*Whitney*'s) Life, but withal to be highly serviceable to himself: *Burchil* asking, How? *Whitney* reply'd, By witnessing what he knew concerning the Plot, which *Thorogood*, *Pike*, and he had fram'd at his House, to kill the King. *Burchil* answer'd, He could witness no such thing, because he had never heard a Syllable of any such Tendency before. *Whitney* then endeavour'd to bear him down, with Affertions both of the Fact, and his Knowledge of it; as also with repeated Importunities to recollect himself, accompany'd with Mountain-Promises, in case he would do so: But all proving fruitless, he, all at once, chang'd his Manner, and, with a loud and menacing Voice, loaded him with Reproaches. This was the Hint, it seems, for one *Tucker*, a Turnkey, to make his Appearance; who accordingly rush'd in, and not only join'd with *Whitney*, but justled *Burchil* with his Elbows, told him he would be hang'd, and his Goods confiscated, if he refus'd to be a joint Evidence with *Whitney*; and at last clapp'd him up a close Prisoner for three Hours; in hope that Fear would operate more effectually on him, than other Motives had hitherto done. At the End of that Term, *Tucker* and *Bowes* brought him a Paper, sign'd by *Whitney*, containing all the Particulars he was to swear to, and requir'd him to sign it; in which case they assur'd him, as *Whitney* had done before, that he should be richly rewarded. Having been thus roughly handled already, *Burchil* now thought it his wisest Course to submit, for fear of being handled worse, and did accordingly sign the Paper as he was requir'd. Upon this he was enlarg'd, and sweeten'd with many Compliments. The Paper so sign'd was sent away to Lord *Nottingham*, and by him transmitted to the Lord Chief-Justice *Holt*, with Directions to examine *Burchil* thereon. Accordingly, the same Evening, a Tipstaff was sent to bring him before his Lordship: And *Bowes* chose to bear him Company, not only to keep him up to his Engagements, but also to swear, that he saw him sign the Paper. This last Precaution, however, appear'd to be unnecessary; for *Burchil* frankly acknowledg'd his Hand: But when his Lordship proceeded to say, *Then you can swear to the Contents of this Paper?* He reply'd as frankly, *No, my Lord; for there is not a Word of Truth in it*; and then recounted the whole Story, with so much Nature and Simplicity, that his Lordship made no Difficulty to dismiss the Jobb, and to procure *Whitney* to be hang'd before he could meditate any farther Mischief. But though the Court-Party apply'd the whole Merit of the Lord Chief-Justice's upright Dealing to themselves, the *Jacobites* did not fail to observe, That if *Bowes* and *Tucker* had not been their Tools, they would have been made Examples as well as *Whitney*, since, in some respects, they were even more criminal than he.

Affairs of Scotland. From these nauseous Proceedings in *England*, we must now pass on to those of *Scotland*, that we may persue the Course of the War without Interruption. A. D. 1693.

We are told by the *Historian of his own Times*, That the *Scottish* Affairs had grown more and more out of joint: That such of King *James*'s Friends as King *William* had put into Places of Trust and Profit, in hope to make them his own, were at the Bottom as much *Jacobites* as ever, and waited only for a proper Opportunity to throw off the Mask: That many Letters were intercepted between *France* and *Scotland*, in which the Easiness of engaging that Nation was often repeated, if no Time were lost: That from hence the King came to see, that he had been a little too sudden in trusting some who did not deserve his Confidence; and that in order to bring the Kingdom into a better State, an Accommodation was made with the Presbyterians, who were also prevail'd upon, in Consideration thereof, to shew some Mercy to the Episcopal Clergy. It is in this compendious manner his Lordship chuses to treat of the Politics of the Court, with regard to *Scotland*: But the Truth of the Matter is, That a Session of Parliament was now become as necessary in that Kingdom, as in this; and it was utterly impossible to hold one, without gratifying the Presbyterians, of whom the House was principally compos'd; the same Reasons which had formerly prevented a new Election, being still as cogent as ever. We are therefore to understand, that the same *secret Management* which had operated so successfully on this Side of the *Tweed*, was also extended to the other: It is a known Fact, that, to humour the *Kirk-Party*, two of their Leaders were put into the Posts of King's Advocate, and Lord Justice Clerk: That the Correspondence which had been discover'd with *France*, was such as would ever be kept up, as long as there was a disaffected Party in the Island: That the great Use made of the Discovery, was to disgrace and over-awe the *Jacobites*; and that the Duke of *Hamilton* was once more made King's Commissioner, at once to reconcile him to the Government, and to soften all his Followers.

The King's Letter to the Parliament. Upon the 18th of *April* the Session was open'd; and in the Preamble to the King's Letter, his Majesty not only affirms, That, ever since his *coming to the Crown*, he had been firmly resolv'd to hold a Parliament in that his ancient Kingdom, *in Person*, but that he persisted still in the same Resolution, and would not give it over, hoping to find a favourable Opportunity for persuing it, since it appear'd to him so necessary for the full Settlement of his said Kingdom. His Majesty, in the same Paragraph also suggested, That nothing but his necessary Presence abroad, during the time of Action, or in *England* during the Sitting of his Parliament there, had hitherto hinder'd his Purpose: And having made this Offering to the natural Haaughtiness of the *Scottish* People, gave them farther to understand, That they were to look on his calling them together, while he himself was absent from *Britain*, as a

A. D. 1693. Proof of the entire Confidence which he plac'd in their Affection to him and his Government: As alſo, that he had fully inſtructed his Commiſſioner in all things that ſeem'd to him (the King) neceſſary to be done at that Juncture for the Support of the Government, and the Safety of the People; reſerving what was omitted, and would admit of Delay to his own Preſence amongſt them. His Majeſty then perſuades himſelf, That they would heartily concur in ſecuring the Nation againſt the Deſigns of bad Men at home, and of Enemies abroad, and in whatever elſe his ſaid Commiſſioner ſhould propoſe to them in his Name, for the common Intereſt of King and People: In order to which, in a particular manner, he recommended Moderation and Unanimity to them, eſpecially in Church-Matters, and that they would provide proper and healing Remedies for the Diſorders which thoſe Matters had occaſion'd. And, laſtly, he moreover recommended to them Diſpatch, and that they would employ the time allotted them in doing what was moſt neceſſary, and in *ſhunning ſuch Matters of Debate* as would require the conſulting of him, which the Diſtance between them would not allow time for.

The Lord Commiſſioner and Lord Chancellor's Speeches.

This was the Subſtance of his Majeſty's Compliment; and as to the Speech of the Commiſſioner, it conſiſted but of three ſhort Paragraphs: In the firſt, he aſſur'd the Houſe, That his Majeſty was firmly reſolv'd to ſupport the preſent Eſtabliſhment both in Church and State: In the ſecond he infer'd, from the Dangers and Fears they had been in, a Year before, of an Invaſion, the Expediency of putting the Nation in a *better Condition, againſt the worſt Events*: And in his third and laſt, as a proper Return to his Majeſty for granting them a Seſſion, he beſought them, to begin with thoſe things that were moſt neceſſary for the King's Service and their own Security; which he judg'd to be the giving Supplies of Money, and the putting of the Kingdom in a Poſture of Defence.

The Ceremonial of the Day was cloſ'd by the Lord Chancellor, *Tweedale*, who not only enlarg'd on the ſame Points already touch'd upon in the King's Letter and the Speech of his Subſtitute, but contended for ſuch new Laws as might ſtrengthen the Authority of the Government, and recover their almoſt ruin'd Trade. He alſo urg'd the Neceſſity of a competent *additional Force* for the Security of the Nation and a *ſuitable Fund* to maintain them. And again, recurring to the Re-eſtabliſhment of their Commerce, he yet farther call'd upon them to provide Men of War to ſerve for Convoys, and alſo to cover their Coaſts: And he concluded his Harangue in theſe Words: "If you ſet about theſe things vigorouſly and cordially, his Majeſty will put a juſt Value upon your Actings, as a grateful Acknowledgment of what he hath done for us, and a ſuitable Return to the Care he hath of us; and, by the Bleſſing of *God*, this Parliament will prove a healing and a happy Parliament."

And a healing Parliament it prov'd: For A. D. 1693. ſuch was the Effect of the *ſecret Management*, that the very Men who had broke up in ſuch a Flame, who had follow'd his Majeſty with their Remonſtrances into *England*, and who had not been ſuffer'd to meet during ſo long an Interval, for fear of their Reſentment, appear'd to be now in the moſt conformable Diſpoſition imaginable; and, inſtead of inſiſting on their former Demands, did not ſo much as put his Majeſty in mind of them, or of any one Clauſe in their boaſted Inſtrument of Government, which he had left unfulfill'd. On the contrary, in their Anſwer to the Royal Letter, which was approv'd, *Nemine Contradicente*, they content themſelves with *laying hold* on the Hopes which his Majeſty had given them, of honouring his ancient Kingdom with his Preſence, with acknowledging his Majeſty's Goodneſs in calling them together ſo ſeaſonably, expreſſing their Satisfaction in the Choice he had made of a Commiſſioner, and promiſing to concur with his Grace in whatever ſhould be found neceſſary for the Peace of the Kingdom, and that with ſuch Calmneſs and *Diſpatch*, as ſhould evidence to the whole World their Perſuaſion, that, next to the Favour of *God* Almighty, the Subjects of that Kingdom depended wholly on the Stability of the preſent Settlement; and how deeply ſenſibly they were of the great Duty which they ow'd to his Majeſty, as their *Deliverer*, as well as their dread Sovereign.

The Parliament's Anſwer to the King's Letter.

But if theſe Profeſſions were acceptable at Court, their Actions were more ſo; for on the very firſt Day that the Committee for conſidering of the Security of the Nation met, they reſolv'd, That for the Defence of the Kingdom, it was neceſſary that four new Regiments of Foot and two of Dragoons ſhould be added to the Standing Forces of the Kingdom; and that for maintaining the ſame, and defraying the other Charges of Government, a Supply ſhould be given to their Majeſties of a hundred and fourteen thouſand Pounds Sterling: And when they made their Report, three Days after, it was approv'd by the Houſe, *Nemine Contradicente*. Proceeding in the next Place to Ways and Means, they farther agreed, that forty-five thouſand Pounds Sterling ſhould be raiſ'd by an additional Tax upon Malt, to be raiſ'd quarterly: That ſixty-three thouſand Pounds ſhould be raiſ'd by ten and a Half Month's Ceſs, over and above the ſeven and a Half Months which ſtill remain'd to be paid of the former Ceſs: And they reſolv'd to raiſe forty-five thouſand Pounds more, by a Poll-Tax. All which ſeveral Sums, it was given out, were to maintain ſix thouſand three hundred Men till *Martinmaſs*, 1694, to fill the Magazines with Arms and Proviſions, and ſatisfy the Country for their Arrears. His Majeſty, having alſo requir'd the Privy Council to levy Seamen for the Service of his Navy, and their Lordſhips having iſſu'd their Orders accordingly, for the levying every fourth Man in the Ports, which had furniſh'd none laſt Year, and every eighth Man

They vote Six new Regiments and a Supply.

They authoriſe what the Privy Council had done to ſupply the King with Seamen.

in

A. D. 1693. in those which had, the Lord-Chancellor acquainted the Parliament with what had been done, and made it his Request, that they would ratify what had been done by their Authority. Upon which it was resolv'd, That the Lord-Clerk-Register should bring in an Act for that purpose; which was done accordingly, and pass'd into a Law: And that the Government might have all the Assistance in their Power to give it, they moreover appointed a monthly Fast to be kept, for the Preservation of their Majesty's Persons and the happy Success of their Arms. The same Day a Report having been made by the Committee of Electors of such Commissioners of Shires and Boroughs as had absented themselves, ever since the Meeting of Estates was converted into a Parliament, it was resolv'd, that all the said Absentees should be fin'd, conformable to an Act formerly pass'd for that Purpose; as also, that the said Shires and Burghs should be order'd to elect new Commissioners in their steads: And whereas the Heritors of the Shire of *Forfar* had refus'd to elect any Commissioners at all, an Order was made for their appearing before the House, to answer for their Disobedience. Such Noblemen as had not attended the Service of Parliament, and were not prepar'd with a sufficient Excuse, were fin'd; and, lastly, such Commissioners as refus'd to take the *Assurance*, were not only fin'd in like manner, but, as in the Case of the Absentees, their Seats were vacated, and the Shires and Boroughs they represented, were order'd to make a new Choice.

They appoint a monthly Fast.

and vacate the Seats of all Absenters, &c.

The Report of the Committee of Secrecy with respect to the Designs of the Jacobites.

While these things were transacting, the Committee who had made such *Dispatch* in providing for the Security of the Nation, made their Report concerning the Danger it had been expos'd to; which was to this Effect, *viz.* 1. That it appear'd by *sufficient Proofs*, that a Design had been, and still was, carrying on, both there and in *France*, for invading the Kingdom with a foreign Force: That Correspondences had been esthablish'd, Concerts had been form'd, and Assurances had been given both abroad and at home, for effectuating such a Design, which had lately proceeded so far, that Declarations had been actually prepar'd: That the raising of Men, and the naming of Officers to command them, had been resolv'd on; and that *Reconciliations* had been made among the different Parties of the Disaffected. 2. That the *Proofs* were *plain*, that the late King *James*'s Interest had been at the Bottom of the late Debates concerning the Elections of *Edinburgh*: And that it appear'd he had been desir'd to interpose his Authority by Letters from that Kingdom. Several Letters and Papers were read to the House, as the Grounds of their Report, which were explan'd by those who made it; and then the Question being put, Whether the Report, *as brought in*, should be approv'd or not, it was carry'd in the Affirmative. A. D. 1693.

The Proofs of those Designs from Letters, &c.

The Letters, *&c.* thus read, were those which *Burnet* says were intercepted, and which, according to him, treated of the Easiness of recovering *Scotland*, in case no Time was lost. They were afterwards printed at *Edinburgh*, by Authority (together with the Explanations made in Parliament by Mr. Secretary *Johnston*, who was the great Factor for the Court at this Crisis) and re-printed at *London*, and are still extant. The first three of them only prove, That the *Jacobites* had some secret Designs on foot, and kept up a secret Correspondente, in order to carry it on: But in the Letter C, which is writ by *Nevil Payne* (who was now lodg'd in the *Tolbooth* in *Edinburgh*, in order to be brought to a Trial, as it was given out) and in that mark'd E, by another Hand, there are manifest Traces of a Concert; but of what nature, by whom manag'd, or where, or when it was to operate, we have not sufficient Authority to determine. *Payne*, after speaking of the *Reconciliations* mention'd in the Report, makes use of these Expressions: "And now *(December* 3) I assure you all things here are in perfect Order for bringing on the (*w*) *Trial* as speedily as your (*x*) *Brother* pleases, and the sooner the better, I am sure; for his (*y*) *Adversary* is very diligent in searching out new (*z*) *Agents* that are like to be more able and faithful to him, than those he has hitherto employ'd; and I assure you succeeds extremly in his Design, and has, in a manner, incited all the (*a*) *Mechanics* by this Means, to be entirely his; so the *Cause* may grow worse, but cannot mend by Delay of the *Trial*." And again, "In the mean time, care must be had, that his (*b*) *Letters of Attorney* be fairly and fully drawn, as methinks is easy to be done: And I would have sent a Draught as I told you in my last, but that I cannot with all my Diligence procure a Copy of the last, to make a true Judgment, why it is so *universally* cry'd out upon by those of the *Creditors* who have seen it." In Letter E, the *Reconciliation* is also touch'd upon, and then the Writer proceeds in the following Words: "I thank *God*, your *Estate* in these Parts is in very good Condition, and the *Generality* of all that have *Stock*, or dare any way venture, are resolv'd to join you; so that *Trade* is in a fair way of succeeding here. I have now at this time *(December* 25) a Messenger with *James Balfour (i. e. Payne)* after whose Return I shall make little Stay in those Parts: You shall know by me what you may rely on, where the Money shall be rais'd, and who the chief Paymasters; which is all I can do." The Secretary himself adds, That Intelligence having been receiv'd, That one Captain *Maire* was going to *England* upon some unaccountable Design, four Officers were privately order'd

(*w*) Meaning *Invasion*; according to the Secretary's Explanation.
(*x*) King *James*.
(*y*) King *William*.
(*z*) The new *Advocate* and *Justice-Clerk*.
(*a*) Presbyterians.
(*b*) Declaration.

A. D. 1693. order'd to ſeize and ſearch him for Letters, which they did accordingly on the 26th of *December*; but finding only one Letter about him which ſeem'd to relate only to *Trade*, they neither detain'd him nor it: That, however, it was plain, that this was the Anſwer which the Writer of Letter E expected from *Balfour*, and which was to be forwarded to *Melfort*; becauſe the Officers recollected it was ſign'd *Balfour*, and directed to Mr. *Gray*, which was the Name ſubſcrib'd to Letter D; and both D and E, were writ in the ſame Hand: That *Payne* himſelf confeſs'd in Confidence to one, whoſe Office, as well as Allegiance, oblig'd him to a Diſcovery, that an Invaſion was deſign'd: That King *James* had his Officers ready both in *England* and *Scotland*; and that the Attempt would be certainly made ſome time in the Spring, and, poſſibly, ſooner than was apprehended: And, laſtly, That it could be made appear by other Proofs, that a Deſign was actually carrying on in the *North* this Winter: That one was ſent from King *James* to carry on that Deſign: That his Inſtructions were concerted by the Miniſters of both Courts, *Verſailles* and *St. Germains*: That Lord *Melfort* was the original Procurer of theſe Inſtructions: That the Nature of the Deſign, and the Character of the Perſon employ'd, were equally bad: That the ſaid Perſon did actually come into the *North*: That he return'd to *London* in the Spring; and, in all Probability, he was the ſame Perſon who ſign'd himſelf *Gray*, and who brought about the *Reconciliations*.

This is the Sum of the Secretary's Evidence; and how confidently ſoever the two Undertakers, *Payne*, a cloſe Priſoner, and *Gray*, the itinerant Factor for the Party, had diſcours'd of the Diſpoſition of King *James*'s Friends, *&c.* it was utterly unimaginable, that a Kingdom ſhould be ſhaken by ſuch feeble Endeavours; and the Event ſhew'd, that thoſe who could place any Dependence on ſuch a ſlimſey Project, were rather in a Condition to excite Pity, than Terror, in their Enemies.

As to the *plain Proofs*, that King *James*'s Intereſt had been at the Bottom of the late Struggles in relation to the Magiſtracy of *Edinburgh*, the only Paſſage in the Letters which ſeems to regard that Affair, is in that of *Payne*, above quoted, and which runs in the following Words: "This (meaning the extraordinary Zeal of one Mrs. *Smith* in the Service of King *James*) makes me beg, that ſince there is the *Clerk* of the Town ſhe lives in *(Edinburgh)* is newly dead, the Place (which we are told, was one of the moſt beneficial in that Kingdom) may be procur'd for her Huſband or Son; a Line from your *Brother* (King *James*) doth it, and I am very ſure it is impoſſible for him to employ his Pen more deſervedly." But theſe Struggles did not relate to the Town Clerk's Place only; the whole Body of the Magiſtracy had been chang'd at *Michaelmas*, by the Interpoſition of the Court, but with ſuch irregular Circumſtances, that the oppoſing Party, who had the Letter of the Law in their Favour, procur'd them to be ejected, and A. D. 1693. another *Set* to be inſtated in their Room; which was no ſooner done, than they alſo were ejected in their Turn, by Order of the Council; and by the ſame Authority the Former were reſtor'd, and continu'd to act, in ſpite of all Oppoſition. This drew on an Appeal by Petition, to his Grace the Commiſſioner: A Hearing was granted; and, upon the Iſſue, the ſaid Order of Council was not only confirm'd, but thoſe in Poſſeſſion were reſtor'd to all the Rights of their Office from the time of their Election; and the Sentence paſs'd againſt them was reſcinded and made void.

Thus it appears, that, however *plain* the Proofs were, they were not ſo *full* as might have been expected: But, as uſual on the like Occaſions, theſe Diſcoveries were thought ſufficient to warrant all manner of Severities againſt the ſuffering Party; for, over and above the Fines and Expulſions already mention'd, Order was given for putting the Earl of *Seaforth* and Mr. *Cromſtal* on their Trials; and ſuch Perſons as were under Bail, and refus'd to take the Oath, namely, the Earl of *Hume*, the Lords *Drumcairn*, *Oxenford* and *Stormouth*, were impriſon'd; the *Several Lords committed.* two firſt in the Caſtle of *Edinburgh*, and the two others in that of *Stirling*: And an Act was brought in and paſs'd, by which it was made Treaſon for any Subject of that Kingdom to go to *France* after the firſt of *June*, or to ſtay there after the firſt of *Auguſt*, without Leave from the King or Council; as alſo, to make all Correſpondence or Commerce by Letters with any in *France*, without the Authority before mention'd, likewiſe Treaſon. *Nevil Payne*, ſo often mention'd, was alſo threaten'd with Trial; and, according to Biſhop *Burnet*, there was full Evidence againſt him in his own Letters; but, ſurely, not without the Help of Innendos; and, as formerly ſuggeſted, he made a ſhift to ward off the Danger, by threatning alſo in his Turn to involve all thoſe who had made their Peace with the Government in his Ruin, who were ſo numerous and ſo conſiderable, that it was thought expedient to ſpare him for their Sakes.

And now, by way of Sweetener, the Committee of Security, by the Recommendation of the Commiſſioner, brought in an Act for the Comprehenſion of ſuch of the Epiſcopal Clergy as ſubmitted to take the Oaths by the 10th of *July*; of which, the following Account is given by the *Hiſtorian of his own Times*: "The Matters of the Church were brought to more Temper than was expected; the Epiſcopal Clergy had more moderate Terms offer'd them; they were only requir'd to make an Addreſs to the General Aſſembly, offering to ſubſcribe to a Confeſſion of Faith, and to acknowledge Preſbytery to be the only Government of that Church, with a Promiſe to ſubmit to it: Upon which, within a Fortnight after, they did that, if no Matter of Scandal was objected to them, the Aſſembly was either to receive them into the Government of the Church; or, if they could not be brought to that, the King was to take them into his Protection, and maintain

A. D. 1693. *A Bill of Comprehension for the Episcopal Clergy.*

tain them in their Churches, without any Dependence on the Presbytery. This was a Strain of Moderation that the Presbyterians were not easily brought to; a Subscription that own'd Presbytery to be the only legal Government of that Church, without owning any Divine Right in it, was far below their usual Pretensions. And this Act vested the King with an Authority very like that which they were wont to condemn as *Erastianism*. Another Act was also pass'd, requiring all in any Office in Church or State, to take, besides the Oath of Allegiance, a Declaration, call'd, The *Assurance*, owning the King and Queen to be their rightful and lawful Sovereigns, and promising Fidelity to them against King *James*, and all his Adherents. The Council was also impower'd to tender these, as they should see Cause for it, and to fine and imprison such as should refuse them."

The Bishop also adds, That the Session ended calmly: But how should it do otherwise, when the King had found Means to recover the whole Presbyterian Party, and they had found Means to subdue all their Adversaries? And for his Majesty's Conduct to the *Scots* afterwards, it is thus freely and justly treated by the same Author, in the following Words: "But the King seem'd to have forgot *Scotland* so entirely, that he let three Months go over before he took Notice of any of their Petitions: And tho' he had ask'd, and had Supplies, for an Augmentation of Forces, and many had been *gain'd* to consent to the Tax by the Hope of Commissions in the Troops that were to be levied, yet the King did not raise any new ones, but mis'd the Supply, and apply'd it to other Uses. This began to raise an ill Humour that had been almost quite laid down in the whole Course of this Session, which was thought a reconciling one. The Clergy let the Day prefix'd for making their Submission to the Assembly, slip, and did not take the Oaths; so they could claim no Benefit by the Act that had been carry'd in their Favour, not without some Difficulty: And the Law that was intended to save them, did now expose them to Ruin, since by it they, not taking the Oaths, had lost their legal Rights to their Benefices: Yet they were suffer'd to continue in them, and were put in hope, that the King would protect them, though it was now against Law. They were also made to believe, that the King did not desire that they should take the Oaths, or make any Submission to Presbytery: And it is certain, that no public Signification of the King's Mind was made to them; so they were easily impos'd on by Surmizes and Whispers. Upon this the Distractions grew up a-fresh: Many concluded there, as well as in *England*, that the King's Heart led him still to court his Enemies, even after all the manifest Reasons he had to conclude, that the Steps they made towards him were only feign'd Submissions to gain such a Confidence, as might put it in their Power to deliver him up."

A. D. 1693. *Foreign Affairs.*

We are now at Liberty to pass over to the Continent, and persue the Course of those Affairs which are most apt to excite the Attention of an *English* Reader, tho' they are the most ruinous to the Interest of *England*: But before we can attend his Majesty to *Holland*, and from thence to the Army, it will be necessary to touch on some of the *French* Exploits during the Winter; for Winter itself could not put a stop to their Enterprizes, tho' it retarded their Successes.

Attempt on Rhinfelt by Tallard.

And first, on the Side of *Germany*, Count *Tallard* had Orders, as it's said, not to besiege, but to take Possession of *Rhinfelt* and the little City of *St. Goar* connected with it, situated on this Side of the *Rhine*, about six Leagues from *Coblentz*, and ten from *Mentz*; a Place considerable only for the Castle of *Rhinfelt*, which stands on the Top of a Hill like a Sugar Loaf, and the Fort of *Kats*, which cover'd it on the other Side of the River. On the 16th of *December*, the Place was invested with eighteen Battalions of Foot, ten Squadrons of Horse, and twenty Pieces of Cannon. The Trenches were open'd the next Day; on the 21st the Batteries began to play, and between that and the 30th, the Besiegers attack'd the Counterscarp three several times with the utmost Vigour, of which they were once Masters; but before they had time to make a Lodgment or throw up any Works for their Security, they were forc'd to abandon it, by the redoubled Efforts of the Garison, under the excellent Conduct of the Governor *de Gertz*. The Landtgrave of *Hesse* had opportunely thrown five Regiments into the Town in this Interval; and, having collected together all his Horse, as also having been re-inforc'd with two thousand more of *Brandenburgh* and *Neuburgh*, on the 31st he pass'd the *Rhine* at *Coblentz*, and oblig'd those of the Enemy posted at *Buckolts* to cover the Siege, under the Command of General *St. Fremont*, to dislodge: Whereupon the Besiegers, in a Pannic, gave over their Attempt; and on the first of *January*, at Night, broke up their Camp, set it on fire behind them, and march'd off with Precipitation: Notwithstanding which, the Nature of the Ground was such, that the Landtgrave, who had nothing but Horse under his Command, could take no Advantage of this Disorder.

Another on Huy by Mr. de Boufflers.

About the same time, three several Bodies of *French*, consisting in all of between sixteen and eighteen thousand Men, under the Command of Mr. *de Boufflers*, invested *Huy*, and made a Feint of reducing the Place: But after the Alarm had taken, and the Confederates were in Motion to relieve it, broke up their Camp, exchang'd their Prisoners, and retreated towards *Namur*; having first in vain endeavour'd to raise a Commotion in *Liege*, and establish'd a Correspondence with the Mutineers, by whose Assistance they hop'd to have got Possession of the Place; for the Prince-Bishop having procur'd Intelligence of their Conspiracy, obtain'd a Re-inforcement from *Maestricht* time

A.D. 1695. time enough to defeat it, and secur'd his own Authority by disarming and confining the Ringleaders.

While the Noise of these Attempts was yet ringing in the Ears of the Confederates, the same Mr. *de Beauffiers* who had try'd these Practices on *Huy* and *Liege*, put himself at the Head of another large Body of *French*, consisting of forty-four Battalions, and Cavalry in Proportion; and on the fifth of *January* invested *Furnes*, which, together with *Dixmuyde*, had been reduc'd by the Duke of *Leinster* and the *English* Forces in the Close of the Year, and had been since strengthened with several additional Works. The very Day that he came before the Place, he cut off its Communication with *Newport*, the same Night he caus'd his Trenches to be open'd, and the next Day he summon'd Count *Horn*, the *Dutch* Governor, to surrender; which he did in a few Hours, without firing a Gun; and the Garison were conducted to *Newport*: In consequence of which, *Dixmuyde* was abandon'd: And thus the whole Fruit of our late expensive Expedition was thrown away at a single Cast.

Count Horn's Conduct arraign'd on that Occasion.

The Clamours of the *English* against the *Dutch* grew upon this Occasion ten times louder and fiercer than ever; and Count *Horn*, in particular, was so severely attack'd, that he found himself under a Necessity to take all the Methods in his Power for his Justification. Accordingly, a Letter which he had receiv'd from the Elector of *Bavaria* was made public; and that again was supported by the Unanimous Opinion of the Council of War, which he call'd to deliberate on the *French* Summons, and the said Letter of his Electoral Highness. The Former was to this Effect: "That from the Posts which the Enemy had taken, it was reasonable to think they would besiege *Furnes*: That his Troops were come up; and, if possible he would make an Attempt to relieve him: That, however, as the said Posts were well known to him (the Governor) and as the *French* began to fortify themselves, he was at Liberty to do what he thought convenient, without staying till the last Extremity, since the Preservation of the Garison was of more Consequence than the Preservation of the Place, *&c.*" And as to the Latter it turn'd on the following Considerations, *viz.* That seeing the Enemy had drain'd away all the Water on the North Side of the Town, in which its principal Strength consisted: That they had advanc'd their Trenches to the Moat, in which there was little Water: That the Rampart had no Flanks, and being besides of new Earth, could not be expected to withstand the Batteries of the Enemy: That the Attack towards the Canal of *Dunkirk* was advanc'd within a hundred Paces of the Moat: That the Attack on the *Newport* Side was advanc'd within fifty Paces of the said Moat: That through the Defect of Cannon, the Enemy had Liberty to post themselves where they pleas'd: That the Garison was too weak and sickly to defend Works of such Extent: And that the Inundation which they were promis'd from *Newport* did not take Effect, it was resolv'd to capitulate without Delay, and a Parley was beat accordingly. To all this, some after Thoughts of the Governor and his Officers were also added, in a Letter from the Governor to the States; namely, That the Works were not only slight, because new, but because of the great Rains which had lately fallen, and which had much weaken'd them: That the Enemy had no less than twelve Pieces of Cannon and fourteen Mortars on one Battery: And, lastly, that the chief Blame was to be laid on the People of *Newport*, who refus'd to make the great Inundation, as they were desir'd, and whose Conduct on this Occasion, they urg'd, ought to be examin'd into, for the Prevention of the like Mischief for the future. The military Reader will be the best Judge of the general Force of these Allegations: But if that particular one relating to the Inhabitants of *Newport*, on which so much Stress is laid, is Matter of Fact, it follows, that what is said in the *London-Gazette* (No. 2834) to excuse the Elector of *Bavaria* for not making any Attempt to relieve the Place, is not so. For it is there said, That his Electoral Highness being come to *Newport* on the first, with a Design to draw the Troops out of the Garisons on that Side, found the Attempt impracticable, by reason the Governor of *Newport* had open'd the Sluices, and put all the Country round under Water. It is added, that he urg'd this very Circumstance in his Letter to Count *Horn*, tho' the Letter itself bears Witness to the contrary. And in another Paragraph in the same Paper, it is again suggested, That Count *Horn* himself was induc'd to surrender the Place, because of the manifest Impossibility of its being succour'd; the whole Country being so overflow'd, that the Elector, who had drawn his Troops together, could not come near it. Upon the whole we are told, that the King was so dissatisfy'd with Count *Horn*, that he never cast an Eye of Favour on him more: And this we are to look upon as a sufficient Recompence to the People of *England*, for having been at so vast an Expence to so little Purpose.

His Defence.

A.D. 1695.

Before we proceed any farther either with the Measures of the Cabinet, or the Operations of the Field, it is proper to inform Posterity, that the Opening of this Year was sadden'd with one of the most calamitous Visitations that ever astonish'd the World; for though *Malta* and *Sicily* were the only Sufferers, so tremendous was the Shock, so vast the Destruction, that the Universe seem'd to be affected, and all Men apprehended, that no Part could be so miserably convuls'd, without endangering the Whole.

A dreadful Earthquake in Malta and Sicily.

In the Beginning of *January* both those Islands were alarm'd with repeated Earthquakes; every one of which would have been esteem'd sufficiently terrible, if the last had not, in a manner, effac'd the Remembrance

A. D. 1695. brance of the Former. On the ninth, about ten at Night, ſo great was the Agitation, that it was believ'd no worſe could happen; and when it ceas'd, that the Danger was over: But this prov'd no more than a Prelude to another Paroxyſm; on the 11th, at three in the Afternoon, which in *Malta* ſhook every Houſe, Church, and Edifice of every kind to their very Foundations, half-ruin'd many, damag'd all, and even threw down a Mountain; by the fall of which, the Grand Maſter and his Train, who happen'd to be then hunting on the Skirts of it, had like to have been cruſh'd to Pieces. But what *Malta fear'd*, bore no Compariſon to what *Sicily* at the ſame Inſtant *felt*: There, nothing was wanting but the Trumpet of the Archangel and the Appearance of the Judge in the Clouds, to denote the grand Cataſtrophe of all things: *Mount Etna* roar'd to the very Center: The whole Globe ſeem'd to diſſolve: Villages, Towns, and Cities, with all their miſerable Inhabitants, diſappear'd like Bubbles: The Air was not only chok'd with the Duſt ariſing from ſo general a Ruin, but at the ſame time all on fire with continual Lightnings, and rent with continual Thunders: The Sea left the Shore for above two Miles together, and then roſe in Heaps, and threatned to overwhelm the Earth. All the Elements were thus at war; and the diſtracted *Sicilians*, who ſaw themſelves beſet with Deſtruction on every Side, in Deſpair concluded, That Providence itſelf had deſerted its Charge.

Between thirty and forty Towns and Cities, together with a vaſt Extent of Country, was involv'd in this amazing Calamity: And of theſe the far greater Part were wholly ſwallow'd up. In *Auguſta*, while the Horror of the Earthquake was at full, four hundred Barrels of Gunpowder were fir'd by the Lightning, and, together with the Caſtle, blew up above a thouſand Perſons who had taken Sanctuary there, as the Place of moſt Security; beſides whom, full four thouſand more periſh'd in the Ruins of the Town. In *Minieo*, three thouſand were kill'd; in *Sentini* as many more; in *Vizzini* as many more; in *Siragoſſo* ſix thouſand; in *Raguſa* ſeven thouſand; in *Sciateilo* eight thouſand; and in *Catanea*, which ſunk down at once, with as much Noiſe, as if the whole Fabric of the Earth had rent aſunder, eighteen thouſand. In all, between ſeventy and eighty thouſand Perſons.

Conduct of the Switzers complain'd of by the Confederates.

To return; one of the important Affairs left depending laſt Year, and which drew the Attention of the Public at the Beginning of this, was the Conteſt which ſubſiſted between the Confederates, more eſpecially, the Emperor and King of *Spain*, and the *Swiſs* Cantons. By the Treaty of *Milan*, the ſaid Cantons oblig'd themſelves to obſerve a ſtrict Neutrality; and that ſuch Troops of theirs as were in the *French* Service ſhould be employ'd only for the Defence of thoſe Counties and Places as *France* ſtood poſſeſs'd of in the Year 1663; in Conſideration of which, the ſaid Princes had paid them all their Arrears, had given them a double Penſion, and allow'd them other very great Advantages; notwithſtanding which, the ſaid Cantons, in Violation of the ſaid Treaty, had ſuffer'd the *French* not only to recruit, but to augment their Corps, and to employ them offenſively againſt the Confederates, as appear'd moſt notoriouſly and undeniably, at the Battle of *Steinkirk* and the Siege of *Namur*, in which were employ'd no leſs than twenty-five Battalions. Of this Infraction the *Imperial* and *Spaniſh* Miniſters had complan'd very freely, and not receiving the deſir'd Satisfaction, their Principals had farther ſhew'd their Reſentment, not only by ſtopping the ſaid Penſion, but by cutting off all Communication with their Dominions, and, in particular, by prohibiting the uſual Supplies of Corn which the *Switzers* had from thence, and which, upon account of the Dearth then raging in *France*, were more neceſſary to them than ever. But neither had this any better Effect: On the contrary, buoy'd up by the Promiſes of *France*, and the real Advantages they deriv'd from that *Crown*, they gave the *Auſtrian* Miniſters to underſtand, *That they would not have their Hands tied up:* Upon which thoſe Miniſters reply'd in their Maſters Names, That neither would they have their Hands ty'd up: But withal ſignify'd, by way of Sweetener, That, in caſe they would yet alter their Meaſures, and do Juſtice to the Confederates, all things ſhould be reſtor'd to their ancient Footing. The Affair came at laſt to be diſcuſs'd in a general Diet held at *Baden*, but ſtill with no better Succeſs than before; for though an Expedient was propos'd, it ſatisfy'd neither Party; and the Aſſembly broke up without coming to any Determination. This the Confederates underſtood to be a downright Refuſal of their Suit, and complain'd of it accordingly in a circular Memorial: But, nevertheleſs, in Conſideration of the Proteſtant Cantons, and ſome few of the Catholics, who declar'd in the Diet for a ſtrict Obſervation of the Neutrality as requir'd, as alſo, perhaps, of the Engagements which ſome of them had enter'd into, to hinder the War from approaching too near their Territories, the Prohibition was taken off their Commerce, and they were allow'd to ſupply themſelves with Corn, as before.

A. D. 1693.

The Emperor and the Electors of Saxony and Brandenburgh reconcil'd.

It is out of all Doubt that this manifeſt Inclination of the Cantons to favour the Views and Intereſts of *France*, was a very ſenſible Mortification to the Confederates: But on the other hand, to ballance the Chagrin which they felt on this Occaſion, Ways and Means were found out to reconcile the Emperor to the two potent Electors of *Saxony* and *Brandenburgh*; and in Conſequence of which, the Latter once more engag'd to furniſh ſix thouſand of his Troops for the Service of *Hungary*; and the Former to ſend twelve thouſand to the Upper *Rhine*. The Princes of *Lunenburgh* were alſo prevail'd with to recruit the Corps which they had ſent thither the preceding Year, and to continue their Complement both in *Flanders* and the Empire. The

Elector

A. D. 1693. *Further Proceedings in relation to the ninth Electorate.*

Elector of *Hanover* indeed was ſcarce in Poſſeſſion of his new Dignity, and therefore ſtood in need of all the Helps which the two Courts of *London* and *Vienna* could give him, to remove the Difficulties which remain'd, and which were far from being inconſiderable, out of his way. The three Electors of *Triers*, *Cologne*, and *Palatine*, the King of *Sweden*, as Duke of *Bremen*, and the Archbiſhop of *Saltzburgh* had not declar'd themſelves; and many other Princes had proteſted againſt it, as equally a Violation of the Emperor's Coronation-Oath, and of the Golden-Bull. *France* had, moreover, an Emiſſary (Mr. *le Noble*) in the Empire, to feed the Flame of Oppoſition; and, in particular, offer'd a Neutrality, as it was ſaid, to all thoſe who reſolv'd to perſevere in it. And in the Inſtructions of Mr. *d'Avaux*, who was ſent early this Year to the Court of *Sweden*, and thoſe of Mr. *Bonrepos* to that of *Denmark*, to embark thoſe two Crowns, if poſſible, in the Meaſures of *France*, the Princes of *Lunenburgh* were not forgot: They were conſider'd at *Verſailles* as Deſerters from the *French* Intereſt; and it would have been held a Reproach to the Grandeur of that Monarchy, if they had not felt the Marks of its Reſentment.

On the other hand, in Conſideration of the preſent Importance of that Houſe to the Confederacy, the Emperor condeſcended to diſpatch the Baron *d'Eck*, in the Capacity of Envoy to the ſaid three Electors, to acquaint them with his Reaſons for having rais'd the Duke of *Hanover* to the Electoral Dignity, and to ſollicit their Acquieſcence. The ſame Affair was alſo one of the great Points that employ'd the Diet at *Ratiſbonne*; and tho' the Elector of *Cologne*, the Archbiſhop of *Saltzburgh*, and the King of *Sweden*, were induc'd, not only to yield to the Inſtances of his Imperial Majeſty, but to congratulate the new Elector in Form upon his Promotion; many of the reſt adher'd to their former Sentiments, and even with ſo much Heat, as almoſt ſeem'd to endanger the Peace of the Empire.

The Congreſs of Cologne.

In the mean while, as a ſort of perpetual Congreſs was held at the *Hague*, of the Miniſters of the Confederate Princes, ſo an occaſional one was now held at *Cologne*, to adjuſt, if poſſible, the interfering Views of the *German* Princes, and expedite the opening of the Campaign. This was compos'd of the Miniſters of the Emperor, *Great Britain*, *Treves*, *Cologne*, *Saxony*, *Brandenburgh*, *Bavaria*, *Palatine*, *Heſſe*, *Munſter*, &c. aſſiſted by ſeveral General Officers: And it was given out, that the Objects of their Deliberations, were not only to provide for the Security of the Frontier, both on the Upper and the Lower *Rhine*, and to eſtabliſh the neceſſary Magazines, but to aſſemble ſuch a Force ſo early in the Spring, that the Confederates might have it in their Power to prevent the Deſigns of the Enemy, and turn Invaders themſelves: But the Matter of moſt Difficulty was to adjuſt the Point of Command: The Electory of *Saxony* had come to a Reſolution to take the Field in Perſon, and to put in ſuch a Claime as, both in Complement to his Rank, and the Strength he was to furniſh, could hardly be ſet aſide. The two Rival Generals of laſt Year, namely, the Landtgrave of *Heſſe*, and the Prince of *Barreith*, alſo renew'd their Pretenſions: And, on the other hand, the aſſociated Circles offer'd to augment their Quotas both of Men and Money, very conſiderably, in caſe the Imperial Court could be prevail'd on to recall the Prince of *Baden* from *Hungary*, and to procure him the Poſt of Honour on the Upper *Rhine*.

Diſputes about the Command.

It is eaſy to imagine that ſo many different Factions created a Ferment that was not over favourable to the Common Cauſe: And as none of thoſe who form'd the Aſſembly had Credit enough to ſubdue it, all that remain'd was to adopt ſuch an Expedient as ſerv'd to gain time, and thereby to prevent a Breach. Accordingly, Advantage was taken of the Propoſal made by the Circles to tranſfer the Affair to *Vienna*: And having provided for the Security of *Coblentz*, and taken ſuch other Meaſures as theſe Diſtractions could admit of, the Aſſembly broke up.

A. D. 1694.

The Pope ſolicits a Peace between the Emperor and France.

As to the Imperial Court, it appear'd to be animated with a more active Spirit than ordinary: The Pope, now entirely won over to the Intereſt of *France*, but pretending a fatherly Concern for the bleeding Condition of the *Chriſtian* World, had again importun'd his Imperial Majeſty to clap up a Peace with *France*, in order to drive the *Turks* out of *Europe*; which, according to him, there was now the faireſt Opportunity imaginable for, and towards which, he himſelf offer'd to contribute largely; had remonſtrated how ineffectual the Operations of the Confederates had hitherto prov'd; how much they had loſt by their Experiment; how unlikely it was, that while their Church was ſo divided, their Views ſo different, their Reſolutions ſo tardy, their Performances ſo defective, they ſhould have any better Succeſs: And, laſtly, had urged, that, for all theſe Conſiderations, and, alſo, becauſe the *French* Court were ſo cordially inclin'd to Peace, that they had offer'd him (the Pope) *Carte Blanch* for the Terms, it was alike the Intereſt of his Imperial Majeſty, *Spain* and *Savoy*, to accept of his Mediation, to ſheath the Sword without Delay, and, in Effect, to leave the Maritime Powers to ſhift for themſelves. To all which, his Imperial Majeſty had, in Subſtance, reply'd, That as the notorious Ambition of *France*, the Acquiſitions ſhe had made, and the Purpoſes ſhe avow'd, had brought on the War, ſo the Superiority ſhe had hitherto been able maintain againſt ſo many united Enemies, was the main Reaſon for continuing the War till Time and Perſeverance ſhould turn the Ballance againſt her; ſince nothing was more obvious, than that the Power which, ſingly, was able to withſtand the joint Efforts of almoſt all his Neighbours, would give the Law to every one of them, as ſoon as the Band was broke, and the Confederacy diſſolv'd: And that in order to

The Reply on Behalf of the Emperor.

detect

A.D. 1693. detect her inſidious Purpoſes, his Holineſs had nothing elſe to do, than to propound to them the following Queſtions, by way of Preliminaries, *viz.* Whether they would acknowledge and confirm the Renunciation made by the late Queen of *France*, of the *Spaniſh* Succeſſion, in all its Clauſes, which they had ſo ſtrongly diſputed in the Year 1667; whether they would reſtore the Duchy of *Lorrain*, without Condition or Limitation; whether they would reſtore the Countries they had taken from the Empire ſince the Treaty of *Munſter*; and whether they would renounce their Alliance with thoſe very *Turks*, which his Holineſs was ſo zealous to have driven out of *Europe?*

The Mediation of the Engliſh *and* Dutch *Miniſters at the* Port *defeated by the Intrigues of* France.

Whether the Inſtances of the Maritime Powers at all contributed to this firm Reply, does not appear. But this is apparent enough, that the Drift of their Meaſures was entirely oppoſite to theſe Importunities of his Holineſs: A Peace between the two Courts of *Vienna* and *Conſtantinople*, as we have ſeen, was one of their moſt favourite Purſuits; and accordingly, they left nothing unattempted to accompliſh it; but ſtill without Succeſs: The *French* had ſtill the Aſcendancy in the *Divan*, and undertook ſo poſitively to diſable the Efforts of the Emperor in *Hungary* the next Campaign, by the mighty Diverſion they propos'd in *Germany*, that *Hemſkirk* the *Dutch* Embaſſador at the *Port*, could neither obtain an Audience, nor an Anſwer to the Propoſals which he had deliver'd in Writing to the Grand Vizier. It is true, the Refuſal was ſoften'd by a great Shew of Regard and Civility, and ſome Excuſes, that the Delay was only made till the Arrival of Lord *Paget*: But even when his Lordſhip did arrive, they continu'd as backward as ever to enter into any Negotiation, and employ'd the Interval to make all poſſible Preparations for a vigorous Campaign. It muſt, however, be ſuppos'd, that either the Imperial Court did not expect, or did not deſire any Succeſs from the good Offices of the Mediators; for as if they expected a double Storm both from the *Turks* and their *moſt Chriſtian* Allies, they exerted themſelves in a very ſignal manner, to be ſufficiently cover'd againſt the Violences of both. Of the Preparations on the Side of *Germany*, ſomething has been already ſaid: And on the Side of *Turkey*, over and above the *Brandenburgh* and other Auxiliaries, care was not only taken to recruit the Imperial Forces already on the Frontier, but alſo to re-inforce them with additional Corps, and to make ſuch a Diſpoſition in all reſpects as ſhould enable the Duke of *Croy*, who was to command in chief, in the Room of the Prince of *Baden*, to act offenſively, at leaſt, if not to give the Law to the Enemy. Again, ſuch Aſſurances were given to the *Venetians* of a firm Purpoſe and real Ability to make an extraordinary Effort, that they alſo were induc'd to recollect all the Powers of their State, in order to do the ſame; and leſt the King and Republic of *Poland* ſhould alſo be induc'd by the *French* Embaſſador and the *Tartarean* Envoy, who acted in concert, to ſtrike up a ſeparate Peace with the *Turks*, the Imperial Miniſter in that Kingdom, Count *de Noſtitiz*, was diſpatch'd with Orders to make the ſtrongeſt Inſtances imaginable both to his Majeſty and the Diet, to reject the ſaid Offers, and to proſecute the War. The Diet was held at *Grodno* in the Beginning of the Year; and at the Opening of it, the King not only recommended the Propoſal, made by the ſaid Envoy, to their Conſideration, but left the whole Affair of War or Peace to be decided as they thought fit. Such, however, was the Diverſity of Opinions which prevail'd amongſt them, that the Term limited by the Conſtitution for their Sitting, elaps'd before they could come to any Deciſion at all: And when, by way of Expedient, it was propos'd to prolong the Seſſion for a Week or a Fortnight, as by unanimous Suffrage might have been done, two Negatives defeated the Project, and broke up the Diet in Confuſion. Unhappily, the Imperial Miniſter did not arrive till the ſaid Term was on the Point of expiring; and as the Expedient propoſed for continuing the Diet was aſcrib'd to his Influence, ſo the Departure of the two Deputies was plac'd to the Account of *France*: All that now remain'd, was to make his Application to the King, to ſummon the Senate to hear his Propoſals, which he had not time to lay before the Diet: And though he was not able to draw the Republic into ſuch vigorous Meaſures as he contended for, the ſudden Death of the *French* Embaſſador render'd his Negotiations ſo much the more eaſy at Court: In Conſequence of which, he made a ſhift to traverſe the Intrigues of the *Tartars*, and to prevail with the King to continue the War during another Campaign, though in a way that neither did Honour to himſelf, or any material Service to the common Cauſe.

A.D. 1693.

Counter Negotiations with the King and Diet of Poland.

Dilatory Proceedings on the Side of Savoy.

It was, however, ſtrange, in the midſt of all theſe unuſual Endeavours of the Imperial Court, to find, that in the Side of *Italy*, the Allies ſeem'd to be faſt aſleep: Of Recruits ſent out of *Germany*; of Contributions rais'd by the *Imperialiſts* from the *Italian* Princes and States, by way of Commutation for Winter-Quarters; of Remittances made from *Spain*, and Subſidies paid by the Maritime Powers to the Duke of *Savoy*, and of Conferences held with his Royal Highneſs, by the Governor of *Milan*, and the Imperial Miniſter, *&c.* the *Gazettes* made frequent mention: But of any one military Motion that ſeem'd to promiſe an effectual Campaign, not one ſingle Article eſcap'd, till the Summer was half over: And, in Excuſe for this amazing Inactivity, where it was ſuppos'd and believ'd, that the Allies were ſtrongeſt, and the *French* weakeſt, no other Pretence was aſſign'd but the frequent Indiſpoſitions, Agues, Impoſtumes, *&c.* of his Royal Highneſs; except that, now and then, a Whiſper eſcap'd, that theſe Indiſpoſitions were political; and that he had ſome favourite Point to carry with one Side or the other,

A. D. 1693. other, before he would give his Conſent to the Plan of Operations for the year. What Authority there was for this Whiſper, has not reach'd us: But then we find it declar'd in the *London Gazette*, (No. 2870.) that his Royal Highneſs was ſo well recover'd before the End of *April*, N. S. that he repair'd to *Chiari* for the Air: In another Article from *Turin*, dated *May* 16, that he continu'd at the ſaid Place ſo well, that the whole Diſcourſe of thoſe Parts turn'd on his immediate taking the Field: In a third, dated the 26th, That the Duke of *Schomberg* arriv'd at *Turin* on the 23d from *Flanders*, and waited on his Royal Highneſs at *Chiari* on the 25th: In a fourth, dated *June* the 6th, That his Royal Highneſs held a Council of War at *Turin*, *May* 30, at which aſſiſted the Governor of *Milan* and the ſaid Duke *Schomberg*: In a fifth, That between the 19th and the 23d he held another Council of War, in concert with General *Caprara*, *&c.* In a ſixth, That Prince *Eugene*, with a new Title of Field Marſhal, arriv'd there towards the End of *June*, from *Vienna*: In a ſeventh, dated *July* 10, that in the Day before his Royal Highneſs had a return of his Ague: And, laſtly, in an eighth, dated the 24th, That on the 18th his Royal Highneſs ſet out from *Turin*, to put himſelf at the Head of the Army, which ſoon after decamp'd, and, in four ſeveral Bodies, took the Rout of *Suſa*, with a ſeeming Reſolution to attack that Place; which was not, however, the real purpoſe, as will be explan'd in its Place.

Unqueſtionably, if the ſeveral Powers which form'd the Confederacy could have agreed to proſecute the War on that Principle, which would have moſt diſtreſs'd the common Enemy, and would have been content to wait for their Share of the Spoil, till that Diſtreſs had taken place, ſome Expedient would have been found to quicken his Royal Highneſs's Motions, to induce the Court of *Spain* to make one great Effort on the Side of *Catalonia*; to prevail with the *German* Princes, for once, to take the Field in time; to induce the maritime Powers to follow the Blow which they had ſo lately given the *French* at Sea; to make all theſe ſeveral Operations ſo to coincide as to time, that all might ſerve to countenance and ſupport each other; and, laſtly, to lie on the Defenſive in *Flanders*, till ſuch an Opportunity ſhould ariſe out of the Events of the Year, as might authoriſe the Riſque of an Action, and open a Way for the making ſome ſuch Acquiſition as might countenance the annual waſte of Blood and Treaſure on that ſide.

Difficulties in abundance, it muſt be ſuppos'd, lay in the way: Every one of theſe Powers had a ſeperate Intereſt: Every Day, as uſual, diſcover'd ſome new Jealouſy, or produc'd ſome new Miſunderſtanding: *Savoy* was always a Trimmer: The *Germans* were more inclin'd to prolong their Subſidies than finiſh the War. *Spain* was in ſuch a Lethargy as neither Danger nor Diſhonour could rouſe her from. And as to *England*, unleſs her great Effort was made in *Flanders*, the King, who was the Soul of the Confederacy, could not have been gratified. But great Difficulties muſt be expected in great Actions; and it ought to be the Glory of great Minds to ſurmount them, if ſurmountable; or if not, to make uſe of the firſt favourable Opportunity to give over an impracticable Experiment. A. D. 1693.

It is certain, that if the Power that was now arm'd againſt *France* had been properly directed, the Odds would have been againſt her: But as the *French* Court were always Maſters of their own Meaſures, and thoroughly acquainted with thoſe of the Confederates, they made the beſt uſe imaginable of their own Strength, and they drew every Advantage that could be drawn from the Weakneſs of the Enemy. *The Diſpoſitions of France for opening the Campaign.*

Thus whether they relied without reſerve on the Abilities of Mr. *Catinat*, who had hitherto ſerv'd with ſuch Succeſs againſt *Savoy*, and who, about this time, was rewarded with a Marſhal's Staff, together with Meſſieurs *de Boufflers*, *de Noailles*, *de Tourville*, *de Joyeuſe*, *de Villeroy*, and *de Choiſeul*, or on the Indiſpoſition of his Royal Highneſs, they remain'd ſo free from Apprehenſions on that ſide, that they remanded a conſiderable Corps of Horſe and Foot, which had been detach'd from the Upper *Rhine*, by way of Reinforcement; and contented themſelves with making ſuch Diſpoſitions as might enable them to lie on the Defenſive only. But then, to oblige his Catholic Majeſty to ſlacken his Efforts, either in *Italy* or *Flanders*, or to ſtrike ſuch a Terror thro' his Miniſters and Subjects as ſhould oblige him to negotiate a ſeparate Peace, they increas'd their Preparations in *Catalonia*, and play'd that very Game againſt the *Spaniards*, which the *Spaniards* ought to have play'd againſt them.

On the *Rhine*, Mr. *de Lorges* was early at his Poſt, and beſtirr'd himſelf with ſuch extraordinary Aſſiduity to collect his Forces, fill his Magazines, and put his Army in motion, that all the Gazettes of *Europe* took the Alarm, and were fill'd with the Preſages of a Storm at hand, and of the Miſchiefs to be apprehended from it, wherever it ſhould fall. About the ſame time Meaſures were alſo taken for aſſembling another Army on the *Meuſe*, under the Command of M. *de Boufflers*, and a flying Camp, of between ſeven and eight thouſand Men on the *Moſelle*, under the Marquis *de Harcourt*. But the Attention of the *French* Court was principally directed to the Motions of the Confederates, under King *William* and the Elector of *Bavaria*: It was there they knew the great Effort would be made; and they reſolv'd that M. *de Luxemburgh* ſhould have no Reaſon to complain of the want of Supplies of any ſort: And, notwithſtanding the enormous Preparations, neceſſary for ſuch a Variety of Services, they had ſtill ſuch Reſources, as enabled them both to provide for the Security of their Coaſts, in caſe of an Attack from *England*, which had been ſo often threaten'd, and even to make a Figure by Sea, not unworthy of

A. D. 1693. that they made by Land, as the Events of the Year will but too fatally manifeſt.

As to his Majeſty of *England*, he ſet out for *Holland* on the 24th of *March*; but the Wind proving contrary, he did not arrive there till the 2d of *April*: And notwithſtanding his Impatience to be in action, it was the Middle of *May*, N. S. before he took the Field. We are therefore to ſuppoſe, that he had ſtill many Negotiations to perfect, and many Difficulties to ſurmount; and the Hiſtory of ſuch Intervals of theſe, would be worth more, perhaps, than the Hiſtory of a Campaign: But the Receſſes of the Cabinet are very rarely unfolded, and thoſe of *Loo* have hitherto prov'd inacceſſible: Of his Majeſty's conferring frequently with the States; of his giving Audience to foreign Miniſters; of his poſting to the *Hague*, and poſting back again, we find frequent mention; but ſcarce ever of the Occaſion.

The King arrives in Holland.

M. Hallewyn *proſecuted for intriguing with* France *for a Peace.*

Only we find that one M. *Hallewyn*, a Member of the States-General, and his Brother, the ſenior Burgo-Maſter of *Dort*, had the Misfortune, in this Interval, to be accuſed of high Crimes and Miſdemeanors againſt the Republic, and underwent a rigorous Proſecution on that Account. His Majeſty attended in Perſon, when their Caſe was reported to the States; and as well from that Incident as from the Nature of the Charge, it is reaſonable to conclude he was ſtrongly prejudic'd againſt them. The Burgo-Maſter was accus'd of going into *Switzerland*, and there entering into a Concert with M. *Amelot*, the *French* Miniſter to the Cantons, for ſetting on foot a Negotiation of Peace, without being authoris'd ſo to do; and in contempt of the ſeveral Edicts from time to time ſet forth, forbidding all Correſpondence with *France*, on any Terms whatſoever: And it was prov'd, That in purſuance of this Concert, he receiv'd and entertain'd M. *Roberti de Pille du Pleſſis*, who had been ſent to confer with him by the Court of *France*, under the Security of certain Tokens which had been ſettled between the ſaid Miniſter and the Priſoner: And that he finally came to this Agreement with him, the ſaid *du Pleſſis*, That as ſoon as he receiv'd authentic Aſſurances of the *Moſt Chriſtian* King's Inclinations to a *(c) general Peace*, he would make a Propoſal to the Magiſtracy of *Dort*, and prevail with them to lay it before the States-General. What was ſtill more unlucky for the Burgo-Maſter, M. *du Pleſſis* himſelf was alſo ſeiz'd and impriſon'd: And by an intercepted Letter directed to him, it appear'd, that he was impower'd by his *Moſt Chriſtian* Majeſty to promiſe the ſaid Burgo-Maſter twenty thouſand Crowns, in caſe he made good his Engagements; and the other Cities of the Republic ſhould be induc'd, by the Example of *Dort*, to declare for Peace. The whole Proceſs laſted till the End of *July*, when the Burgo-Maſter was ſentenc'd to be impriſon'd for Life, and his Eſtate to be confiſcated; *du Pleſſis* to be impriſon'd during the War, at his own Expence, and afterwards baniſh'd for ever: And nothing material appearing againſt *Allewyn*, the Elder, after a very rough Confinement under the *Dienaers*, or Goalers, who had the Charge to common Malefactors, was acquitted.

London Gaz. No. 2869.

State of Europe for Aug. 1693.

A. D. 1693.

To return: The Rendezvouz of the confederate Forces was appointed at *Deighem*, in the Neighbourhood of *Bruſſels*: And ſcarce had his Majeſty taken Poſſeſſion of his Quarters there, before he received Advice, That the Marſhals *de Lorges* and *de Choiſeul* had taken Advantage of the uſual Tardineſs of the *Germans*, to give them a very conſiderable Blow; but that their Troops had grievouſly tarniſhed the Glory of their own Succeſs, by the brutal Uſe they had made of it.

M. de Lorges *paſſes the* Rhine.

The Fact was this: The two Marſhals having aſſembled their Army in *Little Holland*, paſs'd the *Rhine*, without oppoſition, at *Philipſburgh*, on the 16th and 17th of *May*, N. S. to the Number of fifty thouſand Horſe and Foot: On the 18th they detach'd M. *de Chamilli* with twenty thouſand to inveſt *Heydelberg*; and with the Remainder they paſs'd the Mountains, in queſt of the Prince of *Baden*, who had taken Poſt near *Hailbron*, but was in no condition to encounter them. On the 21ſt M. *de Chamilli* came before the Place; and the ſame Night, between Ten and Eleven o'Clock, open'd his Trenches. *Heidekief*, a Major-General, and Knight of the *Teutonic* Order, was Governor: The Garriſon conſiſted of about two thouſand four hundred Men: Many of the Burghers were alſo in Arms, and appear'd determin'd to uſe them; General *Thongen* had given them Aſſurances of Relief; and the Regiment of *Darmſtad* was actually in full March to reinforce them. This was the beſt Side of their Circumſtances; and the worſt was, That the Soldiers and the Townſmen were at variance; that the *French* had a Party amongſt the latter; and that the Governor himſelf was, in every reſpect, unworthy of the Confidence plac'd in him. Hence it follow'd, That the Bravery of ſome was render'd ineffectual by the Cowardice and Baſeneſs of others; and that when the Aſſailants had been actually repulſed no leſs than four Times, and had given over the Attack, the Governor, in a Pannic, oblig'd the ſeveral Parties upon Duty to abandon their Poſts, ſpik'd up ſome of the Guns, order'd the reſt to be diſmounted, the Proviſions to be deſtroy'd, *&c.* And when, at the Inſtance of the Burghers, he would have reſum'd the Defence of the Place, it was too late: The Enemy had been inform'd of the Advantage,

(c) Biſhop *Burnet* ſays, The *French* work'd on the *Dutch* by their ſecret Practices, to make them hearken to a ſeparate Peace; but does not explane what he aſſerts, by any Reference to this Affair of *Hallewyn*.

A. D. 1693. Heydelberg *storm'd.*

Advantage, had return'd to the Aſſault, were become Maſters of the Works, and in an Inſtant let looſe all the Horrors of a Storm on the miſerable Inhabitants. The Governor was the firſt to make his Eſcape to the Caſtle, the Gates of which he caus'd to be ſhut with ſo much Precipitation, that no leſs than ſix hundred of his Garriſon were left expos'd to the Fury of the Enemy, and cut to Pieces under the Walls. The ſame Fate overtook all the Burghers that were found in Arms; and even Numbers of thoſe who had thrown them down: When Cruelty was weary'd, not ſatisfied, Luſt and Rapine took their Turns to rage: Every Houſe was ranſack'd; Numbers were ſet on fire: Even the Churches were no longer Sanctuaries: Inſtead of yielding Protection to thoſe who took refuge there, they could not protect themſelves: The ſame Hand that robb'd the Altar, left it reeking with human Blood: When the Capuchins implor'd the Commanding Officers to ſpare their Church and Monaſtery, their Suit was not only rejected, but they were told, That their Orders were to treat this City in the ſame manner as they had formerly treated *Spire*, *Manheim*, *Frandendole*, &c. and not leave one Stone upon another: And if the Accounts tranſmitted from *Germany* at that Time, are to be depended upon, their ſavage Deportment in a manner verified that ſavage Declaration: For they ſuffer'd their Soldiers to violate the Repoſitories of the Dead; and not only to break open the electoral Vault, but to throw the Bones and Aſhes of the electoral Family about the Streets: When all Quarters of the Town were on fire, the Inhabitants, to the Amount of about fifteen thouſand, without reſpect to Age, Sex, or Circumſtance, having been ſtripp'd to their very Skins, were driven in a Herd to the Caſtle, to quicken the Capitulation: For the Place being incapable of lodging ſo vaſt a Multitude, they were kept in the open Air, in a manner pil'd upon each other, and in hourly Expectation of a Bombardment; ſo that the Torture they were expos'd to within, equall'd the Violence they had ſuffer'd without: And even when they were ſet free upon the Surrender of the Caſtle, numbers of them died in their March, (which was by Night, along the Banks of the *Necker*) of Hunger, Cold, Fatigue, and all the Anguiſh of Mind ariſing from ſuch a Burſt of Calamities.

Cruel Behaviour of the French.

London *Gaz.* No. 2785. 2786.

All *Europe* rung with the Horrors of ſo dire a Tragedy: And ſo fierce was the Reſentment of the *Germans*, while it was yet freſh before their Eyes, that a Party of *French* ſoon after falling into the Hands of the *Imperial Huſſars*, they cut them all to Pieces, except two, whom Prince *Lewis* of *Baden*, ſent back to M. *de L'Orges*, with a Meſſage to this Effect, That he was come from a War againſt the *Turks*; and that he expected *Chriſtian* Enemies would have treated each other with *Chriſtian* Uſage: But that he found the *French* acted more like *Barbarians* than their *Turkiſh* Allies: That the Deſtruction of *Heydelberg*, the Maſſacre of the Inhabitants, and the frequent Violations of the

The Prince of Baden's *Reſentment.*

Cartels which had been ſettled between the two Armies, ſhew'd that they had neither Fidelity nor Mercy; and that, therefore, he ſhould, for the future, make ſuch Reprizals upon them as the *Huſſars* had done, till Concern for themſelves had taught them to ſhew Compaſſion for others. A. D. 1693.

The ſame Commander was alſo as much exaſperated againſt *Heidesdorf*, the late Governor of *Heydelberg*, as againſt the *French* themſelves: He cauſed him to be put immediately under arreſt, and a Proceſs to be iſſued out againſt him; on the Iſſue of which, it appearing, that he was guilty of every Article charged upon him, he was condemn'd to be degraded from his Knighthood, to be drawn in a Cart along the whole Line of the Army, to have the Sentence of the Court-Martial read to him at the Head of his own Regiment, and then to loſe his Head. But after the firſt Parts of the ſaid Sentence had been rigorouſly executed, the laſt was remitted, at the Interceſſion of the Order he had once belong'd to, and had ſo foully diſgrac'd, on condition that his Sword ſhould be broken over his Head by the common Executioner; and that he ſhould be baniſhed out of the Circles of *Suabia*, *Franconia*, *Auſtria*, and the *Upper Rhine*: And ſo dear, it ſeems, was Life to him, that he accepted the Continuance of it, even on theſe ignominous Terms; but nevertheleſs did not enjoy it long; for having been convey'd by the Executioner in his Cart over the *Necker*, the Peaſants roſe upon him, and knock'd him o' the Head among the Vineyards, whither he had wander'd for Shelter.

Sentence paſs'd on the Governor of Heydelberg.

The *Moſt Chriſtian* King, in the mean time, willing to derive every kind of Advantage from every Succeſs, ſent his Royal Mandate to the Archbiſhop of *Paris* to celebrate the Reduction of *Heydelberg* with a ſolemn *Te Deum*. "I order'd my Couſin "the Marſhal Duke *de L'Orges*, ſaid he, "to make himſelf Maſter of *Heydelberg*, "and he has executed my Orders.—This "Conqueſt, which begins the Campaign ſo "gloriouſly, affords me Time, a freer En"terance into the Heart of the Empire, "and an almoſt certain Preſage of farther "Succeſs." And it was become ſo much the more neceſſary to keep up the Spirits of his People, by feeding that Vanity, becauſe the Weight of the ſeveral Burdens and Oppreſſions they groan'd under, was about that Time render'd almoſt inſupportable by ſuch a Scarcity of Corn, as was but one Remove from a Famine; and as had created Mutinies in ſeveral Provinces, which all the Terrors of an arbitrary Government had been ſcarce ſufficient to quell. But then theſe tumid Expreſſions were but ill countenanc'd by what immediately followed in *Germany*: For tho' the two Marſhals continued their March towards *Hailbron*, and made ſeveral Attempts to paſs the *Necker*, in order to attack the Prince of *Baden*, they were always repulſed, and at laſt found it their beſt way to diſmount their Batteries and decamp. And now it is reaſonable to think, the Prince would have found an Opportunity to be amply

The French *King's Letter, directing a* Te Deum *to be celebrated on the taking of* Heydelberg.

A great Dearth in France.

The French *repulſed by the Prince of* Baden.

A. D. 1693. amply reveng'd upon them for their Cruelties at *Heydelberg*, if the *Saxons* and *Hessians* could have been prevail'd upon to join him, and to have follow'd the Enemy in their Retreat towards *Philipsburgh*. But tho' he had an Interview with the Elector of *Saxony* at *Lohr*, and left no Expedient untry'd to bring about that Junction, the grand Point of the Command broke all his Measures; and all he could do was to ſtrengthen his Army with about five or ſix thouſand Recruits; and, upon Advice that M. *de L'Orges* had form'd a new Deſign to lay the Duchy of *Wirtemberg* under Contribution, to march towards *Conſtadt*, by which Motion he diſconcerted the Marſhal's Project, and oblig'd him to take Poſt at *Obſtadt*, near *Bruchſal*.

Who alſo prevents their Deſign on Wirtemberg.

Order of Time now requires that we ſhould follow the Courſe of the *French* Proceedings at Sea, as far, at leaſt, as theſe Proceedings had any Connection with *Italy* or *Spain*.

And firſt it is neceſſary to obſerve, that the *Maritime* Powers, at this Period, ſeem to have taken the *Ocean* for their Province, and to have left the Vindication of the *Mediterranean* to his Catholic Majeſty. It ought alſo to be recollected, that we left the *Spaniſh* Fleet, at the Cloſe of the laſt Year, after an inactive Cruize, in the Bay of *Naples*, where it was laid up for the Winter.

That the *French* Court ſhould be deeply ſenſible of their Loſs at *la Hogue*, is what muſt occur to every Man's Imagination; but that, in the Midſt of ſuch a Variety of Enterprizes, all of ſuch Difficulty, Expence, and Importance, they ſhould reſolve not only to repair that Loſs, but to be firſt in Action on the ſame Element, could be imagin'd by none but ſuch as are thoroughly acquainted with their amazing Reſources, and the Vigour of that Spirit they are directed by.

A French *Project to burn the* Spaniſh *Fleet at* Baiæ,

The 12th of *March*, N. S. the Count *d'Eſtrees*, with twenty-two Men of War, eight Fire-ſhips, and a ſufficient Number of Tenders, *&c.* ſet ſail from the *Hieres*: And it ought to be remembred, that an Account of this Incident, dated from *Paris* the 27th, was inſerted in the *London Gazette* of the 27th, O. S. following, with this Addition, "But they do not tell us which way they "took their Courſe; tho' it is believ'd "here, he *(d'Eſtrees)* is coming to the "Ocean; and that the Marquis *de Chaſteau* "*Renaud* is going out with ten or twelve "Men of War from *Breſt* to meet him." The Courſe they took however, was to *Naples*, before which Place they came on the 18th following; and their Commiſſion was to deſtroy the *Spaniſh* Fleet, then lying at *Baiæ*, if they had found it practicable. But the *Viceroy* having receiv'd timely Information of their Purpoſe, had taken ſuch Precautions, that after hovering upon the Coaſt for three or four Days, they ſail'd away without firing a Gun; and on their Return were overtaken by a Storm, which diſabled ſeveral of their Ships, and oblig'd them to put into *Toulon* to refit: Nor ought it to be forgot, that one of them of forty-four Guns, and two hundred and forty Men, fell in with an *Engliſh* Merchant Ship, commanded by one Captain *Barret*, who defended himſelf from Sun-riſe till Night, with a Reſolution that prov'd invincible: For having been boarded no leſs than three ſeveral times, he clear'd his Ship as often; and having beat in the *Frenchman*'s Stern, carry'd away his Foremaſt and Main-top-maſt, kill'd fifty-two of his Men, wounded thirty-five, and made fifteen Priſoners, oblig'd him to ſheer off.

found impracticable.

A. D. 1693.

On the 11th of *May*, N. S. M. *d'Eſtrees* ſet ſail again, and having been join'd at Sea by the Gallies from *Marſeilles*, made for the Coaſt of *Spain*, to co-operate with M. *de Noialles* in reducing *Roſes*: Accordingly, being arriv'd before that Place on the 29th, it was immediately inveſted; and on the 9th of *June* following ſurrender'd by Capitulation; as was alſo the Fort *de Trinité*, (or as it is otherwiſe call'd, the Caſtle of *Ampurias*, ſituated on the Gulph of *Roſes*) three Days after; the *Spaniards* being in no Condition to give the Enemy the leaſt Interruption, either by Land or Sea.

Roſes taken by the D. de Noialles *and Count d'*Eſtree.

This gave King *Lewis* another of thoſe Opportunities to regale his good People with a *Te Deum*, which he was ſo fond of; and as in the Preamble of his Letter to the Archbiſhop of *Paris*, on that Occaſion, he was pleas'd to vaunt, That the Number of his Enemies, which had enforc'd him to divide his Armies, had only furniſh'd him with ſo many more Opportunities to enlarge his Conqueſts; ſo in the Body of it, he affected to be no otherwiſe delighted with theſe Conqueſts, than as they were ſo many Pledges for reſtoring the Tranquility of the Public.

Another Te Deum *celebrated at* Paris.

His *Moſt Chriſtian* Majeſty had ſet out from *Verſailles*, on his Way to *Flanders*, on the 15th of *May*, N. S. but having been overtaken by a ſlight Indiſpoſition, halted at *Queſnoy* for ſome Days, and did not reach his Army till the 2d of *June*. Madam *de Maintenon*, and her Court of Ladies, made a Part of his Train; and ſuch was the Pomp he was ſurrounded with, that it rather reſembled a Triumph than a March.

His Moſt Chriſtian Majeſty ſets out for Flanders.

Great was the Expectation of the Public at this Time: His Army was computed at one hundred and twenty thouſand Men, completely furniſh'd with Neceſſaries of all Sorts; and as it was become a Maxim of the *French* Court that their Monarch ſhould never take the Field but in order to ſome great Exploit, it was fully believ'd, that he would have ſat down before *Maeſtricht*, *Charleroy*, *Huy*, *Bruſſels*, or *Liege*. As to the Army of the Allies, our own *Gazettes* take notice, that it was not fully form'd at this time; but that, on the contrary, they were join'd on their March from *Dieghem* to *Park*, near *Louvain*, which was on the 5th of *June*, by the *Engliſh* and *Scots* Foot, by all the Horſe and Dragoons, and by a Body of twenty thouſand Men which the Earl of *Athlone* had drawn together in the Neighbourhood of *Maeſtricht*. His Majeſty of *England* has, nevertheleſs, been highly extoll'd for that Motion, as it prevented the

K. William *removes with his Army to* Park.

A. D. 1693. *French* from taking that very Poſt, which would have been of infinite Advantage to their Deſigns, and enabled the Allies to cover the Places which were moſt expos'd.

A Diſſention in Liege. Among theſe *Huy* and *Liege* ſtood foremoſt; and it was apprehended that they would begin with the former, in order to facilitate the Reduction of the latter. The Court of *France*, who had their Emiſſaries every where, had contriv'd to ſet the Biſhop and Chapter of *Liege* at variance by the offer of a Neutrality, which the Chapter had their Reaſons to accept, and the Biſhop to refuſe; and the Controverſy growing warm, each Side had recourſe to their Principals for ſuch Countenance and Aſſiſtance as ſhould enable them to withſtand the other.

K. William's Precautions to hinder it from falling into the Hands of the French. This was the Situation of that City when King *Lewis* arriv'd in his Camp; and no ſooner had King *William* ſufficient Grounds to conclude that the Storm which was gathering was like to fall on that Place, than he ſent the Duke of *Wirtemberg* thither, to concert ſuch Meaſures with the Biſhop as ſhould be thought neceſſary for his Security: He alſo detach'd nine Battalions from his Army to reinforce the Garriſon, which then amounted to twenty thouſand Horſe and Foot: Beſides which, the Elector *Palatine*, with his Troops, lay in readineſs to march to their Aſſiſtance in caſe of Need. His Majeſty alſo threw four thouſand Men into *Maeſtricht*; and having alſo extended a ſuitable degree of his Providence to *Huy*, *Charlroy*, &c. remain'd on the Defenſive at *Park*, with about forty thouſand Foot, twenty thouſand Horſe and Dragoons, and one hundred and fourteen Pieces of Cannon.

During this Interval, *viz.* on the 7th, his Majeſty of *France* review'd his Forces (which it ought to be remember'd, conſiſted of the two Armies under the ſeveral Commands of the Marſhals *Luxemburgh* and *Boufflers*) at *Gembloux*; and on the 10th cauſed a ſtrong Detachment, of upwards of twenty thouſand Horſe and Foot, to paſs the *Meuſe* at *Namur*, under the Command of the latter; which, it was at firſt ſuppos'd, were to have open'd the Campaign with the inveſting *Huy*; but which, in reality, took their March thro' the Countries of *Luxemburgh*, *Triers*, and the *Palatinate*, towards the Upper *Rhine*, where the *Dauphin* was now to act as Generaliſſimo: The Reſidue of M. *de Boufflers*'s Troops had Orders to join the grand Army, under the Duke *de Luxemburgh*: And theſe Diſpoſitions having been made, on the 12th his Moſt Chriſtian Majeſty, with his Train of Ladies, immediately departed from *Namur*, on his Return to *Verſailles*.

K. Lewis ſends a large Detachment to Germany.

and returns to Verſailles.

If this was Matter of Surprize to all *Europe*, it was alſo Matter of Triumph in the Camp of the Confederates, as appears by an Article from thence in the *London Gazette*, which contains theſe Words. "This ſudden and "unexpected Departure of the *French* King, "whoſe Equipage had, with great Expence, "been provided for the whole Campaign, "gives us Reaſon to believe, that his Mea-

No. 2878. "ſures have been broken by the great Care "which has been taken in providing for "the Defence of *Leige*, *Charleroy*, and our "other Frontier Places, *&c.*" It was alſo repeated and declar'd by the ſame Authority, that great Numbers of Deſerters continually came over to the Allies from the *French* Camp, upon every Motion they made; and that the general Complaint of all of them was, of the great Scarcity of Money and Proviſions which prevail'd there: From whence the Sanguine and Unexperienc'd at home took the Hint, to raiſe their Imaginations to ſo high a Pitch, as it was natural they ſhould, that they dreamt of nothing but Victory, Glory, Triumph, and all thoſe other dazling Circumſtances, which not only take off the Horrors of Deſtruction, but even render it agreeable.

A. D. 1693. *His Meaſures ſuppos'd to have been broke.*

M. *de Luxemburg*, however, on the third Day after the King his Maſter's Return, remov'd from *Genap* to *Meldert*, where he fix'd his Head Quarters, without receiving the leaſt Interruption from the Allies, tho' within half a League of their Camp, and tho' the Out-guards appear'd in ſight of each other: On the Contrary, his Majeſty perceiving that the Marſhal had poſted himſelf ſo as to flank his Left Wing, he order'd ten Battalions to ſtrengthen his Camp on that Side, under the Cover of twenty-eight Pieces of Cannon.

For above a Month the two Armies continued in this Situation; and the reſpective Generals ſeem'd only on the Watch for ſuch an Advantage as would juſtify the Riſque of an Engagement. Both Parties, in the mean time, were ſufficient Sufferers by the Weather; for the Rain fell in ſuch Abundance, and the Water ruſh'd in ſuch Torrents from the Hills, as to force along with them ſuch Tents, Waggons, Horſes, and even Houſes, as were in their way: But ſtill it was given out in the *London Gazette*, that the *French* having the worſt of the Situation, were the moſt incommoded: And while it was affirm'd on one Hand, that Proviſions, both for Man and Horſe, were plentiful and cheap in the confederate Camp, it was affirm'd on the other, that the Price of the like Proviſions in that of the Enemy, was increas'd after the Rate of three hundred *per Cent*: To which it is alſo added, That their Men were very ſickly.

Gazette Accounts of the Situation of the two Armies.

It ought, indeed, to be obſerv'd, 1. That the Garriſon of *Charleroy* were particularly active in ſurpriſing the *French* Convoys: And that once in particular they forc'd the *French* Lines, between *Mons* and *Maubeuge*; and having penetrated into the Enemy's Country, burn'd ſeveral Villages, and carry'd off a thouſand Head of Cattle, above a hundred Priſoners, and alſo ſeveral of the Inhabitants by way of Hoſtage, for the Contributions they had demanded: And, 2. That when it was certain that the *Dauphin*, with his Detachment, had paſs'd the *Moſelle*, a large Body of Foot, Horſe, and Dragoons, were draughted out of the Garriſons of *Liege* and *Maeſtricht*,

A. D. 1693. ane poſted at (*d*) *Huy*, under the Command of Count *Serclaes de Tilly*, to ſtraiten the Enemy's Camp on that Side; with what Effect may be gather'd from the Effort that was made by the Marſhal Duke of *Luxemburgh* in Perſon, at the Head of fifty Squadrons, and ten Battalions, together with ſome Field-pieces, not only to diſlodge but deſtroy them; which, nevertheleſs, he did not wholly ſucceed in: For the Count having receiv'd Intelligence of his Approach, had juſt time enough to paſs the *Saer*, at the Expence of three of his Squadrons, who being appointed to cover his Retreat, were moſt of them cut off, and with the Loſs of his Baggage.

This was the Exploit of the 14th of *July*, and which was only preparatory to a farther Deſign of the Marſhal's, to reduce *Huy* under the very Eyes of the confederate Army: And whether King *William*, and his Collegue, the Elector of *Bavaria*, had any Foreſight of his Purpoſe, and thought it adviſable to derive ſome Advantage to themſelves, from a Meaſure which they could not prevent, the Duke of *Wirtembergh* was, ſome few Days before, detach'd with thirteen Battalions of Foot, and twenty Squadrons of Horſe, or, as others ſay, eleven Regiments of each, to force the *French* Lines between the *Schelde* and the *Lys*, which he gallantly and ſucceſsfully perform'd on the 17th, according to the *Dutch* Accounts at three, but according to the *Engliſh*, at four ſeveral Places, and afterwards laid the whole Country, as far as *Liſle*, under Contribution.

The Duke of Wirtemberg forces the French Lines.

Thus far the Courſe of the Campaign was chequer'd with good and ill; and each Party ſeem'd to have their Share of both: But from henceforward we ſhall find that the Landſcape was all Clouds of Darkneſs and Tempeſt on one Side, and all Serenity and Sun-ſhine on the other.

On the 18th, the ſame Day that the *French* Lines were forc'd, as above, the Duke of *Luxemburgh* quitted the Camp which he had occupy'd ſo long, and march'd towards *Huy*, which was inveſted the next Day by M. *de Villeroy*, who had the Command of the Siege: M. *de Luxemburgh* himſelf undertook to cover his Approaches; and in regard there were no leſs than three Poſts to carry, namely, the Town, Fort *Picard*, and the old Caſtle; and the Confederates were ſo near him, he caus'd Lines of Contravallation to be thrown up, for his greater Security: But the Confederates did not remove from *Park* to *Tirlemont* till the 20th, upon which Morning the Town capitulated, before the Batteries of the Beſiegers began to play; and on the 23d the two Caſtles did the ſame; the Governor being made a Priſoner of War, and the Garriſon, who had mutined againſt him, being conducted to *Liege*.

Huy inveſted and taken.

The 24th the Confederates advanc'd from *Vellem* to *Hoportinge*; but being there inform'd of the Fate of *Huy*, and apprehending the next Attempt of the Enemy would be upon *Liege*, detach'd ten Battalions to reinforce the Garriſon of that Place, and return'd to *Nether-Heſpen* the next Day.

And it appears there was ſome Reaſon for that Apprehenſion: For the Duke of *Luxemburgh* had ſcarce taken Poſſeſſion of *Huy*, before he march'd on to *Liege*, to reconnitre the Works which had been thrown up for its Defence; and to try what could be done, by fair Means or foul, to wreſt that City from the Confederates. Accordingly, finding it too ſtrong, and too well garriſon'd to be reduced by Force, he renew'd the Offer of a Neutrality, in the King his Maſter's Name, but without Effect; for tho' two of the Capitulars, and ſome others, contended for the Acceptance of it, their unſeaſonable Boldneſs only ſerv'd to draw down the Indignation of the Prince-biſhop upon them, who caus'd them to be ſeiz'd, and ſent Priſoners to *Mauſtricht*.

States of Europe for Neutrality.

Reſolv'd, however to find his account in this Motion, he caus'd a large Quantity of Bavins to be cut, and made ſuch other Diſpoſitions as ſeem'd to manifeſt a ſettled Purpoſe to undertake the Siege: But when he had ſufficiently eſtabliſh'd that Notion, all of a ſudden, on the 28th, at Five in the Morning, he quitted his Poſt at *Hellicheim*, which was ſeven Leagues diſtant from the Confederates, and marching in four Columns, his Infantry in the Middle, his Cavalry on the Wings, paſſed the *Jaar*, near its Source, and between certain Villages, to attack them in their Camp, if they made it their Choice to wait for him, or to fall upon their Rear, in caſe they endeavour'd to avoid an Action. He knew they were much weaken'd by the ſeveral Detachments they had made: While he was on his March his Scouts brought him Intelligence that they continued in the ſame Poſture; and ſuch uſe did he make of the Time, that by Four in the Afternoon he arriv'd near the Village of *Racou*, with two Regiments of Dragoons, which he poſted in the Villages of St. *Gertrude* and *Hautwinde*, and ſupported with the Battalions of Foot, which, having been deſtin'd for the Lines, had encamp'd apart from the Army, and, for that Reaſon, were able to come up firſt.

M. de Luxemburgh makes a Feint to inveſt Leige.

But all at once marches towards the Camp of the Allies.

The Appearance of this Body, it ſeems, gave the firſt Alarm to the Allies: But tho' alarm'd, they were not immediately undeceiv'd: On the contrary, being ſtill under a Perſuaſion that *Liege* was the great Object of the Enemy's Attention, they look'd on this

(*d*) According to Mr. *Boer*, in his Life of K. *William*, and Mr. *Tindal*, who tranſcribes him almoſt Word for Word, this Party was intended to reinforce the grand Army: But I have choſe to rely rather on the *Gazette* in this Point; as alſo in the ſubſequent, relating to the Expedition of the Duke of *Wirtemberg*: For, whereas they aſſert, that the *French* quitted their Poſt on the 13th of *July*, and that their doing ſo gave the King an Opportunity to detach his Highneſs on that Service, the ſaid *Gazette*, in an Article dated from his Majeſty's Camp at *Park*, *July* 15, N. S. is expreſs, That the *French* were ſtill in their Camp; and that the Duke of *Wirtemberg* had been detach'd before: In another Article from *Paris*, dated the 16th, the Rencounter between M. *de Luxemburgh* and *Tilly* is fix'd to the 14th; and in a Third, of the 20th, that the *French* did not begin their March towards *Huy* till the 18th.

A. D. 1693. this Motion as a mere Feint, or matter of Amuſement only; at leaſt the Story is thus told by the *French*, with this Addition, That the King and the Elector were the firſt Perſons who diſcover'd the Truth: But, according to the *London Gazette*, they receiv'd Advice, That the Duke of *Luxemburgh* was advancing with a Reſolution either to attack them, or to gain a Day's March upon them towards *Louvain*: But both Accounts agree, that they immediately mounted their Horſes to make their own Obſervations, were immediately convinc'd of the Fact, and were reſolv'd to put themſelves in a Poſture to expect the Enemy. Accordingly Orders were given for the heavy Baggage to file off towards *Lewe*, and for the Infantry to entrench themſelves, which was undertaken and perform'd by thirty Men out of every Battalion; after what Manner, and with what Effect, will beſt appear from the Account of the general Diſpoſition of the Allies, given by the Marquis *de Feuquieres*, who was one of the Lieutenant-Generals upon this Service, under the Duke of *Luxemburgh*, to this Effect:

The Poſture of the two Armies.

The River *Geet* form'd the Right of their Camp; the Rivulet of *Landen* the Left; the Front of the Right was cover'd by a thick Hedge, which could not be paſs'd by above one Man at a time, and which not only extended very near the *Geet*, but alſo to the Village of *Neerwinden*, which was in their Center. Behind that Village there was an Eminence which ſlop'd to the Village of *Romſdorff*, which was ſituated on the Banks of the Brook: There was alſo a hollow Way which was form'd by this Slope, between the ſaid Village and Eminence: Both *Romſdorff* and *Neerwinden* were intrench'd, or rather, as according to other Accounts, the Entrenchment was continued from one Village to the other; and their whole Front was cover'd with above a hundred Pieces of Cannon, advantageouſly mounted on the ſaid Eminence, which commanded all the Approaches.

The ſame Author alſo obſerves, that the firſt four Battalions of the *French*, which came up after M. *de Luxemburgh*, ſecur'd the Villages of St. *Gertrude* and *Hautewinde*, were employ'd to diſlodge certain Detachments of the Allies, poſted at *Landen*, which nearly fronted the Left of their Camp, and which was to be on the Right of the *French* in the Diſpoſition of their Attack: And he farther obſerves, that the ſuffering this Poſt to be acquir'd too eaſily, was the firſt Error committed by King *William* in the Courſe of this great Affair: For, continues he, it gave M. *de Luxemburgh* an Opportunity of poſting forty Battalions in the Night, between *Landen* and *Romſdorff*, and to the Left of *Landen*, in Front of the Enemies Left, which, in conſequence of this Motion, and by reaſon of a Moraſs in the Rear of their Camp, which border'd on the *Geet*, was ſo ſtraiten'd for want of Room, that all the Horſe on that Side became wholly uſeleſs. Theſe forty Battalions were moreover ſupported by ſixteen Squadrons of Dragoons, which were order'd in the Night to ſtretch to the Right of *Landen*; and before the Battle began, were poſted above the Brook, oppoſite to the Left Wing of the Enemy's Horſe, already ſo ſtraiten'd, to diſcover the Paſſes of the Brook, and to break in upon their Flank, if occaſion ſhould offer. The Center which M. *de Luxemburgh*, for want of a ſufficient Front, diſpos'd into eight Lines of Horſe and Foot intermix'd, was, between the Hours of Five and Six in the Morning, form'd into ſo judicious a Motion by that General, that their March towards the Enemy, form'd an Order of Battle of two Lines. The Foot, to the Left of the firſt and ſecond Line, was order'd to attack the Village of *Neerwinden*; and the Horſe of the Left Wing to extend themſelves towards the *Geet*, oppoſite to the Right of the Allies; and to charge the Horſe on that ſide, provided they could force the Hedge, and form within it; which, however, they were to attempt, or not, according as they ſaw the Attack on the Village of *Neerwinden* proſper; becauſe it was impoſſible for them to poſſeſs the Ground within the Hedge.

A. D. 1693.

Such was the general Diſpoſition of the two Armies, the Moment before the Engagement began: And it appears from this Repreſentation, ſays the Marquis, that we were oblig'd to obſerve two Methods of Attack, preparatory to the general one, which we were to make upon that whole entrenched Front; which Front was otherwiſe unapproachable without ſuſtaining the Fire of the two Villages in flank.

The Battle of Neerwinden, or Landen.

As ſoon as the *French* Army began to advance, which was between four and five o'Clock in the Morning, the cannonading began on both Sides; and tho' that of the Confederates was extremely well pointed and ſerv'd, ſuch was the Diſcipline of the Aſſailants, and the Reſolution of thoſe who led them on, that the Havock which it made, neither deterr'd the one, or repuls'd the other, tho' the nearer they approach'd, the more terrible it became.

Between Seven and Eight the Attack upon *Neerwinden*, and the Body of Foot which defended it, was begun by ſix Brigades, under the Command of three Lieutenant-Generals, *viz.* the Sieurs *de Rubantel*, the Count *de Montchevrel*, and the Duke of *Berwick*; and according to all the *French* Accounts, the Village was ſoon carried by the Aſſailants, and as ſoon regained by the Defendants, who were not long in Poſſeſſion of it, before they were again ejected; being unable to withſtand the Torrent of freſh Troops, which M. *de Luxemburgh* continually pour'd in upon them: The ſame Writers, however, admit, that ſuch were the Efforts made by King *William* on the other Hand, that he once more recover'd that important Poſt; and, at the ſame Inſtant, had the Pleaſure to ſee the Enemy repuls'd on every Side.

The ſame variety of Succeſs is alſo acknowledg'd by M. *Dijckvelt*, one of the States Field-Deputies; as alſo by the King himſelf,

A. D. 1693. himſelf, in the ſeveral Accounts tranſmitted to their High and Mighty Lordſhips: But thoſe ſet forth in the *London Gazette* inſiſt, that the *French* were repulſed in every Attack they made; and that the Allies had every where the Advantage, till three or four o'Clock in the Afternoon.

M. *de Feuquieres*, on the other Hand, more than inſinuates, that it was owing to the ill Conduct of the *French* General, who had the Command in Chief of their Right Wing, and to a Want of Preſence of Mind in thoſe who had render'd themſelves Maſters of *Neerwinden*, that the Battle laſted ſo long, and that the Allies were not beaten out of the Field, almoſt at the firſt Onſet: According to him, the Latter had never regain'd the Village at all, if thoſe who had driven them out had immediately ſet themſelves to level the little Mud Walls, of about five Foot high, and one thick, which the Peaſants of theſe Parts occaſionally make uſe of, inſtead of Hedges, to divide their Grounds: This, he tells us, they might have effected in a few Moments; in which Caſe they would have been able to have extended their Front; whereas, for the Want of theſe Precautions, they were confin'd to the Breadth of the Street; and when they had fought their Way to the End of it, they always found the Enemy rang'd in a Front, ſufficient to cover thoſe that fled, and to rout their Purſuers.

This explanes what is meant by the Want of Preſence of Mind in thoſe Troops: And as to the *ill Conduct* of the General, he adds, That the Orders which M. *de Luxemburgh* had given, *viz.* for his Right to engage the Enemy's Center and Left, as ſoon as they ſaw the Attack on *Neerwinden* ſucceſsful, were not executed by the ſaid General: And this Omiſſion, he repreſents, as ſo much the more inexcuſable; becauſe, 1. The ſaid Village was recover'd by the Aſſiſtance of a great Part of thoſe Foot, which were poſted on the Left of the Allies: 2. Becauſe the Trenches on that Side were, by that Motion, in a very remarkable Manner expos'd: 3. Becauſe it was remonſtrated to him, That the making a proper Uſe of ſo favourable an Opportunity, would, in all Probability, decide the Fate of the Day: And, 4. Becauſe he ſuffer'd the ſame Opportunity to ſlip out of his Hands the ſecond time, as he had done the firſt.

The Marſhal *de Villeroy* was the General thus cenſur'd: But then it ought to be obſerv'd, that the Marquis *de Feuquieres*, who ſerv'd under him, and who had a Purpoſe of his own to ſerve, at the ſaid Marſhal's Expence, is the only Cenſurer: And, according to the *licenc'd* Narrative of this Battle, printed at *Paris*, which in part agrees with This of M. *de Feuquieres*, and alſo with That ſent to the States by King *William*, when M. *de Luxemburgh* had ſeen his Troops a ſecond time forc'd out of *Neerwinden*, he paſs'd on to the Center, and even to the Right, to explore ſome new Method of carrying on the Attack, and found none at that time practicable: For, after ſpecifying ſeveral little Advantages obtain'd by the Marquis *de Gregni*, the Prince of *Conti*, and others, it is expreſſly ſaid, That he, the Duke, M. *de Villeroy*, and the Prince, took a View of the Ground; and obſerving a Ditch full of Water, which was impaſſable to Cavalry, they all were of Opinion, that nothing more could be hazarded on that Side: It is alſo ſaid, That M. *de Luxemburgh* then return'd to the Left, with the Brigade of Guards, and other freſh Troops, to make his laſt Effort on the Village of *Neerwinden*, accompany'd by the Prince of *Conti*, and M. *de Villeroy*, who is particularly mention'd for having undertaken to introduce five Squadrons of the Houſhold Troops, into the Entrenchment to the Right of the Village, at a Paſs ſo narrow, that only two Horſemen could enter a-breaſt, which he perform'd; and it is withal acknowledg'd, that this Corps, after a briſk Charge, was overpower'd by the whole Line of the Confederates, and oblig'd to take ſhelter under the Fire of their Infantry; on which Occaſion the Duke of *Chartres*, who had fought at their Head, was ſurrounded, and had been taken Priſoner, if his own perſonal Valour had not ſav'd him. It is added, That M. *de Luxemburgh*, at the ſame Inſtant, having diſcover'd and forc'd ſeveral other Paſſes, enter'd into the Plane at the Head of the Carabineers, and ſeveral other Regiments; and, alſo, that the Marquis *de Harcourt*, who had march'd from *Huy*, on hearing the Noiſe of the Cannon, with twenty-two Squadrons, pour'd in with his whole Corps, to ſhare the Danger and Honour of the Day. A. D. 1693.

Thus we find the Streſs of the Action once more laid on forcing the Village of *Neerwinden*, on the Right of the *French* Army: But that an Effort had been previouſly made on the Left, agreeable to what is ſuggeſted in the *Paris*-Account, and in Oppoſition to what is ſuggeſted by M. *de Feuquieres*, we alſo find acknowledged in That of his Majeſty, above cited, in theſe Words. "The *French*, therefore, ſeeing "they could not force our Right Wing, fell "upon our Left, in the Village of *Landen*; "and being repuls'd, after a furious Engage-"ment, they return'd a ſecond time, with "freſh Supplies. The King, who was "gone to give the neceſſary Orders to the "Right Wing, return'd very ſeaſonably to "the Left, where, for above an Hour, the "Combat was very bloody; but at length "we became Maſters of the Village, and "drove the Enemy quite out of it; upon "which they drew off their Men from "that Attack, and carry'd them towards "our Right, where they had been firing all "along, but very faintly; and tho' the "Enemy had always had the worſt in their "Left Wing, which acted on that Side, "yet they always preſerv'd one Part of the "Village of *Winden*." The Truth of this laſt Circumſtance is alſo to be collected from the *French* Accounts; and what follow'd upon this laſt Effort of M. *de Luxemburgh*, is ſo fairly told in his Majeſty's own Narrative, that we need only tranſcribe it. "The King, who was every where to give his

A. D. 1693. his Aſſiſtance, after he had brought all Things to good order in the Left Wing, haſten'd towards the Village, and led up the *Engliſh* Infantry twice to the Entrenchment, where they fought with great Reſolution, as they had done all along.

The Elector was now ordering two Battalions to attack the Enemies Left Wing, while three others attack'd them in Front; but before he could put his Deſign in Execution, the Enemy being re-inforc'd with the Troops of their Right Wing, poſſeſſed themſelves of the Avenues of the Village, and made way for their Horſe, ſeconded by the Infantry in the Hedges. The firſt Cavalry that paſs'd forward (thoſe commanded by M. *de Villeroy*, &c. muſt be ſuppos'd) were repulſed; but our Infantry, not able to endure the Shot that galled them in the Flank of the Entrenchment, were forc'd to retreat: And in regard our Cannon on that ſide was no longer well ply'd, the Enemy's Cavalry broke in Pell-mell, and began to extend themſelves towards their Left, along the Hedges, poſſeſs'd by their Infantry; the moſt Part of that Cavalry being compos'd of the King's Houſhold. When they had formed ſome Squadrons, they charged the *Hanover*-Troops, put them in Diſorder, and, at the ſame time, paſſed on, and overturn'd the *Spaniards* that ſtood upon the Right of the *Hanover*-Cavalry. The King ſeeing this Diſorder, advanc'd with part of the Left Wing; but that being too far diſtant, the Enemy gave them no time to form it; but having flank'd the *Dutch* Horſe, broke them before the *Engliſh* could draw into a Line; ſo that they were forc'd to charge as they found themſelves, which they did with ſucceſs, beating down all before them; but the Right Wing having already been forc'd to paſs the River, the *Engliſh* were environ'd."

We muſt now return to M. *de Feuquieres*, who, as before hinted, for the ſake of raiſing a Trophy to himſelf, gives the moſt particular Relation of the Sequel: "The General of our Right, ſays he, having march'd in Perſon with the Troops which M. *de Luxemburgh* had form'd, I was left alone to command that Wing, which I immediately rang'd in a Diſpoſition to attack the Enemy's Left, when they ſhould furniſh me with an Opportunity, which they were very ſoon pleas'd to do, by diſplacing their Foot again, and even ſooner than they had perform'd the ſame Motion twice before, becauſe they ſaw that M. *de Luxemburgh* had renew'd his Attack with a greater Number of Troops. I ſuffer'd them however to march, till I judg'd it impoſſible for them to return before I had carried their Entrenchments. The Charge of the Attack I committed to the Marquis *de Crequi*: I poſted myſelf at the Head of the Horſe to the Right, and led them up to the Enemy's Front, which was only clos'd with the Carriages of their Artillery laid a-croſs. This the Enemy obſerving, and finding the Body of Foot they had left behind inſufficient to withſtand our Efforts, inſtead of continuing their March to ſupport their Right at *Neerwinden*, they endeavour'd to return to their Poſt, but were intercepted by the Marquis *de Crequi*; This remaining Body, therefore of their Foot, which conſiſted of nine Battalions, form'd themſelves into a hollow Square, to oppoſe the Horſe with which I had enter'd the Entrenchment: But the Deſtruction of theſe nine Battalions was not my principal View at that time; For that Part of the Camp which I had forc'd being the higheſt Ground in it, I had from thence a View of the Prince of *Orange*, who was marching below me with all his Right to renew his Attack on *Neerwinden*, not knowing that his Left had been forc'd: I diſpos'd my Horſe in order of Battle, with their Front to the Flank of his Troops, in order to charge them, if they continued their March to *Neerwinden*: I alſo ſent Advice to M. *de Luxemburgh* of our Succeſs; upon which he made a vigorous Effort with all his Left and Center, and poſted them between *Neerwinden* and the Enemy's Front, which being too much ſtraiten'd in that Ground, by a Bend of the *Geet*, were eaſily forc'd by our Left, and either cut in Pieces, or drown'd in the River." He adds, That the Confederate Horſe to the Left, who had not appear'd in the Front of the Line, were diſpos'd in a kind of a Rectangular Form, with their Front to the Brook of *Landen*: And, that when they ſaw the Entrenchment forc'd, they immediately ſhrunk away without any Moleſtation; which, he admits, was their wiſeſt Courſe; becauſe they had not Room enough to make ſuch a Diſpoſition as might render them ſerviceable.

A. D. 1693.

Thus we are to conclude, That if the firſt ſeat in the Temple of Fame was due to M. *de Luxemburgh*, the ſecond was equally due to M. *de Feuquieres*: And yet, in the *Paris* Account, all that is ſaid of the Iſſue of the Battle is ſumm'd up in theſe Words: "Their Right being broke by the Marquis *de Harcourt*, &c. and driven headlong into the *Geet*, which in many Places was fill'd with an infinite Number of Men and Horſe, their Left made no longer a ſtand; ſo that there was every where Confuſion among them, and only ten or twelve Squadrons, and two or three Battalions, which were fartheſt advanc'd in their Retreat, got out of ſight, and made a ſhift to eſcape, without moleſtation, becauſe we were not able to come up with them."

The Victory, no doubt, was complete; (tho' one of the *Temporiſers* on the Side of the Allies, in defiance of common Senſe, as well as Matter of Fact, was pleas'd to call it a *pretended* one): But none of the Accounts publiſh'd in *England*, *Holland*, &c. will allow, that the Rout was ſuch as it is here repreſented.—In M. *Dijckvelt*'s Letter to the States, it is ſaid, The Retreat was made in very good Order: In the King's Narrative it is ſaid, That his Majeſty, ſeeing that the Forces of the Enemy were extremely too numerous for his Men to make any farther Reſiſtance, he ſent Orders to the Generals of the Infantry, and of the Left Wing,

to

A. D. 1693. to retreat to *Lewe*, which was done; the Enemy (M. *de Feuquieres* and his Wing, it muſt be underſtood) that were forming two Lines on the riſing Ground, *not daring to attack them* in their Retreat: The ſame thing is echoed in the *Third* Account ſet forth in the *London Gazette*: Biſhop *Burnet* is expreſs, That the *French* loſt ſo many Men, and ſuffer'd ſo much in the ſeveral Onſets they had made, that they were not able to purſue a Victory which coſt them ſo dear. In the Supplement to *de Neuvilles* Hiſtory of *Holland*, M. *de Luxemburgh* is introduc'd, ſaying, "That he admir'd the Retreat which "the Prince of *Orange* had made ſo much, "that he ſhould have been proud to have "made the like, in the like Circumſtance." The Author of the *State of Europe* was pleas'd to aſſure his Readers, That he had been aſſur'd, that the *French* King, ſpeaking of the Action, had ſaid, "*Luxemburgh* had "attack'd like the Prince of *Condé*, but the "Prince of *Orange* had made a Retreat like "Marſhal *Turenne*." (*e*) The ſame thing is alſo repeated by all our Hiſtorians. And, laſtly, it is agreed on all Hands, that the King remain'd ſo long in the Field of Battle, making the beſt Diſpoſition in his Power, for the Preſervation of his Troops, that it was with great Difficulty he preſerv'd himſelf, by recovering the Bridge which he had caus'd to be made at the Village of *Neer-Heſpen*.

But if the Retreat was really ſo well conducted, a Share of the Merit appears to belong to ſome of thoſe gallant Men, who had the Honour to command under his Majeſty: It is acknowledg'd, in his own Narrative, that he rejoin'd a Part of his Guards, a Part of *Ramſey*'s Brigade, and the Horſe of his Left Wing, at the Village laſt nam'd; whence it is natural to ſuppoſe, that when they ſhrunk away, in the Manner ſpecified by M. *de Feuquieres*, it was in order to wait for him at that Paſs, and provide for his Safety: It is alſo acknowledg'd in the ſame Paper, That on the riſing Ground of *Tirlemont* he rejoin'd the Elector of *Bavaria*, with the Relicks of the Right Wing; and that with *this Body* he march'd that Night to *Beterſem*. The *London Gazette* farther adds, That on the 4th of *Auguſt*, General *Talmaſh* join'd his Majeſty at *Eppigem*, with the *Engliſh* Forces from *Dierſt*, whither he had made a very good Retreat; and that the Earl of *Athlone*, and M. *d'Overkirke*, came in at the ſame Place, with ſome Part of the Horſe, which had alſo made their Eſcape.

As to the Loſs on both Sides, *Dijckvelt* is wholly ſilent; in the *King's Narrative* it is only ſaid, "That in regard the Army is not yet all come together, we cannot tell what our Loſs is: We only underſtand that it is leſs than we thought it was at the Beginning; and 'tis very probable that the Enemy's Loſs A. D. 1693. is greater than ours, eſpecially among the Foot.—We have loſt *ſome Colours*, but we have taken a *great Number* from the Enemy." The *London Gazette*, No. 2891. roundly aſſerts, That the Enemy had loſt double the Number that the Allies had done. The ſame thing is repeated in No. 2893, as alſo in No. 2895, and in 2892. A Captain under the Duke of *Wirtenbergh*, who came ſoon after to *London*, is made to ſay, "That our Loſs did not exceed nine or ten thouſand Men, including the Wounded and Priſoners; whereas that of the *French*, by their own Confeſſion, was much greater; ſome reckoning ſixteen thouſand, and ſome twenty-five thouſand: And that we had not loſt any of our Cannon, except ſeven or eight Field Pieces." Again, in No. 2895, the Loſs of the Confederates is ſettled at 158 Officers, and 2939 private Men; near one Third of which were computed to be Priſoners: And it is added, That we took in the Battle fifty-five Standards and Colours, and about four hundred Priſoners: And yet, again, in No. 2897, we have a new Liſt, of Officers kill'd, 214; wounded, 296; private Men kill'd and taken, 6005; wounded, 3958.

On the other Hand, according to the *Paris*-Account, the *French* took ſeventy-ſix Pieces of Cannon, eight Mortars; both the Equipage and Ammunition of the whole Train; ſixty-ſix Standards, twenty-two Colours, twelve Pair of Kettle-Drums, and fifteen hundred Priſoners, of whom two hundred were Officers. In the ſame Paper it is alſo ſaid, That the Loſs on the Side of the Confederates, if all the Advices from their own Countries were to be relied on, amounted to twenty thouſand Men: Whereas the Loſs on their Side was computed at two thouſand Men kill'd, and three or four thouſand wounded.

M. *de Feuquieres* reduces the Loſs of the Confederates, as to Men, to eighteen thouſand kill'd and taken; but increaſes the Article of Cannon to one hundred and four Pieces.

Some of the *Dutch* Prints, ſet forth at that time, made no Scruple alſo, to countenance the *Paris* Account, not only by tranſcribing the Liſts it contain'd, but by admitting, That after the Camp had been forc'd, the *French* took ſixty Pieces of Cannon and ſome Mortars: And that for ſeven Standards and Colours, which the Confederates had taken and (*f*) *kept*, they had loſt eighty. And it ought not to be forgot, that the Author of the *Jacobite Paper*, quoted in the Notes below, in order to expoſe the extravagant Endeavours of the *London Gazette*, to impoſe on the Public at this Conjuncture, takes the Pains to (*g*) compare his Papers with the *Dutch Recueils*, as alſo with the *Paris Gazettes*;

(*e*) Theſe are the very Words of the Narrative, as it ſtands in the State of *Europe*: But in a Jacobite Paper, call'd *Remarks on the London Gazette*; another Paper publiſh'd by Authority, call'd, a *Relation of the Battle of Landen*, is cited, as affirming, that theſe two Lines did *adventure to attack the Allies in their Retreat*.

(*f*) The Meaning of this Word the Reader will find explain'd in the Note which follows.

(*g*) After what Manner may be ſeen in the following curious Specimen, which I have Reaſon to believe is ſcarce any where elſe to be met with.

"The *Gazette*, *Auguſt* 3. ſays, That 'tis certain our Loſs is not ſo great as that at *Neerwinden*; which, according to the laſt Year's *Gazette*, did not amount to three thouſand Men. *Gazette*, *Auguſt* 4. 1692. This is ſtill more myſtical, therefore we muſt try if we can inform ourſelves other ways. Now, in order to the ſatisfying this Queſtion, we muſt,

1. Know,

A. D. 1693. zettes; and draws such Inferences upon the whole, as ought to deter all who officiate in the same Employment from giving into the like disingenuous Practices; or rather all Ministers from furnishing them with such corrupt Materials. A. D. 1693.

It

1. Know, how strong the Confederates were before the Battle: How far they are, or expect to be reinforced; and to what Number the Army will amount after the Reinforcement. These three Things will give us a true State of the Loss. Now the *Gazette*, *August* 3. confesses the Army, when they fought, to be about forty-five thousand; which Expression ought rather to be interpreted above the Letter than otherwise; it being the Interest of the *Gazetteer*, after a Defeat, to diminish the Confederate Forces. However, we will be so fair as to take him at his acknowledged Number of forty five thousand.

The second thing to be enquir'd, is the Number of the Recruits, which we may learn from the *Gazette* of *July* 27. in these Words, "Our Army will be speedily reinforc'd with "twenty-five Battalions, and forty Squadrons, who are with "the Duke of *Wirtenbergh*; besides which, there are thirty "Battalions at *Leige*." The *Gazetteer* must mean, that the Battalions at *Liege* were to make part of the Reinforcement; otherwise to what Purpose were they mention'd? If this were not his Meaning, he might as well have said, "Besides the "Reinforcements, which we expect from the Duke of *Wir-*"*tenbergh*, there are thirty *Dutch* Battalions in New *Bata-*"*via*, in the *East-Indies*;" which though true would be horribly impertinent. We may observe farther, that the Forces the *Gazette* mentions at *Leige*, were not long since detach'd thither; ten Battalions being sent but eight Days before the Fight. (*Relation* of the *Battle*, &c.) 'Tis no Wonder, therefore, if they should be drawn back after so great an Accident: And if this Point were not sufficiently proved, M. *Dijckvelt*'s Letter to the States General would put it beyond Dispute. This Gentleman, who had a public Character in the *Dutch* Army, gives his Masters a short Account of the Action, in a Letter of *July* 30, which is inserted in the Slip of *August* 4. At the End of the Letter we have these Words: "Our Army will be very numerous in a short "time; for besides twenty-five Battalions and forty Squa-"drons, with which the Duke of *Wirtenberg* forc'd the *Lines*, "there are moreover thirty Battalions at *Leige*."

Taking therefore these *Liege* Battalions into the Reinforcement, as we evidently must, let us see what it will amount to. There are twenty-five and thirty Battalions, which make fifty-five. Now reckoning five hundred to a Battalion, which is no extraordinary Computation, and the Number will be twenty-seven thousand five hundred Men. Add to these the forty Squadrons of Horse, at one hundred and fifty in a Squadron, and the Cavalry makes six thousand; which added to the former, mounts the Reinforcement to thirty-three thousand five hundred. If you please we will cut off six thousand five hundred of this Number, and state the Recruits but at twenty-seven thousand, and then the Reckoning will be made upon a low foot. Having done this, let us see how numerous the Confederates will be after the Reinforcement. For Satisfaction in this Enquiry, I shall, as formerly, apply to the *London Gazette*. That of *August* 3. affirms, that the Confederates, after the Duke of *Wirtenberg*, &c. has joyn'd them, will have an Army of fifty thousand Men. Let us call up the whole, The Confederates were forty-five thousand before the Fight; they have, and expect a Reinforcement of twenty-seven thousand, which added to the other, makes seventy-two thousand: After which Reinforcement they were not higher than fifty thousand Men. Now if we subtract fifty out of seventy-two there remains twenty two, which Number contains the Loss of the Confederates. So that, even by the *Gazetteer's* reckoning, the Battle has cost the Confederates twenty-two thousand Men. This Account agrees with several Letters of good Intelligence from *Flanders*, and with the *Paris Gazette*, which mentions the kill'd and wounded to amount to above twenty thousand. To this the *Recueil*, a *Dutch* Print, *August* 13. adds fifteen hundred Prisoners, of which two hundred were Officers of Note.

I mention the *Paris Gazette*, because it concurs with our *Gazetteer*. Besides, this *Gazette* is a Paper of Reputation, and is more relied on, even in the Confederacy itself, than that of *London*. To give one Instance, we may remember, the last Summer, that the *Paris Gazette* gave us as fair an Account of their Loss at Sea, as we receiv'd at Home from Admiral *Russel*'s Journal; as may be seen by comparing the two Papers. Now those who give a just Relation of their Misfortunes, can't, in Reason, be suspected of Art when they report any remarkable Success. In such Cases there is scarce any Temptation to strain Truth: for the naked Representation of Fact is a sufficient Advantage. Indeed great Kings scorn to embase their public Intelligence with such uncreditable Alloy: For, in soft Language, to deceive and misrepresent, to maim and murder Truth, are mean and inglorious Practices: I wonder any thing that pretends to be a Government, can stoop so low. But we gain'd so much by romancing in 88, that I'm afraid we shall never leave it. Then the *French* League, and the *Impostor* Prince, and the handful of *Irish*, who, after they were routed and disbanded, were to massacre the whole Nation. *English* and *Dutch* Arjaies and all: These and a great many other Bull-beggers work'd beyond Expectation in that *Annus Mirabilis*. But if they think to keep the People under the same Vassalage of Belief, and always ready to swallow the same Absurdities, I hope they may be mistaken. To return to our *Gazetteer*, some of whose scatter'd Sentences being tack'd together, we see make it evident, that the Confederates have lost above twenty thousand Men. However, the *Gazetteer* gives us to understand, That 'tis certain our Loss is not so great as that at *Steenkirk*. Did we then in earnest loose twenty thousand Men at *Steenkirk*, and could we not find in our Hearts to own above three thousand? This is a Discovery would never have come out, had it not been upon this Occasion. In short, either our Loss was greater at *Steenkirk* than in the late Battle, or it was not; if it was, then we may perceive what an exact History we had of that Action the last Year; if it was not, then this Summer's *Gazette* endeavours to impose very unfairly upon the Nation. Now tho' 'tis pretty plain the *London Gazetteer* did not give us much above a third Part of the *Steenkirk* Misfortune, yet it was, in reality, far short of the present Accident. For I desire to know of the *Gazetteer*, whether more than one third of the Army was engag'd at *Steenkirk*? Did the Confederates then loose their Cannon, and great Part of their Baggage? Was the General's Plate taken at *Steenkirk*, and his Tent left the Duke of *Luxemburgh* to write his Letters in? Did the whole Army go off routed and broken into little Bodies, at *Steenkirk*; or did Mr. *Harcourt* come in and defeat several thousands in their Retreat? But after all, 'Tis certain the French *have lost double the Number we have*, *Gazette*, *August* 27. Pray how is this certain? Did we remain upon the Field to count the Slain? No, we were forc'd to retire. Have we muster'd since the Battle? We don't pretend to this neither: I suppose because *Our Forces are not all of them come together*. (*Relation* of the *Battle*, &c.) Have we receiv'd an Account from the *French*? That cannot be; for this *Gazetteer* (*August* 3.) tells you, They have publish'd none; and the *Paris Gazette* says the same. How then, *are we certain?* No doubt by Instinct, as we are certain of every thing else. For I perceive the *Gazetteer* does not pretend to come by his Knowledge the same way with other Mortals. *Most People*, I believe, would be so far from thinking the *Gazetteer's* Relation *certain*, that they would scarce imagine it possible. Indeed, how should it? For the *French* were granted to be almost two to one. This gives them the Advantage of fighting fresh Men, against those who are fatigued. Farther, they lost'd the Camp, and had three or four almost unresisting Hours to slaughter in. And to compleat the Misfortune of the Confederates, several thousands of them were left upon, and purfued into a River, by a fresh Enemy. (*Recueil*, *August* 13.) I shall now, in the

Second Place, examine the *Gazetteer*'s Relation concerning the Cannon and Baggage, &c. and here the first *Gazette*, *July* 27, says nothing of the Matter, which is a plain Confession that all was lost, (and thus we must construe the *Gazette* in like Cases.) The *Gazetteer* was apprehensive of this Inference, and therefore in his next of *July* 31, he brings in his *Captain*, (above cited) who secures all into a Trifle. And since he has put this Captain upon the Nation for an Intelligencer, he must be answerable for him. Now this Gentleman assures us, *That we have lost none of our great Cannon, but only seven or eight Field pieces.* I confess this looks like a Man, who can distinguish between a Cannon and a Pistol, that I was some time before I could believe the *Gazetteer* would put it upon us. I could not, at first, imagine he would give his Pais to such a ridiculous Story to travel the Nation: I was willing, for the Credit of the *Gazette*, to suppose an Error in the Press; and that instead of *we have* lost *none of our great Cannon*, &c. it should have been said, *we have* saved *none of our great Cannon, but seven or eight Field pieces.* That this was the true Reading I thought I had Reason to conclude, both from particular Relations of this Circumstance, and from the general Issue of the Battle. However, considering the *Gazetteer*'s Custom, I believe the Print may be much more correct than the Story. Let us examine which way the Cannon could be saved, to bring the Point to a short Issue: If the Artillery was saved, it must be sent off either before, in, or after the Fight: That it was not sent away before the Fight is unquestionable; for would the Confederates part with their Cannon when the *French* were in sight, when they expected an immediate Attack, and design'd to keep within their Intrenchments? would they unfortify their Camp, and lay themselves open to the Enemy? We may as well suppose they would send away their Pikes and Musquets as their Cannon upon such an Occasion. Farther, to suppose the Artillery sent away, during the Fight, is as unaccountable as the former Scheme: For can we suppose they would part with their principal Defence at the time they were using it? We may as well imagine they detach'd half their Men, and chose to fight with the Remainder. From hence it appears, That unless the Cannon was sav'd in the Retreat, we must give it for lost. Now I appeal to any one of common Sense whether this was not impossible, when the Defeat was so entire, and the Flight made with such Haste and Precipitation? Could the Horse

lodge

A. D. 1693. *Remarks on the King's Behaviour.*

It appears, however, from the Evidence both of Friend and Foe, that the King's Behaviour, in all the Extremities of this dreadful Day, was ſuch as warranted the high Opinion which had been entertain'd of his Courage and Preſence of Mind. Not ſatisfy'd with receiving Reports, and giving Orders merely, he viſited every Poſt in Perſon: He undertook to remove every Difficulty; he fac'd every (*b*) Danger; and even when retreating, was rather over-power'd than vanquiſh'd. He had taken but two Hours Repoſe, and that in his Coach, the Night before; he had continued on Horſeback from the very Dawn: Several had been kill'd by his Side: One Muſquet-ball paſs'd thro' his Peruke, a ſecond thro' the Sleeve of his Coat, a third left a ſmall Contuſion on his Side; and theſe ſeveral Eſcapes gave the *Gazetteer* occaſion to ſay, "That *God* Almighty could not be ſufficiently prais'd for having, as it were by *Miracle*, preſerv'd him."

But if his Majeſty's Behaviour, during the late Action, has been ſo highly and juſtly extoll'd, his expoſing himſelf, and his Army, to ſuch an Attack has been as ſeverely condemn'd: "It was very inconſiderate, ſays the Marquis *de Feuquieres*, in this Prince to hazard a general Engagement, after he had ſo ſenſibly weaken'd his Army by the ſeveral Detachments which he had made under the Duke of *Wirtembergh*, and for the Security of *Liege*: And that more eſpecially, as he had more than ſufficient time to paſs the *Geet*, and to cover himſelf from the Poſſibility of an Attack, by poſting himſelf on the other Side." According to Boyer, Tindal. Others, moſt of his general Officers were of Opinion, That this was the only proper Meaſure he could take: And Biſhop *Burnet*, who ſays, That he acquir'd more Honour in this unfortunate Day, than when he triumph'd at the *Boyne*, not only admits, that he might have ſecur'd himſelf by paſſing the River, but adds, That *his Conduct in not doing it was much cenſur'd, conſidering his Strength and the Enemy's*; which is repreſented in our *Gazettes* as double to that of the Confederates.

On the other Hand M. *de Feuquieres* intimates, That the King was induc'd to make ſo deſperate an Experiment, by a Perſuaſion, that after ſo fatiguing a March, it would be impoſſible for the *French* Foot to force a Paſs which was ſo well (*i*) prepar'd to receive them; and that he ſhould be able to deſtroy them, in caſe they attempted it: Others again inſinuate, That having long importun'd his Allies to increaſe their ſeveral Proportions of Troops, without Succeſs, his Majeſty thought it worth his While to be beat, to convince them of their Error, and that as long as the *French* had the Superiority in point of Numbers, they would have the like Superiority in every Effort they made: But, not to enlarge on ſo horrid an Idea, as the ſacrificing ſo many thouſands of Lives, for the ſake of enforcing a Negotiation, if any Credit ought to be given to ſo ſtrange a Suggeſtion, it muſt be ſuppos'd, that the Allies could ſcarce fail of turning his Majeſty's own Artillery upon himſelf; or, in other Words, of urging, That if Numbers were ſo eſſential to Succeſs, it was ſcarce adviſable to invite ſuch a Loſs, by venturing on a Battle, when he had ſo conſiderably diminiſh'd his own.

A. D. 1693.

Suite de l'Hiſt. de Hollande, Tome I. p. 253.

Indeed, the very Event before us ſerves to ſhew, that ſuperiority of Numbers, may, in part, be balanc'd by ſuperiority of Situation: For, notwithſtanding the Triumphs of the *French* Court upon it, the Field of Battle, and the Trophies it was cover'd with, was all they gain'd by their Victory. It is true, in his *Moſt Chriſtian* Majeſty's Letter to the Archbiſhop of *Paris*, appointing another *Te Deum* to be celebrated on this ſignal Occaſion, he is pleas'd to make uſe of theſe pompous Words, "There is no-"thing which my Enemies have not Reaſon "to fear, after ſo terrible a Defeat, and no-"thing which I have not a Right to hope "for." And yet, inſtead of purſuing the Vanquiſh'd, after they had been yet farther weaken'd, by the Loſs of ſo many thouſands, their Cannon, *&c.* and ſeizing all the Advantages which might have been expected from ſo total a Rout, they retir'd half way back towards the Camp, which they had quitted in the Neighbourhood of *Liege*, and contented themſelves with ſending certain Detachments of Horſe into the Diſtrict of *Bois-le-duc*, to raiſe Contributions, which were

and the Conſequence of the Battle.

---

lodge the Artillery in their Holders, or did the Foot run away with it under their Arms, as St. *Denis* is ſaid to carry off his Head? I deſire not to be miſunderſtood; I am far from being pleaſed with the Misfortune of any Party; I lament the Loſs of the *Engliſh*, and heartily wiſh we might have Peace and Juſtice, without the Expence of an Ounce of Blood; but ſuch a Reporter as the *Gazetteer* cannot be too much expos'd.

'Tis now time to look after the Baggage, if there be any. The *Gazette*, *Auguſt* 31, aſſures us *it was all ſav'd, being ſent away the Day before the Fight*. Under Favour, not *all* ſent away, for no doubt they left Ammunition to fight with; they left Proviſion and their Tents too, unleſs they intend never to eat or lodge there more. Now, to put their Men, after they were fatigu'd with fighting, and embarraſſed with the Wounded, upon a March of ſeveral Miles for Lodging and Refreſhment, is a Strain of Diſcipline ſomewhat extraordinary. I think the *Gazetteer* is too free with the Confederates, for as he repreſents the Matter, they ſeem to deſpair at the Approach of the Enemy, and reſolv'd, before hand, to quit their Camp. But to ſay this is Injuſtice to the Confederates, who behaved themſelves with Bravery and Reſolution, and were far from making ſuch an ignoble Proviſion as the *Gazetteer's* Account ſuppoſes.

(*b*) Tradition ſays, That in leading up certain Regiments, who kept too reſpectful a Diſtance, he thruſt his Sword thro' a Hedge, which was between him and the Enemy, and ſaid, *Gentlemen, you muſt fire thro.*

(*i*) This ſeems to be an Acknowledgment, That his Diſpoſition was, in general, a good one; and yet in a Note of *Mr. Tindal's* we are told, That M. *de Luxemburgh*, in reconnoitring his Camp, took occaſion to ſay, *Now I believe Waldeck is dead*. But, according to *Burnet*, the like thing was ſaid with regard to M. *de Lauvois*, on the Side of the Allies, when the *French* miſcarried in their Attempt on *Rhinebergh*. Vol. II. p. 110.

This Relation, together with that of Count *Tilly's* taking the *French* Baggage, ſixty Pieces of Cannon, *&c.* was ſo ſuperlatively extravagant, that I thought it had been calculated only for the Meridian of *England*; and that the *Gazetteer* would never have ſent it beyond Sea in his *French* Tranſlation; but upon Enquiry I find he has Courage in all Languages: I ſuppoſe he might preſent the *Allies* with this Narrative by way of Triumph, to ſhew to what Degree we may be practiſed upon, and how far he is Maſter of our Underſtandings.

A. D. 1693. were soon after oblig'd to withdraw, by other Parties of the Confederates.

This alone was sufficient to manifest that M. *de Luxemburgh* had disabled himself by his own Victory. But M. *de Feuquieres* makes no Difficulty to confess it; and also declares, That the Censures pass'd on M. *de Luxemburgh* for the State of Inactivity which he remain'd in, for some time afterwards, were equally groundless and inexcusable.

Having, however, been reinforc'd by Draughts out of the neighbouring Garrisons, as also from the Coasts of *Picardy* and *Normandy*, where a Descent from *England* was no longer apprehended, together with a considerable Detachment from the *Dauphin*'s Army in *Germany*, the Marshal made several new Motions towards the End of *August*: (still without any Molestation from the Confederates, tho' it is affirm'd by our Historians, they were become as strong as ever, by the recalling the Duke of *Wirtembergh*, &c. And tho' the *London Gazette* continued still to assure the Public, that the *French* Troops were *sickly*, and in a very *ill Condition*) On the 9th of *September*, N. S. he caus'd several Parties to possess themselves of all the Approaches to *Charleroy*, and the next Day he invested it in form.

Burnet, (*k*) asserts, *This was* after *the King* (William) *left the Army*: But it is certain his Majesty did not leave the Army till the 5th of *October*, during all which time, and for some Days afterwards, the Governor and Garrison defended the Place with all the Bravery imaginable, having made three successful Sallies, and behav'd, in all Respects, so as to deserve Relief, if it had been possible to give it them. But that Place was so environ'd with the *French* Conquests, that, unless by forcing the Lines of the Besiegers, no Attempt of that Nature could be made: All, therefore, that was done in this Interval, was the detaching the Elector of *Bavaria*, and the Duke of *Wirtembergh*, with thirty Battalions and forty Squadrons towards *Flanders*, to amuse the Enemy; who, after a Parade of five Days, return'd to the Camp without attempting any thing farther.

Charleroy invested.

On the 11th, therefore, (after having not only sustain'd a general Storm, but repuls'd the Assailants on all Sides) the Governor beat a Parley, and surrender'd the Place; upon which Occasion his most Christian Majesty thought fit to appoint another *Te Deum*; and also to insult the Allies in his Mandate to the Archbishop of *Paris*, with the following Expressions: "I thought I "could not break up the Campaign in "*Flanders* more advantegeously than with "the Reduction of *Charleroy*, which totally "shuts out the Enemy from the Countries "which I have conquer'd." And, again, "The long Resistance (made by the Be"sieg'd) is not so much owing to their "Valour, as to the Care I caus'd to be "taken of the Lives of my Soldiers; under "a Persuasion that the Enemy, beaten as "they had been at *Neerwinden*, would "not be in a Condition to succour the "Place, &c."

and takes.

A. D. 1693.

Thus ended the Campaign in *Flanders*; and our next Province must be that of *Germany*.

The Sequel of the Campaign in Germany.

And, first, as to the *Dauphin*'s March with so large a Body of Troops from *Flanders*, towards the *Rhine*, we are to understand, that it was in Consequence of the new Engagements, which the *French* Court had enter'd into with the *Divan*; and which we are told were of so strict a Nature, that two of the *Turkish Chiauxes* accompany'd M. *de l'Orges*, by Stipulation, to observe the Progress he made; and to adjust, if possible, a Correspondence in the several Efforts that were to be made on the Empire, by the Grand Signior on the one Side, and his most *Christian* Ally on the other.

But, notwithstanding the Presence of these *licenc'd Spies*, and that the Emissaries of *France* at the Port, would scarce suffer the Word Peace to be mention'd there, the *Dauphin* was furnish'd with a Manifesto, containing Offers of an Accommodation, which he caus'd to be scatter'd along the Borders of the *Rhine*, in hopes, that what with the recent Remembrance of the Fate of *Heydelbergh*, and what with the Apprehension of yet farther Excesses from a more numerous Army, the *German* Princes, or some of them at least, would have been indue'd to embrace them; and, if out-voted in the Diet, would have consulted their own particular Interest in accepting a Neutrality.

A Manifesto set forth by the Dauphin, containing Offers of Peace.

And as to the Contents of this Piece, it is set forth in the Preamble, That, whereas several Princes of the Empire earnestly desir'd that the *most Christian* King would specify on what Conditions a Peace might be obtain'd, his Majesty thought himself oblig'd to make known the said Conditions, as well by the Means of the King of *Sweden*, who had been the first to offer his Mediation, as others equally desirous to re-establish the public Tranquility; together with all the Securities which could be reciprocally requir'd to render it perpetual. The Treaties of *Westphalia* and *Nimeguen* were then mention'd as the Basis of this Peace: After which it was propos'd to convert the twenty Years Truce, concluded at *Ratisbon* in *August* 1684, into a defensive Treaty, with such Alterations as might be a convincing Proof to the Empire, that his Majesty had no Thoughts of making any new Conquests, namely, 1. That in Recompence for the City and Fort of *Strasburg*, which his Majesty was in Possession of, and purpos'd to keep in perpetuity, *Montroyal* and *Trearbach* should be ras'd and restor'd to the Princes to whom they belong'd; under a Proviso, that they should never be re-fortified. 2. That all the Works of Fort *Lewis*, and *Hunningben*, beyond the *Rhine*, should be demolish'd. 3. That

(*k*) And Mr. *Tindal* after him.

A. D. 1693. 3. That *Philipſburgh*, with its Fortreſs, and *Friburgh*, together with all their Fortifications, ſhould be reſtor'd.

Here followed certain Paragraphs, tending to diſplay his Majeſty's Goodneſs and Bounty, in making ſo many and ſo great Conceſſions for the Sake of Peace; and to convince the *Germans* how extremely well it was worth their while to accept them.

And then it was farther ſignified, That his Majeſty was moreover willing to reſtore *Heydelbergh*, and all the Dependencies of the Palatinate to the Elector thereof; as alſo, to indemnify him with reſpect to the Clames of the Ducheſs of *Orleans*, his Majeſty's Siſter-in-Law, on the Succeſſion of that Houſe, and to put the ſaid Elector in full and peaceable Poſſeſſion of the Whole of his Dominions.

Proceeding, in the next Place, to the Article of *Lorrain*, it was added, That tho' upon the Refuſal of the late Duke to accept of the Proviſion which had been made in his Favour, by the Treaty of *Nimeguen*, the Empire had no longer any Right to interpoſe in that Affair, his Majeſty was nevertheleſs willing to allow his Son an Equivalent for that Duchy, by way of annual Revenue.

His Majeſty was yet farther pleas'd to admit, That in caſe any Re-unions had been formerly made, which were not conformable to Treaty, Commiſſioners might be appointed, on both Sides, to examine afreſh the Complaints which might be preferr'd: And if the ſaid Commiſſioners could not agree in their Deciſions, to refer the Matter finally to the Arbitration of the Republic of *Venice*.

Laſtly, he declar'd, That in regard he was deſirous of a general Pacification, he was ready to agree to ſuch reaſonable Propoſitions as ſhould be offer'd to regulate the Differences ſubſiſting between him and the other confederated Powers at War. And that this Paper-Battery of his might do ſo much the more Execution, he was pleas'd to conclude with a Period, which was in Subſtance as follows:

"Theſe are the Conditions upon which the Tranquility of the Empire, and conſequently that of all *Europe*, may be ſpeedily re-eſtabliſh'd; and which the *French* Ambaſſador at *Stockholm* has receiv'd Orders to impart to the King of *Sweden*, as the *Ultimatum* of his *moſt Chriſtian* Majeſty; to the End, that he may, if he pleaſes, communicate the ſame to the Emperor and Empire; and that, ſo they may be inform'd with the ſooneſt of the Advantages laid before them: Alſo, that in caſe they refuſe theſe Advantages, they may thank themſelves for the Miſchiefs and Miſeries of a War, which they chuſe to prolong; and which cannot fail to ſpread farther, and grow more inſupportable, conſidering the additional Force with which the *Dauphin* is to carry it on."

The ſame communicated by the Swediſh Miniſter to the Diet.

In Effect, the whole was a Copy of the Memorials, ſeverally preſented by M. *d'Auvaux* to the King of *Sweden*; and by M. *de Bourepos* to the King of *Denmark*; and again by the Miniſters of theſe ſeveral Powers communicated to the Diet of *Ratiſbon*; where it operated in a manner very different from the Expectation of the *French* Court. For the firſt of theſe Miniſters having declar'd to the Diet, previous to the Delivery of the ſaid Memorial, That the Orders he had receiv'd were ſimply to preſent it to the Conſideration of the Powers concern'd, not to adviſe the Acceptance of the Offer therein contain'd, the Envoy of *Brandenburgh* was authoris'd to repreſent to him, firſt in the Name of the Elector his Maſter, That if thoſe Offers were accepted, the Ruin of *Germany* would be the inevitable Conſequence: And that in order to be ſecure from the Encroachments and Inſults of *France*, it was abſolutely neceſſary for the Confederates to be ſo far Maſters, as to have it in their Power to oblige her to obſerve the Treaties of *Munſter* and the *Pyrenean*, by a Reſtitution of all ſhe had ſince uſurp'd, and by conſenting to a ſufficient Barrier. Secondly, To aſſure him, That his ſaid Maſter was highly ſatisfied with the candid and upright Conduct of his *Swediſh* Majeſty, in communicating the *French* Offers, without recommending the Acceptance of them. And, Thirdly, To return him Thanks, in Behalf of the Empire, and, in general, of the whole Confederacy; as alſo, to intimate their Hopes, That he would ſo far proceed in his good Offices, as to let the *French* Miniſters at *Stockholm* know how unjuſt and ignominious his Propoſals were eſteem'd by the *Germanic* Body: And that his Majeſty would have the Goodneſs to interpoſe in ſuch a manner as ſhould oblige *France* to treat on a much more reaſonable Plan, if ſhe had any real Intentions to treat at all.

Reſentments it occaſion'd.

The Miniſters of ſeveral other Powers took occaſion alſo to ſignify, how highly their Maſters reſented the very Offer of ſuch ignominious Terms: And with regard to the Aſſertion of his moſt Chriſtian Majeſty, That ſeveral Princes of the Empire had importun'd him to ſpecify his Demands, the ſame Miniſters undertook to purge their Maſters from all Concern in that Application, by ſigning a formal Declaration to the contrary; and alſo a Proteſt againſt every ſuch Proceeding, as having a Tendency to deſtroy the Union amongſt the Princes and States of the Empire, which had been found ſo neceſſary for the Support of the common Cauſe againſt the common Enemy.

Laſtly, even the Miniſter of *Denmark* was pleas'd to declare, That tho' his *Daniſh* Majeſty was, indeed, well inclin'd to employ all his good Offices for the Re-eſtabliſhment of the Peace, thoſe Inclinations of his regarded a general Peace only: And that he was ſo far from prompting or countenancing a ſeperate Treaty, for the particular Convenience or Gratification of any of the Confederates, that both as a Confederate, and a Member of the Empire, he was determin'd to take ſuch a Part as ſhould be agreeable to this Declaration, and to his Attachment to the general Intereſt.

And

A. D. 1695.

And this laſt Circumſtance naturally leads us to explane another of the *French* Devices, which took place in this Interval, namely, to ſpirit up the *Daniſh* Court to proſecute their Clame on *Saxe Lawenburgh* by the Sword; whereby they hop'd to be avenged on the Houſe of *Lunenburgh*, and, at the ſame time, to throw the Empire into Confuſion.

The King of Denmark induc'd to bombard Ratſburgh.

Accordingly, after a Variety of menacing Expreſſions, and ſome military Motions to countenance them, his Majeſty of *Denmark* aſſembled an Army of about 12,000 Men at *Oldeſloe*, in *Holſtein*, about the Middle of *Auguſt*; from whence he detach'd a Body of Horſe on the 17th, to take Poſſeſſion of certain Poſts in that Duchy, which they did, without Interruption: But in the mean time the Princes of *Lunenburgh* did not fail to re-inforce the Garriſon which they had thrown into *Ratſburgh*, nor to draw together the Remains of their Troops, to which the Elector of *Brandenburgh* was alſo pleas'd to join 4000 more, that thoſe Princeſs might be in a Condition to ſtand their Ground, without being forc'd to recall their Contingent from the Service in *Flanders*.

But the great Object both of his Electoral Highneſs, and, indeed, of all the Princes of the Confederacy, was to accommodate the Diſpute in an amicable way; and, notwithſtanding the joint Endeavours of the Miniſters of the Emperor, *England*, *Sweden*, *Holland*, &c. his *Daniſh* Majeſty proceeded ſo far as to inveſt the Place on the 1ſt of *September*, and to bombard it from four ſeveral Batteries with ſo much Effect, that the next Day a Ceſſation was offer'd and agreed to; after which the Negotiations were renew'd; and having been prolong'd till the 9th of *October*, produc'd a proviſional Treaty, which was ſign'd that Evening; and in which it was agreed,

A Treaty of Accommodation.

1. That the antient Friendſhip, and good Correſpondence which had ſubſiſted between his Majeſty and the Houſe of *Lunenburgh*, ſhould be renew'd and confirm'd. 2. That the Fortifications of *Ratſburgh* ſhould be entirely demoliſh'd within three Weeks after the Exchange of the Ratifications. 3. That immediately after the ſaid Demolition, the Princes of *Lunenburgh* ſhould withdraw their Artillery and Troops, with an Exception to 200 Men, who were ſtill to remain in the ſaid Duchy, to keep Poſſeſſion thereof. 4. That the Day after the Exchange of the Ratifications, the King of *Denmark* ſhould begin to withdraw all his Troops from before *Ratſburgh*; and that in fourteen Days they ſhould entirely quit the Country. 5. That all Hoſtilities ſhould ceaſe from the Day of ſigning the ſaid Treaty: That the *Daniſh* Forces ſhould exact no farther Contributions, and ſhould be puniſh'd in caſe of Miſbehaviour. 6. That the King of *Denmark* ſhould in no Manner attempt to decide the Succeſſion of *Saxe Lawenburgh* by Force, againſt the Houſe of *Lunenburgh*, much leſs diſturb the ſame in the Poſſeſſion thereof, but ſhould leave the Diſpute to be determin'd according to Right. And, 7. The Mediators undertook to guaranty the Treaty, and to ſee it carry'd into Execution, as Occaſion ſhould ſerve.

A. D. 1695.

Thus the Houſe of *Lunenburgh* was not only defended againſt *Denmark*, but left in Poſſeſſion of the Duchy: And if any *Douceur* was granted to his *Daniſh* Majeſty, in Recompence of ſo many Conceſſions to them as are contain'd in the Treaty, the Secret was ſo well kept, that it has eſcap'd the Notice of Hiſtory.

Laſtly, What Effect this Turmoyle, in the Circle of *Weſtphalia*, had on the general Syſtem of *Germany*, is hard to explane; but no doubt it had ſome: And if the *French* Miniſters were not ſufficiently attentive to every Advantage which was poſſible to draw from it, they deviated, in this Inſtance, from the uſual Tract of their Policy.

The Dauphin arrives at Montroyal.

To proceed: On the 30th of *June*, N. S. the *Dauphin*, with his Army, reach'd *Montroyal*; and about the Middle of *July* he join'd M. *de l'Orges*, one of whoſe Parties had juſt before forc'd the Poſt of *Zwegenberg*, and taken the Caſtle by ſtorm. Some Days were ſpent in refreſhing the Troops after their March, in re-inforcing certain Poſts, in ſending out Parties, &c. or rather, under thoſe Pretences, in deliberating on a Plan of Operation. At length, however, they mov'd in two Bodies towards the *Necker*; and at the ſame Inſtant the Prince of *Baden* diſpatch'd Expreſs upon Expreſs to the Elector of *Saxony*, and the Landgrave of *Heſſe*, whoſe Troops were ſtill in ſeperate Camps, remote from each other, with the moſt preſſing Inſtances to join *him*; which the common Danger induc'd them to do; as alſo to ſettle the Point of Command, (concerning which, ſo many Difficulties had been ſtarted by the Elector of *Saxony*, that the Imperial Court thought fit to ſend the Baron *Bennerberg*, in the Capacity of Envoy Extraordinary to his Electoral Highneſs, to endeavour to ſurmount them) the *Saxons* being allotted the Right Wing, under their Elector, the *Heſſians* the Left, under the *Landgrave*, and the Center to the Imperialiſts, under the Prince of *Baden*.

and paſſes the Necker.

On the 29th of *July* the *Dauphin* paſs'd the *Necker*, between *Marbach* and *Conſtadt*, and on the 31ſt came in ſight of the Allies. His Army conſiſted of between 60 and 70,000 Men: The Allies were ſcarce 50,000; but then they were ſo poſted, that the *French* could draw no Advantage from their Superiority: Their Right being covered with impaſſable Woods and Waters, their Left with Rocks inacceſſible, and their whole Front diſpos'd in three Lines along the Ridges of a Hill, in the Form of a half Moon, under the Protection of their Artillery.

The Impoſſibility of forcing ſuch a Camp was apparent; and yet that ſomething like an Attempt might be made, on the firſt of *Auguſt* all the *French* Horſe, ſuſtain'd by 4000 Grenadiers, having ſkirted the Left Wing of the *Germans*, took Poſt at *Kruppenback*; the next Day the whole Army advanced; ſome Batteries were rais'd; and ſuch a Diſpoſition was made, as if they were

on

A. D. 1693. on the Point of making a regular Attack: But having carried the Farce thus far, a Council of War was held on Horſeback, in the Field; and at the Inſtance of Meſſieurs *de l'Orges*, *de Choiſuel*, *de Boufflers*, and thoſe who commanded under them, the *Dauphin* was induc'd to drop the Curtain; or to ſpeak more plainly, to diſmount his Guns, and remand his Forces to their Camp, which he alſo abandon'd on the 6th, in order to repaſs the *Necker*. But tho' it was the 13th before he had fully completed that Motion, all the Moleſtation which he receiv'd in his Retreat, was from the *Huſſars*, and other Irregulars of the Allies, who hung upon his Rear, and glean'd up ſuch Stragglers as had the Misfortune to be left expos'd to their Fury.

But finding it impoſſible to force the Camp of the Allies, repaſſes it again.

But the good Poſture of the *Germans* was not the only Conſideration which induc'd his Royal Highneſs to make this Retreat; his Horſe were in a very ill Condition, Numbers of his Men were ſick, and his Army was but indifferently furniſh'd with Proviſions: For the whole country being their Enemies, the Peaſants ſhewed no Mercy to ſuch Foragers as fell into their Hands: And before ſuch Meaſures could be taken as might have enabled him to face the Enemy again, he receiv'd Intelligence of the bloody Action in *Flanders*, accompany'd with Orders to detach M. *de Boufflers*, with 12000 Men, to reinforce the Duke *de Luxemburgh*, and 10,000 to M. *de Catinat* at *Piedmont*; as alſo to expedite his own Return to *Verſailles*; and to leave M. *de l'Orges* to act on the Defenſive, during the Reſidue of the Campaign.

and returns to Verſailles.

His Parties, nevertheleſs, had Time allow'd them to complete the Ruin of *Heydelbergh*, by demoliſhing whatſoever remain'd undemoliſh'd; as alſo to fall upon the Duchy of *Wirtembergh*, with Fire and Sword, by way of Revenge, for their refuſing to pay 400,000 Rix-Dollars, which the *French*, at the Inſtance of the *Swediſh* Envoy, had agreed to accept, by way of Compoſition for the Arrears of four Years Contributions: And poſſibly it was for the Sake of reſcuing this favourite Duchy out of their Hands, that the Confederates at laſt decamp'd from *Hailbron*: For it was not till the 29th of *Auguſt* that they put themſelves in Motion: And no ſooner had they diſappointed the Enemy in their Deſign on *Tubingen*, and oblig'd them to evacuate *Eſlingen*, *Stutgard* and *Vahingen*, than the Army ſeparated; the *Saxons* (with an Exception to 4000 Foot and 2000 Horſe, who had 300,000 Florins, by way of Conſideration for their wintering on the Frontiers) and the *Heſſians* returning home about the Middle of *September*; and the Prince of *Baden* remaining but a little while longer in the Field, to obſerve the Motions of M. *de l'Orges*, who having conſum'd the Forage in the *Briſgaw*, broke up his Camp and paſſed into Winter-Quarters.

About the ſame time that the *Dauphin* arriv'd with his Army in *Germany*, the Allies began to enter upon Action in *Piedmont*, after having left 4000 *Germans* and *Spaniards* to block up *Caſal*.

A. D. 1693. *Campaign in Piedmont.*

It has been already hinted, that the firſt Rout they took was towards *Suſa*; and it was alſo given out that their Purpoſe was to recover that Place. But this Motion of theirs was no other than a Feint, to amuſe M. *Catinat*, who had taken Poſt in the Neighbourhood of that Place with a Part of his Army. And that he did take Poſt there, is treated as an Error of Judgment by M. *de Feuquieres*; as alſo that he ſhould continue on the Defenſive for ſo long together, when the dilatory Proceedings of the Allies gave him ſo fair an Opportunity to have acted offenſively with Advantage: Had he, according to that military Critic, aſſembled his Forces in the Plain of *Milleſleurs*, near *Turin*, which was at equal Diſtance from the two out-lets of the Valley of *Suſa* and *Pignerol*, he would have ſecured the Superiority through the whole Courſe of the Campaign; and might have directed his Efforts againſt *Turin* itſelf, which was the great Object of the *French* Arms in thoſe Parts. Whereas, by miſ-judging his Ground, and waiting for them to begin firſt, he gave them time to collect their Strength, and ſuſpend their Animoſities, and expos'd himſelf to all the ill Conſequences of the Practice which they tried upon him. For, while he perſuaded himſelf that their Intention really was to fall upon *Suſa*, and in order to provide more effectually for the Security of that Place, he drew ſome other Corps from the Detachment which he had poſted on the Hills of *Pignerol*, all at once they made a Diſpoſition to attack the latter by three ſeveral Paſſes; who ſeeing themſelves in danger of being overpower'd, and out of the Reach of Aſſiſtance, abandon'd their Lines without waiting to be forc'd. The *Spaniards*, under the Command of the Marquis *de Leganez*, about the ſame time alſo made themſelves Maſters of the Vallies of *Perouſa* and *Pragelas*; and M. *Catinat* continuing to retreat till he gain'd the *Col del Feneſtrelle*, the Duke of *Savoy* ſat down before *Pignerol*; and by way of preparatory to the Reduction of that Place, began with the Fort of St. *Bridget*. The Trenches were opened the 30th of *July*, and the ſame Day the *Spaniards* taking Poſt before *Pignerol*, that important Place was ſhut up on all Sides. St. *Bridget*, nevertheleſs, held out till the 13th, and then the Garriſon, who had defended themſelves with great Bravery, ſeeing the Breach practicable, and the Beſiegers preparing for a general aſſault, withdrew in the Night into the town, leaving a Mine under one of the Baſtions, ready to burſt, behind them; which ſprung ſoon after, but without doing the Miſchief intended to the Troops of the Allies, who took Poſſeſſion of the Place.

Errors imputed to M. Catinat.

Pignerol inveſted.

It was now believed that *Pignerol* would have been beſieg'd in form: But on the Iſſue of a Council of War, it was reſolved only to bombard it for the preſent, and then to go in queſt of M. *Catinat*, before

Pignerol bombarded.

A. D. 1693. the Reinforcements came up which he expected from *Catalonia* and *Germany*. Accordingly, all the Forts and Redoubts which the *French* had rais'd along the River *Chisoa*, to secure the Paſſage of their Convoys to *Pignerol*, to the Number of about thirty, having been demoliſh'd, and the whole Valley of *Pragellas* having been laid waſte, as far as *Feneſtrelles*, to deprive the Enemy of what Subſiſtence they might draw from thence, the Bombardment was actually begun the 27th of *September*, tho' the Towns-men made an Offer of 40,000 Piſtoles to be exempted from that Viſitation, and continued for three Days: After which, at another Council of War, it was farther reſolv'd to blow up Fort St. *Bridget*; which having been alſo perform'd, on the 2d of *October* the Army decamp'd, with *Intention* to advance to the little River of *Sangon*, which deſcends from the Mountains about a League from *Rivoli*, and falls into the *Po*, below *Moncalie*, but proceeded no farther than the Rivulet of *la Quieſole*, or *Ciſola*, about three or four Miles from *Pignerol*, where they were join'd by their Horſe, which had been poſted for ſome Days in the Neighbourhood of *Orbaſſon*: What occaſion'd this ſudden Halt, was the Advice which his Royal Highneſs receiv'd, That M. *de Catinat*, having receiv'd the Recruits he expected, had alſo made a Motion that very Day, and had poſted his Right at *Rivoli*, and his Left towards *Beinaſco*.

London Gazette, No. 2918.

Errors committed by his Royal Highneſs.

It is obſerv'd by M. *de Feuquieres*, that the Valley of *Suſa* was the only Place where M. *de Catinat* could aſſemble his Horſe; that *Rivoli* was the only Paſs thro' which he could march from thence towards the Enemy; and that the Duke of *Savoy* committed a very great Error in ſuffering the *French* to get Poſſeſſion of both theſe Advantages, which laid him under a Neceſſity to face them at *Marſaglia*, between the Rivers of *Ciſola* and *Nova*, which in that Seaſon of the Year were almoſt dry. He, the Duke, imagin'd, however, if the ſame Author is rightly inform'd, that even by this Diſpoſition, the Advantage of the Ground was of his Side: For, in caſe of a Defeat, it was eaſy for him to retire towards the *Po*, near *Villa-Franca* and *Saluces*: Whereas, in caſe he was victorious, the *French* muſt, of Neceſſity, be driven back into the Valley of *Suſa*; and by marching a Part of his Foot to *Cumiana* and *Javan*, which commanded the Entrance of the ſaid Valley on the other Side, he made no doubt of being able to cut of their Retreat; in conſequence of which he reckon'd, that not only *Suſa* and *Pignerol* would fall into his Hands, but that he ſhould find himſelf in a Condition to make another Irruption into *Dauphiny*, and even to take up his Winter Quarters at *Lyons* and *Grenoble*.

Such, we are told, were the ſanguine Expectations of his Royal Highneſs, and the Motives that induc'd him (tho' prevented in his firſt Purpoſe of taking Poſt at *Rivoli*) to hazard an Engagement which he might have eaſily avoided.

On the 3d both Armies came in ſight, and ſeverally drew up in order of Battle; A. D. 1693. the Left of the Confederates being compos'd of the Troops of *Spain*, as well Horſe as Foot, under the Command of the Marquis *de Leganez*, and three Imperial Regiments of Horſe and Dragoons. The *Imperial* and *Piedmonteſe* Cavalry cover'd the Right, which was commanded by the Duke of *Savoy*, aſſiſted by Count *Caprara*: And the Infantry of his Imperial Majeſty, of the King of *Great Britain*, and of his Royal Highneſs, both completed that Wing, and alſo form'd the Center, which was commanded by Prince *Eugene* of *Savoy*, who had under him the Marquis *de la Parelle*, and the Count *de las Torres*: For Duke *Schomberg*, who, in the Right of the King his Maſter, was entitled to the third Poſt in the Army, having been deny'd his Rank, refus'd to take any Command at all, and made it his Choice to charge at the Head of his own Regiment, in the Capacity of a Colonel only.

Duke Schomberg diſguſted.

What his Royal Highneſs moſt apprehended was, That M. *Catinat* had an Intention to gain a March upon him, and ſit down before *Turin*: And it was in order to defeat this Intention of the Marſhal's, or to have it in his Power to fall upon his Rear, in caſe he perſever'd in it, that he quitted the high Grounds of *Piaſaſca*, and extended his Right towards the *Sangon*: But by this Motion he not only gave the Marſhal an Opportunity of covering his Right with the Skirts of thoſe Eminencies, but expos'd his own Left to be attack'd without any Coverat all.

That Day, however, paſs'd over without any Attempt on either Side: And at a Council of War, held in the Evening, it was reſolv'd, by the Confederates, to continue under Arms all Night, as alſo to ſend away all the Baggage, and to remove ſomewhat nearer the Enemy, who were poſted between *Orbaſſan* and *Piaſaſco*, that they might be ſo much the more in readineſs to obſerve their Motions in the Morning.

Accordingly, at Day-break, they (the Enemy) were perceiv'd, at a ſmall Diſtance, forming themſelves in order of Battle; upon which the Confederates immediately halted, and drew up in the ſame Order as the Day before, *as well as the Ground would permit*; with this additional Circumſtance, That they poſted eight Pieces of Cannon on a riſing Ground, which was on their Right, together with a Body of Foot to guard them: And the Expediency of this Meaſure is pointed out by M. *de Feuquieres*, who ſays, That his Royal Highneſs had provided no better Security for his Troops even on that Side, than two ſmall Woods, or rather Coppices, which it was not difficult even for the Cavalry to penetrate.

London Gazette, No. 2918.

It was now diſcover'd that M. *de Catinat* had greatly the Superiority in point of Number; and it is probable a Diſcovery ſo unexpected ſtruck a Damp in the Confederates: For inſtead of continuing to advance, as they had hitherto done, and as might have been expected from theſe who had reſolv'd to fight at all Hazards, they continued

A. D. 1693. *Ibid.*

nued in their Lines for two Hours together, *obſerving the Countenance of the Enemy*, who, it is ſaid, made no Motion during that Interval likewiſe: But then, in the ſame Breath, it is added, That the detach'd Parties of the Allies brought Advice, That certain Squadrons of the Enemy, having made their way thro' the Vineyards, with which the whole Country were in a manner cover'd, appear'd in flank of their Right Wing; which ſeems to indicate, That tho' the Groſs of M. *de Catinat*'s Army continued motionleſs, theſe Squadrons made uſe of that very Interval to obtain that Advantage. But however that may be, no ſooner had the Allies detach'd the Regiments of *Palſi* and *Caraffa*, together with ſome Foot, to hold theſe Squadrons in check, than the *French* began the Attack on the *Spaniards*, on the Left; not as uſual, with a regular Fire of their Infantry; but having receiv'd that of the Allies, charged them with Bayonets fix'd, and Sword in Hand; and were either ſo well ſupported, or met with ſo little Reſiſtance, that they ſoon diſorder'd the whole Wing; for it being form'd of Battalions and Squadrons intermix'd, all ſucceſſively gave way, and were, in the End, not only totally routed, but thrown in that Confuſion, on the Center and Right Wing, which, according to the Confeſſion of their very Enemies, behav'd with the utmoſt Bravery; having three ſeveral times repuls'd the Enemy; and the laſt ſo effectually, that it was, for a while, ſuppos'd that Victory was on the Point of declaring for them: But on the fourth Attack, the Enemy being conſiderably reinforced with freſh Troops, the *Spaniards* and *Milaneze* being ſurrounded and driven, as before obſerv'd, upon the *Germans*, who were, at the ſame time, vigorouſly charg'd by the *Gend'armerie*, the Infantry expos'd in Front, Flank and Rear, without any Horſe to cover them, it was found impoſſible to continue the Diſpute which had laſted between four and five Hours, any longer. Accordingly Orders were given for a Retreat: And we are told in the *London-Gazette*, that, vanquiſh'd as they were, they made a *good one*: In a letter to the States-General it is even ſaid, That the *French* did not make the *leaſt Shew* of purſuing them: But the *French* themſelves declare, That they continued the Chace as far as *Turin*: And Others affirm, That near 3000 *Spaniards* in a Body, apprehending that no Quarter would be given them, threw themſelves at the Feet of the *French* Soldiers, with their Beads in their Hands, and croſſing themſelves over and over, beſought their Mercy, as being good Catholics, and not *Lutherans*.

The French begin the Attack.

and obtain a compleat Victory.

Suite de l'Hiſtoire de Holl. Tom. 1. p. 261.

Different Accounts of the Loſs on both Sides.

There is as little Agreement in the ſeveral Accounts of the Loſs on each Side, as in the manner of the Retreat: According to the *London-Gazette*, the whole Loſs of the Confederates, kill'd, wounded, and taken, amounted to no more than 5500 Men: Whereas that of *France*, under the ſame Heads, is ſwell'd up to between 6 and 7000: But according to the *French* Account, the Loſs of the Allies amounted at *leaſt* to 8000 Men, and on their Side *at moſt* to 1500 or 2000. A. D. 1693.

That all their Cannon, except eight Pieces, and above a hundred Colours and Standards, fell into the Hands of the Conquerors, is admitted on all Sides: And the real Colour of the Action may be collected from what is more particularly related of the Behaviour of the brave but unhappy Duke of *Schomberg* in the Letter before cited, to the States-General, as follows: "The Troops of his Majeſty of *Great Britain*, who were in the *Corps de Battaille*, particularly diſtinguiſh'd themſelves, and the Duke of *Schomberg*, who commanded them, fought at the Head of his own Regiment, and would not accept of any other Command. The Count *de las Torres* deſir'd him, after the third Attack of the Enemy, to take upon him the Command, and to cauſe a Retreat to be made by the Center and Right Wing, which as yet had not ſuſtain'd any great Detriment: But the Duke reply'd, That it was firſt neceſſary to have his Royal Highneſs's Order, and till that came it was fit to ſtand the Enemies Fire; adding, That he found Things were ſo far gone, that they muſt either overcome or die. The Valour of that General is greatly to be admir'd. He had the Misfortune to be wounded in the Thigh; and his *Valet de Chambre*, ſeeing him fall, ran to him, and call'd out for Quarter, but was kill'd before he could be heard. The Duke was, at the ſame Inſtant, taken Priſoner; and ſoon after ſent back on his Parole to *Turin*;" where he dyed on the 17th following, more applauded than lamented: For thoſe who envy'd his Accompliſhments, could not forbear to acknowledge them, and having paid that Debt to his Merit, were pleas'd with a Vacancy which they hop'd to fill with their own. The Earl of *Warwick* and *Holland*, then upon his Travels, accompany'd his Grace that Day as a Voluntier, and ſo far ſhar'd in his Fate, as to be wounded, and taken Priſoner, tho' his Wound did not prove mortal: And in the ſaid Letter to their High and Mighty Lordſhips, we find it farther acknowledg'd, That the *greateſt* Loſs fell on the Troops of *Spain*; and yet that of the Regiments in the Pay of *Great Britain*, not a *Third* were left: As alſo, that of *Schombergh*'s own Corps, no leſs than eighteen Officers were taken Priſoners, and moſt of them mortally wounded.

Account of the Behaviour and Death of the Duke of Schomberg.

The Earl of Warwick, a Voluntier in the Battle, wounded and taken Priſoner.

Laſtly, in his *Moſt Chriſtian* Majeſty's Letter to the Archbiſhop of *Paris*, appointing another *Te Deum* to be celebrated on occaſion of this new Victory, we find the following Expreſſions. "After having happily prevented the Execution of ſeveral Projects, which the Enemy had form'd againſt *Pignerol*, and forc'd them to riſe from before it; my Couſin, the Marſhal *de Catinat*, whom I had order'd to fight them, wherever he ſhould find them, came up with, and attack'd them on the 4th of this Month, in the Plain of *Marſaglia*, near *Turin*; Nine

The French King's Letter appointing a Te Deum.

A. D. 1693. Nine or ten thouſand of the Enemy were ſlain upon the Spot; near 2000 were made Priſoners; thirty-four Pieces of Cannon, and 106 Colours, of Horſe and Foot, were taken. The broken Remains of their Army fled thro' as many Ways as they could find, and left mine in Poſſeſſion of the Field of Battle, and every other Circumſtance which could conſtitute a complete Victory."

Partial Accounts ſet forth by the Confederates.

But how much ſoever the *French* triumph'd, and with what Reaſon ſoever they did ſo, the Confederates, as uſual, put the beſt Face imaginable on ſo bad an Affair. The *London Gazette* not only gave out that the Allies made good their Retreat to *Moncalier*, but alſo that they had received a Reinforcement, and were again preparing to march againſt the Enemy: And another Writer, on the ſame Side, is hardly enough to aſſert, That when the ſeveral Corps, which had been diſpers'd at *Marſaglia*, were all rejoin'd, they were found to be 25000 ſtrong; whereas the *Gazette*, laſt quoted, in order to leſſen the Glory on one ſide, and diminiſh the Diſgrace on the other, inſiſts, That the Number of the Allies, *before* the Battle, was but 22000, whereas the *French* were 36000.

No. 2919.

State of Europe for November.

The Truth, however, is, that they were ſo far from being in a Condition to take the Field again, that the Marquis *de Leganez* repair'd immediately to his Government, to make the beſt Proviſion he could to remedy the Misfortune; the Duke of *Savoy* thought only of the Preſervation of *Coni*, into which Place he made a ſhift to throw a Reinforcement, which, on Paper, amounted to 2500 Men: And, in the mean time, M. *de Catinat* ſent out his Parties, on every Side, to lay the Country under Contribution; which they did wherever they came, without Meaſure or Mercy.

M. Catinat *unable to form the Siege of* Coni.

But even he had ſuffer'd ſo much in the late Engagement, that, notwithſtanding his preſent Superiority, and the extreme Deſire he had of finiſhing the Campaign, with the Reduction of *Coni*, he was forc'd to deſiſt from that Project; and, having furniſh'd the ſeveral Garriſons of *Caſal*, *Pignerol* and *Suſa*, with as much Ammunition and Proviſions as he could ſpare, and ſecur'd ſeveral important Poſts, to facilitate his Return in the Spring, made the neceſſary Diſpoſitions for repaſſing the Mountains, in order to procure his Troops the Refreſhments which they ſtood ſo greatly in Need of, after the Fatigues of the Campaign.

New Offers of France to the Duke of Savoy.

But while he yet remain'd at *Saluces*, and was employ'd in exhauſting and laying waſte the Country round about him, the King, his Maſter, left no Method untried either to obtain a ſeperate Peace with the Duke of *Savoy*, or to get a firm Footing on the other Side of the *Alps*, under the Pretence of purchaſing Winter Quarters: M. *Chanlais* was diſpatch'd to *Turin*, on the very firſt News of the Victory, with new Offers, which the Pope was induc'd to ſupport with all his Weight and Influence; and M. *Catinat* himſelf is ſaid to have us'd his utmoſt Efforts, to open a Negotiation with his Royal Highneſs: But whether thoſe Offers did not, as yet, come up to that Prince's Expectations, or the Confederates once more out-did them, he thought fit to reject them: And as to the other Propoſal, concerning Winter-Quarters, tho' it found abundantly more eligible to receive Money from *France* on that Conſideration, than to furniſh Money to the *Germans*, to be exempted from the Burden and Terror of military Gueſts, not only the Princes of *Italy* could not be prevail'd on to accept it, but even his Holineſs himſelf, partial as he was, to the Intereſts of his *Moſt Chriſtian* Majeſty, turn'd a deaf Ear as often as he was ſolicited on that Subject, as dreading above all Things to ſee the leaſt Pretence adminiſter'd of extending the Flame of War into *Italy*: But then he became more urgent than ever with the *Imperial* Court, to accept the Propoſals of *France*, or, at leaſt, to make ſuch Advances on that Side, as might gradually make way for an Accommodation: And to render his Inſtances more effectual, when the Prince *de Lichtenſtein*, the Imperial Miniſter at *Rome*, beſought a new Supply, to enable his Maſter to proſecute the War againſt the *Infidels*, he, the Pope, reply'd, as he had formerly done, That in caſe his *Imperial* Majeſty would quit the Confederates, and turn his whole Force againſt the ſaid *Infidels*, he would grant him more conſiderable Sums than had been granted to him by his Predeceſſor: But otherwiſe, he inſinuated, the 400,000 Rix Dollars, which he had already caus'd to be remitted to Cardinal *Colonitz*, was all he ſhould furniſh at preſent, towards that Service.

His Holineſs ſtill an Advocate for Peace.

This, according to the Pretences of his Holineſs, was acting up to the ſublime Character of the common Father of *Chriſtendom*. But the Truth was, that King *Lewis* had connected him yet cloſer to his Intereſt, by cauſing the *French* Biſhops, who had aſſiſted in the Aſſembly of 1682, to retract the four Propoſitions, and to diſavow all that was done therein, to the Prejudice of the Rights of the Holy See; as alſo by accompanying the Act of Retractation with a moſt reſpectful Letter in his own Hand: So that alike, when he, the Pope, took ſo much Pains to forward the good Work of Peace, and when he granted the Bulls of Confirmation to the Biſhops of his Majeſty's Nomination, he was paying the Price of that Submiſſion, and acting as a Partiſan of *France*.

A. D. 16[illegible]

But we haſten prematurely to the Cloſe of the Year; and it is ſtill incumbent on us to purſue the other Branches of the War.

From the Facts already laid down it appears that the *Moſt Chriſtian* King was not eſteem'd a more dutiful Son at *Rome*, than a faithful Ally at *Conſtantinople*: It appears, that tho' the Cry of *France*, at the laſt of theſe Places, was *War*, and at the former *Peace*, both aroſe from the ſame Motive, and were to anſwer the ſame Purpoſe; and that the two Grand Signiors had their *common* Cauſe, as well as the confederated *Papal* and *Proteſtant* Powers.

A. D. 1693. But notwithstanding this Union of Interests, and the vigorous Resolutions taken in the *Divan* in consequence thereof, to so low a State was the Power of the *Turkish* Empire reduc'd, in the Course of so long and tedious a War; and so generally averse were both the Soldiery and the People to the Continuance of it, that their Preparations for opening the Campaign were yet more tardy than those of the *Germans*: And when it was expected that the Grand *Signior*, in Person, would have taken the Field, in order to give an additional Spirit to the Efforts of his Troops, all of a sudden the Prime Visier, who by this time had been gain'd entirely by *France*, and consequently had nothing in view but the Prosecution of the War, was depos'd, and the *Caimacan* was advanc'd in his stead: An Incident which was esteem'd alike favourable to the Negotiations of the *English* and *Dutch* Ministers for a Peace, and to the Operations in the Field: Accordingly those Ministers severally demanded Audience, and communicated, over again, the Plan of Peace, which they had to offer in the Capacity of Mediators: But tho' the Terms were, in many Instances, more moderate than those formerly insisted on, no Disposition appear'd to embrace them: On the contrary, the new Visier, as to what related to the War, proceeded in the Foot-steps of the old, and acted, in all Things, as if the Establishment of his own Power depended on his retrieving the Glory of the Empire.

A new Grand Visier.

That some Advantage might, however, be deriv'd from the Disorder of the *Turkish* Affairs, General *Heusler*, who had the chief Command in the Absence of the Duke *de Croy*, was order'd to invest *Jeno*, a fortified Place on the River *Marot*, which was of great Consequence to the Security of *Transilvania* on that Side; and after a Siege of twelve Days (*l*) carry'd it. The same General also reduc'd a Castle call'd *Villaguswar*: But when it was farther expected that he would have proceeded on to *Giulia*, he chang'd his Rout, and repair'd to the general Rendezvous near *Essecke*.

Jeno taken.

In the Beginning of *July*, and not before, the Duke *de Croy* left *Vienna*, to repair to his Post; and having taken a Review of his Army in the Neighbourhood of *Peter-Waradin*, found it in so good a Condition, that it was resolv'd, in a Council of War, to pass the *Danube* and *Saave* forthwith, and to sit down before *Belgrade*: But in regard that the Passage over the last of these Rivers might be render'd both difficult and dangerous, in case the *Turks* should think proper to dispute it, a Letter was address'd to General *Veterani*, who commanded the *Imperial* Troops in *Transilvania*, intimating a Purpose to besiege *Temeswar*, and desiring that he would approach the *Tibisque* with his Army, in order to facilitate the Duke's Passage over that River: This Letter was dispatch'd by an Express, who had Orders so to direct his Journey that he might be sure to fall into the Hands of the *Bassaw* of that Place: And in hopes the Event would answer the Design, the whole Army pass'd the *Danube* on the 23d: In six Days more they reach'd the *Saave*; and having thrown over a Bridge at the Isle of *Zingari*, and cover'd it with several Redoubts, on the 30th pass'd that River also, without Opposition: For the *Turks* confiding in the Letter which they had intercepted, had directed their whole Attention to *Temeswar*; and instead of being under any Pain for *Belgrade*, had detach'd 3000 Men from the last of those Places, to reinforce the former.

A. D. 1693.

The Imperialists pass the Danube and Saave,

Thus the *Imperialists* had not only leisure for their Passage over the *Saave*, but also to remove their Bridge lower down, for the sake of a nearer Communication with *Semelin*, on the *Danube*; to which Place all their Provisions, &c. were brought by Water. On the 30th the Trenches were open'd; and, tho' the Place was strongly garrison'd and strengthen'd with additional Works, as the *Grand Visier* had not, as yet, taken the Field, it was presum'd, that the *Turks* were not in a Condition to raise the Siege, and had no other way to preserve that important Place, than by accepting a Peace on the Plan which they had hitherto refus'd. The *German*, *Dutch* and *English Gazettes* were fill'd, from time to time, with the Success of the Besiegers: And tho' it was at last confess'd, that the *Grand Visier*, who had fallen into *Transilvania*, with an Army of 60,000 *Turks* and *Tartars*, and advanc'd almost as far as *Cronstadt*, had chang'd his Resolution, and was returning, full Speed, towards the *Danube*, the Expectation of the Public was still kept as high as ever: For it was suggested that General *Veterani* was to wait on the *Visier*, in his Retreat from *Cronstadt*, on one Side, that the Duke *de Croy* was to expect him in his Entrenchments on the other: That the *Imperial* Fleet had taken Possession of the Mouth of the *Saave*; that General *Heusler* had cut off the Communication of the Besieg'd with *Temeswar*; and that, in general, the Siege went on successfully; the *Imperialists* being advanc'd so far, that they hop'd, in two or three Days, to be lodg'd on the Counterscarp. But when it was fully believ'd that the next Post would convert this Hope into certainty, the Advices it brought were, That the Besiegers had storm'd the Counterscarp on the 7th of *September*; but before they could make a Lodgment, were oblig'd to quit it again, having had above 1000 kill'd and wounded in that desperate Service; among the first of whom was General *Sybilsdorf*, who commanded the *Bavarians*:

and besiege Belgrade.

(*l*) Which the Confederates were pleas'd to consider as a Ballance on the general Account to the taking of *Reses*, as appears by the following Paragraph in the *London-Gazette*, No 2870, dated from his Majesty's Camp at *Park*. "Yesterday in the Evening the Enemy made a treble Discharge of their Artillery, for the taking of *Reses*, in *Catolonia*; and we may make them the like Return for the taking of *Jena*, in *Hungary*."

A. D. 1695. *variant:* That the next Day the Duke *de Croy* receiv'd Advice of the *Vifier*'s Approach: That on the 9th a grand Council of War having been held, it was reſolv'd on the Iſſue, in Conſideration of the Army's being much weaken'd, of the Strength of the Garriſon, (which by the way was now ſaid to conſiſt of 10,000 *Janiſaries*, whereas the Number talk'd of at firſt was but 6000 *Janiſaries*, and 1000 *Spahis*) and of the Likelihood of its being conſiderably reinforc'd, to give over the Enterprize: That on the 10th the heavy Baggage, Cannon, *&c.* was embark'd, and ſent over the *Saave*: That on the 11th the Garriſon made a vigorous Sally: That on the 12th the whole Army, being divided into two Bodies, croſs'd the *Saave*, over two Bridges, which they burn'd, as ſoon as they had withdrawn the Troops out of the Works which they had thrown up to cover them: That the next Day they took Poſt at *Semelin*; and that on the 14th the Grand Viſier made his Entrance into *Belgrade*, which he had thus the Glory to reſcue.

He did not, however, think proper to paſs the *Saave*, in order to force the *Imperialiſts* to a Battle; but contented himſelf with ſending out Parties to haraſs their Rear, and to make Incurſions into Upper *Hungary*; one of which, conſiſting of 4000 *Turks* and *Tartars*, was overtaken by General *Hofkirken*, in the Neighbourhood of *Giulia*, and entirely routed, with the Loſs of 1000 Men, moſt of their Horſes, and all the Proviſions which they had collected for the Relief of that Place; which Succeſs, how ſmall and inconſiderable ſoever, ſerv'd the Imperial Miniſters for a ſplendid Paragraph in their Advices to foreign Courts, and to ſet a Gloſs on the feeble and fruitleſs Efforts of the Campaign.

Inactivity of the Poles. Of the *Poles*, and their Enterprizes, during this Summer, nothing need be ſaid, for they attempted nothing: It is true, they had an Army in the Field, but it was in no Condition to act, or even to face an Enemy: Beſides, his *Poliſh* Majeſty was more intent upon finding fault with the Conduct of his Imperial Majeſty, than upon mending his own: And ſuch a Spirit of Diſſention and Animoſity had taken Poſſeſſion of his Grandees, that when the Payment of the Army, ſuch as it was, came under Conſideration, Sabres were drawn, ſome were kill'd, and the Queſtion had like to have been decided by the Sword.

Ineffectual Operations of the Venetians. Then as to the *Venetians*, tho' they were abundantly more zealous for the Proſecution of the War than the *Poles*, and better provided to make a Figure in it, they had the Mortification to ſee the Campaign brought to an End, without obtaining any one ſuch Advantage as might countervail the Expence of it. The Doge, *Moroſini*, commanded on board their Fleet in Perſon; and it was for a long while given out, that he had ſome great Deſign in view: But having review'd his Army at *Napoli di Romania*, and received Intelligence that the *Seraſquier* of *Negropont*, who had the Command of the *Turkiſh* Forces on that Side, had Orders to act on the Defenſive, and was poſted ſo advantageouſly, that it was ſcarce poſſible to force his Entrenchments, he advanced to the *Iſthmus* of *Corinth*, which he took Poſſeſſion of, and left a ſufficient Body of Horſe and Foot to defend it: After which he ſet ſail to the *Archipelago*, with all his Men of War, and ſeventeen of his Gallies, in queſt of the *Turkiſh* Fleet: But the latter not chuſing to venture thro' the *Dardanels*, his Serenity was forc'd to return to *Napoli di Romania*, without any other Matter of Triumph, than that he could find no Enemy to combat with. A. D. 1695.

Amazing Weakneſs of Spain. Laſtly, it remains to be ſaid, That tho' the whole *Spaniſh* Nation ſeem'd to be extremely ſenſible of the taking of *Roſes*, and undertook, by voluntary Contribution, to raiſe ſeveral thouſands of Horſe and Foot, to reinforce the Army on that Side, that Senſibility, and thoſe Contributions, produc'd but little Fruit: The Duke of *Medina Sidonia* did, indeed, provide for the Security of *Gironne*, by throwing a Reinforcement into it, and poſted the Reſidue of his Forces under the Cannon of the Place: But he was never enabled to act on the Offenſive: And ſo little did the *French* apprehend from theſe extraordinary Efforts of theirs, that immediately on the Surrender of Fort *de la Trinite*, they embark'd 6000 Men on board their Gallies, to reinforce M. *de Catinat*, which will ſerve to account for the Inactivity of M. *de Noialles*, during the Reſidue of the Campaign.

And now having paſs'd through all the ſeveral Provinces of the War by Land, it is time to follow the Courſe of it by Sea. It has been already obſerv'd, that M. *d'Eſtrée*, with the *Toulon* Squadron, had aſſiſted in the Reduction of *Roſes*: And we find an Article in the *London-Gazette* of *June* 29, dated from *Paris*, which ſays, That he ſet Sail on the 16th from that Place, with his Squadron, towards the Ocean.

The French *Preparations at* Breſt, *&c.* But the naval Preparations of *France* did not regard the *Mediterranean* Service only, nor proceed in the common Forms only: On the contrary, as if reſolv'd that the Efforts of this Year ſhould efface the Loſſes of the laſt, and as if they eſteem'd their Empire incomplete till they had added the Dominion of the Sea to that of the Land, they converted as many large Ships as they could buy into Men of War; they repair'd and refitted all they were in poſſeſſion of before: They would not ſuffer a Merchant Ship to put to Sea till the Navy-Royal was completely mann'd: And that every Individual might be perſuaded that his own private Advancement depended on advancing, as far as in him lay, the Intereſt and Glory of his Maſter; as, alſo, that the Sea-Service had a Share of the Royal Concern as well as the Land, the Year was open'd with a general Promotion of Sea-Officers, in which all were ſeverally conſider'd according to their Merits, Services and Sufferings.

As all theſe Meaſures ſerve to diſplay the Wiſdom of the Court of *France*, the Effect as viſibly diſplay'd their Power: For at the

A. D. 1693. same time that they ſent ſo many Armies into the Field, they fitted out ſuch a Navy as almoſt extinguiſh'd the Memory of *la Hogue*, in all who ſaw it: And tho' the Ships of which it was compos'd were equipp'd at the ſeveral Ports of *Rochfort*, *Louis*, *Havre*, *Dunkirk*, &c. ſo great was their Vigilance on one Hand, and ſo aſtoniſhing the Remiſſneſs of the Maritime Powers on the other, that all got ſafe to their Rendezvous at *Breſt*, not only without any Loſs, but even without any Moleſtation.

The naval Conduct of England *at this time.*

To account for this, and all that follow'd upon it, two Things are poſitively aſſerted by almoſt all our *Engliſh* Writers, namely, That the *French* had exact and circumſtantial Intelligence of all our Preparations, and that we, on the contrary, had none of theirs: Endeavours have been alſo us'd, by many of theſe Writers, to lay the Blame of all on the Admirals *Killegrew* and *Delaval*, who, together with *Shovel*, had the joint Command of the *Engliſh* Fleet; and whether juſtly or not will be the fitteſt to pronounce, when we have ſeen the Evidence on both Sides.

Now it is agreed on all hands, that the Trade of *England* had ſuffer'd as much in waiting for Convoys, as that of *France* had done by the general Embargo which had been laid on their Merchant Ships, for the Sake of manning their Fleet: Biſhop *Burnet's* Words are theſe: "We were ſending a very rich Fleet of Merchants Ships to the *Mediterranean*, which was valued at many Millions: Some of theſe had lain ready a Year and half, waiting for a Convoy, but were ſtill put off by new Delays; nor could they obtain one after *Ruſſel's* Victory, tho' we were then Maſters of the Sea. They were promis'd a great one in the Winter. The Number of the Merchant Ships did ſtill increaſe, ſo that the Convoy which was at firſt deſign'd, was not thought equal to the Riches of the Fleet, and to the Danger they might run by Ships that might be ſent from *Toulon* to intercept them. The Court of *France* was watching this carefully; a Spy among the *Jacobites* gave Advice, That certain Perſons, ſent from *Scotland* to *France*, to ſhew with how ſmall a Force they might make themſelves Maſters of that Kingdom, had Hopes given them for ſome time; upon which ſeveral military Men went to *Lancaſhire* and *Northumberland*, to ſee what could be expected from thence if Commotions ſhould happen in *Scotland*. But in *February* the *French* ſaid they could not do what was expected; and the *Scotch* Agents were told, That they were oblig'd to look after the *Smyrna* Fleet, which they reckon'd might be of more Conſequence than even the carrying *Scotland* could be. The Fleet was ready in *February*, but new Excuſes were again made; for it was ſaid the Convoy muſt be increas'd to twenty Sail; *Rook* was to command it. A new Delay was likewiſe put in, on the Pretence of ſtaying for Advice from *Toulon*, A. D. 1693. whether the Squadron that was laid up there was to lie in the *Mediterranean* this year, or to come about to *Breſt*. The Merchants were very uneaſy under thoſe Delays, ſince the Charge was like to eat up the Profits of the Voyage. But no diſpatch could be had; and very probable Reaſons were offer'd to juſtify every new Retardment."

Thus it is not only admitted, that very great Hardſhips were put upon the Merchants, but alſo, that thoſe Hardſhips ſubſiſted even while *Ruſſel* was at the Head of the Fleet, and before *Killegrew* and *Delaval* were promoted to the Admiralty Board. But it is neceſſary to be more preciſe than the Biſhop has been: And tho' it was on the 24th of *January* that thoſe two Admirals, together with *Shovel*, were appointed (*m*) *Admiral and Commander in Chief* of the Fleet, they receiv'd their Commiſſion from the old Board, and were not made Commiſſioners themſelves till the 23d of *March* following, when it muſt be ſuppos'd they were actually engag'd in fitting out the Fleet: For we learn by Secretary *Burchet*, that on *Naval Hiſt.* the 18th preceding, they receiv'd Inſtruc- *p.* 480. tions to proceed to Sea, without expecting particular Orders, by which Opportunities of Service might be loſt; and to uſe their utmoſt Endeavours to annoy the Enemy and protect the Trade.

It follows, that if the Fleet was ready in *Fe-* *The Fleet poorly man'd, and worſe victual'd.* *bruary*, they, the ſaid Admirals, were not anſwerable for not putting to Sea, till they had ſailing Orders. But it is demonſtrable that the Fleet was not ready ſo ſoon. There are two Proclamations, ſtill extant, in the *Gazettes* of *February* 20 and 27, the one for *compelling* Seamen to come in, and the other offering a Month's Pay to all Volunteers, by way of free Gift, or Bounty Money. Beſides which, *Burchet* is expreſs, that there was ſo great a Want of Men, that it was at firſt propos'd, and in part executed, to take half the Seamen from all Privateers; and that no better Remedy could be at laſt found, than to embark five Regiments of Foot: As, alſo, that the Fleet was ſo ill furniſh'd with Proviſions, that all the Ships Companies were reduc'd to the Neceſſity of quartering ſix Men on the Allowance appointed for four. It farther appears by the *Gazettes*, That the *Dutch* Fleet, which was to cooperate with ours, did not begin to join us till towards the End of *March*: Mention is particularly made of Vice Admiral *Callenburgh's* coming to anchor at *Spithead* on the 28th, with three Ships of the Line: By an Article from the *Hague*, dated *April* 28, N. S. we learn, that ſeven of the *Amſterdam* Squadron did not ſet ſail from thence till the 25th; as alſo, that Admiral *Allemonde*, with three Firſt and Second Rates, was ſtill behind: We learn alſo, by another Article from *Portſmouth*, that the ſaid Admiral, with thoſe three Ships, and two others, did not arrive there till the 4th of *May*,

(*m*) Theſe are the Words of the *Gazette*. See No. 2859.

A. D. 1691. *May*, O. S. And, laſtly, we learn by yet another Article from the ſame Port, that it was yet ſix Days longer before the *Zealand* Squadron join'd the united Fleet.

With relation to the *Engliſh* Fleet, it alſo appears, by the ſame Authority, That the Firſt, Second and Third Rates did not come into the *Downs*, from the *Buoy of the Nore*, till the 28th of *April*: That the ſame Evening the Admirals hoiſted their Flag on board the *Britannia*: That on the 4th of *May* they ſet ſail for *Spithead*: And that on the 7th they reach'd St. *Helens*.

Late at their Rendezvous.

The whole Fleet, when aſſembled, was to have conſiſted of one hundred and two Sail, (beſides Brigantines, Bomb-Veſſels, and Hoſpital Ships) of which ſeventy were of the Line: But when the firſt general Council of War was held, which was on the 8th, and a Plan of Operations came to be deliberated upon, it appear'd that the Liſt of thoſe at the Rendezvous was far ſhort of that Number. For, according to *Burchet*, the Reſult was proviſional, That *in caſe* the Fleet could be made up to Seventy, they would proceed to *Breſt*, and endeavour to deſtroy the *French* Ships as they lay; and it is ſaid ſuch a Number of Ships was inſiſted on, becauſe of the *Uncertainty* they were in whether the *Toulon* Squadron had join'd them: And that they did not proceed on that Expedition immediately, ſufficiently proves that the ſaid Number could not be made up.

Thus it appears, that even towards the Middle of *May*, the Combin'd Fleet was not in a Condition to proſecute the only Plan which it appears they had before them: That the Blame which this Tardineſs very juſtly deſerv'd, ought to be divided equally between the two Nations: And that from the Difficulties already touch'd upon, with regard to manning and victualling the *Engliſh* Fleet, the Admirals ſtand, in a good degree, excus'd, notwithſtanding all Suggeſtions to the contrary.

It is true a Defect of Intelligence is acknowledged: But then the whole Board of Admiralty, together with the Lord Viſcount *Falkland*, who preſided at it, and even the Secretaries of State are equally liable, with them, to all the Imputations ariſing from it.

But what renders the Defect of Intelligence yet more extraordinary, is the *Paris*-Articles inſerted in our own *Gazettes* concerning the *Toulon* Squadron, and the naval Preparations at *Breſt*. One of theſe which ſpecified when the ſaid Squadron firſt ſet Sail has been already recited; and it is fit, in this place, to inſert another dated *May* 22, and like the Former publiſhed here exactly ten Days after, *viz.* "They write from *Toulon* that the Count *d'Eſtrée* ſailed *(the ſecond Time)* on the 11th inſtant from the Iſles of *Hieres* with *Twenty-two* Men of War, ſix Fireſhips, and two Galiots with Bombs, having ſent out two Frigates ſome Days before with Orders, which the Commanders were not to open till they were ſix leagues at ſea, and that *Thirty-five* Gallies were gone from *Marſeilles* to join him."

The ſame Paragraph alſo ſpecified, that on the very Day the *Toulon* Squadron ſailed, ſeventeen Men of War from *Port Louis* and *Rochfort* arrived at *Breſt*: And though it ſhould be acknowledg'd, that nothing poſitive could be gathered from theſe Advices, as to the Junction of the two Squadrons, it had been the Talk of the whole Year, that they were to join ſomewhere: This Talk had been ſufficiently authoriſed by the Diſpoſitions known to be making at each of theſe Ports: It was natural to conclude that the greater body would have advanced to meet the Leſs: And if common Senſe had been conſulted in the counter Operations on our Side, Care would have been taken, that the *Breſt*-Armament ſhould not have failed without *our being* appriz'd of it: As alſo that the rich Fleet of Merchantmen bound to the *Mediterranean*, after having waited ſo long for a Convoy, ſhould not have run any Hazard at all. But through a ſurprizing Infatuation, the uſe of Scouts and Advice-Boats ſeems to have been forgot on board the Fleet at this Criſis, and the Uſe of ſecret Service money at the Secretary's Office; and inſtead of Information, our Meaſures were grounded upon Conjectures only.

It appears, however, that the Conjectures made on board the Fleet, were rather more rational than thoſe made at Court. For another Council of War having been held on the 15th of *May*, to conſider how the *Streights's* Fleet, with the Trade bound to *Turkey*, might, moſt ſafely, proceed under the Conduct of Sir *George Rook*, it was reſolved, on the Iſſue of the Debate, That IF the *Toulon* Squadron was come out of the *Streights*, ten Men of War, a ſmall Frigate and a Fireſhip, would be ſufficient for their Convoy: As alſo that the ſeparate Convoy, for *Spain*, ought to proceed with them, while the Body of the Fleet accompanied both out of the Channel: But that IF the two *French* Fleets were not joined, it was proper the whole Squadron ſhould forthwith proceed with theſe Convoys. On the other Hand, IF the French *Ships* were joined, it was judged adviſable for the main fleet to proceed with the *Mediterranean* Squadron, as far as a Council of War might think proper, when they ſhould be in the *Soundings*: But that IF no certain Advice could be got of the *Toulon* Squadron's being come out of the *Streights*, or where they were, before the Fleet failed from St. *Helens*, the *Mediterranean* Convoy of ten Men of war, &c. ſhould remain at St. *Helens* until Intelligence could be gained.

Burchet. p. 451.

This was the *Pretence* for the new Delay complained of by *Burnet*: And yet by this Pretence we ſee, a Proviſion was made for the Safety of the Trade.

But on the 19th following, the lords of the Admiralty, in obedience to her Majeſty's Commands, ſent Orders to the Admirals to ſail in company of the Squadron bound to the *Mediterranean*, and of the *Virginia* and *Bilboa* Convoys; and that, after they had proceeded with them as far as might be judged requiſite, they ſhould order thoſe bound

But Ordered to ſail at a Venture.

A. D. 1693. bound to the *Streights* to ſteer ſuch a Courſe to *Cadiz*, as might be thought moſt ſafe by a Council of War, with reſpect as well to the *Breſt* Fleet if gone out, as to the *Toulon* Squadron; and then, with the Body of the Fleet, to put in execution the Inſtructions they had receiv'd.

Upon this, another Council of War being called, it was finally determin'd, That the Fleet and *Mediterranean* Squadron ſhould proceed together thirty Leagues, W. S. W. from *Uſhant*; after which, on receiving the proper Signals, Sir *George Rook*, and the other Convoys, ſhould go forward, according to the Orders he had received from the Lords of the Admiralty.

Agreeable to this Reſolution, the whole Fleet ſet ſail on the 30th following; and the Wind, which was N. E. and by N. when they weigh'd, continued ſo favourable, that on the 4th of *June* they found themſelves at the Diſtance agreed upon at the Council of War, for parting with *Rook*, and the Ships under his Care: Hereupon another Council of Flag Officers, *Engliſh* and *Dutch*, being held, it was determin'd, That ſince they had receiv'd *no Intelligence* of the Enemy, they would accompany the *Mediterranean* Squadron twenty Leagues farther, and then return to the appointed Stations, taking up the Cruiſers; and from thence to their Rendezvous, ten Leagues N. W. of *Uſhant*; which they did accordingly; having parted with the Trade, and their Convoys, on the 6th in the Evening.

Remarkable Articles from Paris in the London-Gazette.

Now it is moſt remarkable, that in the very ſame *Gazette*, *viz.* of *June* the firſt, which gave Advice, That the Fleet ſet Sail from St. *Helens*, *May* 30. there is another Article from *Paris*, dated *June* 1, N. S. containing, among other Particulars, the following: "From *Breſt* we have Advice, That "the *French* Fleet, commanded by M. *de* "*Tourville*, ſail'd thence on the 26th of "laſt Month (N. S. muſt be underſtood); "and from *Toulon* they write, That the "Count *d' Eſtrée*, who was forc'd back by "the contrary Winds, ſail'd again on the "14th paſt, with the Squadron under his "Command." So that if the Lords of the Admiralty, or the Secretaries of the State, had only thought fit to have forwarded this Piece of *public News* to the joint Admirals, they could not have grounded the Reſolution of their Council of War, above cited, on their having NO *Intelligence*; and it may be preſum'd, that they would have accompanied the Trade, not only till they were out of Danger, but till the Enemy had been caught in their own Snare.

In the next *Gazette* the *Paris*-Article farther ſets forth, That, according to other Letters from *Breſt*, the *French* Fleet was gone towards *Belle-Iſle*. This, one would have thought, might have been taken for a ſort of Confirmation of the former News: But, according to *Burnet*, ſo incredulous was the Secretaries Office become on this Head, that even when a Ship brought Advice, That M. *de Tourville* was actually at Sea, it was diſbeliev'd.

overbid'd by the Miniſtry.

Thus it happen'd, that till the 17th, the Admirals, with their huge Fleet, continued at their Station off of *Uſhant*, in a State of Incertainty and Inactivity: But, having then receiv'd Intelligence, by one of their own Ships, which had been at laſt ſent to look into *Breſt*, That two or three ſmall Fiſhing-Boats were all the Veſſels they could diſcover there; as alſo, from another Quarter, That a great Number of Ships had been diſcover'd off of *Scilly*, they concluded theſe were the *French* Fleet, and reſolv'd to go in queſt of them: But neither did this Queſt of theirs continue long: For, having been farther inform'd, that this great Number of Ships were no other than a Fleet of *Danes* and *Swedes*, under the Convoy of one ſingle Man of War, and being in Want of ſeveral Kinds of Proviſions, on the 21ſt they came to Anchor in *Torbay*.

The main Fleet returns to Torbay for want of Proviſions.

By this time the Court had not only receiv'd Advice upon Advice, That the *French* Fleet were at anchor in *Lagos*-Bay, between Cape St. *Vincent* and *Faro*; but, being convinc'd the News was true, and in great Pain for the Conſequences of it, had ſent repeated Advices and Orders after *Rook*, to warn him of his Danger, and to provide for his Safety: Being, however, apprehenſive that theſe Advices might never overtake him, they were no ſooner appriz'd of the Return of the Fleet, than they diſpatch'd freſh Orders to the Admirals, to provide as ſoon as poſſible for his Reſcue: But when theſe Orders were taken into Conſideration by the Council of War, and it was propos'd to proceed to *Liſbon* immediately, for the Purpoſes recommended in them, a Queſtion aroſe, Whether their Proviſions would enable them to do ſo? And upon an Enquiry, it was declar'd, they would not; ſo that all they would undertake upon the Reſult, was, To proceed in Search of the Enemy, in caſe they could be furniſh'd in fourteen Days, with ſuch a Stock as would ſerve them ten Weeks, at whole Allowance. But no ſooner had the Lords of the Admiralty given the neceſſary Orders for ſupplying them with all poſſible Diſpatch, than they ſent a ſort of Remonſtrance to her Majeſty, againſt the Project they had before approv'd: For they rais'd a Doubt, whether it were adviſable to proceed to *Liſbon*; ſince if the *French* were join'd, and ſhould proceed Northward, the Coaſt of *England* might be expos'd to Inſults: And they dropt an Inſinuation, That if the Orders, which had been ſent after *Rook*, did overtake him, they were ſo full that he would be able to provide for his own Preſervation; and if not, it would be too late for them to attempt it.

Rook finds the Lark into Lagos Bay for Intelligence.

And this laſt ſurmiſe prov'd to be the very Fact: The Advice-Boat diſpatch'd after him never came up with him; for having a fair and full Gale, he thought it adviſable to make the moſt of it, but not without taking all the Precautions in his Power: For being, on the 15th of *June*, about ſixty Leagues ſhort of Cape St. *Vincent*, he order'd the *Lark*, a ſpeedy Sixth Rate, to

A. D. 1693. ſtretch a-head of all his Scouts into *Lagos*-Bay, to get what Intelligence was to be had there of the Enemy, tho' without the deſir'd Effect: The Captain of her, in the Night, hawling ſo cloſe within Shore, that he lay becalm'd; while the Fleet having ſtill the Advantage of the Gale, proceeded on as before. And now it is time to obſerve, That the *Paris*-Article, which gave an Account of the ſailing of the *Breſt* Fleet, contain'd the naked Truth: And, therefore, what *Burnet* affirms, That they ſail'd from thence ſo ſuddenly, that they were neither completely mann'd nor victuall'd, (the Deficiencies in both thoſe Articles being ſupplied by Tenders, which were ſent after them) is ſo much the more extraordinary: Indeed, the Uſe he makes of it is altogether as extraordinary: For he adds, "This ſudden and unprovided Motion of the *French* Fleet, *look'd* as if ſome *ſecret Advice* had been ſent from *England*, acquainting them with our Deſigns." But, in Truth, we had then form'd no Deſigns to acquaint them with. They ſail'd the 16th of *May*, O. S. the final Orders of our Admiralty-Board for ſailing were not dated till the 19th, as we have already ſeen: In theſe Orders the joint Admirals were left at Liberty to proceed as far with the Convoys, as they ſhould *think requiſite*; and the Fleet did not ſail till eleven Days after that. If, beſides, the ſailing of the *French* Fleet had been in conſequence of any ſuch Intelligence, receiv'd from hence, and with any ſuch premeditated Deſign of laying in wait for the *Smyrna* Fleet, as hath been ſuggeſted, the *Motion* would have been as *ſecret* as it was ſudden. The contrary of which was the Caſe: And if a proper Uſe had been made of that *Paris*-Article, in all probability the maritime Force of *France*, or the greateſt Part of it, had been ruin'd at a Blow: We muſt, therefore, ſuppoſe, that if they had any Advice from hence, it was of the Deſign *firſt* entertain'd, of making an Attempt on their Ships, as they lay in the Harbour of *Breſt*; and that if they did leave that Harbour ſo ſuddenly as the Biſhop aſſerts, it was in order to avoid the Danger, and to join M. *d'Eſtrées*, before our Fleet could be in a Condition to follow them.

It is true, they enter'd into *Lagos*-Bay on the 28th of *May*, O. S. and they continued there till *Rook* fell in with them: It is alſo true, that Father *Daniel* affirms, That the *Moſt Chriſtian* King had *Advice* of the *Smyrna* Convoy, and directed M. *de Tourville* to way-lay it: But we have already ſhewn, that this Advice could not be *particular*; and as to the Fact in groſs, it was known to all *Europe*: That as to M. *de Tourville*'s continuing ſo long in that Bay, it was the Place appointed for M. *d'Eſtrées* to join him; and it was expected that he would have been able to do ſo, before the *Engliſh* and *Dutch* could come up; in which Caſe they would have been a full Match, even for the whole united Fleet: The latter having under his Command ſeventeen Men of War, and the former ſeventy-five, in all, ninety-two: Laſtly, it is affirm'd, that *de Tourville*, A. D. 1693. in this Interval, diſpatch'd no leſs than four Frigates, ſucceſſively, to apprize *d'Eſtrées* of his Arrival, and to preſs him to uſe the utmoſt Diligence to join him: And it is apparent from the Conduct of this Commander, and the Incidents attending the Encounter we are now to treat of, that he was utterly uncertain, whether his Intimation would be to riſle a Convoy, or preſerve his own Fleet.

The *Lark* not returning, and *Rook* holding on his Courſe, as before ſpecified, all Night, his Scouts, in the Morning, fell in with two of the *French* Scouts; one of which made off, and the other linger'd behind till Afternoon, when the *Chatham*, of fifty Guns, came up with, and engag'd her, tho' a Ship of ſeventy Guns; but, in the mean while, diſcovering eight or nine Sail more under the Cape, tack'd about to carry the News to the Admiral. *Falls in with the French Fleet.*

Thus far we follow the Account given by *Rook*: But from that aſcrib'd to M. *Fourbin*, who had the Command of one of the Enemy's Scouts, we learn farther, That the Orders he receiv'd were to diſcover, in caſe he fell in with a great Number of Ships, whether they were Merchant Men, or Men of War, and to make his Report accordingly: That having made the moſt accurate Obſervations he could, he reported them to be the Merchant-Fleet, bound to the *Mediterranean*, not the united Fleet: And that, notwithſtanding the Report, he, M. *de Tourville*, ſet Sail, and ſtretch'd out before the Wind, to ten Leagues diſtance; which he, M. *Fourbin*, declares, he was not able to account for; but which, no doubt, aroſe in part from his Apprehenſions of the ill Conſequences of any Miſtake; and the Obligations that lay upon him, to provide firſt for the Security of his own Fleet, and then for the Deſtruction of the Enemy. Fourbin's *Memoirs.*

Rook, on the other Hand, having call'd a Council of War, propos'd keeping the Wind, or lying by all Night, that ſo a full Diſcovery of the Enemy's Strength might be made next Morning: But in this he was overrul'd by the two other Flag-Officers, Rear Admiral *Hopſon*, and Vice-Admiral *Vandergues*, who urg'd, That as the Wind was freſh northerly, it afforded a fair Opportunity of puſhing for *Cadiz*. Nor ſatisfied, however, with this Opinion, becauſe fearful of being ſurrounded with a Strength ſuperior to his own, the Admiral, before it was ſign'd, call'd in five or ſix Captains, who then happen'd to be on board: But they concurring unanimouſly in it, he acquieſced; and Orders being given accordingly, they ran along Shore all Night, with a preſs'd Sail, and forc'd ſeveral of the Enemy's Ships to cut from their Anchors in the Bay. *Calls a Council of War.* Butchet. Lon. Gaz. *In which it is reſolv'd to puſh there for Cadiz.*

In this Interval a *French* Fireſhip fell in among them, whether by Accident or Deſign, is hard to pronounce; and the Captain and Crew being examin'd by the Admiral, the Account they gave was, That the Squadron conſiſted of no more than fifteen Ships of the Line: That they were nevertheleſs commanded *They take a French Fire-Ship, which gives them falſe Intelligence.*

A. D. 1693. commanded by three Flag-Officers, namely, M. *de Tourville*, M. *de Villet*, and M. *Lemon*. That they had with them thirty odd Sail of Store-Ships and Merchant-Men, bound to *Toulon*, or to join M. *d'Eſtrée*: That they had been becalm'd off the Cape; and that having water'd, their Commander deſign'd to make for the Streights, without any Purpoſe to wait for our Fleet.

The Enemy ſeem to retire. On the Morrow, by Break of Day, being off of *Villa-Nova*, it fell calm; and at the ſame time they diſcover'd about ten Sail of the Enemy's great Ships, and alſo ſeveral of their ſmall ones, in the *Offing*; the former of which ſtood away, being aſſiſted by their Boats, which had them in Tow: And as to the latter, ſome they ſir'd and ſome they abandon'd: It is added, that ſome of theſe fell into our Hands; and that a Train was laid in one of them which blew up twenty Men.

The Admiral bears down upon them. And now from this haſty Retreat of the Enemy's great Ships, and the apparent Confuſion of their ſmall, both the Admiral and Council of War were induc'd to believe entirely the fallacious Intelligence which they had receiv'd from the Fire-Ship; and in Conſequence of it, when the Sea-Breeze ſprung up, bore away along Shore upon the Enemy: But, to their great ſurpriſe, obſerv'd, that the farther they advanc'd, the more of the Enemy they diſcover'd: Indeed, thoſe that plied up towards them were not above ſixteen Sail, with three Flags, (*viz.* the Admiral, and Vice-Admiral of the Blue, and the Rear-Admiral of the White) which ſeem'd to correſpond with the Report; but then they were able to count diſtinctly as many more, as made up eighty in all, five of which, under the Vice-Admiral of the White, ſtood off to Sea, in order to get the Wind, and fall in among the Merchant-Men; and the reſt ſpread to Leeward, promiſcuouſly, as far as the Eye could reach.

About Three in the Afternoon, our Squadron being within four Miles of the Enemy, Vice-Admiral *Vandergoes* brought to, and *The Dutch Admiral adviſes a Retreat.* acquainted the Admiral, by Meſſage, That, being now ſenſible of the Snare they had been led into, he was for avoiding an Engagement, if poſſible; not only for the Sake of the Merchant-Men, but for fear of being over-power'd, and endangering the whole Squadron. The Admiral, on the other Hand, either imagining that he was too far advanc'd to think of a Retreat, or, perhaps, a little heated with the late Negative which had been put on his Opinion, in the Council of War, was rather diſpos'd to run the Riſque, than endeavour to avoid it: But on Reflection, adopted the Motion; and having brought to, ſtood off with an eaſy Sail, *A Diſpoſition made accordingly.* that ſo the *Dutch*, and the heavy Ships, might work up to Windward; ſending, at the ſame time, the *Sheerneſs* with Orders to the ſmall Ships, which were near the Land, and could not, as he judg'd, keep up with the Fleet, to endeavour to get along Shore in the Night, and ſhelter themſelves in *Faro*, St. *Lucar*, or *Cadiz*. A. D. 1693.

Having taken theſe Precautions, and ſeeing the Admiral, and Vice-Admiral of the Blue, with eight or ten of the Enemy's Ships gaining faſt upon him, he thought it time to make Sail, and his Example was follow'd by the reſt of the Squadron: Notwithſtanding which the Purſuers came up with the Leeward and Sternmoſt Ships of the Fleet, which were three *Dutch* Men of War, all Third Rates, and ſome of their Merchant-Men, who finding it impoſſible to eſcape, tack'd about and made for Shore; but fought ſo deſperately all the while, that they found Employment for the whole Diviſion of the Enemy, and thereby afforded the Admiral, and the reſt of their Friends, ſufficient Leiſure to make their Eſcape. *Deſperate Defence of three Dutch Men of War.*

Thus inſtead of encloſing the whole Fleet, which was part of M. *de Tourville's* Deſign, by ſtretching out to Sea, theſe three *Dutch* Men of War, and two *Engliſh*, *viz.* the *Sheerneſs*, and the *Smyrna* Factor, and ſuch of the Merchant-Men, of both Nations, as were under the Wind, were all they had to prey upon; unleſs they had divided their Strength as they ought to have done, and while one Part had follow'd the Fugitives into Shore, the other had follow'd *Rook*, and the Trade, which made a Shift to accompany him: And in one of the *French* Accounts, it is ſurmis'd, that it was owing to the Miſbehaviour of the (*n*) ſaid advanc'd Diviſion, which, inſtead of keeping the Wind, or giving Notice to thoſe to Leeward, of the ſudden Tack which *Rook*, *Vandergoes*, &c. had made, contented themſelves with encloſing thoſe three Men of War, and the Trade they cover'd, only; but it is acknowledg'd, in our own, That if the Enemy had ſhewn as much Reſolution in perſuing their Advantage, as they had ſhewn Conduct in obtaining it, not a Ship could well have eſcap'd; for the Admiral and Vice-Admiral of the Blue, were within Shot of Sir *George Rook*, when they tack'd and ſtood into the Shore, after the *Dutch*; which tacking, as hath already been obſerv'd, ſav'd the reſt of the Fleet. *Ill Conduct of the French.* Burchet, &c.

As to the Loſs ſuſtain'd upon this Occaſion, it is ſcarce poſſible to make a tolerable Eſtimate: So much was it magnified by the *French*; ſo much was it diminiſhed by the *Engliſh*. Two of the three *Dutch* Men of War were taken, the Third got into *Cadiz*; as did alſo the *Smyrna* Factor, and the *Sheerneſs* into the *Groyne*: And of the Trade, ſo environ'd as above, ſome eſcap'd into the neighbouring Ports, many were (*o*) taken, and more were deſtroy'd.

Being

(*n*) This Diviſion was commanded by M. *Gabaret*, who finding himſelf thus cenſur'd, recriminated on M. *de Tourville*: And from the Controverſy on both Sides, it appear'd, that they had let ſlip one of the greateſt Opportunities that ever Fortune threw into the way of Men of Enterprize.

(*o*) Twenty four, according to the Marquis *de Quincy*; eighteen, according to *Burchet*; twenty-nine, according to others: Of what Nation, is ſpecified by none. It is, however affirmed, in the *London Gazette*, that only one *Engliſh*, and that a ſmall one, was taken: But how inaccurate, not to ſay how partial the Government Accounts of this Diſaſter

A. D. 1693. *They come before* Cadiz,

Being moreover desirous to scrape up the very Gleanings of their Harvest, they came before (*p*) *Cadiz* on the 10th, with a Design to force out those Ships which had taken Refuge there: But all, except two, which were intercepted and burnt, having withdrawn within the *Puntals*, and being cover'd with the Cannon of the Works, were happily in a Condition to defy their Efforts. Notwithstanding which, M. *de Tourville* not only linger'd before this Port for three Days, after the Action, if it may be call'd one, but return'd again on the 29th, and continued there till the 8th of *July*; when he weigh'd and stood for the Streights: The same Day he also detach'd fourteen Men of War, and two Bomb-Vessels, to take or burn the Merchant-Ships which had ran in there, and which durst not put to to Sea again for fear of M. *d'Estreé* on one side, and their first Enemy on the other. These consisted of eight *Danes* and *Swedes*, two *Genoese*, four *English* and one *Hollander*: But the *French* were pleas'd to make a Distinction between the Ships of the three former Classes, as belonging to neutral Powers, and the two last, by giving the one Notice to quit the Harbour, and sending in two Frigates, and certain Chaloupes, fill'd with Soldiers and Seamen to destroy the other: It did not, however, prove so easy a Task as they imagin'd; for Captain *Littleton*, of the *Smyrna* Factor, having sent ninety of his Hands to the Assistance of his Countrymen, they repels'd the Enemy with Loss: And when they return'd to the Charge, with Bombs and Carcasses, and it was judg'd impossible to save them, the *English* came to a Resolution to sink their Ships, which was done accordingly; but the *Hollander* more prudently unloaded his, and then left her to the Mercy of the Enemy. A. D. 1693.

as also Gibraltar,

The Detachment then rejoin'd M. *de Tourville*; and no other Feats remaining to be perform'd on that Side, the whole Fleet pass'd the Streights, to join M. *d'Estreé*, whom the Westerly Winds had hitherto hinder'd from joining them: On the 19th this Junction was made; and the whole Coast took the Alarm: For the *French* were now absolute Lords of the *Mediterranean*, and in a Condition to do what Mischief they pleas'd: The *English* were, on that very Day, (the 9th O. S.) holding a Council of War in *Torbay*; and as to the *Spanish*

---

after were, may be gathered from the following Remarks upon them; which however ought to be regarded with some Caution, as being known to come from a disaffected Quarter.

"I shall begin with the Loss of the *Streights* Fleet; and here I shall,

1st. Very briefly shew the *Gazette*'s Account of this Accident to be perplex'd, and disagreeing with itself.

2dly. That 'tis imperfect, and far short of Matter of Fact.

1. His Account is dark and inconsistent. His Business here is to let us know the Fortune of the *English*. Now had he been dispos'd to inform us of what had passed, he would (after the List of those which escaped with the Admiral) have immediately mention'd the others which gain'd the Ports of *Spain*, and distinguish'd the *English* from the rest. This Account had been easy and intelligible: But his Design, it seems, was not to be understood. To this Purpose he gives you the Number of those with Admiral *Rook*: Then tells you how many were missing; and at last sets down those which were got into *Cadiz* and St. *Lucar*; and intermixeth them with *Dutch*, *Danes*, &c. and with part of his latter List. And by this confus'd Relation, he has convey'd himself out of Sight: But, upon Enquiry, I believe it will appear, he has lost himself as well as his Reader.

Let us compare his Lists from the *Gazette* of *July* 17. [Note, *Those Lists are the same which are still extant in* Burchet.]

His first List contains those *English* Merchant Ships which were with Admiral *Rook*. The Number of these is fifteen, beginning with the *George*, and ending with the *Fidelity*. His second List consists of those *English* Merchant-Men which were missing; this begins with the *Columbia*, and ends with the *Mary Flower*, and in all makes twenty four Ships.

His third Account is of those Ships which escaped into *Cadiz* and St. *Lucar*, which though it does not reach the Number of what was missing, yet it brings in nine *English*, seven in *Cadiz* and two in St. *Lucar*, which were unmention'd in his former Lists. Their Names are,

The *Johanna* and *Anne*; the *Success*, commanded by *Isaac Steenbam*, and therefore different from the *Success* in the missing List, whose Master was *David Bishop*.

The *Sarah* and *Elizabeth*; the *Sarah*, *Marmaduke Royden*; the *Sarah*, commanded by *Lawson*; the *John*, commanded by *Ware*; the *Tetuan Merchant*; Captain *Cooper*, his Ship not named; the *Malaga Factor*, Captain *Newland*; and therefore different from that Ship of the same Name in his second List, which was commanded by *Rich. Lowe*. Now where a Man pretends to be particular in naming the Ships which were safe, and those which are missing, one would think the joining these two Numbers should comprehend the whole Fleet: But, besides, that he is far short of the Sum Total, as will appear by and by, there is an unusual Accident happen'd to the Computation; for he has brought in nine Merchant-Men, seven to *Cadiz* and two to St. *Lucar*, which were unmention'd in the former Lists. So that by his Account we have nine Sail, which were neither safe nor missing, neither in the Enemies Hands nor their own, which I confess is something extraordinary.

I am now, in the Second Place, to prove his Account far short of Matter of Fact.

We must go back to his former List. The Number with Admiral *Rook* is fifteen, the List of those missing is twenty-four; so that it seems the whole Fleet of *English* Merchant-Men, bound (as himself tells us, *Gazette July* 17.) to *Smyrna*, *Scanderoon*, *Messina*, *Gallipoli*, *Alicant*, *Cadiz*, St. *Lucar*, *Venice*, *Tunis*, *Malaga* and *Leghorne*, consisted but of forty Sail. But this is a great Mistake; for 'tis granted, by all the Merchants of *London*, (and by many of them too much felt) that the *English*, when they fell in with the *French* at *Lagos-Bay*, were about eighty Sail of Merchant-Men.

This Number the *Gazetteer* ventures to abridge into forty, to conceal the Loss of the rest. And here we may observe, that the Fleet bound to *Smyrna* consisted of eight *Dutch* and eleven *English*; the *Dutch* were all taken and destroy'd at *Lagos*; and two of the *English* were then destroy'd, and four since at *Gibraltar*, making above two thirds of the Value of the eleven. The *Saffan*, worth above 50,000*l.* was likewise burnt at *Lagos*. The *Gazetteer* owns the Misfortune at *Gibraltar*; (and that at *Malaga*) but as for the rest, he knows not of one *English*-Man taken, except the *Friendship*, a small Vessel, of about seventy Tuns. (*Gazette, July* 17.) This Relation he afterwards repeats with more Assurance. *Of the* English, (says he) *there is but one Ship taken, either Man of War or Merchant-Man, except a small Vessel call'd the* Friendship. (*Gazette, August* 5.) Now by this Account one would imagine all was well; but if we observe him a little closer, we shall find he is not so hardy as to affirm, that none of the *English* were burnt or sunk at *Lagos-Bay*. This he durst not say. Now if they are destroy'd this way, they are as much lost as if they were taken, though not with the same Advantage to the Enemy: But the *Gazetteer* hoped to conceal the Matter, by saying they were not taken. And since the Confederacy is deeply concern'd in this Misfortune, I shall just mention the whole from the *Dutch* Prints. The *Recueil, August* 6. informs us, that the *French* took two *Dutch* Men of War, one of sixty-six, the other of sixty-eight Guns, and burnt a rich Pinnance, and an *English* Man of War of fifty-six Guns. Besides these, the *French* took twenty-five Merchant-Men, and burnt forty-five, which in all makes seventy four. All this was done at the Bay of *Lagos*. The same Intelligence (*Recueil August* 13.) continues the Narration of this Misfortune, and says, That the *Sieur Carthagen* burnt four *English Smyrna* Ships, and one *Dutch* Man, at *Gibraltar*, and took seven; that Count *d'Estreé* took four, and burnt some; so that here are sixteen more lost, which added to the former Number of seventy four, makes ninety, besides those burnt by Count *d'Estreé*. And if the Ships destroy'd at *Malaga* are not included, the Misfortune rises still higher. *Remarks on the* London Gazette, 4to. p. 1, 2.

(*p*) *Burchet* (and after him another naval Historian) most unaccountably asserts, That they first pass'd thro' the Streights to *Malaga*, and then return'd to *Cadiz*.

A. D. 1693. *Spaniſh* Fleet of Men of War and Gallies, which had ſail'd on the 3d from *Naples*, they were glad to take Shelter in *Port-Mahon*, and to throw up a variety of Redoubts for their farther Security.

It is, however, remarkable, that in this triumphant Situation the *French* Commanders did not think fit to proceed to Extremities with the *Spaniards*: On the contrary, the united Fleet being come to Anchor on
Malaga. the 20th before *Malaga*, within (9) half Muſquet-ſhot of the Town, M. *de Tourville* ſent a Bark a-ſhore, to acquaint the Governor, That his Deſign was to burn the *Engliſh* and *Dutch* Merchant-Ships in the Port; not to injure the Town, unleſs he undertook to defend them; in which Caſe he ſhould be conſtrain'd to bombard it: To which the Governor gallantly anſwer'd, "Let him do as he pleaſes; the Merchant-"Ships are under the King of *Spain*'s Pro-"tection; and I will protect them at all "Hazards." The Ships were no more than four *Dutch* and one *Engliſh*: And yet we are told, That not only a Party of arm'd *Chaloupes*, under the Cover of eleven other Veſſels, Frigates and Fireſhips, were employ'd in deſtroying them, but that M. *de Tourville* himſelf, either in a Bravado, or to ſet a new Gloſs on his Character, which had been tarniſh'd in the late Rencounter, threw himſelf into one of the *Chaloupes*, and headed the Attempt in Perſon. The Governor, on the other Hand, was as good as his Word; and what with the Shot from the Town, and from the Ships, this formidable Detachment was twice repuls'd: *De Tourville* himſelf was in danger of being kill'd with a Cannon-Ball: And at laſt the *Dutch* did here, what the *Engliſh* had done before at *Gibraltar*; that is to ſay, they ſunk their Ships themſelves, to prevent their being burnt by the Enemy: And the *Engliſh*-Man having before landed eighty-ſix Bales of Silk, and not ſinking faſt enough, was taken. The Skirmiſh laſted about ſix Hours; very little Damage was done on either Side; and a ſort of Ceſſation enſued: For M. *de Tourville* having requeſted the Governor to ſend him a Supply of freſh Proviſions, as he had before done at *Cadiz*, and the Governor having comply'd with that Requeſt, they made no other Attempt during their Stay in that Port, which was till the 27th following. When, alſo, they
and Alicant. appear'd before *Alicant*, on the 6th of *Auguſt*, N. S. but ſeven Ships came to an Anchor before the Town; and their Buſineſs was only to levy a Contribution of freſh Proviſions, which the Towns-men chearfully furniſh'd, for fear of a Bombardment, with which they were menac'd in caſe of Refuſal.

appear in ſight of Barcelona. It was, however, apprehended, and not without Reaſon, that, notwithſtanding all this Shew of Gentleneſs and Forbearance, they only ſav'd their Stores, for the Sake of aſſiſting M. *de Noailles* in the Siege of *Barcelona*: In ſight of that City, it is certain they hover'd ſeveral Days: And it has been ſurmis'd, that nothing prevented the Execution of that Project, but the Remonſtrances of that General, whoſe Army was ſo enfeebled by the Detachment, which he had been oblig'd to ſend to *Italy*, that inſtead of embarking in any ſuch Enterpriſe, he found himſelf oblig'd to withdraw from the Neighbourhood of *Gironne* into *Rouſſillon*; after which M. *de Tourville* proceeded to *Toulon*, where he arriv'd about the 16th of *Auguſt*. A. D. 1693. *and proceed to* Toulon.

London Gazette, No. 2905.

It is now time to ſpeak of Sir *George Rook*, and his Squadron; who, having made the beſt Enquiry he could after the Ships that were miſſing, and diſpatch'd the *Lark* to *England*, with an Account of the Diſaſter which had befallen him, bore away with the Remainder to *Madeira* for Water, and in hopes ſome of the ſcatter'd Ships would have re-join'd him there. But of theſe the *Monk*, Captain *Fairborne*, was the only one: Having, therefore, put his Squadron into the beſt Condition he could, he ſet Sail again on the 27th of *June*, and arriv'd at *Cork* on the 3d of *Auguſt*, with twelve *Engliſh* and two *Dutch* Men of War, beſides Fire-ſhips and Tenders, and between forty and fifty Sail of Merchant-Ships of both Nations; all of which had not only loſt their Voyage, but incurr'd ſuch Expences, as the Profits of Many would ſcarce repay. *Rook makes for* Madeira. *arrives at* Cork.

Here he receiv'd Orders, from the joint Admirals, to ſend ſix of his principal Ships to the main Fleet, and to continue with the reſt at *Kinſale*: But, having an Inclination to return home himſelf, no doubt to clear up his own Conduct, and improve his Intereſt upon it, tho' other Reaſons, or rather Pretences (ſuch as the want of ſeveral Species of Proviſions, and that no ſudden Service could be expected for the Ships ſo ſtation'd) are aſſign'd for it, he choſe to command the Detachment himſelf, and to leave the reſt under the Orders of Captain *Fairborne*. *and ſets ſail for the main Fleet.*

According to the Reſult of the Council, held in *Torbay*, on the 9th of *July*, above-mention'd, the main Fleet was to proceed forty Leagues S. W. from *Uſhant*; and then to conſider, whether it was moſt proper to remain there, or to remove to ſome other Station for intercepting the Enemy; and on the 18th following they ſet Sail: The ſix Ships of *Rook*'s Squadron were to have join'd them at their Station: And a Fleet of forty Victuallers follow'd them, with a farther Supply of Proviſions, under the Convoy of the *Dreadnought*, *Winchelſea*, and two *Dutch* Men of War. But when they were got into the Bay of *Biſcay*, they met with ſuch tempeſtuous Weather, as not only did them conſiderable Damage, but forc'd them back again to *Torbay*, where they came to Anchor once more, on the 16th of *Auguſt*, and the ſame Day were *which puts to* Sea again. London Gazette, No. 2890. *But is driven back by contrary Winds.*

(9) Theſe are the Words of the *London Gazette*. But I am inclin'd to think, That half Cannon-Shot would have been near enough o'Conſcience.

A. D. 1693. were join'd by *Rook* and the Victuallers; which having been ſeperated from their Convoys at Sea, had accidentally fallen in with his Squadron, and were driven in together with him, by the ſame Storm.

Still, however, the Nation was in hopes that the Fleet would have made one Adventure more, to balance the Loſſes and Diſgraces of the Year: The *French* Fleet was ſtill to return to *Breſt*; and the Advocates for the Government had, with more Confidence than Diſcretion, given out, that they would not be ſuffer'd to return as peaceably as they ſet out. Mr. *Burchet* is alſo expreſs, That not above five *Engliſh* Ships, and one *Dutch*, were incapable of Service till they had been repair'd; and that Orders were at firſt given for refitting all ſuch as were but ſlightly damag'd for immediate Service: But all at once other Councils and other Meaſures took Place: On the 25th of *Auguſt* the Admirals were order'd round to St. *Helens*: The Regiments, which had been ſo long on board, were diſtributed into Quarters of Refreſhment on Shore: All the Three-deck Ships, except four, were ſent to *Black-Stakes*; and on the 19th of *September*, by his Majeſty's Command, fifteen *Dutch* Ships of the Line, and two Frigates of thirty-ſix Guns each, were ſent home, in order to be laid up.

The Fleet recall'd.

Thus ended the Expectations of the Year; and with ſo much the more Regret to the Public, becauſe it was ſoon after underſtood, that the main Body of the *French* Fleet, under the Command of M. *de Tourville*, and M. *de Chateau Renaud*, were then actually at Sea, on their Return to *Breſt*, where the Former arriv'd, without the leaſt Interruption, on the 21ſt of *October*, N. S. following.

And now, after having been thus particular in the Detail of our naval Conduct, which appears to have been one continual Miſcarriage, it may be expected, that we ſhould haſten to the Effects of it, on the Intereſts, Paſſions, and Reſentments of the People at home: But that we may have the whole Proſpect clear before us, it is ſtill neceſſary to premiſe, That, at the very time, when the *Mediterranean*-Traders of all Sorts, had waited ſo long for a Convoy, were grown ſo impatient to be furniſh'd with one, and the Seas were open to them, becauſe neither of the *French* Squadrons was in a Condition to ſail, a Project was form'd againſt the *French* Settlements in the *Weſt-Indies*; and the Execution of it was committed to Sir *Francis Wheeler* by Sea, and Colonel *Codrington*, Governor of the *Leeward-Iſlands*, and Colonel *Foulkes*, by Land. The Squadron appointed for this Service, which, it ſeems, was here underſtood to be a very eaſy one, conſiſted of two Third Rates, ſix Fourths, three Fifths, one Sixth, three Fire-Ships, one Store-Ship, one Hoſpital-Ship, one Bomb-Veſſel, and a ſufficient Number of Tranſports for the Land Forces: Beſides which, it was to be reinforc'd by three other Fourth Rates, already at the *Weſt-Indies*. The Land-Forces were to conſiſt of about 1500 Men, which were to be join'd with 800 more, which had been rais'd at *Barbadoes*; and alſo, with all the Forces of the *Leeward-Iſlands*. A. D. 1693.

Sir Francis Wheeler's Expedition againſt the French Settlements.

In the Beginning of *January* this Squadron ſet Sail, and on the 1ſt of *March* they arriv'd at *Barbadoes*; where it was reſolv'd, at a Council of War, to make their firſt Attempt on *Martinico*: Accordingly, having ſent Advice of their Purpoſe to Colonel *Codrington*, together with a Requiſition, that he would join them there, they ſet Sail on the 30th; on the (*r*) 1ſt of *April*, according to the *London Gazette*, they came to Anchor in the *Cul de Sac-Marine*; and having, the next Day, landed about 1560 Men, without Oppoſition, inſtead of proceeding on any regular Plan, applied themſelves only to ruin the Sugar Works, which they continued to do for ſeveral Days together; the Planters, and their Negroes, leaving all, and flying to the Woods for Shelter. On the 10th they were join'd by Colonel *Codrington*; and the next Day the more ſolid Purpoſes of the Expedition being taken into Conſideration, at a Council of War, it was debated, whether it would be moſt adviſable to begin with *Fort Royal*, (*s*) or *Fort St. Pierre*, and determin'd for the Latter. Accordingly, the Troops which had been landed, having been re-imbark'd, they ſet Sail for that Place, and on the 17th landed their whole Force, which amounted to upwards of 3000 Men, in the Neighbourhood of it: The reſt of the Day was ſpent in ſkirmiſhing with certain advanc'd Bodies of the Enemy; and when thoſe were repuls'd, in deſtroying all the Plantations within their Reach: On the Morrow they took Poſſeſſion of an Eminence within Cannon-Shot of the Town; and mounted certain Field-Pieces upon it, with which they fir'd into the Entrenchments of the Enemy; but with ſo little Effect, that the Latter took Courage and ſallied out on the Aſſailants: It is true, the *Engliſh* affirm, and the *French* admit, that they were driven back again to their Lines: But whereas the Former alſo affirm, that they never ſhew'd themſelves again; the Latter, on the contrary, maintain, That having receiv'd a Reinforcement from their Governor-General, they not only repuls'd the *Engliſh* in their turn, but forc'd them from the ſaid Eminence, and defeated them in ſeveral other Skirmiſhes.

However this may be, on the 20th, almoſt all the Commanders, except *Wheeler* himſelf, and one Lieutenant-Colonel, gave in their Opinions in Writing, at a Council of War, That they ought to give over the Attempt, becauſe the Enemy was ſuperior in Number; becauſe our own Forces were part ſickly, part undiſciplin'd, and one Third of them *Iriſh Papiſts*, who could not be depended upon; becauſe the Roads were almoſt

(*r*) *Burchet* ſays the 15th. (*s*) According to the *French* Account they attempted both

A. D. 1693. almoſt impaſſable; becauſe the Fort was a regular Fortification; and becauſe if they ſhould be defeated it would be found almoſt impoſſible for them to recover their Ships; in which Caſe not only *Barbadoes*, but alſo the *Leeward-Iſlands*, would be expos'd to the Deſigns of the Enemy.

Unſucceſsful at Martinico, Dominica, &c.

In fine, ſuch Weight had theſe Reaſons, or ſo willing were theſe concern'd to be ſway'd by them, that, on the Iſſue of the Debate, the Attempt was actually given over; and the next Day, but one, the Troops were re-imbark'd.

The Loſs ſuſtain'd on this Occaſion, according to the *Gazette*, was but 120 kill'd, and 160 wounded; but according to the *French* Accounts, 500 kill'd, 200 wounded, and 100 taken Priſoners: And *Burchet*, in effect, authoriſes this Liſt, by ſaying, That in three Days time, the Number of the ſick, wounded and kill'd, amounted to 800: Nor, whatever the Loſs was, does it appear, by any Account, that the Invaders acquir'd any Profit or Honour to balance it.

Their next Adventure was to *Dominica*, where they arriv'd the next Day: And here again the Commodore preſs'd for an immediate Attack on that Place; but as above, was over-rul'd by the Land-Officers: They did not, indeed, declare abſolutely againſt him; but they urg'd, that the Enemy were yet ſtronger here than at St. *Pierre*; and that it would require ſix Weeks or two Months, to reduce them; whereas they knew, that his Orders were poſitive to leave thoſe Parts by the laſt of *May*; and the *Barbadoes* Men were moreover as preſſing to return home, as if they were afraid the Ardour of the Commodore would get the better of the Scruples of thoſe he was connected with.

Under theſe Difficulties and Diſcouragements therefore, he was forc'd to give over all farther Thoughts of Action in thoſe Parts; and nothing remain'd but to gratify his Auxiliaries by ſuffering them to depart; and to repair with his Squadron, and the reſt of the Land-Forces, to St. *Chriſtophers*, for Water, and ſuch other Refreſhments as he ſtood in need of.

Accordingly, on the 4th of *May* he arriv'd there; and on the 11th following, in purſuit of his Inſtructions, he ſet Sail for *Boſton*, in *New-England*, where he arriv'd on the 12th of *June*: Sir *William Phipps* was ſtill Governor of that Province; and with him he had Orders to concert an Expedition to *Quebec*, which was to be undertaken out of hand: But ſuch an Expedition, even at that time of Day, requir'd no leſs than 4000 Men; and ſuch Preparations as, in that Country, would have requir'd full four Months to complete: Whereas Sir *William* had never receiv'd the leaſt Inſtructions or Notice concerning it; and was out of Meaſure amaz'd, at ſo extravagant a Propoſal.

Finding, therefore, that the Orders he had receiv'd, with regard to *Quebec*, were utterly impracticable, and unwilling to return without ſome viſible Proof of his Zeal for the Service, he ſet Sail on the 3d of *Auguſt* for *Newfoundland*, with a Reſolution to make an Attempt upon *Placentia*. Here he arriv'd on the 18th, and calling a Council of War, laid before them ſuch Informations as he had receiv'd, concerning the Strength of the Place, namely, That the Soldiers and Inhabitants were computed at about 2000 Men: That they had ſeveral large Privateers in the Harbour, but no Men of War; (nor, indeed, had they heard of any, in any Part of their Voyage) and that the Enterance into the ſaid Harbour, which was very narrow, was guarded by three Cables laid a-thwart, and a ſtrong Fort, mounted with thirty large Cannon, and palliſaded towards the Land: Beſides which, ſome ſlight Works had been thrown up on the neighbouring Hills. He alſo accompany'd theſe Informations, with an Offer to ſtorm the Harbour, in caſe the Land-Officers would furniſh him with ſome of the Soldiers out of the Tranſports, to work his Guns; (for by this time he had ſcarce Seamen enough left to ply a ſingle Tire) and would alſo co-operate in the Attempt, by making a Diverſion on Shore at the ſame time. But the Land-Officers (many of the Principal of whom were dead) were ſtill of a different Opinion; and having eleven Voices in the Council, againſt ſix, his Propoſal was, on the Queſtion, rejected; and all that he could obtain was, the ſending a Detachment of arm'd Frigates, and a Party of Soldiers, to deſtroy the Settlement at St. *Peters*, which they effected.

A. D. 1693.

Having thus fulfill'd his Inſtructions, as far as it lay in his Power, he ſet Sail from the Bay of *Bulls*, on the Eaſt Side of the Iſland, (where he had put in for Wood and Water on the 28th, and where he was detain'd by bad Weather untill the 22d of *September*) on his Return to *England*; but ſo poorly Mann'd, and in ſo ſhatter'd a Condition, that it was not without great Difficulty and Danger he reach'd *Portſmouth* on the 18th of *October*.

He returns home.

Thus we are at laſt come to a Cloſe of the Loſſes and Diſappointments of this unfortunate Year: And as to the Credit-Side of the Account, it contains but two Things, and both ſo inconſiderable, that they are ſcarce worth Notice; *viz.* 1ſt, The driving the *French* out of the Factories, which they had begun to eſtabliſh on the Coaſt of *Guinea*, by the *African* Company; and, 2dly, The Recovery of thoſe other Forts and Factories, which they had taken from the *Hudſon's-Bay* Company, in time of Peace.

Now we ought not to forget, that when the People enter'd into the War with *France*, it was under a Perſuaſion, that every Year would be a Year of Victory, Triumph and Glory: And while we remember this, we cannot wonder that their Mortification ſhould be as great as their Diſappointment. In the preceding Year the Diſgrace at *Steenkirk* had been, in part, alleviated by the Succeſs at *la Hogue*: But in This the *French* appear'd

A. D. 1693. appear'd as irreſiſtible by Sea as by Land; and inſtead of making Acquiſitions from them, we were only a Prey to them. It was, beſides, manifeſt, that our Misfortunes were the Fruits of our Miſconduct; and even thoſe who could bear the Loſs, could not forgive the Wickedneſs and Folly which occaſion'd it: In particular, the Blow which our Trade had receiv'd from the Enemy, being a national Miſchief, as well as a national Diſgrace, was what every Man thought he had a Right to complain of: And as to thoſe, who were either the immediate Sufferers, or more immediately liable to the like Viſitation, that is to ſay, the whole mercantile Body, their Reſentment was ſuitable to the Smart that caus'd it. They had a Meeting upon the Occaſion; and agreed upon an Addreſs, or rather Remonſtrance, to her Majeſty, in which they ſet forth, very freely, the Hardſhips impos'd upon them by the want of Convoys, *&c.* the Calamity which had overtaken them, and the Neceſſity of a more ſufficient Management for the time to come. This Addreſs was preſented the 16th, and receiv'd with all the Grace and Tenderneſs which it deſerv'd; the Lord-Keeper *Somers* declaring to them, in her Majeſty's Name, That ſhe had the deepeſt Senſe of the Loſſes which the Traders, both of the City and the Kingdom, had ſuſtain'd; and that ſhe had given Directions to a Committee of the Privy-Council, as well to examine into the Cauſes of the Misfortune, as to take effectual Care to prevent the like Complaints for the future, *&c.*

The Merchant's Remonſtrance to the Queen.

The Lord-Keeper's Anſwer.

A Loan of Money requir'd of the City.

That, however, a farther Advantage might be deriv'd from theſe healing Expreſſions, than merely compoſing the Minds of the Complainants, an Intimation was given to ſome of the Principal of them, that unleſs a Sum of Money could be advanc'd, by way of Loan, to the Government, it would be impoſſible for her Majeſty ſo fully to anſwer her own gracious Purpoſes, as the preſent Exigence requir'd: And ſo effectually was this Point labour'd in the City, that the Lord-Mayor was induc'd to call a Common-Council, and that Common-Council was induc'd to adopt ſuch an Addreſs, as ſeem'd to reflect more Credit on the Government, than what ſuch a Series of Diſgraces and Diſappointments had depriv'd it of. For in the firſt Paragraph they made uſe of theſe ardent Expreſſions, "We, *&c.* out of a deep Senſe of the infinite Goodneſs of *God* to this Nation, in the ſignal Deliverance of his ſacred Majeſty from thoſe Dangers in which he hath ſo lately, *for our Sakes*, expos'd his Royal Perſon, even to the Admiration of his Enemies, do, heartily, and unfeignedly, in the firſt Place, return to Almighty *God*, our moſt humble Thanks, and, in the next, in all Humility congratulate your Majeſty, upon ſo ſenſible a Providence as the Preſervation of that Prince, in whoſe *Life*, not only our Laws and Religion, but even the Liberty of *Europe* is ſo INTIRELY WRAPP'D UP." In the Second, as a proper Return to the gracious Anſwer, given by the Lord-Keeper to the Merchants in her Majeſty's Name, they proceeded thus: "We do, with all Chearfulneſs, render our hearty Thanks to your moſt gracious Majeſty, for ſo great a Condeſcention; no ways doubting but your Majeſty will continue to give ſuch good and ſeaſonable Directions, that the Trade of this your Kingdom, in which the Proſperity of it doth ſo much conſiſt, may be better ſupported for the future." And, laſtly, they concluded thus: "And as we have hitherto, from a Senſe of our Duty, demonſtrated to the whole World, our great Zeal for your Majeſty's Service; we, having now a freſh Opportunity of ſhewing the ſame, by a chearful and unanimous advancing of Money for the preſent Emergencies of your Majeſty's Affairs, humbly beg Leave to aſſure your Majeſty of our firm Reſolution to continue our hearty Endeavours, upon all Occaſions, to ſupport your Majeſty's Royal Authority and Government againſt all Perſons, to the uttermoſt of our Power."

A. D. 1693.

Addreſs of the Lord Mayor, &c.

This Addreſs was preſented the next Day after the former, which is all that need be ſaid of it: The Sum demanded of the City was 300,000 *l.* But whether the Caſh of the Citizens fell ſhort, or their Zeal and Confidence cool'd, we read but of 170,000 *l.* paid into the Exchequer: And as to the Proceedings of the Committee of the Council, with regard to our naval Miſmanagement, they were yet leſs Satisfactory to the Public, than this partial Loan was to the Court. That there had been a Miſmanagement, was too notorious to be denied: But when the Blame came to be fix'd, all the ſeveral Parties within the Reach of it, had their ſeveral Advocates, who made the Caſe their own, and contriv'd to render their Skreen as broad as poſſible: But the Drift of the Enquiry ſeem'd to bear hardeſt upon the Admirals: While their Flag was yet flying, ſeveral Queſtions were ſent to them by the Lords of the Admiralty, touching their parting with *Rook*, their not endeavouring to gain Intelligence at *Breſt*, &c. and they were alſo examin'd afterwards, by the ſaid Committee, in a manner ſo little to their Satisfaction, that they publicly complain'd of Lord *Falkland*, (who, as firſt Lord of the Admiralty, was liable to Cenſure as well as themſelves) *for having ſtifled ſomething that was material to their Juſtification:* And yet ſo great was the Aſcendancy of that Nobleman, that he procur'd a Declaration of Council, to be publiſh'd in the *Gazette*, That the ſaid Complaint (or as it is there call'd Report) was falſe and ſcandalous; tho' it is alſo admitted, in the ſaid Declaration, that *ſomething happen'd which might miſlead the Admirals into that Error.*

A Privy-Council-Enquiry into the Miſconduct at Sea, fruitleſs.

Burchet.

Now, in this very Paper, enough was acknowledg'd to authoriſe the Suſpicions and Diſcontents of the Public; but nothing was inſerted in it which had the leaſt Tendency to remove or leſſen them: Indeed, we are told by Biſhop *Burnet*, That the Miniſters were

A. D. 1693. were so broke to Pieces, that they acted without Union or Concert; and that it was the Business of each to justify himself, and to throw the Blame on the others: And we find that the Party which had so long and so loudly clamour'd, That the King was betray'd, did not fail to make use of this Opportunity, to raise that Clamour higher than ever. The same Prelate also takes upon him to point out who these *Betrayers* were, in the following extraordinary Terms: "A good Share of this (*t*) was cast on the Earl of *Nottingham*; the Marquis of *Carmarthen* was much suspected; the Earl of *Rochester* began now to have great Credit with the Queen, and seem'd to be so violently set against the *Whigs*, that they look'd for dreadful Things from him, if he came again to govern: For being naturally warm, and apt to heat himself in Company, he broke out into Sallies which were carried about, and began to create *Jealousies*, even of the QUEEN herself." *Jealousies*, that is to say, of her being as violently set against the *Whigs*, as the Lord who had so much Credit with her; not of her betraying the King's Affairs, as the Bishop's loose way of expressing himself seems to intimate. But then, according to the Prejudices he had imbib'd, the Difference was scarce a Shade between corresponding with *France*, and living in Charity with the *Tories*: The King had taken the *Whigs* to himself, and he had left the *Tories* to the Queen; and by this two-fold Connection he hop'd to have the joint Services of both Parties: But the Fact was just otherwise; for neither of them was satisfied with this Partition of Favour and Power: And it is certain, that if the Earl of *Rochester*, and the rest of the *Tory*-Ministers, were violently set against the *Whigs*, the *Whigs*, at this Crisis, as violently insisted, That the Government could never be well and faithfully serv'd by any but themselves.

Ministers accus'd by B. Burnet.

In this Ferment was the Cabinet, the Court, and the Nation, when his Majesty, having induc'd the States-General to make a very considerable Augmentation in their Forces, both by Sea and Land, and employ'd the most pressing Instances with all the confederated Powers to do the same, arriv'd in (*u*) *England*, from *Holland*; and a Session of Parliament approach'd, according to the Prelate last quoted, "With great Apprehensions, occasion'd by our ill Success, and by the King's Temper, which he could no way constrain, or render more complaisant; but chiefly from the Disposition of Men's Minds, which was practis'd on, with great Industry, by the *Enemies* of the Government, who were driving on *Jealousies* daily."

Who these Enemies were, he does not stay to explane; the *Jacobites* we must suppose he means: But if they were industrious in driving on Jealousies of the King and Queen, the *Whigs* were as industrious in driving on Jealousies of their Ministers: So that, if practising on the Dispositions of Mens Minds that way, constituted an Enemy to the Government, it is but fair to pronounce, That both were Enemies alike: But if the King was really betray'd, as he, the Bishop, more than surmises, Jealousy was not only allowable, but laudable; and if not, he stands self-condemn'd, for endeavouring to perpetuate a Jealousy which had no Foundation. A. D. 1693.

The same Author also says, That the King, upon his Return, *saw the Necessity of changing both his* Measures *and his* Ministers. Whence we are to suppose, that hitherto, at least, he had made an ill Choice of both. But though he did, soon after his Arrival, proceed to a Change of his Ministers, we shall find the Bishop himself insinuating that it was against the Grain; and that, instead of changing his *Measures*, he chang'd his *Ministers*, on purpose to avoid it; his Words are these: "He express'd his Dislike of the whole Conduct at Sea, and nam'd *Russel* for the Command of the Fleet next Year: He dismiss'd the Earl of *Nottingham*, and would immediately have brought the Earl of *Shrewsbury* again into the Ministry: But when that Lord came to him, he thought the King's *Inclinations* were still the same that they had been for *some Years*; and that the Turn which he was now making, was not from *Choice* but *Force*: So that went off; and the Earl of *Shrewsbury* went into the Country: Yet the King, soon after, sent for him, and gave him such Assurances, that he was again made Secretary of State, to the general Satisfaction of the *Whigs*. But the Person who had the King's *Confidence*, to the *highest Degree*, was the Earl of *Sunderland*, who, by his long Experience, and his Knowledge of Men and Things, had gain'd an Ascendant over him, and had more Credit with him than any *Englishman* ever had: He had brought the King to this Change of Counsels, by the Prospect he gave him of the ill Condition his Affairs were in, if he did not entirely both *trust* and *satisfy* those, who, in the present Conjuncture, were the only Party that both could and would support him. It was said, that the *true Secret* of this Change of Measures was, That the *Tories* signified to the King plainly, that they could carry on the War no longer; and that, therefore, he must accept of such a Peace, as could be had: This was the most pernicious thing that could be thought on, and the most contrary to the King's Notions and Designs; but they being *positive*, he was *forc'd* to change Hands, and to turn to the other Party: *So* the *Whigs* were now in favour again, and *every thing was done*, that was like to put them in good Humour. The Commission of the Lieutenancy, for the City of *London*, on which they had set their Hearts, much more, perhaps, than it deserv'd,

(*t*) *Reproach* must be understood, *arising from our want of intelligence of the Motions of the* French, *while they seem'd to know every thing that we either did or design'd to do*; for these are the very Words of the Bishop's Charge.

(*u*) He landed at *Harwich*, *October* 29. lay at *Colchester* that Night, and reach'd *Kensington* the next.

A. D. 1693. serv'd, was so alter'd, that the *Whigs* were the superior Number; and all other Commissions were much chang'd: They were also brought into many Places of Trust and Profit; so that the King put his Affairs chiefly into their Hands: Yet so, that no *Tory*, who had expres's'd Zeal or Affection for the Government, was turn'd out: Upon this the *Whigs* expres's'd new Zeal and Confidence in the King."

Remarks upon his State of Things.

There was a Necessity of inserting this whole Section entire, because of the many extraordinary Things it contains: But then we ought also to observe, that a more inaccurate, or a more inconsistent Section is not to be found in the whole Work. For can it be admitted, that the King was, at once, under a Necessity to change both his Measures and his Ministers; and to change his Ministers, because he could not be prevail'd upon to change his Measures? Or can it be admitted, that he was induc'd, by the Earl of *Sunderland*, to make this Change; and, yet, that he should be forc'd upon it by the Positiveness of the *Tories*? That he did place more Confidence in that Lord, than any other *Englishman*, cannot be deny'd: But that he should do so, is an irresistible Proof, that either he did not disapprove the Violences of the late Reign, or that these Violences were the Effect of Perfidy beyond Example. Lastly, the whole Matter contain'd in that Section, is huddled together, without any Regard to order of Time, or that Progression of Things, which, unless regularly mark'd, can never be sufficiently understood. Tho' *Russel*, for Example, was restor'd to the Command of the Fleet, on the 6th of *November*, the Commission of the Admiralty was not alter'd till the 11th of *May* following: Tho' Lord *Nottingham* was soon remov'd from the Secretary's Office, Lord *Shrewsbury* was not prevail'd upon to accept the Seals till the Beginning of *March*: And all the other Changes took place in such a manner, as very sufficiently manifested, that, next to the Mortification of being oblig'd to put an End to the War, the King was most apprehensive of being in the Hands of those, who were, by Profession, jealous of his Prerogative.

Proclamation for a Thanksgiving.

But, to proceed: As, in the Beginning of the Year, a solemn monthly Fast had been appointed by Proclamation, to implore a Blessing on their Majesty's Arms, &c. it was thought advisable now, towards the Close of it, to appoint as solemn a Thanksgiving. Accordingly, the first Act of State that was made public, after the King's Return, was a Proclamation to that Purpose, in which are the following Expressions: "Forasmuch as it hath pleas'd Almighty *God*, of his infinite Goodness, in answer to the Prayers, humbly and devoutly offer'd up to him, to preserve their Majesty's, and their Government, against the Designs and Attempts of their open and *secret* Enemies; and to protect his Majesty's Person from the many and great Dangers of the War, in his late Expedition beyond the Seas, and to bring him back, in safety, to this Kingdom: Their Majesties, therefore, adoring the divine Goodness, and duly considering, that such great and public Blessings, do call for public and solemn Acknowledgements, have thought fit, and with the Advice of their Privy-Council, do appoint, &c. In what manner the People went thro' with this Ceremonial, is not mention'd: But, surely, if their Hearts accompany'd their Lips, it must be acknowledg'd, That they were both in the most philosophic and religious Disposition, that ever any Nation was.

A. D. 1693.

The Session of Parliament, which occasion'd such Apprehensions, was open'd the 7th of *November*; on which Occasion his Majesty was pleas'd to make the following Speech to both Houses:

"*My Lords and Gentlemen,*

The King's Speech at the opening of the Session.

I am always glad to meet you here, and I could heartily wish that our Satisfaction were not lessen'd at present, by the *Disadvantages* we have receiv'd this Year at Land, and the *Miscarriages* of our Affairs at Sea. I think it is evident, that the Former was only occasion'd by the great Number of our Enemies, which exceeded ours in all Places. For what relates to the Latter, which has brought so great a Disgrace on the Nation, I have resented it extremely; and as I will take Care, that those who have not done their Duty shall be *punish'd*, so I am resolv'd to use my utmost Endeavours, that our Power at Sea may be rightly manag'd for the future: And it will well deserve your Consideration, whether we are not defective, both in the *Number* of our Shipping, and in *proper Ports* to the Westward, for the better annoying our Enemies, and protecting our Trade, which is so *essential* to the Welfare of this Kingdom.

My Lords and Gentlemen,

I am very sensible of the great Affection wherewith you have always assisted me to support the Charges of the War, which have been very great; and yet I am persuaded, that the Experience of this Summer is sufficient to convince us all, That to arrive at a good End of it, there will be a Necessity of increasing our Forces, both by Sea and Land, the next Year.—Our Allies have resolv'd to add to theirs; and I will not doubt but you will have such Regard to the present Exigencies, as that you will give me a *suitable Supply* to enable me to do the like. I must, therefore, earnestly recommend to you, Gentlemen of the House of Commons, to take such timely Resolutions, as that your Supplies may be effectual, and our Preparations so forward, as will be necessary both for the Security and the Honour of the Nation."

Whether this was a Speech of his Majesty's own composing, or whether it was suggested by Lord *Sunderland*, in concert with the new Lord-Keeper *Sommers*, who had also a large Degree of his Majesty's Confidence and Favour, is wholly undetermin'd: But whose Advice soever prevail'd in the drawing of it, the obvious Drift of it is, to smooth the way for such an additional Supply, as would defray the Expence of

A. D. 1693. of the additional Forces, by making a Sacrifice of Secretary *Nottingham*, and such other *Tories* as had fewest Friends at Court, and were, at the same time, most obnoxious to the People. For we are not to understand, that, because the *Whigs* had once more obtain'd the Upper Hand in the Cabinet, they were wholly Masters: On the contrary, the Marquis of *Caermarthen*, tho' so particularly pointed out by *Burnet*, as one of the Lords they hated most, continued still at the Head of the Council-Board; as did also Lord *Godolphin*, at the Head of the Treasury: And such a Temper was observ'd towards the Marquis of *Hallifax*, the Earl of *Mulgrave*, and others of the same Faction, that they thought it worth their while to leave the Lords *Nottingham*, *Rochester*, &c. to form an Opposition by themselves: This Temper was, besides, so much the more necessary, because the *Tories* were as yet so powerful in both Houses, that, without their Assistance, no Point could be carried in either: And, as to the Commons, they had, in general, behav'd so much to the King's Satisfaction, that he did not care to part with them. A. D. 1693

A Remnant of the Tories still continued in the Ministry.

It is true, *Burnet* is very positive, that from the time the Lord *Hallifax* was driven out of the Cabinet by the *Whigs*, he uniformly studied to give the Ministers all the Trouble he could: What he said on that Occasion, has been already cited; and when he comes to speak of that Nobleman's Death, he repeats it, That he had gone into *all* the Measures of the *Tories*; that he studied to oppose every thing, &c. But, unluckily, there is a Tract of his (the Marquis's) still (*w*) extant, call'd, *An Essay upon Taxes, calculated for the present Juncture of Affairs*, 1693, which he introduces as follows: "Since it is of the last Consequence to every true *Englishman*, that the present War should be carried on, for the Preservation of our Liberties and Religion, against the common Enemy of both; and notwithstanding the false and foolish Insinuation of some *discontented Jacobites*, that a Peace with *France* is more (*x*) necessary than a War,

The Marquis of Hallifax an Advocate for the War.

(*w*) In the Collection of *Charles Montague*, late Earl of *Hallifax*, who had writ in the Title-Page of it, with his own Hand, these Words, *By the Lord Marquis of* Hallifax.

(*x*) Several Tracts were publish'd about this time, recommending Peace in the most forcible and pathetic Terms; and among the rest, one call'd, *The poor Man's Petition to the Lords and Gentlemen of the Kingdom*, which concludes in these tragical Terms.

"Peace is the Voice and the Wishes of the People; and we cannot but pray to *God* that it may be the Pleasure of the Court, and the Decree of Heaven. This is the Language of all Sorts; the City and the Country, the Rich and the Poor, have no divided Interest in this. Here the different Opinions of Religion and Policy center and agree; the *Williamites* and the *Jacobites* have no Quarrel upon this Subject; but all confpire together to put up their united Prayers for a speedy, an honourable, and a lasting Peace. 'Tis this alone that can make us happy and content; and banish the Fears that have so strongly possess'd us, of being invaded by Want and Misery. 'Tis this alone can set our Hearts at ease, and remove those sad Omens and unpleasant Bodings we fancy to ourselves of future Evils, of Hunger, and Famine, and cruel Deaths: and this alone will free us from the Voice that sits, at present, so heavy upon our Shoulders, that we cannot easily imagine the *Popery* and *Slavery* we were made to fear, could have produced any Severities so dreadful and tormenting.

"There is another thing too, of no less Moment, which we cannot but propose to your Consideration, because we are so very much concern'd in it; we mean the many thousands of Souls that yearly perish in the War. And whether the Sacrifice of so many Lives has already attain'd, or the Sacrifice of so many thousands more be likely to attain, the Advantage propos'd when the War first begun, we shall leave to your grave and wise Judgments, though we cannot but think a vulgar Capacity may easily determine. No Success has crown'd our Arms that yielded any Triumphs, but in one Engagement at Sea, which was over-balanc'd by two Defeats we receiv'd from the Enemy before: and has been but too severely reveng'd, by burning and taking so many of our *Straights* Fleet this last Year, and forcing the rest, shamefully, to fly home again to our Ports, and cutting off, for a while, the whole Trade of the *Mediterranean*. All our other Victories were gain'd over our Countrymen, or at least our Fellow Subjects, for which our Brows ought rather to be shaded with Cypress than adorn'd with Laurel. But whether we have beat, or whether we have been beaten by our Enemies, we, of the poorer and meaner Rank, are still the Men who have been the main Sufferers in these mighty Slaughters, and must be so till this Fountain of Blood be stopt. How then can you behold such a tragical Scene every Year, and not endeavour, as well as pray, for Peace. To continue the War, is to set up a Shambels and a Slaughter-house for the Commons of *England*, who are drag'd against their Wills, and forc'd upon the Swords of their Enemies in foreign Parts; and all this to defend the Country of Strangers, not their own. How dare you promote such Butcheries any longer, and not relent and tremble? Will you do nothing to prevent this Stream of Blood, and not be afraid lest the Almighty Arm should smite you with some grievous Plague; or lay upon you the Curse and Burthen of the blood-thirsty and deceitful Man? *God* may harden the obstinate to that degree, that they may despair of Mercy, and lay violent Hands upon themselves. Remember Sir *William Temple*'s Son, who long since drown'd, and Mr. *Haywood*, who lately hang'd himself. Though we are now accounted no better than Sheep for the Slaughter, and are beheld with no better Eye than the poor Slaves and *Gibeonites* were in the Land of *Israel*; yet how can you imagine that *Saul*, and his bloody House, will escape, if you persevere still to slay us? Just Heaven will some time certainly visit you for such unrighteous Slaughters of the Natives of your own Nation. How can you then go on to blow the Coals, and heap up more Fuel to burn and destroy your Fellow Citizens; and never consider that at last it may prove a funeral Pile to yourselves? Good *God!* what a dreadful Fate hangs over these distracted Kingdoms; that there should not be wise Men enough left that can see, or if they can, that dare speak for the Interest of their bleeding Country. But if that Bleeding be deny'd to a sinful and infatuated People, is there no Remain of Humanity in your Breasts? No Love left for your *English* Brethren? Is there not one that has Pity on his dying Countrymen? Not one Man of Piety or Mercy amongst you, that will hasten to atone the destroying Angel? That will beseech him to say, *It is enough*, and to sheath the Sword again; but suffer the angry Weapon to devour us still, and drink our Blood, till we are utterly confum'd? Think with yourselves, how many comfortless and disconsolate Widows the Sword has made; and cast an Eye of Tenderness and Compassion towards them, in their Loneliness, and Tears, and Distress. Behold the Droves of fatherless Children, that, being destitute of Food and Rayment, and surrounded with Penury, and extreme Necessity, crowd about your Doors, and cry aloud for Relief; and plead like so many Orators, to persuade and convince you, that 'tis the Interest of *England* to make an End of the War. Such real and doleful Complaints, from such lamentable Objects of Pity, we hope, will have the good Fortune to strike upon the sensible and tender Part; and set you effectually on work, to procure that blessing, which, of all others, we most desire in this World, A speedy and a lasting Peace.

"'Tis our Prayers, and all our Design in this Paper, that it may have that Prevalence and Effect upon you: But if this will not move you, which is written with the Tears of the Living, and convey'd to you with the mournful Air and Sighs of the miserable Reliques of a ruin'd Nation, who yet survive the tragical Fate, and bewail the sad Catastrophe of their dear Brethren and Friends, who have fallen in the preceding Campaigns: The next shall be dated from the Graves of the Dead at *Steenkirk*, and not from the Shades of those who lie unbury'd at *Neerwind* and *Landen*. It shall speak the Language of Pain and Torment: It shall be fill'd with the lamentable Cries of the Wounded, and the ghastly Figures of those who have rotted and starv'd in the Ditches of *Holland*, or the Barns and Hospitals of *Flanders*? It shall pierce your very Hearts and Bowels, with the strong Shrieks and Groans of those who are ready to gasp and expire; and accuse Death of no other Cruelty but coming too slow to make an End of a weary Life. The Ink shall be of a Crimson or a Scarlet Hue: The Pen shall be dipt in the Sanguine Waters of *Brabant*, that have been stain'd by the untimely Deaths of the bravest of our *Englishmen*. It shall flow with the Purple Gore of the River *Ghent*; and the Characters shall be all over drawn with the Blood of your Slain, unpitied, as well as unreveng'd Countrymen.

A. D. 1693. War, and that it is more carry'd on for the Sake of others than ourſelves; and that, if it were neceſſary, it might be better carry'd on by ourſelves alone, than in Conjunction with the Confederates: And that the only way to ſecure our Liberty and Religion, to obtain a ſafe and ſpeedy Peace, and avoid the great Burdens we are ſubject to, for the carrying on the War, were to caſt off the preſent Government, and take Meaſures with King *James* and the King of *France*: Yet there is nothing more clear than, that theſe Notions are altogether abſurd and impracticable; and that the true Meaning of them is only to give up all that is dear to us, into the Hands of two Princes, who have always preſerr'd the Deſign of ſubverting our Religion, to all other Conſiderations whatſoever: And that it is much better to fight for *Flanders* than for *England*, and in Conjunction with Confederates than alone, is what will bear no Diſpute." A. D. 1693.

Now *Burnet* himſelf, as we have ſeen, allows, that the *Tories* ſplit on this very Meaſure of carrying on the War: And it is ſcarce to be conceiv'd that the Marquis would have compos'd a Tract expreſsly in Favour of it, together with a (*y*) Project for ſupporting the extraordinary Expence of it; or would have ſuffer'd it to be made public at a Time, when the Strivings of the Two Factions turn'd chiefly if not wholly on that Point, if he had not been ſome Way or other, compris'd in the Coalition of this Year, and found his Account in adopting that Point which

(*y*) Which is ſo curious, ſo rational, and ſo conſtitutional a Performance, that I ſhall inſert it not only for the Information but Imitation of future Ages.

" As to the laſt Particular I undertook, which was to give my Opinion what Methods were the moſt eligible to raiſe Money by, having, in ſome Meaſure, prevented it by paſſing my Cenſure upon thoſe that are now in Practice and Vogue, I ſhall conclude all, with propoſing, That of the antient Way of Subſidy upon a true Pound Rate, according to the Wiſdom and conſtant Practice of our Anceſtors, as the moſt equal, moſt reaſonable, and moſt ſuitable to our Condition, and therefore moſt eligible above all others; which I ſhall endeavour to prove by theſe Arguments following, and by anſwering thoſe Objections that are uſually made againſt it.

But before I come to theſe Particulars, I think it neceſſary to give ſome general Account of the Form and Method of Subſidies, Tenths and Fifteenths: the two latter having been totally deviſed, and the former but rarely, and not purſuant to the old Method ſince the Beginning of the Civil War.

A Subſidy before the War, did uſually amount to 70,000 *l.* the laſt Subſidy Book being the Rule by which the future were given; wherein every Man's Land was valued at a certain Rate beyond Reprizes; and, this was not altered but once in an Age; when there was an Act made on Purpoſe to make a Review, by the Oaths of the Commiſſioners, Aſſeſſors, and Examination of the Parties themſelves, or any other Perſon knowing therein; and all the Variation otherwiſe in the Subſidies, was in the Perſonal Eſtate and Money; and the Allowance for Debts, and a great Number of Children; to which they had Regard upon Application made by the Parties, purſuant to the Proviſion made in theſe Acts; all Perſons under Five Pounds in Perſonal, and Three Pounds in Real, as formerly rated in the King's Books above Reprizes, were excepted; and all Goods and Stock in Trade, and Houſehold Stuff, except wearing Apparel, were included; and a Subſidy was four Shillings in the Pound upon real Eſtates, and two Shillings and Eight Pence upon perſonal, payable by two Payments. And although Two Shillings and Eight Pence, may ſeem to be leſs upon Goods, than Four Shillings upon Land; yet when it is conſider'd, that Lands are rated according to the annual Profits, and not their intrinſick Value of Purchaſe; and that this is almoſt treble the Profit of Money at Five *per Cent.* and that all other Goods have no Profit in Intereſt to attend them, Perſonal Eſtate is more than doubly charged, as I have before aſſerted.

Vide Coke's *Inſt.* Vol. 4. *p.* 33, 34.

As to the Tenths and Fifteenths, they were a certain Rate impoſed on Cities, Towns, and Boroughs, in Reſpect of their moveable Goods, and did amount to above 20,000 *l.* but there was uſually a Clauſe, to reſerve a Sum for ſuch Cities and Towns, as were decay'd.

As to the Arguments for the Subſidy, or Pound Rate, having ſaid too much already, I ſhall reduce them to very few Heads.

Firſt, That it is equal in the Impoſition, no Body can deny; nor that any can pay more than he is rated by any Body's being under valued.

Secondly, That it is made more equal and reaſonable by the Allowance of Debts, empty Houſes, decay'd or unprofitable Lands. But as for Lands, let or unlet, ſince the Profits may be made in Land as well as otherwiſe, there was never any Allowance; the Reaſons not being the ſame with Houſes, which are a Burthen, and yield no Profit.

Thirdly, Here the Clergy, and all that have Eſtates upon old Rents, and Perſonal Eſtates in Money and Goods, &c. ſhall pay; though the Aſſeſſment brought in the full Value, yet the Commiſſioners did make an Allowance for the Poor of the Perſon, according to his Quality.

But I come now to theſe Objections, which are uſually made againſt it, viz.

Firſt, That it is impracticable, as late Experience hath proved.

And *Secondly*, That it will not raiſe ſuch Sums as are requiſite for the preſent Juncture.

To the firſt of theſe I anſwer, That the Experience of all former Ages is a ſufficient Evidence; and the Reaſons of the late Failure have been two viſible ones:

Firſt, The Countenance that the Monthly Aſſeſſment hath met with from the Court; and the Diſcountenance this has found, when the Parliament granted the firſt and ſecond Aid, and the King to name Commiſſioners, they put in all the ſame again that were in the Monthly Aſſeſſments, which, as it was the higheſt Diſſervice imaginable to the Crown, in Favour of their particular Countries, ſo it is like to prove the moſt fatal to the Nation, by diſabling it to raiſe any great Sums from the great Inequality of it, and inclining the Party oppreſs'd to embrace any new Project that may hazard the preſent Government, or prove deſtructive to the Nation.

Secondly, The zealous Endeavours of the Weſtern and Northern Members to continue the Monthly Aſſeſſment, which is ſo favourable to them; which when they conſider the Conſequences before mentioned, I hope will be no longer inſiſted upon, at ſuch a Time as this; when all that's dear to them is at ſtake.

But to ſhew, that this is eaſily practicable, if the Parliament will follow the Method heretofore uſed by their Anceſtors,

I ſhall refer you to the Quotations in the Margin, and to 32 H. 8 *cap.* thoſe Acts which you will find in the Statutes at Large; 50. *p.* 715. *the* where the Aſſeſſors were upon Oath, and the Commiſſioners *Aſſeſſors and* named by the King with Power to examine all Perſons upon *Parties paying* Oath: But if theſe Methods be thought too rigorous, I propoſe, *upon Oath.* that the Commiſſioners may only be of his Nomination ac- 34 H. 8. *cap.* cording to the Right of the Crown, and the Practice of all 28. *p.* 833 *the* Ages, whoſe only Power is to ſee the Aſſeſſors do their *ſame* Duty, to put the Law in juſt Execution; and that every Man 37 H. 8. *cap.* may be bound to deliver into the Aſſeſſor the true Value of 25. *p.* 893. *the* the Lands, in the Place where it lies, according as it is in *ſame* rented, and in ſuch Lands, according to the higheſt 2 & 3 Edw. Value that it pays in Pariſh Taxes, with any Thing that is 6. *cap.* 36. *p.* rented, under Pain, to forfeit a Year's Value for every Con- 970 & 971, cealment of all that he has in that Place; and that the Com- *the ſame* miſſioners have Power to examine any other but the Perſon 3 & 4 Edw. himſelf concerning the Value of the Land, and the Pariſh 6. *cap.* 25. Taxes, in Order to an equal Pound Rate; and to levy the *p.* 1004. 1005. Penalties upon Concealments: And if it ſhall be thought rea- *the ſame.* ſonable to allow any Thing for the Port of the Perſon, that 7 Edw. 6. it be aſcertained by a Tenth, or any other Part, to be deducted *cap.* 12. *p.* by the Commiſſioners from Perſons above a certain Quality; 1052, 1053. but to loſe that Benefit upon any Concealment. *the ſame.*

As to the not raiſing a conſiderable Sum, there can by no 4 & 5 Parl. Way be ſo much raiſed, as by this; for we find by Experi- & Mar. *cap.* ence, that the Monthly Aſſeſſment tho' now ſcrew'd up 13. *p.* 1158. higher than ever, does not raiſe above 60,707 *l.* 18*s.* but 8. 1159. *the* every 12 *d.* in the Pound will raiſe a Million, and the 4 *ſame.* that were given by the Way of 12 *d.* the firſt Year would have raiſed four Millions, which I prove thus: The Monthly Aſſeſſments at 70,000 *l. per Menſem*, raiſe 840,000 *l. per Annum*, and of this I am ſure, not near a third Part of *England* pays above 12 *d.* in the Pound, and ſome not above 3 *d.* and ſo upwards to a Shilling: Now if theſe two Thirds were brought to pay a Shilling, and the others reduced. I leave it to any reaſonable Man to judge, whether the remaining 160,000 *l.* would not have been raiſed, eſpecially if Money and perſonal Eſtate are called in to Aid; and this I ſhall obſerve to you, That all the Home Exciſes of the Province of *Holland*, as I have been credibly informed do not raiſe above a Million, and the reſt of the Provinces not above half a one, tho' multiplied and extended to the utmoſt, and therefore, if laid only upon ſome few Things here, would not raiſe ſuch Sums as are imagined, and for that Reaſon alſo are not worth the Experiment, to change the antient Methods of our Anceſtors, which will be found in the Concluſion, the moſt equal and reaſonable of all others.

A. D. 1693. which the Lords *Nottingham*, *Rochester*, and the other exasperated Chiefs of that Party, had rejected.

In one Word, we shall also find, That tho' the *Historian of his own Times* is also pleas'd to say, that *every thing was done to put the* Whigs *in good Humour*, the *Intractable* of that Party, (and some few there were which Disappointments had made so) tho' at mortal Enmity with the *Tories*, were put on the same footing with the *proscrib'd* among them, and had also their Fits of Opposition, tho' seperate from them, and for Ends and Purposes peculiarly their own: And it was from this strange Mixture of disagreeing Parts and Principles, and the Uncertainty of finding out any Medium of Reconciliation, that those *great Apprehensions* arose, which have been already mention'd in a Quotation from Bishop *Burnet*.

Vote of the Commons to support the Government, and next to enquire into the Miscarriages at Sea.

It was six Days before the Commons could satisfy themselves, whether they should take the Miscarriages of the Fleet, which stood foremost in the King's Speech, or the *suitable Supply*, first into Consideration: But then the Resolve was unanimous, That they would support their Majesties and their Government, and *next* enquire into these Miscarriages; as also take into their Consideration how to preserve the Trade of the Nation.

The Enquiry prosecuted first.

But so eager and impatient was the Spirit of Enquiry, which now shew'd itself under the Countenance, if not the Direction, of the Throne, that this Vote was nevertheless not over-strictly observ'd: On the contrary, before any Progress had been made in the Supply, nay, before the Estimates had been deliver'd in, the *Turkey* Company were call'd upon to act as Accusers, by producing Copies of all their Petitions, both to the Commissioners of the Admiralty, and to her Majesty, for Convoys: And, on the other Hand, Lord *Falkland*, on Behalf of himself, and the rest of the said Commissioners, deliver'd in Copies of all the Orders and Directions which had been given to Sir *George Rook*, in relation to the *Streights* Fleet; together with a List of all the Ships, great and small, at that time in Commission.

The next Step they took was to examine *Rook*; and, it being then presum'd by some, that they had sufficient Evidence before them to authorise it, the following Question was put, That upon Examination of the Miscarriages of the Fleet, this House is of Opinion, That there hath been a notorious and *treacherous* Mismanagement *of the Fleet this Year*. But tho' the *Mismanagement* was admitted by all, the Majority would not be induc'd to think that any *Treachery* had been prov'd: It was therefore propos'd, by way of Amendment, that the Word *Treacherous* should be left out; and upon a Division it was resolv'd in the Affirmative, by 140 against 103. As this was a great Point carry'd, it was thought a proper Opportunity to narrow the Question yet farther, by leaving out the Words, *of the Fleet this Year*, and inserting, *in that Affair*, in their stead; which was done accordingly:

And thus it appear'd to be the Sense of the House, not that the Fleet in general had been mismanag'd, which would have involv'd the Admiralty, as well as the Admirals, but that the *Mismanagement* was to be confin'd to the *Miscarriage* only. A. D. 1693.

The next Questions debated were, 1. Why the *Streights* Fleet was stopp'd, till the main Fleet went out? And, 2. Why the main Fleet did not convoy Sir *George Rook*'s Squadron, and the Merchant-Ships, out of Danger of the *French*? What Answer was given to the first of these Questions, which, it must be allow'd, was a very pertinent one, has not been specified: But to obviate the last, it was alledg'd, That the Fleet was not sufficiently victuall'd, and that, in particular, there was a Want of Beer.

The State of the victualling examin'd.

This involv'd the victualling Office in the Debate: A State of the Provisions, when the joint Fleet set Sail, as also when they parted with *Rook*, was taken into Consideration; and the main Question, upon the whole, was put on the Article of *Beer*, namely, Whether there was sufficient Beer on board the main Fleet, at the time of the said Seperation, to enable them to convoy the Merchant-Ships out of Danger of the *Brest* Squadron? Now the *Beer*, according to the computation made by the Agent of the said Office, would have lasted till the 21st of *July*; and *Rook*, as we have seen, fell in with the *French* on the 16th of *June*. Conscious, therefore, that this Pretence would not hold, those who were for explaning away the Miscarriage, as much as possible, mov'd, That the Words, *And the* Toulon *Squadron*, might be added by way of Amendment: But this Motion was at once so frivolous and unfair, and betray'd so much the Weakness of the Cause it was calculated to serve, that, after it had been sufficiently expos'd, it was rejected by 191 Voices, against 165. It was then mov'd, that such Members as were concern'd in the victualling the Navy, might withdraw; but that passed in the Negative, without a Division: And, as a last Expedient, the Party for the Admirals having had Recourse to the previous Question, that also was over-rul'd; and the main Question being then put, it pass'd in the Affirmative, Yeas, 188; Noes, 152. Burchet. p. 483.

Vote thereon.

Certain Motions against the Admirals over-rul'd.

Thus far (that is to say, till the 27th of *November*) the Face of the House seem'd to be set against the Admirals: But on the 29th following, when they had undergone a farther Examination, and the Merits of the Case had been farther debated, a Disposition appear'd in their Favour: For a Motion being made, and the Question put, That it appear'd to the House, that the said Admirals did receive Information, on the 11th of *May* preceding, That part of the *Brest*-Squadron was ready to put to Sea, it pass'd in the Negative, Yeas, 161; Noes, 170. And, again, on the 6th of *December*, when all the *Four* had been re-examin'd, and a new Motion was made, That, by not gaining such Intelligence, as they might have done, of the *Brest*-Fleet, &c. they

A. D. 1693. were guilty of a high Breach of Truſt, to the great Loſs and Diſhonour of the Nation, it was again reſolv'd in the Negative, Yeas, 175, Noes, 185.

What is ſtill more remarkable, on the very next Day, *viz.* the 7th, Mr. *Harley* brought in a Report from the Commiſſioners, for taking and ſtating the public Accounts, which contain'd a ſort of Charge of Peculation againſt Lord *Falkland*, the firſt Commiſſioner of the Admiralty, who, for the Sake of exculpating himſelf and his own Board, had, all along, endeavour'd to faſten the whole Blame of our naval Miſcarriages on the Admirals. The Sum of this Charge was, That one Mr. *Rainsford*, Receiver of the Rights and Perquiſites of the Navy, being examin'd by the ſaid Commiſſioners upon Oath, had confeſs'd, that the Accounts he had deliver'd in, did not contain *all* that he had receiv'd and paid, within the time of the ſaid Account: And, moreover, that he had paid 4000 *l.* to the ſaid Lord, by a particular Order of his Majeſty's under the Signet. That the ſaid Lord, having made his Appearance before the Commiſſioners, had acknowledg'd the Receipt of the ſaid Sum; and moreover declar'd, That he had paid 2000 *l.* of it, by his Majeſty's Order, to a Perſon who was no Member of either Houſe, and whoſe Receipt he had for the ſame: But that the remaining 2000 *l.* was ſtill in his Hands; and that, having attended his Majeſty ſince his return, he told him, he had Directions for him therein.

Charge againſt Lord Falkland.

This Charge was alſo ſupported by the Copy of a Letter from Lord *Falkland* to *Rainsford*, directing him, in virtue of the King's Order, to pay his Lordſhip the ſaid 4000 *l.* for his Majeſty's Service, *&c.* *Rainsford* had, beſides, acknowledg'd, That he had had the Original in his Cuſtody, till a few Days before, when the ſaid Lord deſiring to ſee it, had put it in his Pocket; and this being alſo reported to the Houſe, it was eſteem'd ſo unfair a Proceeding, that he had no ſooner been heard in his Place, and was withdrawn, according to the Cuſtom obſerv'd on the like Occaſions, than a Motion was made for committing him to the Tower, and, for a while, hotly debated; but, in the end, over-rul'd by a Majority of (*z*) thirty-eight Voices: That, however, he might be made ſenſible in his turn, of the Diſpleaſure he had incurr'd, it was reſolv'd, That he ſhould be call'd in and reprimanded in his Place, which was done accordingly.

He is reprimanded in his Place.

It is proper to obſerve, that this was among the Occurrences of *December* 7, and that it reſted here for ſome Weeks after; as if thoſe who had the Direction of it, had all the while fix'd their Attention on the Proceedings of the Houſe of Lords, with relation to the Miſcarriages at Sea, which were ſtill under the Conſideration of that Houſe.

But if the Enquiry into that Affair, which, as before obſerv'd, had been ſet on foot under the Countenance of the King, did not anſwer his Majeſty's Purpoſe in the Houſe of Commons, in that of the Lords, it took a quite contrary Biaſs: For after Examination upon Examination, and Debate upon Debate, it was reſolv'd, Not that there had been no Miſcarriage, but that the Admirals had *done well in the Execution of the Orders they had receiv'd.* Almoſt all the *Whig*-Lords, however, appear'd againſt them; and (*a*) ſeveral join'd in a Proteſt againſt this Reſolution, which was founded on the following Reaſons, *viz.* 1. That tho' they, the Admirals, had Orders to ſteer ſuch a Courſe with the *Turkey* Fleet, as ſhould be thought moſt ſafe by a Council of War, with relation to the *Breſt* as well as the *Toulon* Squadron, it did not appear to them that any Council of War had been held from the 22d of *May*, till the 4th of *June*; and that even this Council of War was not held till after the Signals had been given for the Seperation of the Fleet; nor had been held at all, if it had not fell Calm, which hinder'd *Rook* from obeying theſe Signals. 2. That tho' it did appear that the Admirals had then receiv'd no Intelligence of the Enemy, it did not appear that they had even propos'd to procure any, according to their Orders. 3. That to procure ſuch Intelligence, was the Duty of an Admiral, or General, whether they had any ſuch Orders or not. 4. That their not ſending one or more good Sailors to look into *Breſt*, before they parted with *Rook*, was the chief Cauſe of the Misfortune which enſued. 5. That tho' it appear'd, by the Admirals own Letters to the Admiralty, that in the Opinion of the Council of War, the Orders of that Board, in relation to *Rook*'s ſailing, were unreaſonable and impracticable, they never apply'd for an Explanation, which look'd as if they *rather deſign'd an artificial Excuſe for doing nothing, than the Diſcharge of the Truſt repoſed in them.* 6. That *Rook*'s Narrative, which might have given farther Light into the Summer's Conduct, was not allowed to be read. 7. That this Vote ſeem'd to be a Vote of Approbation; in which it not only differ'd from the Opinion of the greateſt Part of *Europe*, but might be of ill Conſequence, by giving our Allies no very fair Proſpect of better Succeſs. And, Laſtly, That this Vote had a Tendency, both to ſtop any farther Enquiry into the Miſcarriage in queſtion, and even any Proſecution of the King's, in caſe he ſhould think fit to proceed in it, by his own Authority."

The Admirals obſtruct'd by the Lords.

Proteſt on that Occaſion.

The Admirals having been thus effectually ſkreen'd, tho' not juſtified, it became the Buſineſs of the Majority in the Houſe of Lords, not to faſten the Blame of the Miſcarriage upon Lord *Nottingham*, as it would be reaſonable to expect, from the Manner in which his Name has been mention'd by *Burnet*, but to exculpate him, and to turn the Force of the Enquiry on Sir

The Force of the Enquiry turn'd on Mr. Secretary Trenchard.

(*z*) Yeas, 157, Noes, 175.

(*a*) Particularly *Bolton*, *Oxford*, *Oſſulſton*, *Devonſhire*, and *Stamford*.

A. D. 1693. Sir *John Trenchard*, the *Whiggiſh* Secretary: Lord *Nottingham*, for Inſtance, laid before the Houſe, an Extract out of a Letter, dated from *Paris*, *June* 1, N. S. and receiv'd *May* 30, 1693, containing theſe two Articles, *viz.*

1. "There are ſixty-eight Ships, in which there are 30,118 Men, and 4876 Guns.

2. We have News ſince, That this Fleet was ſail'd, and was out of Sight."

And thus it being made appear to the Houſe, that the Misfortune was not owing to want of Intelligence at the Secretary's Office, the next Queſtion that occur'd was, Whether this Intelligence had ever been communicated to the Admirals? But as the Party who now drove on the Enquiry had ſomething more in view, than what was comprehended in that Queſtion, they choſe to move for an Addreſs to the King, requeſting, That ſuch Lords, as were of the Privy-Council, might have his Majeſty's Permiſſion to acquaint the Houſe *when* the ſaid Intelligence was communicated to theſe Commanders; which was carried and preſented accordingly. And now it was but natural to conclude, that as the firſt Hint of this Queſt had been deriv'd from the Throne, and the King had, in a manner, engag'd to puniſh thoſe who ſhould be found guilty, the Houſe would have been readily furniſh'd with all the neceſſary Informations. But when it appear'd, that neither the Admirals nor Lord *Nottingham* were to be the Victims, it became the Study of thoſe at the Helm, rather to evade the Point, than clear it up: For tho' the Lords of the Council were *ſeemingly* empower'd to give the Houſe the Satisfaction deſir'd, it is certain they gave it none at all: For which they were pleas'd to ſay amounted to no more than this, That they took it for granted the ſaid Intelligence was communicated, but could not be preciſe as to the Time.

Lords Addreſs for relation to Intelligence receiv'd from France.

Account given by the Privy-Counſellors unſatisfactory to the Houſe.

The Meaning of *this* being very well underſtood by thoſe who had the Lead, the next Expedient they had recourſe to, was to ply the ſame Battery by the Means of the Houſe of Commons: Accordingly it was mov'd and carry'd, That all theſe Particulars might be communicated to them at a Conference, together with a Requeſt of their Lordſhips, That they, the Commons, would enquire, by the moſt proper Means, of their own Members, who were Privy-Counſellors, whether, and when, the ſaid Intelligence had been communicated to the Admirals.

They call upon the Commons at a Conference, to make the ſame Application.

On the 16th of *January* this Conference was held, and three Days after (for ſo long it was before the Commons came to any Reſolution upon it) an Addreſs was voted for a Copy of the Letter, and alſo for his Majeſty's Permiſſion, to ſuch of their Members as were of his Privy-Council, to give them the Information requir'd: But as if both the Court and the Houſe were now become equally averſe to the farther Proſecution of this troubleſome Affair, no Progreſs was made in it for above a Fortnight; about which time the Lords, growing apprehenſive of the Truth, and being ſtill in the ſame Diſpoſition, demanded another Conference, under the uſual Caution, for maintaining a good Coreſpondence between the two Houſes, which being granted of courſe, made way for a Recapitulation of all that had paſs'd at the Former, with the Addition of ſome Expreſſions, ſignifying their Lordſhip's Hopes, That, in conſequence thereof, ſome farther Information might have been had, *in order to the Diſcovery of* ſome *of the Miſcarriages* in the laſt Summer's Expedition at Sea, and concluding thus, "But their Lordſhips not having yet heard any thing from this Houſe, concerning this Matter, thought fit, at this Conference, to remind them of it, as a Buſineſs the Lords conceive to be of great Conſequence, and fit to be enquir'd into."

A. D. 1693. *Another Conference on the ſame Subject.*

This ſecond Conference was held the 8th of *February*; and it being now apparent that Lord *Nottingham*, and his Party, were determin'd, that *Trenchard* ſhould have his full Share of all which had been, or could be imputed to his Lordſhip, the laſt of thoſe Miniſters found himſelf oblig'd to give the beſt Account he could for himſelf, of the Fact in queſtion, which, however he had the Caution to pre-adjuſt with his Friends; and to preſent, in writing, to the Houſe on the 10th, in theſe Words, *viz.* "That he believ'd the Earl of *Nottingham* did, on *May* 31, bring, to a Committee of Council, a Letter from *Paris*, dated *June* 1, N. S. and receiv'd *May* 30, O. S. an Extract of which the Lords communicated to the Houſe: But he did not remember the Letter was publicly read at the Committee, tho' ſeveral of the Lords might read it ſingly. But that it remain'd in the Hands of the Earl of *Nottingham*; there being no Reſolution taken, at the ſaid Council, that the ſaid Letter ſhould be communicated to the Admirals of the Fleet. That, to the beſt of his Remembrance, a *Liſt* of the *French* Fleet, being part of the ſaid Letter, was, the ſame Day, ſent to him by the Earl of *Nottingham*; a Copy of which Liſt he ſent to the Admirals, as does appear by comparing it with the Papers, delivered by them to this Houſe. That the ſame Day there came a Letter from *Scilly*, dated *May* 7, with Advice, That the *French* Fleet was ſeen off of that Iſland; which Letter being publicly read at the Committee, a Copy thereof, together with the beforemention'd *Liſt*, was immediately ſent, by two Expreſſes, to the Admirals of the Fleet, and receiv'd by them."

Mr. Secretary Trenchard delivers in a written Account of what had paſs'd in Council on that Occaſion.

Thus for the Sake of ſkreening one Man, the whole Council was expos'd to the Indignation and Contempt of the Public. For that a Letter of ſuch Importance, as that from *Paris*, ſhould not be formally read, nor that no public Reſolution ſhould be form'd upon it, argued either the moſt Remiſſneſs, or the leaſt Ability that ever diſgrac'd a Government. And after this has been ſaid, the Streſs of the Queſtion laid on the Minute, which intimates the *Sailing* of the

Remarks thereon.

A. D. 1695. the *French* Fleet, not the *Liſt*: If, therefore, Lord *Nottingham* tranſmitted the Latter to *Trenchard* without the Former, *Trenchard* is only anſwerable for not applying to him for both, as it is plain he was appriz'd of the Contents of both: But if Lord *Nottingham* did actually tranſmit both, as it is reaſonable to think he did, from his adventuring to lay them together before Parliament, we ſhall be forc'd to conclude, That there was as much Wickedneſs in ſuppreſſing the moſt ſignificant of the two, as there was Diſingenuity in acknowledging the Receipt of the one, without any mention of the other.

Laſtly, if it may be ſuppos'd that Miniſters can be influenc'd by the Views and Intereſts of the Parties they belong to, to the Prejudice of their Country, (and unleſs that Suppoſition may be made, there can be no Authority for ſurmiſing, as the *Whigs* have done, that the *Turkey* Fleet was purpoſely detain'd, till the *French* were in readineſs to deſtroy them) it will follow, That it is as impoſſible not to ſuſpect *Trenchard* of practiſing that way, as to juſtify the Suſpicions rais'd on Lord *Nottingham*: It was to gratify him *(Nottingham)* and his Friends, that *Ruſſel* had been turn'd out; and nothing could keep him out but the good Service and Succeſs of thoſe who were employ'd in his Room: It was, therefore, incumbent on his Lordſhip to contribute all that was in his Power to their Succeſs; and he could not be ignorant, that all depended on their having timely Intelligence of the Motions of the *French* Fleet; whereas *Trenchard*, whoſe Connections were with the *Whigs*, knew, that in communicating ſuch Intelligence, he extinguiſh'd the very Hopes of his Party, and, conſequently, deſtroy'd his own Support.

Thus, if there was any Treachery in the Caſe, we have all the Lights before us, which have, as yet, been diſcover'd, for tracing it to its Source: Indeed, when nothing of that Nature could be fix'd on the Admirals, great Endeavours were us'd to make a Traitor of *Anſelm*, their Secretary: But tho' it appear'd that he herded with *Jacobites*, nothing could be prov'd upon him; and, as we have already ſhewn, it was ſo late before any Reſolution was taken, that he had ſcarce any thing material to betray. A. D. 1695.

Upon the whole matter, *Trenchard*'s Paper was communicated to the Lords at a Conference, by way of Anſwer to the Requiſition they had made: And Lord *Nottingham* having thus extorted a ſort of Juſtification out of the Mouths of his Enemies, the whole Affair was ſuffer'd to drop by degrees; and Hiſtory was furniſh'd with a new Inſtance, That in *England* the Offence might be notorious, and yet the Offender remain both unpuniſh'd and unknown.

In the mean time, however, that is to ſay, on the 9th of *February*, Lord *Falkland*'s Affair was again brought before the Houſe; and it appearing, by his own Confeſſion, to the Commiſſioners for taking and ſtating the public Accounts, That he had begg'd, and receiv'd of the King, the Remainder of the Sum which *Rainsford* had undertaken to furniſh for his Majeſty's ſpecial Service, being 2000*l.* it was reſolv'd by the Houſe, on the 17th, That, by ſo doing, contrary to the ordinary Method of iſſuing and beſtowing the King's Money, he was guilty of a high Miſdemeanor, and Breach of Truſt; and that he ſhould be committed to the (*b*) Tower, during the Pleaſure of the Houſe. *Lord Falkland's Affair reſum'd.* *He is committed to the Tower.*

About the ſame time, and for the ſame End, that is to ſay, to blaſt the *Whigs* and their Leaders, who, as we have ſeen, were now the reigning Party at Court, thoſe active Members, *Harley*, *Foley*, and *Harcourt*, preſented, from the Commiſſioners of Accounts, a State of the Receipts, and Iſſues of the Revenue; as alſo, two ſeveral Reports concerning Moneys iſſued for *Secret Services*, and to *Members of Parliament*; by which it appear'd, that a Court-Influence was as (*c*) prevalent *Reports from the Commiſſioners of Accounts of Moneys, &c. iſſued to Members.*

(*b*) From whence he was diſcharg'd upon his Petition two Days after.

(*c*) And of which Advantage was, at this time, very ſhrewdly taken by the *Jacobites*, to write and publiſh as follows:

"Poſterity will be as much aſtoniſh'd how the Subjects were able to pay ſuch infinite Sums, as that ever an Houſe of Commons ſhould be ſo extravagantly prodigal in granting them, and will ſet an eternal Brand of Infamy upon thoſe Members (already in good meaſure diſcover'd) who to obtain Offices, profitable Places, or quarterly Stipends, have combin'd, not only to vote whatever hath been demanded, but, that they may be thought worthy of their Wages, in ſome Things exceeded the Expectation of the Government.

I will not preſume to calculate what hath been diſtributed to theſe Penſioners ſince the Revolution, though ſome reckon it at a Million. And there are who can tell that Mynheer *B——tinck*, and *Guy* of *Heydon*, are Captains of the Band, and when 150,000*l.* was lodged for ſuch Secret Service: And ſince their Stipends out of the Treaſury hath diſcover'd ſeveral of them, 20,000 Guineas at a time, out of the Privy Purſe, is intruſted with *Benſinck*, the *Dutch* Almoner, to be diſtributed according to order. So much are theſe Stipendaries preferr'd before Soldiers, who adventure their Lives for the Government, and yet are ſome Months in Arrears for Subſiſtance; none being carreſſed but ſuch as ſtudy and labour to augment the Exchequer.

It is remarkable, that ſuch as have been hitherto detected, have had no other Plea, beſides their Merits in promoting the Abdication. One of which, rather than he would quit that Topick, caſt a very indecent Reflection upon the P. of *O.* his firſt Declaration, wherein his Highneſs was careful to avoid all Expreſſions, as if he had the leaſt Deſign upon the Crown: And yet this doughty Knight (Sir *J. Guiſe*) affirm'd, that at *Exeter*, in recompence of his Service, in going to fetch, and accompany the Prince hither, to the Hazard of his Life and Fortune, he had promiſed him the Weeding, that is, the Underwood of the Foreſt of *Dean*. This ſort of Claim of Merit, not only opens a wide Gap to let in Swarms of other Pretenders, but manifeſtly ſhews that the Price of the Abdication is never to be diſcharg'd, while ſuch *Jackalls* are able to find Prey for the *Belgick* Lion, or till the People (when they are made ſenſible of ſuch Combination) ſhall take ſome effectual Courſe to ſecure their Purſes, which they ought more to endeavour than againſt Highwaymen, and their underhand Setters, who ſwear not whole Countries and Kingdoms, as theſe Penſioners do. Surely we ought to learn ſomething from Camels and Dromedaries, Beaſts of Burden, who crouch down to take up their Load; but when they find it more than they are able to bear, either refuſe to riſe, or elſe caſt their Load. I leave the Application: tho' I know it will not be made by ſuch as deſign to load us till our Backs are broke; and that, by a ſeeming Contradiction, of laying the heavieſt Burden upon us, by taking all we have from us." *Price of the Abdication*, 4to. p. 5, 6, 7. Nor were the *Jacobites* the only Perſons who join'd in this Cry: For it was about this time alſo that the famous *Standing-Money Paper*, as it was call'd, and which, in the State Tracts, *Temp. Guil.* III. is imputed to *C. Lowndes*, Eſq; was ſet forth; wherein it is ſaid, "That the Houſe is ſo officer'd, that by thoſe that have Places and Penſions, together with their Sons, Brothers and Kinſmen, and thoſe who are fed with the Hopes of Preferment, and the 100 great Influence theſe have

upon

A. D. 1693. prevalent in the Reign of King *William*, as it had been in that of King *Charles*, when it was so much decry'd; and that many of the most determin'd *Whigs* were become as obnoxious to it, as the most pliant *Tories*: For, not to insist on occasional Bounties, free Gifts, &c. it appear'd, that many of the Persons, depriv'd of Places, to make room for others, were quieted with Pensions, equal in Value to their former Salaries; and even, that many who were taken into Employment, not being satisfied with their Salaries, were in a manner brib'd with additional Stipends to accept them.

But what seem'd to be the principal Motive of making these Reports at this Crisis, was the Mention that was made in them of Admiral *Russel*. Sir *John Guise*, who was one of the first of the *English* Gentry that had join'd the Prince of *Orange*, had, as a Consideration, begg'd of his Highness, the Weeding of the Forest of *Dean*, or, in other Words, the Fall of all the *Hasel*, and other Trees, not coming under the Denomination of Timber: But his Majesty being afterwards inform'd, that what he had given for 7000 *l.* was worth upwards of 20,000 *l.* reduc'd his Grant to his Intention, and reserv'd the Residue to be dispos'd of as he should find occasion. Of this 500 *l.* had been given to one Mr. *Osborne*, to be laid out on the Borough of *Heydon*, in *Yorkshire*, 2500 *l.* had been issued for Secret Services to Mr. *Guy*, (Secretary to the Treasury, and Representative of that Borough) and the remaining 10,000 *l.* was bestow'd on Mr. *Russel*, in consideration of his many faithful Services, especially destroying a considerable Part of the *French* Fleet; and this at the time when *Burnet* would have us believe, that the King was so much *possess'd* against him; and the Majority of the House of Lords appear'd to have so ill an Opinion of his Conduct in that very Encounter.

And now it is high time to treat of the Estimates and Supplies of the Year.

Estimates for the Sea Service, 1694, laid before the Commons.

For the Sea Service 40,000 Men, including two Regiments of Marines, were demanded; 36,470 of which were to be employ'd on board six First-Rates, nine Seconds, forty-four Thirds, nineteen Fourths, eight Sixths, and twenty-six Fire-Ships, for the Channel, Ocean, and *Mediterranean* Service, and the Residue on board Convoys and Cruisers: The Sum necessary for this Service, was computed at 2,346,132 *l.* that is to say, for Wages, Victuals, Ordnance, Stores, Wear and Tear at 4 *l.* 5 *s.* per Man per Month, 2,210,000 *l.* Hospital-Ships and hired Tenders 27,580 *l.* Ordinary of the Navy 85,740, and 22,812 *l.* for the Officers of the Marines. A. D. 1693.

Nor was this all: The Queen, during her Administration of the Government, had issued a Proclamation for continuing all the Seamen, belonging to the First, Second and Third Rate Ships in Pay, during the Winter, which was clos'd with a solemn Promise, that such Seamen, as yielded Obedience to it, should be paid their Wages, down to *Michaelmas* of the current Year, before the Fleet set sail on the next Summer's Expedition. Now it appear'd by the Account laid before the House, that the Sum due for Wages alone, to these unhappy Men, amounted to no less than 1,036,415 *l.* And so great was the Discontent which want of Money, bad Victuals, and worse Usage had created amongst them, that neither the severest Discipline, nor even Death itself (for Numbers of them were (*d*) hang'd for Desertion, and some for demanding their Pay, which was call'd Mutiny) could suppress it. When, therefore, these Estimates were brought in, it was also suggested, that a Sum of Money would be immediately wanted for the Use of the Navy; and so apparent was the Necessity, that 400,000 *l.* was granted by way of Advance; and the said Grant was accompany'd with a Resolution, importing, That in case the said Sum could be rais'd on the Credit of the Exchequer in general, the House would take care to see the Lenders repaid with Interest, after the Rate of seven *per Cent*, under a Caution, however, that this manner of Proceeding should not be drawn into Precedent for the time to come. They also pass'd an unanimous Vote, That the Sum of 500,000 *l.* should be rais'd towards the Discharge of the Wages due to Seamen. But tho' the whole Kingdom rung with the Disorders, Abuses and Oppressions which had crept into our Marine, and even this partial Provision in their Favour seem'd to imply a Suspicion, that the Accounts deliver'd in were not over fairly made

400,000 l. granted by way of Advance.

upon some honest, mistaken, Country Gentlemen, (who are possibly over frighted with the *French*) that the King can baffle any Bill, quash all Grievances, state Accounts, and rectify the Articles of *Limerick*." And, again, "I could name a certain Gentleman, who exactly resembles *Harry Care*, that the last Sessions, when the House was a little out of Humour, dispos'd of no less than 100,000 *l.* in three Days time, for secret Services. Who are in Places we may find out, but *God* knows who have Pensions; yet every Man that made the least Observation can remember, that some who open'd loudly at the Beginning of the last Sessions, who came up as eager as possible for Reformation, had their Mouths soon stop'd with *Hush Money*, &c."

(*d*) On which truly melancholy Occasion, some of the *Tars* themselves set forth a *Hand-Bill*, which began with these Words: "All Gentlemen Seamen that are weary of their "Lives, and desire to serve *K. W.* on board the Navy Royal, "shall have, for Encouragement, fair Promises and no Performances, as follow: For each able Seaman 24 *s.* per "Month, to be paid when he can catch it, and be *hang'd* "for *Mutiny*, if he demands it, *&c.*"

As also a Ballad, in which are the following Stanzas:

But now suppose they had done ill
In asking Pay too roughly, still
When 'twas their Due, and Need so prest,
They might have Pardon found at least.
The King and Queen some merciful call,
But Seamen find it none at all.

To Robbers, Thieves, and Felons they
Freely grant Pardons every Day;
Only poor Seamen, *who* alone,
Do keep them in their Father's Throne,
Must have at all no Mercy shewn,
Nay, tho' there wants Faults, they'll find one.

It is also remarkable, that this Arrow was not drawn out of a *Jacobite* Quiver; for in the last Stanza are these Lines.

God bless our noble Parliament,
And give them the *whole* Government;
* * * * * * * * *
* * * * * * * * *
For *England*'s sinking, unless they
Do take the Helm and better sway.

A. D. 1693. made up, the House shew'd no Disposition to take the State of the Navy into their serious Consideration, or to make such wholesome Provisions as might prevent the Enormities complain'd of for the time to come; on the contrary, when certain (*e*) low but well-inform'd Men, offer'd, in print, to furnish them with sufficient Matter to warrant an instant Enquiry, instead of receiving the Countenance and Encouragement they deserv'd, they were brow-beat and repuls'd, as if they themselves had been the Criminals.

On the 5th of *December* the Pay-Master, Lord *Ranelagh*, presented to the House, by his Majesty's Command, a State of the War for the ensuing Year; together with a Computation of the Expence: By which it appear'd, that the Number of Men requir'd was 100,403, that is to say, Horse, Officers included, 14010; Dragoons, 5219; Foot, 74480; and Servants, 6848; the whole Charge of which was estimated at 2,220,411*l.* 11*s.* 10*d.* and to this immense Sum were tack'd two Articles more; namely, For the Train, 210,773*l.* 4*s.* 5*d.* and for general Officers, Levy-Money, Transports, Hospitals, &c. 450,000*l.* in all, 2,881,194*l.* 16*s.* 3*d.*

100,403 *Men demanded for the Land Service.*

And here it ought to be observ'd, that tho' in the Course of five several Sessions which this Parliament had sat, the Court, by the Dint of Influence and Management, had generally made a Shift to secure a Majority out of the most abandon'd of both Parties, they had now the Mortification to see the most abandon'd of them astonish'd and confounded at so enormous a Demand; not indeed for Conscience Sake, or out of Tenderness to their Fellow-Subjects, but under an Apprehension, that the Nation, with one Voice, would enter their Protest against such insupportable Evacuations, and declare, that their Deliverance was like to cost them more than it was worth.

That, therefore, they might stand, in some degree, justified to the People, they call'd for all the Treaties subsisting between his Majesty and his Allies; they examin'd the Proportions of Troops, furnish'd by each of them respectively; and finding that the whole Amount of the Augmentations, mention'd by the King in his Speech, rose no higher than 30,000, of which only one Moiety, furnish'd by the *Dutch*, was like to be employ'd in *Flanders*, finally resolv'd, that the Establishment of the Year should consist of no more than 83121 Men, Officers included; that to make up this Number, six new *English* Regiments of Horse, four *English* Regiments of Dragoons, and fifteen of Foot, should be rais'd: That 1,990,781*l.* 16*s.* 10*d.* should be allow'd for their Pay: That

83,121 *granted.*

210,773*l.* 4*s.* 5*d.* the Sum demanded, should be allow'd for the Train; 31,058*l.* 8*s.* 6*d.* for the general Officers; 100,160*l.* Levy-Money, and 40,803*l.* for Transports. A. D. 1693.

Upon the Article for Hospitals and Contingencies, the House divided; the Opposers maintaining, That 60,000*l.* was sufficient for that Service; but on putting the Question, it pass'd in the Negative, (Yeas, 120; Noes, 184) and the next Day, but one, 147,000*l.* was allow'd: In all 2,520,581*l.* 9*s.* 9*d.* which fell short of the Pay-Master's Estimate 360,613*l.* 6*s.* 6*d.*

But what enflam'd yet farther the Necessities of the Year, the Chancellor of the Exchequer *(Hampden)* presented an Account to the House of the Deficiency of the Million Contribution Bill, which amounted to 118,506*l.* 5*s.* 10*d.* and that of the 300,000*l.* to be rais'd by a Review of the Quarterly Poll, which was 293,692*l.* 17*s.* 10*d.* And the Preservation of the Public Credit, which was now become the great Hinge of Government, requir'd, That these several Sums should be provided for out of the first Supply that was given.

412,199*l.* *voted for Deficiencies.*

Accordingly, it being the Sense of the House to begin with a Land-Tax, (*f*) four Shillings in the Pound was propos'd and carried; and in drawing up the Bill, care was taken, That these Deficiencies should not only be provided for out of the first Supply, but in the first Place; after which the Surplus was appropriated to the Land and Sea-Service, the Payment of the Navy and Ordnance in course, &c. And by a special Clause, Provision was made, That, over and above the Ships of War which were to form the Grand Fleet, and to be employ'd in remote Convoys, forty-three Men of War, four of which were to be Third Rates, and sixteen Fourth Rates, should cruize in proper Stations, for the Security of Commerce, which had been hitherto so notoriously neglected.

A Land-Tax of four Shillings in the Pound.

And now, at our very Entrance into the Province of Ways and Means, it becomes necessary to make a Digression, for the Sake of contrasting the Conduct of the Malcontents to that of the Courtiers.

The Former, not content with debating every Court-Point which came before them, had done themselves the Honour to introduce all the popular Bills of the preceding Sessions; namely, the Bill to *regulate Trials* in *Cases of Treason*; that for the more *frequent calling* and *meeting of Parliaments*; and that concerning *free* and *impartial Proceedings in Parliament*; and took all Opportunities of shewing the Expediency or Necessity of their passing into Laws. The Courtiers, on the other hand, who had nothing in

Conduct of the Malcontents.

(*e*) One *Hodges*, *Everett*, *Crossfield*, &c. of whom we shall have further Occasion to speak hereafter. Captain *George St. Lo.* Commander of the *Portsmouth* Man of War, moreover set forth a Sketch of the Seamens miserable Case this very Year, in a Tract of his call'd *England's Safety*; or a *Bridle for the* French *King*; together with a Scheme to render that illegal and barbarous Practice of *Impressing* unnecessary, by obliging all the several Classes of Watermen, Fishermen and Navigators, to furnish 20,000 Men, in time of War, for the public Service: In consequence of which he undertakes to shew, That the Condition of the Navy would be much improv'd; and a Saving would accrue to the Public of 564,000*l.* annually.

(*f*) By two several Votes, viz. one for a Million to be charged upon Land, *December* 21, and a second for the like Sum on the 26th, which, by a special Order, were afterwards comprix'd in one Bill.

A. D. 1693. in view but the gratifying the King in the Profecution of the War, as far as they durſt, and making good Bargains for themſelves, look'd on theſe Bills as ſo many Batteries againſt their Power and Credit; and tho' they ſaw the Danger of rejecting them, reſolv'd to do it, at all Hazards, rather than endanger their Seats, by giving way to a new Parliament, or part with their Places and Penſions, in Complement to a new Self-denying Ordinance.

But then we ſhall find, that they had the Addreſs to vary their Conduct, in relation to them, ſo as to divide the Odium among the ſeveral Branches of the Legiſlature: As the Treaſon-Bill, for Example, did not ſo immediately affect the Views and Intereſts of either Party as the two others, it met with ſo ſlow a Paſſage thro' the Houſe of Commons, that it dy'd of Neglect in the Houſe of Lords.: Whereas the Bill for *frequent Parliaments*, which, in three Weeks time, had been hurried thro' all the Forms of the Houſe, to the third reading, was rejected by a Majority of ten Voices. (Yeas, 136; Noes, 146) And when another Bill, of the like Import, was ſent down to them from the Lords, it met with the ſame Fate, except that the Houſe was fuller, and the Majority greater; the Yeas being 172; the Noes 197. And then, as to the laſt of the three, it was paſs'd by the Commons, and ſent up to the Lords without a Diviſion; as if by Permiſſion from above, (in order to refreſh their faded Credit, and ſilence the Clamours of the People) and under an Implication, that it would be defeated elſewhere. When, however, it was return'd to them by their Lordſhips, with certain Amendments, by one of which the very Speaker of the Houſe was not permitted to hold any Office of the Crown, they rejected thoſe Amendments, and aſſign'd their Reaſons at a Conference; as if, in hope, that ſome Controverſy would enſue, which might furniſh them with an Opportunity of getting rid of the Bill with Grace, and thereby exempting the Crown from the Scandal of doing their Drudgery. But if that was their Purpoſe, they met with a very ſenſible Diſappointment: For their Lordſhips (*g*) return'd the Bill the ſame Day, with a Meſſage, ſignifying, That they did not inſiſt on their Amendments, and had agreed to the Bill.

A Place-Bill paſs'd by the Commons,

and the Lords,

1693-4.

Thus the like Difficulty devolv'd on his Majeſty, which he had incurr'd twice before: As the Houſe of Commons was then conſtituted, and as a Majority there was of ſuch Importance to the favourite Point of profecuting the War, the paſſing it was impracticable; on the other Hand, nothing could be more unpopular than to reject it; nor had any Party of Men been more clamorous on the former Occaſion than the *Whigs*, with whom his Majeſty was now ſurrounded. And yet, notwithſtanding their former Opinion, or preſent Aſcendancy, or the Suggeſtion of *Burnet*, (who by the way makes no Mention of this whole Affair) That *every thing was done that was like to put them in good Humour*, when the Land-Tax Bill, and ſuch others as were ready, were preſented, on the 27th of *January*, for the Royal Aſſent, Thoſe were paſs'd, and This was rejected. A. D. 1693-4.

but rejected by the King.

And now we are come to one of the moſt extraordinary Tranſactions that, perhaps, is to be met with, either in our Annals, or thoſe of any other Nation: For that very Houſe of Commons, for whoſe Sake his Majeſty had been induc'd to take this impolitic Step, and, who had, for their own, rejected the Bill for (*h*) *frequent Parliaments*, which took its Riſe from the very ſame Conſideration, had the aſtoniſhing Reſolution to enter into an Expoſtulation with the King upon it, and to endeavour to ingratiate themſelves with the Public at his Expence; at leaſt their Conduct had this Appearance: For tho' the Motion of the Houſe, to reſolve itſelf into a Committee, in order to take the State of the Kingdom into Conſideration, and the Queſtion propos'd in that Committee, aroſe from the *Intractable Whigs*, the Majority gave into it, and the Reſolution it produc'd were carried without a Diviſion, both in the Committee and upon the Report.

Now theſe Reſolutions were,

1. That whoever adviſ'd the King not to give the Royal Aſſent to the *Act touching free and impartial Proceedings in Parliament*, *which was to redreſs a Grievance, and take off a Scandal upon the Proceedings of the Commons in Parliament*; is an Enemy to their Majeſties, and the Kingdom.

A Repreſentation order'd by the Commons thereon.

2. That a Repreſentation be made to his Majeſty, humbly to lay before him, how few the Inſtances have been in former Reigns, of denying the Royal Aſſent, to Bills for Redreſs of Grievances; and the great Grief of the Commons, for his not having given the Royal Aſſent to ſeveral public Bills, as particularly to the Bill above-mention'd, which tends ſo much to the clearing the Reputation of this Houſe, after their having ſo

(*g*) Tho' not without ſome debating, and a formal Diviſion of the Houſe, (Content 36; not Content 25) which was followed by a Proteſt of the Earl of *Rocheſter* and the Biſhop of *London*, for which they aſſign'd this Reaſon.

Becauſe, that an Act that complains of Corruption in former Parliaments, and deſigns to provide againſt it for the future, ought not, in our Opinion, to contain a Clauſe to allow any one Member of the Houſe of Commons, to be excepted from the general Rules preſcrib'd, to hinder all the Members from taking Employments; eſpecially the Speaker of that Houſe, who, if he can be capable of being corrupted, may, by himſelf alone, do much more Miſchief than a great many of the Members can do together; and this Clauſe allowing the Speaker capable of ſuch Advantages and Employments, which all other Members are debar'd from by Virtue of this Act, ſeems to eſtabliſh the Poſſibility of Corruption in him by a Law, which we conceive would be ſcandalous for the preſent, and of very dangerous Conſequence in time to come.

(*h*) It ought alſo to be remember'd, That in the *Houſe-Money* Paper, before cited, there is the following Paſſage: "There is a certain Secret that has ſtole out of our Cabinet, that *one there*, immediately on the King's refuſing the *Triennial Bill* laſt Seſſions, undertook that it ſhould be thrown out the next time they ſat, with as much Scorn and Contempt as was the Judges Bill. It is time to have *Annual* Parliaments inſtead of *Triennial*, ſince Privy Counſellors, and Lords of the Treaſury, both which Stations this Perſon enjoys, can ſo perfectly feel the Pulſe of a Parliament in an Interval."

A. D. 1693. so freely voted to supply the public Occasions.

And whereas the Second did not come up to the Spirit of the First, nor to the Purpose of those who had set this Measure on foot, the Members of the Committee, appointed to draw up the said Representation, took the Liberty to furnish out sufficient Matter for a new Debate, by grafting upon their Instructions the following supplemental Clause.

A Paragraph rejected. "We beg, Sir, you will be pleas'd to consider us as answerable to those we represent; and it is from your Goodness we must expect Arguments to soften to them, in some measure, the necessary Hardships they are forc'd to undergo in this present Conjuncture; and, therefore, humbly beseech your Majesty, for the removing all Jealousies from your People, (without which the Parliament will be unable to serve your Majesty, or to support the Government) to be pleas'd to follow the Course of the best of your Predecessors, and direct some *Expedient*, whereby your Majesty, your Parliament and People, may reap the Fruit design'd by that Bill, to which your Majesty, by ill Advice, was pleas'd so lately to deny the Royal Assent."

But tho' a Representation had been so easily carry'd, it appear'd upon the Report, That those, who, in hopes of obtaining a little Credit with the People, and on the Presumption of being pardon'd at Court, had join'd in it, never intended to deduce any Benefit to the Country from it: Knowing they had already put his Majesty's Patience and Forbearance to a sufficient Trial; and dreading the Effect of a new Experiment, they took Shelter under the Votes of the House, and insisted, that the Committee had no Warrant from thence, to lay his Majesty under any such Difficulty as was implied in the Motion of an Expedient to recover the Bill; and, upon the whole, prevail'd with the Majority to reject the Clause, A. D. 1693. and substitute the following one in its stead.

Another inserted in its stead. "Upon these Considerations we humbly beseech your Majesty to believe, that none can have so great a Concern and Interest in the Prosperity and Happiness of your Majesty and Government, as your two Houses of Parliament; and do therefore humbly pray, That, for the future, you would be graciously pleas'd to hearken to the Advice of your Parliament, and not to the secret Advices of particular Persons, who may have private Interests of their own, seperate from the true Interest of your Majesty and your People."

Having thus new modell'd the Address, nothing remain'd but to present it, which was done for the more ostentations Sake, by the whole House. The King, on the other Hand, affected to take time to consider of it, and appointed a Day for the House to attend him again, in order to receive his Answer, which Answer was as follows:

"*Gentlemen*,

His Majesty's Answer. I am very sensible of the good Offices you have express'd to me upon many Occasions; and the Zeal you have shewn for our common Interest: I shall make use of this Opportunity, to tell you, that no Prince ever had a higher Esteem for the Constitution of the *English* Government than myself; and that I *shall ever* have a great Regard for the Advice of Parliament.

I am persuaded, that *nothing* can so much conduce to the Happiness and Welfare of this Kingdom, as an entire Confidence between the King and People, which I shall, by all Means, endeavour to preserve: And, I assure you, I look upon such Persons as my Enemies, who shall advise any thing that may lessen it."

Debate thereon. All this was courtly and plausible enough; but so little to the (*i*) Purpose, that the Malcontents, on the Report of it to the House,

---

(*i*) In the *Tacobite* Paper, call'd, *The Price of the Abdication*, is the following Passage, "It might have been expected, that a direct and categorical Answer should have been given to so home an Address; yet it seems the House, for all the Millions given, must be treated only with whipt Cream, or perfum'd Airs; which would not have satisfied, if the *Adepti* had not found their Account in a previous Treat of a 23,000*l.* Distribution." The same writer also adds, "That if any of our preceding Kings had given such an Answer upon a *Petition of Right*, or the like Occasion, it would have enrag'd an Hornet's Nest; and no less than the voting a fresh Address, or adjourning till they receiv'd a more satisfactory Answer, would have contented the House." And, again, "How can any say, *He hath a great Regard to the Advices of Parliaments?* When, at that very same Instant, neither the Advisers of the rejecting the Bill are delated, nor the Prayer of the Representation touched upon.

How can one be perswaded, That nothing can so much conduce to the Happiness and Welfare of this Kingdom, as an entire Confidence between the King and People, without explaining what People are intended. For the complex Body of the People, and Pensioners, have very different Interests; and the Majority of the representative People, were, at the voting the Representation at least, no such Confidents, neither when the *Le Roy advisera* was pronounced, could it be truly said, *That he would, by all Means, endeavour to preserve it*: when, contrary to Expectation and Interest, it the Maxim laid down be true, the Prince rejected so solemn an Advice.

Since, therefore, such apparent Flaws may be found in the Assertory Part, it will be worth our Enquiry, how they are amended in the Promissory Part of the Answer, in these Words. *And, I assure you, I shall look upon such Persons as my Enemies, which shall advise any thing that shall lessen it.* Even Oracles never wanted Ambiguity. The Commons declare who were Enemies to the King and Kingdom; here those are characterized who must be reputed Enemies to the King only. It is not *Tones*, whether they be Enemies to the Kingdom or not, so they be but Friends to the King! How dexterous soever the Advisers of the Answer thought themselves, the not complying with the parliamentary Advice, and the so loose answering an Address of that Importance, will more than once rivet it in the Minds of the People, That a Pensionary Party, however unfaithful to the Interests of the Body of the People, are only to be carefsed, and have the Character of Friends; and the true Patriots of their Country must be calumniated with the Epithet of Enemies, who lessen the Confidence between King and People."

During this Session also, another Pamphlet was publish'd (which is still extant in the State Tracts of this Reign) under the Title of *A Dialogue between* Whig *and* Tory, probably by that eminent *Revolution Patriot* the Earl of *Warrington*, with a free Dedication to King *William*, in which is the following remarkable Passage. "In the next Place, Sir, let me desire you to avoid concerning yourself in Elections of Members in Parliament, or influencing them when chosen. The Parliament is a sacred Part of the *English* Constitution; and, like the *Israelites* Ark of old, is not to be touched profanely, but with great Danger to those who touch it to. And, therefore, Sir, it will be your true Interest to leave the People free to their Choice, and the Members free to their Opinions when chosen. It is still fresh in our Memories, how much the Practices of the late Reigns, in corrupting Elections, and closetting Members of Parliament, enrag'd the Nation, and they had Reason to reflect it: For it, for the Sake of a Vote, a Member of Parliament shall be plac'd or an Office of Trust he is not fit for, that is destroying the Government

A. D. 1693-4. House, mov'd for a Day to take it into Consideration; and this being agreed to, the first of *February* was appointed; when a new Debate arose; and, in the Course of it, every bitter thing was said, that either Wit or Malice could inspire; but all without Effect: For upon the Issue a Question being put, That an humble Application be made to his Majesty, for a farther Answer, it pass'd in the Negative, by so vast a Majority as 229 against 88: Whence we may gather how sincere that Majority were in the first Stage of this Affair.

And now we are at liberty to follow the Courtiers once more, thro' their favourite Walk of Ways and Means.

Time of Contribution to the Million-Annuity Bill enlarg'd.

The Second Money-Bill under Consideration, was a sort of Supplement to the Million Annuity-Act of *January* 26, 1692, and only enlarg'd the time for completing the Contributions thereon, which were, at this time, deficient 118,506*l.* 5*s.* 10*d.* altho' 14 *per Cent* was allow'd for the Money so contributed; and several Excise Duties were appropriated for Payment of the said Duties: This had pass'd thro' both Houses, during the Controversy, and receiv'd the Royal Assent on the 8th of *February*, together with another Act, which provided, that their Majesties, their Heirs and Successors, and all claiming any Royal Mines under them, might have the Ore of the said Mines, at certain Rates, prescrib'd therein.

The Expedient which was next adopted, probably took its Rise from the Observations which had been made of Mr. *Neale*, their Majesties Groom-Porter's Success, in a Project of his, call'd the *Profitable Adventure*, by way of Blank and Prize; which was form'd on such a Principle, as secur'd a certain Gain to the *Undertaker*, and, at the same time, so flatter'd the Passions of the *Adventurer*, that every body who had but Money enough to purchase a Ticket, made no Difficulty to put all to the Hazard, for the Sake of being in *Fortune's Way*. This Project had been brought to Issue the first of *November*; before the End of that Month the Prizes were put in order of Payment; and when the Government made their first Experiment in the Lottery way, (which being founded on the Folly and Avarice of Mankind, has prov'd such an inexhaustible Source of Money ever since) Mr. *Neale* was made their principal Manager, for which express Authority was given in the last Clause of the Act.

The Sum to be rais'd by this Expedient was a Million; but then it was rais'd on such extravagant Terms, as shew'd, that the Nation were now to be the Bubbles, and not the Adventurers: For the Provision made, by way of Inducement to fill this Lottery, was after the Rate of 140,000*l.* a Year, to be paid for sixteen Years successively to the said Adventurers; and not only a new Excise-Duty, of Two-pence a Bushel, on Salt, but several additional Duties on Beer, Ale, *&c.* were impos'd, and most strictly appropriated, as a Fund for raising this annual Sum, and the Charge of Management. A. D. 1693-4. *The first Lottery Bill.*

The Bill was of so complicated a Nature, and consisted of such a Variety of (*k*) Clauses, that it took up a (*l*) longer time than ordinary, in passing thro' the usual Forms; and in this Interval the House was indue'd (by what Motives will appear in its Place) to receive that very Petition from the City of *London*, in relation to a parliamentary Provision for the Orphans, whose Fortunes they had most unjustifiably squander'd, which, so much to their Credit, they had rejected the Session before; and to pass a Bill for that Purpose, which consisted also of a great Variety of Clauses, and extended to a great Variety of Particulars, such as the City Lands, which were charg'd with 8000*l.* a Year; the City Aqueducts; 2000*l.* on personal Estates; and other Duties on binding Apprentices, making Freemen, Wines and Coals imported in the Port of *London*, &c.

A Provision made for the London Orphans.

By the 23d of *March*, however, both these Bills having been carried thro' both Houses, receiv'd the Royal Assent; and, upon this Occasion, his Majesty was pleas'd to express himself to both Houses as follows:

"*My Lords and Gentlemen*,

When I consider how far the Year is advanc'd, what Preparations our Enemies make to be early in the Field, and how necessary it is that we should be ready to meet them, both by Sea and Land, I must earnestly recommend to you the Dispatch of those important Affairs, which you have under your Deliberation. *The King in a Speech to both Houses presses Dispatch, &c.*

I am very sensible of the good Affection which you have shewn in this, as well as former Sessions, by enabling me to carry on the War we are engag'd in, for our common Safety. There is nothing I have so much at my Heart as the Ease and Happiness of my People; and it is with great Reluctance that I am forc'd to ask such large Supplies: But since our present Circumstances make this unavoidable,

---

Government two Ways at once: For to speak in the Phrase of the *Ministry*, it is making a Parliament of *Cheats*, and an Officer of *Cheats* at the same Stroke. Rejecting Bills offer'd by Parliament, of public Benefit, and for *securing our antient Government*, and the *fundamental Rights* of the Subjects, was highly displeasing to the Nation also in the late Reigns, and will be so in all Reigns; as was likewise the denying the People their undoubted Right of frequent Parliaments. They had, also, in the late Governments, an Invention to make a Pump of the Parliament, and by pouring a Pint of Water, to fetch out a Tun. This was justly most provoking to the Nation, and treasur'd up Wrath against the Day of Wrath."

(*k*) By one of which it was expressly mention'd, That no Member of the House of Commons should, at any time, be concern'd, either directly or indirectly, in the farming, collecting, or managing any of the Duties, Monies, *&c.* granted by this Act, or that should be granted by any other Act, except the Commissioners of the Treasury. *&c.*

(*l*) Nor was it perfect at last: For we find, that a new Bill (which has been most unaccountably entitled, An Act for raising Money by a Poll, payable quarterly) was almost immediately prepar'd, to clear up a Doubt which had arisen in relation to the Blanks. And tho' it had been asserted in the Former, that the Surplus of all the Sums to be rais'd by it, would never, in any Case, exceed 2400*l.* a Year, another Clause was added to this supplemental Act, which provided that the Monies that should arise from the several Rates and Duties of Excise, specified in it, during the last three Years of the Sixteen, and should remain, after all Demands and Arrearages had been satisfied, should be reserv'd and dispos'd, as should be directed by Parliament.

A. D. 1693-4. unavoidable, it shall be my Endeavour, that the Sums which are given shall be laid out, in the best Manner, to the Uses for which they are design'd.

Gentlemen of the House of Commons,

I take this Occasion to mention to you the Debt for the Transport-Ships, which were used in the reducing of *Ireland*. It grieves me exceedingly to see such a Number of Persons, who came so freely in, for so good a Service, brought to the last Extremities, for want of what is due to them. It is not possible for me to discharge this Debt without your Help: And as I doubt not but you have a just Commiseration of their Case, so I hope you will find out some way for their Relief."

And here we have a new Proof, that his Majesty had nothing farther to apprehend from the opposing Party in the House of Commons: There was not a forer Place in the Government than the forfeited Estates in *Ireland*: The King, as formerly mention'd, (p. 253.) had, in a manner, pass'd his Word to both Houses, that he would not dispose of them without their Concurrence: It was known, nevertheless, that he had dispos'd of them, without any Regard to his Word so pass'd: Several Motions had been made in relation to them; and during this Session in particular, a Bill had been brought in to vest the said Forfeitures in their Majesties, to be applied to the Use of the War: Here, therefore, was the fairest Opportunity imaginable to answer his Majesty's Request, with the greatest Propriety imaginable, by completing that Bill with an additional Clause for that Purpose. But no such thing was done; and from the Residue of the Session it appears, that a general Resolution had been taken to oblige the King his own way.

Projects for erecting a Bank.

The Expediency of erecting a national Bank, after the manner of those of *Amsterdam*, *Genoa*, &c. to answer a Variety of national Purposes, had, for some time past, been the Talk of the Public; and during this Session, two several Projects of that Nature had been communicated in form, both to the Ministers and the House of Commons. One of these was the Invention of Doctor *Hugh Chamberlain*, and propos'd the Circulation of Tickets on Land-Security; (of which we shall hear more hereafter) and the other of one Mr. *William Paterson*; but carry'd into Execution by the Credit and Interest of Mr. *Michael Godfrey*, Brother to Sir *Edmundbury Godfrey*, assisted by some of the most active Solicitors against the *East-India* Company, who having met with a new Repulse in that Affair, as will be farther explain'd, were now encourag'd to prosecute this other Scheme, as what had a like Prospect of rewarding their Trouble.

This last Project was founded on the Notion of a transferable Fund of Interest, and a Circulation by Bill, on the Credit of a large Capital of ready Money. Mr. *Paterson* had imparted it to the Ministers in the Year 91, and, at their Request, had form'd a Society of twenty monied Men, to countenance and support the Proposal: But no sooner had they done so, than the Ministers propos'd, that the King should furnish the Capital, and, consequently, become the grand Negotiator of all the Cash in the Kingdom: This put all to a Stand again; and tho', by way of Expedient, it was propos'd by some, that Exchequer-Bills, Tallies, &c. should be made *current* by Law, that so the Government might, of course, have the Use of the Money; such was the Dread which then prevail'd of a Government-Connection, that the Treaty broke off; and all that Year, and the next, pass'd over, without producing any Resolution concerning it. A. D. 1693-4. *Paterson's Narrative.* *P. 2.*

However, just before the opening of the Session we are now treating of, one of the Ministers, who is not nam'd, sent for *Paterson*, and encourag'd him to prosecute his Purpose anew, which he was easily induc'd to do; tho' on a Plan somewhat different from the Former: For the Project he now prepar'd, was for raising two Millions at seven *per Cent.* And this being laid before the Treasury-Board, he was told, that no Dependence could be plac'd upon it, unless countenanc'd by a like Society of Men as the Former had been. To procure such a Society therefore, became his next Effort; and so far did he succeed in it, that he prevail'd with forty Men to undertake for Subscriptions, to the Amount of 5000 *l.* each, as a Fund of ready Money to circulate 1,000,000*l.* at eight *per Cent.* Still, however, their Lordships affected to despair of Success; for having been us'd to give twenty, thirty, nay, sometimes forty *per Cent.* on Tallies, bearing eight *per Cent.* Interest, which had but four or five Years to run, they persuaded themselves that the Lenders would require double that Discount on these, which were to be issued on a Fund that had no positive Determination: Now no Men are more sensible or more vain of their own Importance than *Money-Jobbers*; or more adroit at discovering or improving every Opportunity that offers for the Advancement of their Interest: No sooner, therefore, had the Fears and Doubts of the Board given this Opening to the Persons we are speaking of, than some of them (against *Paterson*'s Opinion) rush'd in with a new Proposal, to this Effect, That for a farther Encouragement to the Undertakers, and that the Government might be sure the Money would come in, eight *per Cent.* might be allow'd, not only for the Million to be advanc'd to the Government, but for 200,000 *l.* design'd to circulate the same, to which, we are told, the Treasury readily agreed.

But when the Scheme came to be open'd to the Gentlemen who were to assist in carrying it thro' the House of Commons, some of them remonstrated against it, as too extravagant to be countenanc'd, even in those extravagant Times; and those who were willing to go farther in supporting the Government, would not be prevail'd upon to adopt it, unless the Undertakers would oblige themselves to furnish the whole; which they declining, the Treaty went off, *The Plan favorable times alter'd.*

and

A.D. 1693-4 and the Lottery-Project took Place in its room, as the Sheet-Anchor of the Session.

It was, however, soon discover'd, that the Land-Tax, and the said Lottery-Project, would not answer the extraordinary Services of the Year; and, consequently, that there was a Necessity both of new Provisions, and of procuring an easy Passage for them through both Houses. By what Means this was done, we have been already appriz'd; and to what Effect, is now to be explain'd.

Paterson was too fond of his Conceit, and had rais'd too great Expectations from it, to be easily induc'd to give it over: Notwithstanding, therefore, all the Difficulties and Discouragements he had met with, he continued to prosecute it as before; on a Presumption that the Exigencies of the State, would, at last, drive the Ministers into that Port, which, according to his Notions, Reason and Expediency invited them to. Thus, on the Miscarriage of his last Attempt, he had immediately recourse to a new one, which was to raise and circulate 1,200,000*l.* upon a Fund of 100,000*l. per Annum*: And at this Crisis it was that Mr. *Godfrey*, and his Associates slept in, and, in effect, supplanted him: For tho' he continued to advise and assist in the Direction of the Measure, *Godfrey* stood foremost in it, and was considered, both by the Ministers and the Parliament, as the efficient Man on whom all depended, and to whom all Acknowledgments were to be paid.

It is brought into the House of Commons, and occasions great Debates.

At length, when the Bargain had been struck, and a Majority in each House had been pre-engag'd to support it, the Undertakers for the Court solemnly introduc'd it into the House of Commons; and their Advocates without, both in print and otherwise, set it forth as the only effectual Expedient in the whole Circuit of Ways and Means, to rescue the Nation out of the Hands of Extortioners and Usurers, to lower Interest, raise the Value of Land, revive and establish public Credit, facilitate the annual Supplies, and tye the People faster to the Government. On the other Hand, all the great Things which were said of it, only serv'd, among some People, to bespeak Opposition and create Clamour against it: And this Clamour and Opposition was of two Sorts: For some affected to be against it for the Sake of the Government, under an Apprehension, That the Undertakers would never be able to make good their Engagements; or if they were, That any sudden Pannic would induce the Contributors under them to withdraw their Money at a Moment's Notice; in which case, not only the Bank must fail, but the Government with it. And others again made no Scruple to surmise, that a Constitution of this kind had a natural Tendency to absorb either all, or the far greater Part of the Cash of the Kingdom: That as it was a Creature of the Government, Care would be taken to give it none but Government-Operations: That hence the very Wealth of the People might be made an Engine of Torture to the People. That more was to be apprehended from a Bank of Money, under such a Direction, than a Citadel: That in case the Intercourse, which would naturally arise between the Court and Corporation, should proceed without interruption, the Corporation would not only become of more Importance in the State than the City of *London*, but, probably, than the very Parliament itself: If not, that either the Motions of the Bank would interfere with, or, perhaps, overrule those of the State; or the State finding itself distress'd, might, in Resentment, be provok'd to serve itself, by way of Reprisal: That the shutting up the Exchequer in the last Reign but one, after the Bankers had been induc'd to depositе the Money there, which had been deposited with them, was alone sufficient to manifest the Danger of trusting any mighty Mass of Wealth within the Reach of Power; and that, in all Regards, from the time this new Wheel was added to the Machine of Government, all its Motions would be mysterious and unintelligible; and a very little Cunning might serve to ruin what all the Wisdom and Virtue of the Nation could never restore.

Arguments against and for it.

This is a Brief of what was advanc'd by Malcontent and Courtier, to forward or obstruct this important Measure: And only a Brief of the Controversy can be given; for a large Folio would scarce contain the Whole. A Vein of Passion and Interest ran thro' every Part of it; and tho' what was right and fit, seem'd to be the great Pursuit on both Sides, they were made use of by way of Gloss and Gilding only, and nothing could be more unlike than the Contents and the Surface.

But whoever had the best Intentions, or the best Reasons to urge in support of them, the Espousers of the Bank were the Majority, and carry'd their Point in almost every Stage of the Debate.

Abstract of the Bill.

The Title of the Bill was for granting to their Majesties several Rates and Duties upon Tunnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; for securing certain Recompences and Advantages, therein mention'd, to such Persons as should voluntarily advance the Sum of 1,500,000*l.* towards carrying on the War against *France*: And, in the Preamble, it was farther said, that those several Rates and Duties were given to their Majesties, as a farther Supply of their *extraordinary Occasions*, for and towards the *necessary Defence* of their Realms. The Tunnage was granted for four Years, and consisted of various Articles, at various Rates; as, thirty Shillings *per* Tun on *East-India* Ships; fifteen on *Italian* and *Turkey* Ships; *West-India* ten; *Holland* three; *Norway* five; *Ireland* and *Scotland* two; *Streights* fifteen; *Guinea*, *Africa* and *Hudson*'s-Bay twenty; *Canaries*, *Madeira*, *Western* Islands ten; *Greenland* and *Russia* ten; and Coasters, except such as only carried Sand, Lime or Slate, from Port to Port, Six-pence: And the Excises consisted of the Moiety, or half Part of the additional Duties, granted to their Majesties in the Year 91, for four Years; that is to say, Nine-

pence

A. D. 1693-4. pence *per* Barrel on Beer; Home made Vinegar, one Shilling and Sixpence; Foreign, four Shillings; Beer or Mum imported, three Shillings; Cyder imported, four Pound *per* Tun; fingle Brandy, Sixpence *per* Gallon; double, one Shilling; Cyder sold by Retail, one Shilling and Sixpence *per* Hogshead; and Mead, Three-pence *per* Gallon: And these Exciſes were to be applied to the Uſes of this Act, from the 17th of *May*, 1697, which was juſt a Fortnight *before* the Tunnage Duties were to expire. By the Twelfth and Thirteenth Clauſes of the Bill it was provided, That the Amount of theſe Duties ſhould be kept ſeperate, and paid into the Exchequer weekly: By the Fifteenth, that their Majeſties might defray all ſtated and incident Charges, attending the Collection, *&c.* out of the Product. By the Seventeenth, That 140,000*l.* ariſing out of the ſaid Duties, ſhould be a yearly Fund, for ſatisfying and rewarding thoſe Perſons who advanc'd the Sum above ſpecified: And that in caſe the ſaid Duties did not produce the ſaid Sum yearly, the reſt of the Revenue ſhould be anſwerable for the Remainder. By the Eighteenth, that the ſaid 140,000*l.* ſhould alſo be kept apart in the Exchequer. By the Nineteenth, That their Majeſties might be empower'd to name Commiſſioners, under the Great Seal, for taking and receiving voluntary Subſcriptions, either from Natives or Foreigners, to the Amount of 1,200,000*l.* part of the ſaid 1,500,000*l.* and that 100,000*l. per Annum*, ariſing out of the ſaid yearly Impoſitions, ſhould be appropriated to the Uſe of the ſaid Subſcribers. By the Twentieth, That their Majeſties might incorporate the ſaid Subſcribers, by the Name of, The *Governor and Company* of the Bank of *England*, under a Proviſo, (which is contain'd in the Twenty-firſt) that at any time after the firſt of *Auguſt*, 1705, upon twelve Months Notice, and the Repayment of the ſaid 1,200,000*l.* the ſaid Corporation ſhould abſolutely ceaſe and determine. By the Twenty-third it was farther provided, that no Perſon ſhould ſubſcribe above 20,000*l.* By the Twenty-fifth, That they ſhould be no Corporation, unleſs one Moiety of the ſaid 1,200,000*l.* was advanced before the firſt of *Auguſt*. By the Twenty-ſixth, That they ſhould not borrow more than the ſaid 1,200,000*l.* except on Parliament Funds. By the Twenty-ſeventh and Twenty-eighth, That they ſhould not trade, on Pain of forfeiting treble the Value of the Commodity traded in, except in Bills of Exchange, Bullion, or Wares left in Pledge and forfeited. By the Thirtieth, That in caſe they purchas'd any Lands of Revennes belonging to the Crown, or advanc'd any Sum or Sums of Money to the Crown, by way of Loan, or Anticipation on any Fund or Funds, other than ſuch on which *a Credit of Loan was*, on lawful Conviction, they ſhould forfeit treble the Value. By the Thirty-third, That

The Subſcribers to become a Corporation.

any Member or Members of Parliament might be Members of the ſaid Corporation. By the Thirty-fourth, That ſuch as ſhould contribute towards the raiſing of the remaining 300,000*l.* ſhould receive yearly Sums in proportion, after the Rate of fourteen *per Cent.* By the Thirty-fifth, That the Monies payable in virtue of this Act, ſhould be exempt from Taxes. By the the Fortieth, That if the Duties fell ſhort, the Deficiencies ſhould be made good out of the next Aid; and if no ſuch Aid ſhould be granted before the ſecond of *February* 94, out of the current Revenue. By the Forty-firſt, That over and above the 1,000,000*l.* already appropriated to the Uſe of the Navy and Ordnance, 1,500,000*l.* ſhould be appropriated to the ſame Services; and the Remainder of all other Grants, which had, or ſhould be made during that Seſſion, not already by this or any other Act appropriated, ſhould be applied for the Payment of the Land-Forces, Ordnance, Ammunition, and other Charges incident to the War. By the Forty-ſecond, That one Half of all the Money granted this Seſſion, except the Land-Tax, (out of which 1,000,000*l.* had been already appropriated to the Uſe of the Navy, and what was otherwiſe appropriated to pay the Recompences of thoſe who had furniſh'd the Loans) ſhould be applied to the ſame Uſe and Service, till the remaining 1,500,000*l.* ſhould be compleatly paid and ſatisfied. By the Forty-ſixth, That in order that it might the better appear how the Service appointed in the ſaid Land-Tax Bill, for ſecuring the Merchant-Ships in going out or coming home, by employing a ſufficient Number of Ships, by way of Cruizers and Convoys, the Lord High Admiral of *England*, or Commiſſioners for executing that Office, were requir'd to exhibit to the Commons, aſſembled in Parliament, at their next Sitting, a Certificate in writing, under his or their Hands reſpectively, of the Ships ſo employ'd. And, laſtly, "To the End that the great Duties of Exciſe, and the Powers given for the collecting and levying the ſame, might not be employ'd for the influencing of Elections of Members to ſerve in Parliament; which Elections, by the Conſtitution of this Government, ought to be (*m*) free and uncorrupt," (theſe are the Words of the Act) in the Forty-eighth, It is yet farther provided, that from and after the firſt Day of *May*, then next enſuing, no Collector, Supervifor, Gauger, or other Officer or Perſon whatſoever, concern'd any manner of way in levying or managing the ſaid Duties, ſhould, by Word, Meſſage, or Writing, or any other Method whatſoever, endeavour to perſuade any Elector to give, or diſſuade any Elector from giving, his Vote, in ſuch Elections, on pain of forfeiting 100*l.* and being render'd for ever incapable of ſerving in any Truſt or Office for the future.

A. D. 1693-4.

Clauſes of Appropriation.

Admiralty oblig'd to lay before the Commons a Liſt of the Cruizers employ'd.

Exciſe Officers forbad to meddle in Elections.

This was the Subſtance of this remarkable

(*m*) Upon hearing the Merits of a Return for *Stock-Bridge* this Seſſion, the Election was not only declar'd void, on account of manifeſt Corruption, but a Bill was brought in for diſfranchiſing the ſaid Borough; and probably if it had been thought fit to eſtabliſh this Precedent, we had, by this time, got rid of the rotten Part of our Conſtitution.

A. D. 1693-4.

ble Bill, which gave so much additional Strength to the new Government; and of which it was necessary to treat the more copiously, because Bishop *Burnet* has said so (*n*) little of it, and the rest of our general Historians nothing at all.

As to the particular Obstructions it met with in passing thro' the two Houses, and the Improvements it receiv'd, some of the Latter are visible in the Bill, tho' rather as Grafts upon it, than natural Shoots from it; and the Former were too numerous to be given in detail.

The Subscription to the Bank completed in ten Days.

All, therefore, that need be said further concerning it, relates to its Success, which, at that time of Day, when Government-Securities were not so greedily swallow'd as they have been since, was held astonishingly great; the whole Subscription being fill'd in ten Days after the opening it; and the Corporation, from the Moment of its Establishment, obtaining so great a Credit with the Public, that tho' the Court of Directors call'd in but 720,000 *l.* of the Money subscrib'd, they completed their Payment of the whole 1,200,000 *l.* before the Time prescrib'd by the Act. And yet such was

Ingratitude of the Directors to Paterson.

the signal Ingratitude of those who had the Lead in it, that it was not without some Difficulty that *Paterson* was admitted to be one of the first Directors; and when some of his Friends occasionally suggested the Clames he had upon the Corporation, and the Reasonableness of assigning him a proper Recompence for the Charge he had been at, the Time he had lost, the Vexations he had undergone, and the Services he had done, the Answer sometimes was, That they were not appriz'd what his Services were; at other Times, That it was not the Business of the Directors, but of the King, the Treasury, or the general Court of the Bank, or all of them, to gratify him: And all that was at last done by them, was to recommend him to the Lords of the Treasury for a 1000 *l.* by way of Reimbursement, and thro' them to the King for a farther Reward.

A Bill to impose a Stamp Duty on Velum, Parchment, and Paper.

Still the Grants fell short of the Estimates; for which Reason it was still necessary to continue the Search of Ways and Means; and the Expedient next agreed upon, was, to impose several Stamp-Duties upon all Velum, Parchment, and Paper, made use of in almost every kind of Intercourse between Man and Man. This, in the Preamble, was call'd a *free Gift*, towards the *extraordinary Occasions*, which *oblig'd* their Majesties to *a great and present Expence*, for

A. D. 1693-4.

the *necessary Defence* of their Realms. The Term of the Grant was four Years. The Money to be rais'd upon the Credit of it was 330,000 *l.* at eight *per Cent.* His Majesty was authoris'd to issue a new Commission, and erect a new Office for the Management of it; and to defray the Expence out of the Monies arising by the Act; and both Office and Officers were made subject to the Orders of the Treasury-Board.

A new Duty impos'd on Hackney and Stage Coaches.

Lastly, to compleat the Burden of the Year, a Bill was brought in for the *Licensing* and *Regulating* Hackney and Stage Coaches; or rather for imposing a new Duty, and increasing ministerial Power under that Pretence: For, to carry this Bill into Execution, Power was given to the Crown to erect another new Office, under the Direction of five Commissioners, who were authoris'd to appoint such other Officers as they should *find necessary*, with such *moderate Allowances as should be fit*; (which are the Words of the Act) and tho' it be true, that some wholesome Provisions were made in it, for setting Bounds to the Insolences and Extortions of Drivers, the main Point was, the Profit to be deriv'd from it to the Government; which Profit was to arise in this manner, *viz.* The Number of Hackney Coaches was settled at 700: All were to be licens'd: The Price of a Licence was fix'd at fifty Pounds, to be paid down at the Office before the Licence was deliver'd; over and above which said fifty Pounds, a Rent of four Pounds a Year was reserv'd for each Coach, to be paid Quarterly. And because Stage-Coaches were not requir'd to pay any Fine for this Licence, they were oblig'd to pay double Rent, or eight Pounds a Year: There was not, however, any Clause of Loan in the Bill; and in the Close of it, special Provision is made, That if any Person or Persons, Bodies Politic or Corporate, should, at any time hereafter, procure or accept any Pension, Gift or Grant, for Years or Life, any Sum or Sums of Money, out of the Revenue arising by virtue of the said Act, any such Gift or Grant should be void; and that the Person or Persons offending should, moreover, forfeit 500 *l.*

Now it is observable, that in the Preambles of these Money-Bills, Care is taken to suggest, that the Expences of the War were as *necessary* as they were great; and neither in any Speech, or Message from the Throne, the least Hint is dropt, that the Most *Christian* King either sought, or was disposed to accept of Peace: And yet, over and

(*n*) Which little is as follows: "Among other Funds that were created, one was for constituting a Bank, which occasioned great debates: Some thought a Bank would grow to be a Monopoly. All the Money of *England* would come into their Hands; and they would, in a few Years, become the Masters of the Stock and Wealth of the Nation. Others argued for it: That the Credit it would have, must increase Trade and the Circulation of Money, at least in Bank Notes. It was visible, that all the Enemies of the Government set themselves against it, with such a Vehemence of Zeal, that this alone convinc'd all People, that they saw the Strength that our Affairs would receive from it. I had heard the *Dutch* often reckon up the great Advantages they had from their Banks; and they concluded that, as long as *England* continued Jealous of the Government, a Bank could never be settled among us, nor gain Credit enough to support itself: And upon that, they judged that the Superiority in Trade must still lie on their Side. This, with all the other remote Funds that were created, had another good Effect: It engaged *all those*, who were concerned in them, to be, upon the Account of their own Interest, zealous for maintaining the Government; since it was not to be doubted, but that a Revolution would have swept all these away. The Advantages that the King, and all concern'd in Taxes, had from the Bank, were soon so sensibly felt, that all People saw into the secret Reasons, that made the Enemies of the *Constitution* set themselves with so much Earnestness against it." Vol. II. p. 124.

A. D. 1693-4. and above the ſeveral Offers formerly ſpecified, and by M. *Amelot* recapitulated to the *Swiſs-Cantons*, in the Beginning of *Auguſt*, it appears, that the *Daniſh* Miniſter, reſident at our Court, by order of the King, his Maſter, preſented a Memorial to his Majeſty, dated *December* (o) 11, O. S. 1694-3, which deſerves to be inſerted entire.

The Daniſh Miniſter's Memorial concerning Peace, and his Maſter's Mediation.

" *SIR*,

The Deſolation this preſent War carries into moſt Parts of *Europe*, together with the Duty incumbent on a *Chriſtian* King, to apply all the Remedies that lie in his Power to ſo general a Calamity, oblige the King of *Denmark*, my Maſter, to impart to your Majeſty, thoſe Propoſals of Peace which the *Moſt Chriſtian* King has communicated to him. My Maſter might have Reaſon to decline his Offices towards the Peace of *Europe*, and taking upon him ſo important a Negotiation, ſince the Advances he has already made, as well as the King of *Sweden*, have not only proved ineffectual, but likewiſe have been ſo miſconſtrued, as to render them ſuſpected. Nevertheleſs, it is moſt evident, that without any Proſpect of private Intereſt (the Union of the *Northern* Crowns, for the Security of the Trade of their reſpective Subjects being ſo well eſtabliſh'd, and enjoying the Priviledges of Neutrality, that the Continuation of the War might very much encreaſe the Riches of their Majeſties Dominions) the public Welfare of *Europe*, and the Deſire to ſee a juſt and laſting Peace reſtor'd, have prevail'd above all other Conſiderations. Wherefore the King, my Maſter, has repreſented to the *Moſt Chriſtian* King, That the Propoſals which he has made hitherto towards a general Peace, have been look'd upon, by the Confederates, rather as a Means to diſunite them, and to cruſh and ſubdue them one after another, than as a Mark of his ſincere Intentions of ſettling the public Repoſe. But his *Moſt Chriſtian* Majeſty, to remove all manner of Diſtruſt, has not only, by repeated Proteſtations, aſſured the King, my Maſter, of the Sincerity of his Sentiments in this Affair, but has likewiſe deliver'd a Project of general Peace, and added to the Conditions that concern the Empire, and which are already known to your Majeſty, ſome others relating to the reſt of the Allies, which are comprehended in the following Heads.

I. That notwithſtanding the Advantages his Arms have gain'd this Campaign, no Alterations ſhall be made in the Conditions his *Moſt Chriſtian* Majeſty has already offer'd to the Emperor, the Princes and States of the Empire, and the Dukes of *Lorrain* and *Savoy*.

II. His Majeſty ſhall reſtore to the Catholic King the important Place of *Roſes*, that of *Belvers*, and whatever has been conquer'd in *Catalonia*, during the preſent War.

III. Towards the forming a Barrier in the *Low-Countries*, which may remove all manner of Jealouſy and Uneaſineſs from the States of *Holland*, his *Moſt Chriſtian* Majeſty ſhall, upon that Conſideration, reſtore the Places of *Mons* and *Namur* to the King of *Spain*, and cauſe *Charleroy* to be razed. A. D. 1694.

IV. His ſaid Majeſty ſhall reſtore to the Biſhop of *Liege*, the Town and Caſtle of *Huy*, and recompenſe him for *Dinant* and *Bouillon*, by annexing, upon that Account, to his Biſhopric, ſuch a Portion of the Country of *Luxemburgh*, as ſhall be moſt convenient to that Biſhop, and judg'd equivalent by Arbitrators.

V. His Majeſty conſents, that the Treaty of Commerce, made at *Nimeguen* with the States, be renewed without any Alteration.

VI. His Majeſty thinks the States of *Holland* will be glad to obtain ſuch important Reſtitutions, and to put an End to the War, by a Peace ſo advantageous both to *Spain* and all the Allies; eſpecially after the proſperous Campaigns of *France*; which may ſtill be attended with others no leſs ſucceſsful. But that neither *Holland*, nor any *other* State of *Europe*, may have any Ground of Apprehenſion, that upon Pretence of new Rights, his Majeſty will extend the Boundaries of his Dominions in the *Low-Countries*, beyond what ſhall be regulated by the Treaty, his Majeſty declares, That, in caſe the King of *Spain* dies without Iſſue, he conſents that the *Low-Countries* fall to the Share of the Duke of *Bavaria*, upon Condition that the Emperor makes the ſame Declaration: And his Majeſty ſhall, as well for himſelf, as for the *Dauphin* his Son, confirm the ſaid Renunciation, by all the Formalities neceſſary for that Purpoſe, in behalf of his Electoral Highneſs.

His *Moſt Chriſtian* Majeſty hopes, that this laſt Engagement will, more than any thing beſides, ſecure, to the Confederates, the Firmneſs of the Peace they ſhall make with him: And he thinks, that, after ſuch advantageous Propoſals, the World will ſoon know whether *Europe* may hope to ſee the public Tranquility reſtor'd, or whether the Preparations of War are to be renew'd.

This, Sir, is what the *Moſt Chriſtian* King has communicated to the King, my Maſter, and which his Majeſty has commanded me to impart to you. He does, in no manner, pretend to preſcribe Rules to your Majeſty, ſince your Prudence will beſt judge what is moſt for your Glory and Intereſt; but, however, he thinks theſe Propoſals deſerve a ſerious Conſideration. And becauſe there is no mention made of *England*, the King, my Maſter, has made it, already, his Buſineſs, to encline the *Moſt Chriſtian* King not to inſiſt upon *that* which might put a Stop to the general Peace. In the mean time the King, my Maſter, thinks it neceſſary, that, in order to advance a Work ſo profitable and beneficial to all *Europe*, a *Negotiation*

(o) This is the Date of the original *French*; tho' in the Appendix to the Life of King *William*, it is ſaid to be dated the 19th.

A. D. 1693-4 *tiation* be set on Foot; and his Majesty is the more confirm'd in this Opinion, by reason the Winter will soon be over; and, that 'tis to be fear'd, lest by delaying till the next Campaign, an Opportunity be given to *France* either of enlarging her Conquests, or, by a powerful Irruption into *Germany*, and the Superiority of her Forces, to divide the Confederacy; which would give a just Pretence to that Crown of recalling the Offers she has already made, and render a Peace very difficult, if not altogether impossible. The King, my Master, does not only offer to become Guarantee, with all the Princes and Potentates that will concur with him, but likewise to unite himself, in particular, with your Majesty, by a most strict and indissoluble Alliance.

Upon the whole Matter, the King, my Master, is perswaded, that no body has more Reason to contribute to this Peace than your Majesty, since it will confirm to you the *Glory* and *Advantages* you have gain'd during the War; and will, besides, make *Europe* to be eternally beholden to your Majesty, for the Peace she groans after. If your Majesty thinks that there is any thing defective, in relation to the Security of the Peace, or that wants to be either alter'd or explain'd, the King, my Master, engages to procure to your Majesty, all the *Satisfaction imaginable*; and if you are pleas'd to confide in his *Mediation*, he will manage it to your Majesty's entire Satisfaction. Lastly, the King, my Master, has commanded me to assure your Majesty, that being, upon several Accounts, concern'd in the Prosperity of your Royal Family, he will, to the utmost of his Power, promote its Interest and Advantage; and desires your Majesty to be perswaded, that all the Advances he has made in this Affair, have no other Aim, and are grounded upon no other Principle."

Reflections thereon. Now, how short soever these Overtures might fall of the Views and Purposes of the Confederacy, or how impalatable soever a Peace of any Sort might be to his Majesty, it seem'd reasonable to conclude, that in Point of Equity, he ought to have consulted the great Council of the Nation upon it; and that, in particular, the Representatives of the People ought to have had all the Evidence, in relation to Peace and War, laid before them, that they might compare the *Prospect* of the Success, and the Value of their particular Share of it, with the *certain Charge* of the Adventure; and the Expediency of exhausting the Strength of twenty Years on the Efforts of ten. If this had been done, they had, indeed, been Judges of the *Necessity*, as well as of the *Greatness* of the Charge, brought upon the Nation; but as this never was done in a parliamentary way, if at (*p*) all, Posterity may be allow'd to wonder, that the Parliament, even in their own Acts, should discover so little Knowledge of what was doing, or so much Complaisance for what was done. A. D. 1693-4.

St. Maloes bombarded by way of Amusement to the Parliament and Nation. What seem'd yet farther to manifest, that the Court took almost as much Pains to *amuse* the *English*, as to humble the *French*, was the bombarding St. *Maloes*; an Undertaking which, as it was circumstanc'd, could answer no other End, unless to expose our naval Conduct yet farther, to the Derision of all *Europe*. The King, as we may remember, in a Speech from the Throne, had expressly promis'd his People, That a Descent should be made on the Coast of *France*, with a much more considerable Force than had been allotted for, but not employ'd in, that Service, the Summer before: And that as soon as he should be enabled, all possible Care and Application should be us'd towards it. That, therefore, he might not seem to have wholly forgot his Promise, or, at least, that the first Heat of the Session might be over, before it would be decent for any body to put him in Mind of it, a Squadron of Frigates and Bomb-Vessels, under the Command of Captain *Philips*, and Captain *Benbow*, were fitted out at *Portsmouth*, for a Secret Expedition; and care was taken to raise an Expectation in the Public, of something considerable to ensue. But after the Mountain had been for some Weeks in Labour, the Product of its Throws appear'd to be no more than this, That on the 16th they came before St. *Maloes*, that it was Ten o'Clock at Night before they could begin to fire upon the Place: That at Four in the Morning they were oblig'd to warp out, for fear of grounding: That at Eight they return'd, but lost much more time before they could re-commence their Fire: That the 18th they prosecuted the same Business the same way, and also prepar'd a Fire-Ship, by putting 100 Barrels of Powder, and 240 Carcasses on board her: That on the 19th they sent in the said Fire-Ship, and having laid her close to the Town-Wall, blew her up: That the Explosion threw down part of the said Wall, together with the Houses adjoining to it, and set the Town on fire in three or four Places: And that on the 20th, having demolish'd *Quince-Fort*, and taken about eighty Prisoners, (but not one of the Privateers, which had render'd this Port so obnoxious to the *English* Merchants) they put to Sea, and by returning home immediately, demonstrated that they had nothing farther in Commission. *State of Europe for* October.

But what Ends and Purposes soever this Feint was calculated to answer, or what Effect soever it had within Doors, without it only gave the Malcontents a new Pretext to villify the Government, which was done by

(*p*) The Reader will recollect, that Bishop *Burnet* (Vol. II. p. 113) makes use of these Words, "They (the *French*) tried all possible Methods for bringing about a general Peace; or, if that fail'd, for a seperate Peace with some of the Confederates: But there was no Disposition in any of them to hearken to it; nor could they engage the Northern Crowns to offer their Mediation." Now the contrary of this last Assertion being thus notoriously the Matter of Fact, we must either suppose that the Secret was kept with the utmost Caution, or that the Bishop is one of the most inaccurate of all Historians.

A. D. 1693-4.

by a great Variety of Pens, with a peculiar Bitterneſs; as may be gather'd from him who had the Boldneſs to ſay, "That a great many are now of Opinion, he will never attempt a *Deſcent* any more, till he makes one for good and all, where few will care to follow him."

A Dialogue between A. and B. concerning the Times, 4to. p. 46.

Another palliating but more ſolid Meaſure was alſo concerted about the ſame time: For while the Commons were yet in the Midſt of their Enquiry, concerning the laſt Summer's Miſcarriage, and the Merchants moſt affected by it, were loudeſt in their Complaints, Sir *Francis Wheeler* was appointed Admiral and Commander in Chief of the Squadron deſign'd for the *Mediterranean*; and Vice-Admiral *Hopſon*, and Rear-Admiral *Nevil*, to command under him: The Squadron was to conſiſt of ſixteen Third Rates, ſeven Fourth, one Fifth, one Sixth, ſix Fire-Ships, two Bomb-Ketches, an Hoſpital and a Store-Ship: He was alſo to be join'd by ſeveral *Dutch* Men of War; and he had Orders to take under his Convoy all the Merchant-Ships, bound to *Turkey*, or any other Port in *Spain* or *Italy*: As alſo, in caſe he arriv'd at *Cadiz* before the *Spaniſh* Plate-Fleet, to cruize for thirty Days in ſuch a Station as ſhould be agreed on at a Council of War, in order to prevent their falling into the Hands of the *French*, who had two Squadrons at Sea, under the Command of M. *Chateau Renaud*, and M. *Gabaret*. Part of the Squadron he was, however, to leave at *Cadiz*, in order to return to *England*, at the End of three Week, with ſuch of the Trade as ſhould then be ready to ſet Sail: With the reſt he was to proceed to the *Mediterranean*; and having fulfill'd his Charge there, was to return to *Cadiz*, in order to join the *Spaniſh* Fleet, and to act in Concert with them, till he judg'd the *Turkiſh* Convoys might be on the Return; when he was to repair to the Station appointed for the general Rendezvous, and to accompany them to *England*, together with all the other Merchant-Ships, from the *Streights* or elſewhere, that ſhould come in time enough, to put themſelves under his Protection.

Sir Francis Wheeler, *with a ſtrong Squadron, appointed to convoy the Trade to the* Mediterranean.

Thus if no Satisfaction could be procur'd for paſt Miſbehaviour, very ſufficient Care was taken to prevent a Repetition of the like Misfortune: And the Misfortune that did happen, as no human Sagacity could foreſee, ſo no human Management could prevent it. Theſe Orders were iſſued *November* the 20th: and on the 27th of *October* following, *Wheeler* ſet Sail from St. *Helens*. In his Paſſage to *Cadiz*, he fell in, two or three times, with the Squadrons of the Enemy before-mention'd; and if he had not the good Fortune to come up with them, he was at leaſt ſo fortunate as to ſend in the Trade to *Oporto*, *Liſbon*, St. *Ubes*, &c. &c. and to arrive, in ſafety, with the Remainder, conſiſting of 164 Ships, at *Cadiz*, on the 19th of *January*; having loſt Company but of one Ship of his whole Convoy, in his Paſſage.

Thus far, therefore, his Voyage was proſperous; and what increas'd that Proſperity, he found the Flota had eſcap'd the Enemy, and arriv'd there before him: But then he had the Mortification to find the Line of Battle-Ships totally unrigg'd; and tho' the Admiral undertook to put them in ſailing Order about the latter End of *March*, he was too well acquainted with their dilatory Proceedings to rely on his Aſſurances.

A. D. 1693-4.

Having, however, appointed Rear-Admiral *Hopſon* to execute the Orders he had receiv'd, with reſpect to the Homeward-bound Ships, he ſet Sail, with the reſt of his Squadron, on the 10th of *February*, for the *Mediterranean*; but meeting with contrary Winds, did not reach the Bay of *Gibraltar* till the 17th. It is nevertheleſs remark'd that the Wind was then favourable; and that he took advantage of it to detach three Men of War, and about thirty Sail of Merchant-Ships, to *Alicant*, *Barcelona*, and *Majorca*, which all came ſafe to *Malaga* the ſame Day: But lying by himſelf, with the Remainder, till Two in the Morning, it was his hard Fate to encounter one of the moſt violent Tempeſts, accompany'd with Lightning, Thunder and Rain, which had happen'd in the Memory of Man: It began about Seven, and laſted, with little or no Remiſſion, till the 19th; in which terrible Interval, many of the Fleet miſtook the Bay of *Gibraltar* for the opening of the *Streights*; and when they diſcover'd their Error, it was too late to prevent the tragical Effects of it: Their Sails flew like Paper: They had a Lee Shore, a mountainous Sea, and a foul Bottom: In a Word, their Anchors and Cables were all they had to truſt to: But even theſe fail'd; Numbers drove a-Shore; many were loſt; many more were miſerably ſhatter'd; and none eſcaped without conſiderable Damage; not to inſiſt on the Loſs of Cables and Anchors, and the diſmaſting of almoſt the whole Fleet.

The Admiral, and ſeveral other Ships loſt in a Storm at Gibraltar.

Rear-Admiral *Nevil*, and the *Dutch* Vice-Admiral *Callembergh*, with ſuch of the Squadron as were within Reach of their Signals, had the good Luck to hit the *Streights*, and to drive out to Sea: But *Wheeler* himſelf, in the *Suſſex*, and his whole Crew, which conſiſted of 448 Hands, were ſwallow'd up in the Deep, except two Moors, who were almoſt by Miracle preſerv'd.

Of thoſe forc'd on Shore, the *Cambridge*, a Seventy-Gun Ship, the *Ludlow-Caſtle*, a Bomb-Veſſel, two Ketches, four *Turkey* Ships, one bound to *Venice*, and one to *Leghorn*, were loſt: The Total of Lives deſtroy'd amounted to 857; and when the Reſidue of the Fleet were re-aſſembled at *Gibraltar*, ſo much it reſembled a general Wreck, and ſo much time was requiſite for refitting it, that inſtead of proſecuting their Voyage, they thought only of taking Shelter from the Enemy at *Cadiz*; and ſo unfavourable did the Winds continue, that it was the Beginning of *May* before they were able to accompliſh it.

Towards the End of *March* the News of this Calamity not only reach'd *London*, but was made public in the *Gazette*; and not to

A. D. 1693-4. to inſiſt on the raſh and ridiculous Uſe made of it by the *Jacobites*, (namely, that the very Elements were at War with the new Government; and that God himſelf, by ſuch Warnings and Chaſtiſements as theſe, call'd upon the Nation to return to their Duty) many of the Money'd Men, who conſider'd all Occurrences in a mere worldly Light, and drew no other Concluſions from public Affairs, than ſuch as regarded their own private Intereſts, took the Hint to conclude, that, while ſuch was the precarious Condition of Commerce, it would be leſs hazardous, and more profitable, to traffic in Government-Securities, than to expoſe their Effects to the Rage of the Sea, or of the Enemy: And it is aſſur'd, that in conſequence of this way of Reaſoning, great Sums of Money were, about this time, withdrawn out of Trade, (poſſibly to be employ'd in the new Bank) and a Rot among the Merchants and Manufacturers, produced not only a viſible Increaſe of Uſurers and Extortioners, but alſo a new Species of Dealers, (ſince better known by the Name of Brokers and Stock-Jobbers) who found Ways and Means to grow rich, without any Stock of their own to trade upon, merely, by bringing Buyers and Sellers together, and by making a Prey of both.

Further Proceedings in the great Diſpute concerning the Eaſt-India *Trade.*

Nor were theſe the only Inſtances of that harpy Spirit of Rapine, which began now to be viſible among the People. The Conteſt for the *Eaſt-India* Trade was inſpir'd by the ſame inſatiable Rage of Lucre: And from the Eagerneſs manifeſted by both Parties in carrying it on, every Courtier, and every Man of Conſequence, that either of them applied to, was indue'd to think, that the Prize was ineſtimable, and that he ought to ſet a Value upon his Services accordingly.

As no deciſive Meaſure had been reſolv'd on, during the laſt Seſſion, it was generally believ'd, at the Cloſe of it, that the Company had the beſt of that Conteſt; and to encourage that Belief, they not only talk'd of taking in new Subſcriptions, to the Amount of 756,000 *l.* (which, together with the 744,000 *l.* their old Stock had been rated at, made up the Million and a Half, voted, by the Commons, to be a Fund neceſſary for carrying on the Trade) but applied for a new Charter, (by what Ways and Means, will be explain'd in due time) to authoriſe them to do ſo, and having obtain'd an Order of Council to the Attorney-General for preparing one, gave out, That all Perſons were now ſatisfied with, and had agreed to the Regulations, on which the ſaid Charter was to be grounded; eſpecially thoſe who had ſolicited the Eſtabliſhment of a new Company by Act of Parliament. On the other Hand, no ſooner had this Aſſertion of the Company's taken Air, than their Antagoniſts preferr'd a new Petition to her Majeſty, in which they pray'd as before, for the Eſtabliſhment of a *new* Company, by a new, free, and national Subſcription; and declar'd, That the adding new Subſcriptions to the *Imaginary Stock* of the Company then ſubſiſting, would expoſe the new Stock to the Debts of the old; whereby the ſaid new Stock might be ſwallow'd up, and the whole Trade endanger'd. A. D. 1693-4.

This they thought would be ſufficient to deſtroy the Notion of a Compromiſe; and they farther preſum'd, that the Company, by their own Miſmanagement, had found out a way to ruin themſelves. For when the Bill for taxing ſeveral joint Stocks was before the Commons, and it was propos'd, that the Stock of the *Eaſt-India* Company ſhould be comprehended in it, at the Valuation of 744,000 *l.* ſuch Members as were Proprietors of the ſaid Company, pleaded in Abatement, That in caſe their Debts were paid, their Stock would be worth little or nothing; which ſerving only to authoriſe the Suggeſtion contain'd in the Petition juſt cited, the Commons, notwithſtanding that Plea, added a Clauſe to their Bill, which provided, That, in caſe the Governors and Treaſurers of the ſaid reſpective Companies, or any of them reſpectively, ſhould make Default in Payment of the ſaid ſeveral Sums, charg'd on the Stocks of the ſaid Companies, at the Days and Times ſpecify'd, according to the true Intent of the Act, the Charter of the ſaid ſuch reſpective Company ſhould be, and was thereby adjudg'd void: And the Company were ſo infatuated as to make Default in paying the firſt Quarterly Payment of the ſaid Tax, on the 25th of *March*, being the Day limited by the Act; whereby their old Charters not only became void, but freſh Arguments were furniſh'd againſt the paſſing a new one.

The Company forfeit their Charter by Non-payment of the Duty impoſ'd on their Stock by Act of Parliament.

Accordingly, for ſome time, the whole Affair was at a ſtand; and it was generally concluded, that the Court would have taken Advantage of the Forfeiture, to make ſuch a Settlement of the Trade, as the Commons had deſir'd, without any Regard to the three Years Warning, which had been allow'd, as a Point of Equity, while They were yet in Force.

But the Intereſt of the Company, it ſeems, was conſiderable enough, to ſuſpend the Effects of their Indiſcretion: For it ſoon appear'd, that the Court were in no Diſpoſition to take Advantage of the Forfeiture; and that, on the contrary, the Orders given for the drawing a new Charter, were not only calculated to reſtore to the Company their former Grants, but to authoriſe and eſtabliſh their new Regulations: This enflam'd the Controverſy more than ever: Their Adverſaries enter'd Caveats, at all the Offices, againſt the paſſing any ſuch Charter; and talk'd in ſo high a Strain upon it, that the Miniſters thought fit to give them a regular Summons before the Council, to ſhew Cauſe why the ſaid Company might not be re-eſtabliſh'd, *&c.* according to the Purport of the ſaid intended Charter: But the time firſt aſſign'd being too ſhort, a Fortnight more was allow'd; and in this Interval, the Company petitioning for Protections for 1200 Seamen, to be employ'd, as uſual, in the *Eaſt-India* Trade, the Oppoſing Merchants alſo petition'd

They obtain the Promiſe of a new one.

Caveators enter'd againſt the paſſing it, by certain aſſociated Merchants.

A. D. 1693-4

for the like Protections for 400, to be employ'd by them in the ſame Trade, which they now underſtood to lie open to all Adventurers; but receiv'd no Anſwer.

Both Parties heard before the Council.

The Day of Hearing was the 17th of *Auguſt*; and the ſeveral Parties being call'd in, the Council againſt the Company ſet forth, 1. The Unſeaſonableneſs of paſſing a Charter ſo near the Seſſion of Parliament, to whom the Settlement of this Trade had been recommended, by Meſſage from his Majeſty, when they ſat laſt. 2. The Unlawfulneſs of an excluſive Grant. And, 3. The Illegality of ſeveral Powers contain'd in the former Charter, and intended to be reſtor'd in this. The Council for the Company, on the other Hand ſtrenuouſly inſiſted on the Power of the Prerogative in that and the like Caſes, and would admit of neither Precedent or Authority to the contrary. Upon which the Former, by way of Reply, propos'd, That an Iſſue might be ſettled, in which they would readily join, that ſo the Point might be decided at Common Law, the next enſuing Term. But this was over-rul'd; it being urg'd for the Company, That the Matter had been already decided in *Weſtminſter*-Hall: And all that could be rejoin'd was, That the Judgment referr'd to, was given by thoſe very Judges, who had taken upon them to declare, That the King had a Power to diſpenſe with all Laws; and that their Opinion, in both Caſes, were held of equal Authority.

Upon the whole, however, the Council broke up, without coming to any Reſolution upon the Caſe: And after ſome Days ſpent in Expectation, the aſſociated Merchants renew'd their Petition for Protections; and accompany'd it with another, in which they ſet forth, 1ſt, That they were adviſ'd, that the Charters of the Company having been voided by Act of *Parliament, they could not be reſtor'd.* 2dly, That they ought not; becauſe they contain'd Clauſes and Powers, repugnant to the Laws of the Land, *Magna Charta*, and ſeveral other Statutes; under Colour of which, the ſaid Company had greatly oppreſs'd their Majeſties Subjects; and by the Reſtoration thereof, would, for the future, hold themſelves more unqueſtionably authoriſ'd ſo to do. And, 3dly, they pray'd, that the paſſing the ſaid Charter might be ſuſpended, till the common Right of the Subject, to the ſaid Trade, might be determin'd by due Courſe of Law. This ſecond Petition was alſo back'd by two others, *viz.* one from ſeveral Linen-Drapers, and others trading in *Eaſt-India* Goods, ſetting forth, That the Trade to thoſe Parts was much impair'd, thro' the Miſmanagement of the Company, and in danger of being utterly loſt: As alſo, that in conſequence of the ſaid Miſmanagement, ſuch was the Scarcity of Callicoes, *&c.* that the Kingdom was ſupplied with them by Stealth from *Holland*, at exceſſive dear Rates, to the great Detriment of Trade, and Diminution of the Revenue, *&c.* and humbly praying, that in order to prevent a *Monopoly* of the ſaid Trade, in the Hands of thoſe by whom it had been ſo impair'd, the ſaid Charter might not be paſs'd. And the other from *the Clothiers*, and other *Woollen Manufacturers* of *Glouceſterſhire*, in which it was bluntly ſuggeſted, That they, the ſaid Petitioners, finding the Trade from *Turkey* and the *Streights*, in a manner wholly obſtructed, by reaſon of which, little or no Cloth was ſold; and that their Stock would not hold out to employ the Poor, who daily cry'd at their Doors for Work, made it their humble Prayer, That a general Liberty might be granted, *at this* time, to export, freely, woollen Manufactures to the *Eaſt-Indies*; which Trade would take off yearly ten times the Quantity of Cloth which had been tranſported thither for ſeveral Years paſt.

A. D. 1693-4.

The Merchants petition that the Progreſs of the Charter might be ſuſpended,

and are back'd by ſeveral Linen-Drapers, Clothiers, &c.

This Agreement of ſo many conſiderable Bodies of Men, in the ſame Purſuit, ſo far alarm'd the Miniſters, that they thought fit to tranſmit Copies of theſe ſeveral Papers to the Company; as alſo, to require their Anſwer in writing, to the Suggeſtions therein contain'd: And on the next Council-Day, the Secretary to the ſaid Company did preſent a written Anſwer to the Board accordingly; the general Purport of which was, 1. To inſinuate, That ſuch licentious Trading as was contended for, would end in the public Damage, Diſhonour, and Loſs of the Trade itſelf, which they had hitherto maintained and enlarg'd to the *Honour of the Nation.* 2. That tho' in Strictneſs of Law their Charters ſhould be avoided, her Majeſty was, in ſuch Caſe, her own Chancellor, and, as a Point of natural Equity and Juſtice, might reſtore them; which was ſo much the more reaſonable, becauſe the Money requir'd by the Act was ready for Payment, and would have been paid, if the Exchequer had been open, (which on *Lady*-Day it never was) and was actually paid a few Days afterwards. 3. That there was nothing illegal, either in the Reſtitution or the Clauſes of the Charter, to be ſo reſtor'd, becauſe, by a particular Clauſe in the ſaid Charter, the Company was to be reſtor'd to nothing, but what they lawfully held and enjoy'd before. 4. In anſwer to the Clothiers Petition, that their not being permitted, by reaſon of their Majeſties Occaſions in the Years 89, 90, to ſend out more than four Ships, was the Reaſon they had not exported ſo large a Quantity of Woollen Goods, as they otherwiſe would have done. That in the two laſt Years they had exported to *India* the Value of about 100,000*l.* in Cloth and other Goods; and that they purpos'd to ſend out this Year upwards of 100,000*l.* in the like Goods, purſuant to the late (*g*) Votes of the Houſe of Commons, in caſe they might be allow'd ſufficient Ships for it. 5. That the Scarcity of

Copies of the ſeveral Petitions tranſmitted to the Company.

Their written Anſwer.

I Callicoes,

(*g*) See Page 411.

A. D. 1693-4. Callicoes, &c. complain'd of, was occasion'd by the Loss of three of their homeward-bound Ships, *viz.* two wreck'd, and one blown up; and that the said Scarcity would soon be remedied, by two Ships already arved, and five more expected this Year, and nine the next: And, lastly, that as to the Petitions of their Opponents for 400 Men, they *conceiv'd them to be design'd to gain Countenance from her Majesty, That the Petitioners might, by her Majesty's Allowance to such a private and licentious Trade as had been desir'd, invade and lessen her Majesty's Royal Prerogative of restoring the Company*, &c. and that, therefore, they humbly hop'd no such Allowance would be granted them.

What follow'd on the presenting this written Answer, was an Order of Council, That the Parties concern'd should have a Copy thereof, and that there should be a new Hearing, which was peremptorily fix'd for the 21st of *September*: Accordingly that Day being come, the associated Merchants deliver'd in a written Reply, in which they asserted, That instead of managing the Trade for the Honour of the Nation, as the Company had insinuated in their own Commendation, they did aver, and were ready to prove, "That their unjust and unwarrantable Actions had been such as tended to the Scandal of our Religion, to the Dishonour of the Crown and the Nation, the Reproach of our Laws, the Oppression of the People, and the Loss of Trade itself, for (*r*) some of which they and their Agents had been justly censur'd in Parliament." That the said Company, in avoiding a Trial of the Merits of the Case, by due Course of Law, and soliciting a Determination, before her Majesty in Council, where they themselves knew it could not be determin'd, tacitly confess'd a Conviction, That the Law was against them: That the Charter they solicited was not so much a Restoration as a new Creation; and that the labouring the Point with so much earnestness, when a Session was so near at Hand, argued a Purpose in them to take the Settlement of the Trade out of those Hands to which his Majesty had so expressly committed it: That as to their Pretence of Equity, in case of Penalties and Forfeitures, there could be no Equity against the Penalty of an Act of Parliament: That what they averr'd concerning their Intention to pay the Duty on *Lady*-Day, in case the Exchequer had been open, was utterly false; for it appear'd by several Affidavits, which they were ready to produce, That the Office-Doors were open on the usual Hours; that the Officers were in waiting; that public Business was dispatch'd; and that the Money would have been receiv'd, in case it had been tender'd: That all the Allegations of the Company, drawn from the Rights and Powers of the Prerogative, were of no Force or Validity against express and positive Law: That they claim'd the Benefit of the Law, as their undoubted Right; and that by virtue thereof all her Majesty's Subjects (as they were advis'd) were equally entituled to the Freedom of foreign Trade, and could not, by Colour of any Grant from the Crown, be restrain'd from it. That both the Clause in the new Charter, which restrains the Grant to such Powers as the Company might have lawfully exercis'd in virtue of the old, and what is said in the Answer concerning that Clause, was evasive and equivocal, because the Company were thereby left in possession of all the Powers which *they* thought lawful; and how they were like to interpret them, might be gathered from what they had formerly done in the Case of the thirteen Persons executed by Martial-Law at St. *Helena*; which Execution the Parliament had voted a Murder, &c. That the Construction made by the Company of the Merchants Petition, for the 400 Protections, was a very forc'd and unnatural one, since it had not the least Tendency to diminish any Branch of the Prerogative, but only, by Virtue of the Prerogative, to secure 400 Men in the quiet Exercise of their lawful Calling, to the general Advantage of the Kingdom, and the particular Advantage of the Revenue: And that, lastly, they humbly pray'd the Settlement of the Trade might either be left to Parliament, or the Right be determin'd by due Course of Law, before a new Charter was granted; and that they might be favour'd with the Protections desir'd; in consequence of which, an Acquisition would accrue to the Customs of 60,000 *l.* and one Branch of Commerce would be most seasonably open'd, at a time when, by reason of the War, all others were in a manner wholly obstructed.

The Reply of the Merchants.

A. D. 1693-4.

This Reply was accompany'd with a Paper, which was call'd an Abstract of some few of those numerous Authorities of Common Law, on which the said Reply was founded: And also with another humble Reply, in the Name of the Linen-Drapers, who had petition'd before, tending to invalidate every one of the Company's Allegations: The Clothiers had also prepar'd a Reply on their Behalf, but were induc'd to suppress it; and to supply that Defect, the Merchants presented a Draught from the Custom-House Books, of all the Cloths exported by the Company in the five last Years, which amounted in all but to 1827 Cloths; whereas in the Year 1692, only, 953 Cloths had been exported on board two private Ships; which were three times as many as the Company had exported in three of the said five Years. All this was yet farther enforc'd by another Petition from the Owners and Freighters of the said two Ships, praying that the illegal Clauses, in the former Charters, might be particularly excepted, that so the

(*r*) Alluding to that Vote of the Convention Parliament, which excepted those out of the Act of Indemnity, who had procur'd a Commission to execute Martial Law in the Isle of St. *Helena*, and had sign'd Instructions for putting the same in Execution.

A. D. 1693-4. the Lives, Liberties and Eſtates of their Factors, Servants, Mariners, and other their Fellow-Subjects, might not be invaded in Places ſo remote, where they could neither defend themſelves againſt the Outrages they were expos'd to, nor obtain a Remedy afterwards; the Wrong-doers being out of the Reach of the ordinary Juſtice of the Kingdom. All, however, proving ineffectual; and no Anſwer being vouchſafed to the Petition for the 400 Seamen, they made a new Effort on that Head, and, by way of Inducement, ſet forth, that they would export more Cloth, and other *Engliſh* Goods, in this one Year, than the Company had exported in five: That, upon the Return of their Ships, they would furniſh the Government with 500 Tuns of *Salt-petre*, at three Pounds *per* Hundred Weight, which was then ſold at eight Pound *per* Hundred; that the Company was reduc'd to ſo mean a Condition, that they had neither a (*z*) ſufficient Stock of their own in *England*, to load the Ships they petition'd for, nor in *India* to load them back again: And that the Petitioners being in effect depriv'd of their Livelihood, by reaſon of the preſent War, and the many great and heavy Loſſes they had ſuſtain'd in it; as alſo the *Eaſt-India* Trade, being the moſt profitable, and leaſt hazardous of any, they made it their humble Prayer, that, in order to repair their Loſſes, Protections, for *this Year*, might be granted for the ſaid Seamen, *&c.* A. D. 1693-4.

But neither had this Petition any better Succeſs than thoſe preſented before: On the contrary, an Order of Council was iſſued, *September* 28, to either of the Secretaries, to prepare a Warrant for her Majeſty's Signature, in order to the paſſing the Charter: And tho' the Merchants were heard by their Counſel, upon the *Caveats* they had enter'd, and,

(*z*) To prove which they deliver'd in a ſeperate Paper, the Title and Contents of which were as follow:

REASONS *humbly offered to your Majeſties Conſideration, whereby it may appear, That the late* Eaſt-India *Company have neither Stock at Home or Abroad, to carry on that Trade; and that it is in danger to be loſt to this Kingdom, and to fall into the Hands of ſome other Nation.*

The late Companies want of Stock at Home is Viſible,

I. *By their having ſent out to the* Eaſt-Indies, *in three whole Years time of their Trade,* viz. *in* 1688, 1689, *and* 1691, in ſeven Ships, containing about 3000 Tuns, but the Value of 26000 *l.* as may appear by their Accounts laid before the Houſe of Commons in 1689, and 1691, of which moſt part was Ammunitions and Stores for their War.

II. *By their having in* England but 3300 *l.* 8*s.* 8*d.* according to their own Accounts given into Parliament in 1691, including 9920 *l.* for their Buildings, though they had ſent out ſo little in the preceding three Years, and had had above 10000 Tuns of their Shipping arrived in that time, whereas, in Truth, three times that Sum would not have paid the Debts which they then owed, and make good the other Miſtakes omitted to be inſerted in that Account.

III. *By their farming out their Trade* to and from the *Eaſt-Indies*, to be carried on by Foreigners, and others on Permiſſion, on their Ships, and not trading themſelves, when *Engliſh* Goods were ſo much wanted there, and *Eaſt India* Goods ſo exceſſive ſcarce and dear here, which it can never be ſuppos'd they would have done, if they had had Effects either at home or abroad, to carry on the Trade themſelves.

IV. *By their calling in Fifty* per Cent. of their Stock, before they could ſend out the laſt Year's Ships, which was a publick Confeſſion of their own, that they had not Stock ſufficient to carry on their Trade without it.

V. *By their having no Money in* England to carry on their Trade, notwithſtanding the ſaid fifty Pound *per Cent* called in, that not being ſufficient to pay what they owed before it was called in.

VI. *By their Shipping out in five Years of that Trade,* ſo little Cloth, as has in all that time amounted to but about 20000 *l.* and not near ſo much in all other Goods of the Growth, Product, or Manufacture of *England*, which ſhews, either that they wanted Money to pay for them, or that they had little Regard to the public Good of the Nation, in the Proſecution of their Trade.

VII. *By the engroſſing the Goods* (which have come home) by the ruling Members, who ſold them to themſelves, knowing the Company had not a Stock to ſupply the Nation with thoſe Commodities; thereby inhanſing the Prices to ſuch extravagant Rates.

VIII. *By their not ſupplying the Nation with* Salt Petre, although the Safety of the Kingdom ſo much depends thereon; that Commodity, by reaſon of its Scarceneſs, for want of their importing it, being now ſold at near four times the uſual Price.

Their Want of Stock Abroad is alſo Viſible,

I. *By their Factors having ſent home, in a few Years,* about 2000 Tuns of their Shipping empty.

II. *By their having kept their Ships ſo long in* India, when *Eaſt-India* Goods were ſo much wanted at home. One of the Ships having lately arrived, having been five Years out: And three of thoſe ſent out in 1689, and 1690, not being yet returned; beſides above 1200 Tuns of other Shipping, which they had formerly ſent out, and which they would, as they might, have laded home, if they had not wanted Money there more than Ships.

III. *By their being ſo vaſtly indebted at* Surat, *their chiefeſt Reſidence*, that their General, or Preſident and Council there, are confined to the Town, and not permitted to ſtir out of it, unleſs with a Guard to watch them, for fear they ſhould run away without paying what they owe, and making Reſtitution to the Natives for the Damages done them in the War. And although, by their Account given in Parliament in 1691, they pretended to have there about 200,000 *l.* after all Debts paid, yet they are ſo far from having any Stock at all there, that they are forced to borrow Money to pay for the neceſſary Charges of their Factory; as the Petitioners can prove by Perſons of undoubted Credit, lately came from thence, who arrived here but in *Auguſt* laſt.

IV. *By their ſtarving the Trade*, having had *none*, in two Years, but three Ships, containing not above 1000 Tuns; (though they have ſo many Ships abroad, and that *Eaſt-India* Goods are ſo much wanted at home) and even theſe three Ships, a great Part laden by *Armenians* and others, on Permiſſion for private Accounts; whereas in that time the *Dutch Eaſt-India* Company have had home about 10,000 Tuns of Shipping.

By all which it may plainly appear to your Majeſty, that the late Company have neither Stock at *Home* nor *Abroad*, to carry on that Trade; but on the contrary, are vaſtly indebted there, as has been already obſerved to your Majeſty: Notwithſtanding, that by their Accounts given in Parliament in 1691, they pretended that they had 828,860 *l.* in Quick-Stock in the *Eaſt-Indies*, after all Debts and Demands were paid and ſatisfied; and that they have not had home from thence near the Value of 100,000 *l.* ſince that time; and for want of their Stock to manage this Trade, your Majeſty has ſuffered, in a few Years laſt paſt, 300,000 *l.* in your Cuſtoms, and that Trade is in a manner quite loſt to this Kingdom, and given away to the *Dutch*; who do not only ſupply themſelves directly from the *Eaſt-Indies*, with thoſe Goods which they formerly had from *England*, but do furniſh other Countries, which we were uſed to ſupply; and even the Conſumption of this Kingdom itſelf is now chiefly ſupplied with *Eaſt-India* Commodities, by ſtealth from *Holland*. And beſides the Conſiderations above mentioned, ſeveral other Princes and Potentates, *viz.* the *Danes*, *Portugueze*, and *Genoeſe*, are encouraging and inviting, not only their own, but likewiſe the Subjects of other Princes, and eſpecially your Majeſties, to proſecute this Trade to and from their Dominions, in Shipping of thoſe Countries; which may prove of dangerous Conſequence to this Kingdom, unleſs prevented by permitting the reſt of your Majeſties Subjects to partake of this Trade, from hence, upon equal Terms: For that it will be more advantageous either to embrace the aforeſaid Encouragement, or to come into that Trade, by being concerned in the *Dutch Eaſt-India* Stock, rather than by building on the rotten Foundation of the late Company, who, as viſible, have not a Stock to carry on that Trade.

But the ill Intentions of the late Company are the more apparent, for that though they themſelves have been able to drive ſo little Trade to the *Eaſt-Indies* for ſeveral Years paſt, yet they would obſtruct others, your Majeſties Subjects, from trading thither; thereby endeavouring to leſſen your Majeſties Cuſtoms, and to give away this Trade from our own to ſome other Nation.

All which the Petitioners humbly ſubmit to your Majeſties great Wiſdom, and are ready to prove the Particulars thereof, upon any Day to be aſſigned them by your Majeſty for that Purpoſe.

A. D. 1693-4. and, in particular, presented to the Lord-Keeper *Sommers*, on the 7th of *October*, a Paper containing such (*t*) Reasons against passing the Charter as seem to be unanswerable, the said Charter pass'd the Great Seal that very Day, tho' not in so full a manner as the Company expected and desir'd: For knowing well what determin'd Men the opposing Merchants were, and justly apprehending that they would bring the Affair again before the Parliament, Care was taken, by those concern'd, so to limit the Grants contain'd in it, that they should not amount to an absolute Exclusion of all others; and also to provide, that the Company should submit to such Alterations, Restrictions, and Qualifications, as the King should direct before the 29th of *September* following.

The Charter pass'd.

This Charter was not, however, the only Favour that was shewn to the Company: For having, on the 21st following, apply'd to the Queen, in Council, that a Stop might be put to the Sailing of the Ship *Redbridge*, mann'd with fifty Seamen, and commanded by one *Smith*, under a Pretence, that she was bound to *East-India*, tho' enter'd and clear'd for *Alicant*, the said Ship, on this bare Surmise, was stopt accordingly, and detain'd, at the Expence of nine Pound a Day to the Owners of her; till the said Owners had made it undeniably plain, that she was really bound, by Charter-Party, for *Alicant*, and was to return from thence directly to *London*, in Company with four other Ships. A. D. 1693-4.

But tho' Matters were carry'd with so high a Hand against the Merchants at Court, they came to a Resolution, not only to prosecute their Suit, but to lay a Summary of all that had pass'd, during the Recess, in print, before the Nation; which they did accordingly: And, from the whole, took the Liberty to infer, That such Proceedings, if not prevented, would render all the foreign Trade of *England* precarious, by being subject to be interrupted by the *Caprice* or *Malice* of any one Committee Man of the *East-India* Company:

Inferences of the Merchants from the whole Proceeding.

That the admitting such a Power in the Crown, to restrain foreign Trade from some Subjects, and to grant it to others, exclusive of the rest, would be of dangerous Consequence

---

(*t*) *Viz.* I. *They humbly conceive* your Lordship to be a Judicial Officer, indifferent between the King and his People, and a Check which the Law has appointed over all Grants from the Crown, that none may pass the Great Seal which are either prejudicial to the Crown, or to the just Rights and Liberties of the People.

II. *They humbly apprehend* no Order can warrant the passing any *Charter* containing any Grants that are in themselves illegal.

III. *That the* Charter *now before your Lordship*, is a Restitution of several Grants of the sole Trade to the *East Indies* to a few Persons, excluding all the rest of their Majesties Subjects, which Exclusion, they conceive, is contrary to the Common Law of this Land, the Authorities whereof are too voluminous to be inserted here, and likewise contrary to divers Statutes, some of which are particularly express in the Paper annexed, of which they pray your Lordship's Consideration.

IV. *That if the King can restrain* some of his Subjects from trading, and license others, it may be a Precedent for any of the King's Successors to set what Price they please upon such Licences; by which Means they will never need the Aid of Parliaments to supply them with Money, the Consequence whereof may hereafter be very dangerous to the Kingdom.

V. *That the former* Charters, which are to be restored and confirmed by this Grant, now before your Lordship, contain divers other Illegal Powers:—As the Power of executing Martial Law, of imprisoning the Persons, and confiscating the Estates of their Majesties Subjects, *&c.* some of which were lately acknowledged to be illegal, even by their Majesties Counsel at Law.

VI. *The said* Charter *declares the late* Company to have been of a long time a Corporation, to the Honour and Welfare of the Nation, which may be interpreted a Justification of the Illegalities which they have acted, and a Vindication of them in that, for which they have been publicly censured in Parliament; and if there can be any Reason to restore the late Company, without doubt there can be none to commend them.

VII. *That the restoring the said* Charters, wherein such Illegal Powers are granted, may occasion the Loss of the Lives of their Majesties Subjects, which can neither be restored nor repaired.

VIII. *That the Execution of the* said Powers, contained in their former *Charters*, being in Places so remote, the Aggressors are out of the Reach of the ordinary Justice of the Kingdom, and the Parties aggrieved left without Remedy, or at least unable to contend with a joint Stock, so as to procure any legal Satisfaction for the Injury done them.

IX. *They further represent to* your Lordship, that some of the concerned in the said *Caveat*, have Factors, Servants and Mariners, as well as considerable Estates in *India*; and the restoring the former *Charters* may expose not only them but all others, who may go into those Parts on their lawful Occasions, to the arbitrary Powers contained in the old *Charters*, for that no Provision is made in this new one to secure them; and the Company may be encouraged by this Grant to execute the said unlawful Powers, as they have formerly done.

X. *That the industrious Application* of the Company to get this *Charter* pass'd so near the Session of Parliament, where this Matter had been so long depending, can be accounted nothing but a Design in them to obstruct the Settlement of that Trade by the Parliament, to whom the King has expressly referred it, by his Message sent to the House of Commons the last Session.

XI. *That the Copy of the said* Charter, since it has been altered, hath been denied, whereby they are debarred from the Opportunity of making such just Exceptions, as otherwise they might or ought to do, in a Matter of so great Consequence.

XII. *That in the granting* this *Charter*, which restores the sole Trade of the *East Indies* to the late Company, will be, in effect, the giving away that Trade to the *Dutch*, who have already, in a great Measure, driven us out of it, and furnish most other Countries, as well as this, with *East-India* Goods, the late Company having neither a sufficient Stock or Credit to carry on that Trade.

And notwithstanding the Pretence made as to the seeming Limitation, contained in the desired *Charter*, we humbly beg Leave to represent to your Lordship, that all the Powers which are contained in their former *Charters*, are as fully and absolutely restored and confirmed, as ever they were granted; and cannot otherwise be understood by those to whom the Grant was intended, who having formerly executed them as if they had been lawful, will, by this Grant, be encouraged to do the like; it being so far from an Intimation of the Unlawfulness of any of those Powers, that it is rather an Indication that they are all lawful; for it cannot be presumed that any thing which is otherwise, should pass with so great Solemnity under the Royal Authority, and through the Hands of the great Officers of the Kingdom, who have examined and approved the same, after so long a Deliberation: But it may rather be concluded, if any of the said Powers had been unlawful, they would have been particularly distinguished, and excepted out of the said Grant; for that by the general granting and confirming of their former *Charters*, and the Powers therein contained, without any particular Distinction, and especially (as the *Charter* expresses it) as fully as if the said *Powers* and *Charters* were particularly recited; all the Powers in their said former *Charters* cannot but be supposed to be restored and confirmed, whereby the Lives, Liberties, and Estates of the Subjects of *England*, will be again exposed to the same unjust Violence and Oppression which they have formerly suffered from the late Company, by colour of those Powers contained in the said former *Charters*, which are now intended to be restored and confirmed.

All which the concerned in the *Caveat* before your Lordship, do humbly offer, in behalf of themselves and the rest of their fellow Subjects, as their Reasons against the passing the now desired *Charter* to the late *East-India* Company; and do humbly claim the Benefit of the Common Law and the said Statutes, and all other Statutes and Customs of this Realm, for the securing to the Subject the Liberty of foreign Trade (as their undoubted Right.)

A.D. 1693-4. sequence to this Kingdom; as having a direct Tendency to incline future Kings to farm out all Trade, and so to raise Money without the Aid of a Parliament: And that the asserting the Right of the Subject was become the more requisite, in as much as the omitting it so long, had given way to a Pretence of Prescription, which had been urged as an Argument for the Power of the Crown to restrain this Trade.

That it plainly appear'd the Crown had not the Power of restraining foreign Trade to some, and excluding others, without an Act of Parliament, from the following Considerations, *viz.*

1. By the confirming the *Hudson's*-Bay Company by Act of Parliament, since their Majesties Accession to the Crown, which was a clear Demonstration of the Insufficiency of any Charter to exclude the Subject of *England* from foreign Trade, without an Act of Parliament; as also by the Petition of the *East-India* Company to the House of Commons, for the like Establishment; whereby they themselves admitted, That the Crown could not exclude from that Trade without an Act of Parliament.

2. By the several Judgments which had been given at *Westminster*-Hall, since their Majesties happy Accession to the Crown, against the stopping Ships bound to the *East-Indies*, and against the seizing of Ships and Goods, by colour of such excluding Charters, for trading to the *East-Indies* and *Guinea*, within the Limits of them; and which thereby declar'd it lawful for the Subjects of *England* to trade into the *East-Indies* and *Guinea*, notwithstanding those Charters, and without any particular Licence from the King for so doing.

3. By his Majesty's Message, sent the House of Commons the last Session, in answer to their Address of the former Session, for dissolving the late Company, wherein it is declar'd, That he could not settle it by his own Authority alone; and that the Concurrence of the Parliament was necessary to make a complete and useful Settlement of this Trade.

And, lastly, they intimated, That a short Bill for the declaring and asserting the Right of the Subject, to the Freedom of foreign Trade, might be past speedily, without Obstruction to the other public Affairs, which would be a means to facilitate the Establishment of a new Company, for the carrying on this Trade, by a new national Joint-Stock, to be rais'd by new Subscriptions, (if the Wisdom of Parliament should think that the best Method) for the future carrying on of this Trade.

This Piece was call'd, *A Journal of several remarkable Passages*, &c. *relating to the* East-India *Trade*: And the Company, on the Credit of their Charter, having proceeded to take in Subscriptions, according to the Powers contain'd therein, to the Amount of 744,000*l.* the next Step taken by their Adversaries, was to prefer a Petition to the House of Commons, founded on the several Facts, Authorities, and Clames, already recited; and praying, That, in consideration thereof, the Trade to the *East-Indies* might be settled by Authority of Parliament. That their Pretensions might also be more favourably heard by the House; and that they might so far, at least, be upon an equal Footing with the Company, they made diligent court to the new Ministers, and left no Expedient untry'd to induce some of the most popular Members to appear in their Behalf. The Company, on the other Hand, having already establish'd so good an Interest at Court, were not content with a bare Defence of the Charter they had obtain'd, but stickled hard for a parliamentary Confirmation: But here they found the Current turning against them: The Friends they had made were principally of the *Tory* Faction; and their Influence was in the Wane: And the Commons, by the general Course of their Conduct, had shewn, that they were for siding with which ever Party was uppermost: On the other Hand, however, it was thought reasonable, even by the new Ministers, that some Tenderness should be shewn to the old; or, at least, that the Affair should be kept in suspence, till they also had found their Account in it.

A.D. 1693-4. *They petition the House of Commons.*

The Company do the same.

Under this doubtful Aspect it was that the Petition of the Merchants was taken into Consideration: Each Party flatter'd themselves that they had the Advantage of the other, and neither apprehended that the great Aim of All was to make Properties of both. But after the Allegations of the Petition had been over and over again debated, and after the (*a*) Charters granted to the Company; together with the Book of their new Subscriptions, the State of their Stock, and whatsoever else had any relation to the Merits of the Cause, had been examin'd and re-examin'd, the Issue of all was, That the Trade was, in effect, laid open, in Virtue of the following Resolution, That all the Subjects of *England* had an equal Right to trade to the *East-Indies*, unless prohibited by Act of Parliament: But no Censure was pass'd either on the said Charters, or the Manner of obtaining them; nor was any Project adopted for regulating the Trade, by Authority of Parliament, for the future.

Vote on the Issue.

Having thus prepar'd the Way for the many extraordinary Things which broke out during the next Session, concerning this mercantile Job, we are now, in the next Place, to treat of another parliamentary Process; which, not only created very warm and angry Debates within Doors, but which was made Use of as a Firebrand without. This was a general Naturalization Bill, for all foreign Protestants; which took its Rise in the House of Commons, and was espoused by different Persons, from a Diversity of Considerations. Men of abstracted Notions, for Instance, were for it, because

A general Naturalization Bill.

(*a*) Which were two, namely, that of *October* 7, above treated of, and a Charter of Regulations, dated *November* 17.

A. D. 1693-4. because they placed the Root of national Power in a Plentitude of Inhabitants; because they saw we had vast Quantities of Land, which lay unemployed; because they saw we were fond of making new Settlements, without considering whether we could afford to part with the Number of Inhabitants which they cost us; and, because they saw, that the unnatural waste of Lives in Wars and Voyages by Sea and Land, could not be supply'd in the natural Way. Those again, who confin'd their Considerations to the present State of *Europe*, were for it, because they thought the Ravages committed by the *French* in *Germany*, and the Persecutions which they had let loose against the *Hugonots* in their own Dominions, had created a Disposition in numberless Families, to transplant themselves to a Country, where Property was secure, and Conscience free; and, because they believed that those Families would also transplant their Wealth along with them, which would be a seasonable Supply to the annual Consumption of our own. There were yet Others who contended for it, partly for Commercial, partly for Factious, and partly for Court-Considerations. The King, they knew, had not only plac'd his Affection on his *Dutch* Followers, but was inclined to rely on any Foreigners, rather than his own Subjects. Those of the Church of *England*-Persuasion, they also knew, by far outnumber'd all the Sectaries of all Sorts; and as it was become one of the favourite political Points, to bring the two Scales somewhat nearer a Balance, they could discern no Way so short or so effectual as this, to bring it about. And lastly, they had so far Experience on their Side, that those who had already taken Refuge here, had over-paid the Community for the Protection they had found, by introducing several new Manufactures amongst us; and by helping to lower the Price of Labour, and Industry, than which scarce any Thing was of more Consequence to our Foreign Markets; more especially at that Time, when Trade was more oppress'd with Taxes, and more expos'd to the Hazards and Mischiefs of War, than ever it had been known before.

But if all these Considerations contributed to form the Party which appear'd for the Bill, it is easy to conceive, that all of them were not acknowledg'd in the Course of the Debates which it gave Rise to; on the Contrary, none but the plausible were brought forward on one Side; and none but those which had a Tendency to create Jealousies, and scatter Terrors thro' the People, were allow'd to have any Weight on the other. Thus, according to the former, nothing was intended by the Bill, but to replenish the exhausted Veins of the Kingdom: And according to the latter, the only Purpose that was to be serv'd by it, was, to complete the Transformation of the Body-politic, by fitting it with foreign Arms, as it was already fitted with a foreign Head. A. D. 1693-4.

It is certain, that the Dispute was not only put on this Footing, but pressed to an indecent Length on the Side of the Malcontents: In particular, Sir *John Knight* the Younger, as he was called, to distinguish him from another Sir *John Knight*, and who is characteris'd by Mr. *North*, as a Gentleman of as eminent Integrity and Loyalty, as the City of *Bristol*, the Place he repretented, was ever honoured with, distinguished himself on the Occasion, in a set Speech, which both for Matter and Manner, partook of all the Malignity which could recommend either it or him to the Party he belong'd to; but which, in Truth, partook more of Invective than Argument, and abounded more with inflammatory Presumptions and Surmises, than solid Facts. He took occasion, in his Out-set, to refer to an Article in the *London-Gazette*, giving an Account of several Ships, laden with Corn, for *France*, which had been lately cast away; and to insinuate, that the (w) stolen Exports from *England* of that kind, were rather for the Relief of the *Dutch* than of the *French*: He said, that the Advocates for the Bill were ready to part with our All to Strangers, in one lumping Vote. He wished that those Persons might meet with a rigorous and exemplary Punishment from their enrag'd and ruin'd Countrymen; and he remonstrated, That if we wanted Purchasers for our Lands, it was owing to the Oppressions of the Times; that an Abatement of Taxes would either remove the Necessities of those who wanted to sell, or enable better Managers among ourselves to buy; That to admit Foreigners into all the Secrets and Privileges of our Trade, would only enable them to grow wealthy at our Expence; and that when they had so made their Fortunes, they would transfer them to, and enjoy them in, the Countries where they were born; That as to the reducing the Price of Labour, it was not to be thought of, while so many Thousands of our Manufacturers were starving for want of Employment; and while the Price of Provisions was so high, that even those few who had Employment, with all their Industry, could scarce supply their Families with Bread; that it would be more becoming a House of Commons to think of some Expedient to find work for their own Poor, and that the Markets might be furnish'd with Necessaries at moderate Rates (which he thought might be effected by taking off the Prohibition of

[*Examen*, Part II. Cap. 4. p. 553.]

Sir John Knight's Speech concerning it.

(w) A Reward of 200*l.* had, in *October*, been offer'd, by Proclamation, for every Discovery that should be made of every such Exportation: And it was, at the same time, declared, That all Persons so offending, should be punish'd with the utmost Rigour of the Law.

A.D. 1693-4. of (x) *Irish* Cattle and Corn) than to appear so solicitous to increase their present Misery, by letting in a Tide of hungry Foreigners upon them; that the Surrenderers of Charters who had been so severely branded in the late Reign, were but slight Offenders in Comparison with Those, who were for resigning the great Charter of every *Englishman*'s Birthright; that if the Bill should pass, we might expect the like Visitation of *Frogs*, which had befallen the *Egyptians* of old; that, if a Stranger, as *Joseph* was, should be set at the Head of our Affairs, our Corn, Money, Cattle, Land, Bodies, and Goods, would in Process of time, become the Property of *Pharaoh*: And that, upon the whole, his Motion was, That the Bill might first be kick'd out of the House; and, then, that the Foreigners might be kick'd out of the Kingdom.

In short, as no Speech was ever, perhaps, better calculated to enflame the Mob than this, the *Tory*-Malcontents not only took care to have it printed, and dispersed throughout the Kingdom, but had the Pleasure to see the Train take effect, even beyond their Expectation: A Notion immediately and universally obtain'd among the Vulgar, that if the Bill took place, all Offices would be conferr'd on *Dutchmen*: That from thenceforward they would become what the *Lord-Danes* were formerly, and prescribe what Mode of Religion and Government they pleas'd, *&c.* And as to Sir *John Knight*, he was discours'd of as a Saviour, and in a manner ador'd, for having made so noble a Stand in Behalf of his Country. This exceedingly piqu'd the contrary Party, more especially the Courtiers; who, with their usual Officiousness, did not fail to do the Drudgery of the *Jacobites*, by applying what had been said of *Pharaoh* and *Joseph*, to the King and the Earl of *Portland*; and to make a Merit of their Endeavours of setting a Mark on the Offender: For the Print being complain'd of in the House, and the Hainousness of it sufficiently aggravated, Sir *John* was call'd upon, with such a Tempest of Rage and Clamour, as very clearly shew'd, that either he or it were to be sacrific'd: And not being altogether so devoted to his Party, as to suffer Expulsion and Imprisonment in the Tower, which he had been menac'd with, for their Sakes, he chose to disown the Speech; which was thereupon order'd to be burnt by the Hands of the Common Hangman, and it was burnt accordingly.

Printed by the Party.

Complain'd of in the House.

A.D. 1693-4. *and order'd to be burnt by the Hands of the Common Hangman.*

But so little Credit had the House with the People at this Crisis, that this Censure of theirs had all the Effect of a Recommendation: The Speech, whether genuine or not, was more regarded, and the Cry against the Bill became louder than ever: In vain the Scribes of the Court-Party were employ'd to justify the one, and explode the other: The Torrent continued to rage as violently as before; and, for the present, it was thought advisable to suffer the Bill to be carry'd away by it.

We have, indeed, but few Instances of the same relenting Nature: For it is, in general, observable, that the longer the Practice, the more harden'd the Prostitute: And that if Fear did not operate much, Shame never operated at all.

Ever since *Ireland* had been reduc'd, every Gale that blew from thence, had been freighted with the Groans of the miserable Inhabitants, under the Pressures of that very Government, which the Protestant-Part of them had so indefatigably labour'd, and so desperately fought, to establish. The Administration of *Coningsby* and *Porter* had been render'd particularly odious, by a Series of such Frauds and Oppressions as a Bashaw would have been strangled for: The Public, as we have seen, had the Particulars before them: The *Irish* Gentlemen, who, in the last Session, made their Appeal to Parliament against the Administration of Lord *Sydney*, in that Kingdom, did not forget, on that Occasion, to recapitulate them all; and even the two Houses had gone so far as to ground a Remonstrance to the Throne upon that Appeal, and the Evidence that was produc'd in support of it: But notwithstanding all this, and that the King, in his Answer to that Remonstrance, had given his Royal Word, That what was amiss should be remedy'd, *Coningsby* and *Porter* found such Favour at Court, that a Pardon was order'd to pass, the Seals. And when the Earl of *Bellamont*, and *James Hamilton*, Esq; petition'd her Majesty, that a Stop might be put to it, till the said Petitioners, and many others of their Majesties *Irish* Subjects, had produc'd their Proofs against them, the Orders of

P. 335, 336.

P. 401, *&c.*

Proceeding at the Council-Board in relation to Coningsby's and Porter's Pardon.

(x) The same thing is also touch'd upon in the following Passage, which is, on many Accounts, so very remarkable, that it ought to make a Part of the History of these Times

"We have scarcely had one *Gazette* these three Months, in which the Scarcity of Bread, and the Apprehension of a Famine in *France*, hath not been aggravated; while it is certainly known, that at *Paris* it is cheaper than at *London*; and yet we find no such provident Care as the *French* King takes, to have it sold at cheaper Rates, by encouraging Importations from *Ireland*, where Wheat is now sold for two Shillings a Bushel, which here is ten or twelve Shillings. And when *Sweden*, *Dant.* and *Hamburghers* bring Corn, in hopes of a good Market, we publish them fein'd as Prize, being design'd for *France*. They tell us a wild Story, of the Troops drawn from *Piedmont* into *Dauphine*, to prevent the Insurrections of the People for want of Bread; as if the quartering of such numerous Troops were like to encrease that Grain; or that the *French* King should bring his Troops into barren Provinces, which were the ready way to make them join in the Insurrection. But we never touch upon the actual Insurrections at *Worcester*, *Gloucester*, *Hereford*, *Stafford*, *Bath*, *Northampton*, *Sudbury*, and *Colchester*, and other Places, to prevent the buying up their Corn, to be transported to *France*, as some maliciously gave out, when it was well known it was for *Holland*. But the Charity of the new Bishop (*Dr. Patrick*) of *E——'s* Wife is remarkable; who, when a Lady was condoling the Condition of the Poor here, by reason of the Dearness of Bread, and all Eatables, replied, *But God be thanked there is a greater Scarcity in* France.

"It were an easy matter to draw up a Book of the excessive Rates of all Things for the Belly and Back, which are now paid, in proportion to what they were before the Abdication; because they are daily experienced by every House keeper, to the necessary pinching of themselves and their Families. That Loaf of Wheat Bread, which was then sold for Three-pence farthing, is now Nine-pence farthing; and so proportionable, or at least double in other Food. That Silk which was sold then by Retail at Thirteen Shillings the Pound, now at Thirty Shillings. The Muslins, and all *East-India* Commodities, three times the Price." *Price of Abdication*, p. 9.

A. D. 1693-4. of Council which were made upon it, seemed rather calculated to screen them from Justice, than to put them within its Reach: For tho' the Parties accus'd affected to join Issue with their Accusers, and presented a like Petition to her Majesty, they did not refer the Merits of the Cause either to the Decision of the Laws, or the Sentence of Parliament, but to the Council-Board; where they knew their Peace was already made. And because the Prosecutors, for that Reason, did not chuse to abide by that award, the two Petitions were not only discharg'd by order of Council, but, by the same Authority, a brief Account of the whole Transaction was No. 2898. made public in the *Gazette*, under such a Gloss, as if the said accus'd Parties had, of their own Accord, wav'd the Privilege of a Pardon, and defy'd the utmost Malice of their Prosecutors.

And here, if the Latter had consider'd as they ought, how nearly the Complexion of the great Council resembled that of the Less, they would, indeed, have dropt their Suit: But, being willing to persuade themselves, that the national Inquest was not so far debauch'd, but that they would have found a Bill against any Man, on clear and full Evidence, and, perhaps, stimulated by Passions and Interests of their own, they resolv'd to bring the Cause before the House of Commons: And, accordingly, the Earl, being himself a Member, as well as the two Defendants, presented several Articles of Impeachment against each of them; of which those that regarded *Coningsby* were, in Substance, as follows:

Lord Bellomont impeaches them in the House of Commons.

1. "That the said Lord *Coningsby* had traitorously abus'd the Power and Authority of his Government, and exercis'd the same tyrannically, by discouraging and terrifying the Militia, and framing and imposing on them a new, arbitrary, and illegal Oath, contrary to the King's Instructions, &c. And ordering the Governors of Counties to subject the said Militia to Martial Laws, contrary to the known Laws of the Kingdom.

2. That the said Lord *Coningsby* did traitorously, &c. exact and force free Quarters for the Army; and did also, by Force of Arms, levy Money on the Protestant Subjects, &c.

3. That the said Lord caus'd a great Scarcity of Provision, in the Army before *Limerick*, by obliging the Sutlers to take out Licences, and by laying Taxes on Beer and other Provisions sent to the Camp.

4. That the said Lord, assuming to himself a tyrannical and arbitrary Power over the Lives, as well as the Properties of the People, did, in Council, by Word of Mouth, order one *Gafney* to be hang'd without Trial, the Courts of Justice being then open, &c. and the said *Gafney* was immediately executed, according to the said verbal Order.

5. That the said Lord, by himself or his Agent, did traitorously carry on a Trade with the Subjects of the *French* King.

6. That the said Lord did embezzle vast Quantities of their Majesties Stores and forfeited Estates, both real and personal.

7. And that the said Lord, during his A. D. 1693-4. whole Government, did favour and support the Papists in their Robberies, and other Outrages, &c."

Those against *Porter* were much of the same Nature: A Day of Hearing was appointed: The Earl produced his Vouchers in support of every one of them; and, as far as can be gather'd from the Votes of the House, made every one of them good: The imposing the Oath in the first Article, was pronounc'd to be absolutely illegal: That which contain'd the infamous Story of *Gafney*, could neither be deny'd or extenuated: The free Quarterings, the Exactions of Money, the Impositions of Licences, were equally notorious. It could not be said, that any of the other Allegations were either groundless or frivolous; and yet, upon the whole, the House proceeded to declare, That, considering the State of Affairs in *Ireland* at that time, they did not think fit to ground an Impeachment upon them. *The House do not think fit to receive them.*

Nor was this all that was remarkable in the Case: For on the same Principle which had operated so favorably for *Coningsby* and *Porter*, it was resolved to make an Example of *Bellomont*; that is to say, by depriving him of his Place: This is hinted at in the *Hush-Money*-Paper, formerly quoted in these Words, "When I hear he (the King) sends his Commands to some Lords, and Bribes to others, and turns out of his Place the gallant Lord *Bellomont*, merely for giving his Vote in the House of Commons, according to his Conscience, &c. it is time to look about us." But one of our Histo- Old Mixon. rians, who also cites this Passage, is expres, That it was for these vexatious Prosecutions; not voting according to Conscience, that he was turn'd out.

But if the Commons were not over rigid in prosecuting the Mal-versation of Ministers, it seems they gave no Quarter in Cases of Impiety: For Complaint having been made of a certain *Socinian* Pamphlet, call'd, *A Dialogue concerning* the Deity; or a *brief but clear Confutation of the Doctrine of the Trinity*, which had been sent under Cover to several Members of Parliament, so much their Zeal was enflam'd, that they ordered it to be burnt by the common Hangman; and also, that Enquiry should be made after the Author, Printer, and Publisher, to the end that they might be punish'd according to Law. *A Socinian Pamphlet ordered to be burnt by the Hangman.*

And now having dispatch'd the most ma- 1694. terial Transactions of the Session, (for as to the great Cause of the Duke and Duchess of *Norfolk* in the House of Lords, in relation to a Divorce, on Proof of Adultery, we shall leave it in the Hands of the Civilians and Divines, to whom it more properly belongs) all that need be added, to prepare us for the Close, may be comprehended in the following Particulars, namely, 1. That in the Act for *taking and stating the public Accounts*, (which, even in these corrupt Times, was admitted, not only as a matter of Course, but as what the Public had so clear a Right to, that no plausible thing could be alledg'd

A.D. 1694. *Transport Debt refer'd to the Commissioners of Accounts.*

againſt it) a Proviſo was inſerted, by which the Commiſſioners were required to ſummon the Commiſſioners of the Tranſport-Ships for the War of *Ireland*; as alſo all other Contractors for the ſame, together with the Owners and Proprietors of the ſaid Ships, and to ſtate the Accompt, and adjuſt the Debt, againſt the next Seſſion of Parliament. 2. That, in order to encourage the building good and defenſible Ships, a ſhort Act was prepar'd, by which it was provided, That all ſuch Perſons as, within the Space of ten Years, ſhould build, or cauſe to be built, Three-deck'd Ships, of not leſs than 450 Tuns Burden, ſhould, for the firſt three Voyages, have and receive, to their own proper Uſe and Benefit, one Tenth Part of the Cuſtoms, accruing to their Majeſties, for ſuch Goods and Merchandizes as ſhould be exported, or imported therein. And, laſtly, that for the better Diſcipline of the Royal Navy, it was provided, by another Act, that all Offences againſt the Act for the regulating and better Government of his Majeſty's Navy, *&c.* might be proſecuted, try'd, and determin'd in the King's-Bench, or under a Commiſſion of *Oyer* and *Terminer*: All which, together with the Bank, Stamp, and Hackney-Coach Acts, as alſo the uſual Militia Act, and an Act to enable his Majeſty to make Grants, Leaſes, *&c.* in the Duchy of *Cornwall*, receiv'd the Royal Aſſent on the laſt Day of the Seſſion, on which Occaſion his Majeſty was pleas'd to expreſs himſelf in the following laconic manner:

An Act to encourage Ship building.

Another for the better Diſcipline of the Navy.

King's Speech at the Cloſe of the Seſſion.

"*My Lords and Gentlemen,*

The Proofs you have given of your Affection to me, and the Zeal you have expreſs'd for the Government, oblige me to return you Thanks before I put an End to this Seſſion; and, in particular, to thank you, Gentlemen of the Houſe of Commons, for the large Supplies you have provided to carry on the War.

I will endeavour to do my Part; and it is from the Bleſſing of *God* that we muſt all expect ſuch Succeſs as may anſwer our Deſires.

My Lords and Gentlemen,

The Poſture of Affairs making it neceſſary for me to be abſent, for ſome time, out of this Kingdom, I recommend it to you, that, in your ſeveral Stations, you be careful to preſerve the public Peace."

And then the Lord-Keeper, by his Majeſty's Command, prorogu'd the Parliament to the 18th of *September* following.

As at the End of a Campaign Men of diſtinguiſh'd Merit and Service, (where the rewarding Service and Merit is conſider'd as the Corner-Stone of good Diſcipline) are uſually rewarded according to the Share of Danger and Honour they have had in it; ſo at the End of the Seſſion it began now to be the Uſage of the Court, to ſcatter their Favours amongſt thoſe who had gone the greateſt Lengths to deſerve them. But we are not only to take Notice of the general Diſtribution on that Occaſion, but alſo of ſuch Boons and Graces as were dropt by the way.

A.D. 1694. *Honours and Preferments.*

Thus on the Death of Lord *Levelace*, one of the foremoſt Adventurers for the Revolution, we find the Earl of *Abingdon*, who had no ſuch Merit to plead, appointed to ſucceed him, as Lord-Chief Juſtice in *Eyre*, on this Side *Trent*; and the Duke of St. *Albans*, after ſome Demur, as Captain of the Band of Penſioners. We alſo find the Offices held by the late Duke of *Schomberg*, divided between an *Engliſh* and a *French* Favourite; for Lord *Sydney* was made Maſter of the Ordnance, and *Ruvigny*, Viſcount *Galway*, Commander in Chief of his Majeſty's Forces in *Piedmont*; as, alſo, Envoy Extraordinary to his Royal Highneſs of *Savoy*. Lord *Charles Butler*, Brother to the Duke of *Ormond*, was created Lord *Butler*, of *Weſton*, in *England*, and Earl of *Arran*, in *Ireland*; *Peregrine Bertie*, Eſq; was made Vice-Chamberlain to the King, in the Room of Sir *John Lowther*, of *Lowther*, who, according to the *Gazette*, had his Majeſty's *Leave* to reſign. On the 4th of *March* the Earl of *Shrewſbury*, who, it ſeems, was, by this time, convinc'd, That all Cauſe of Oppoſition was remov'd; and that his Majeſty might be ſerv'd on his own Terms, with a ſafe Conſcience, was put in Poſſeſſion, once more, of the Secretary's Office: On the laſt Day of the Seſſion he was, moreover, honour'd with the Garter which had been worn by the Duke of *Hamilton*, ſo often mention'd in the Courſe of this Work, (and of whoſe Death, at *Edinburgh*, Advice had been juſt receiv'd) and with the high Title of Duke. On the ſame Day, likewiſe, the Earl of *Mulgrave* was reconcil'd to the Meaſures of the Court, by the joint Conſideration of being created Marquis of *Normanby*, and receiving an annual Penſion of 3000 *l.* which was beſtow'd on him to make him ſome Amends, ſays one, for the Place of Lord-Chamberlain, which he had enjoy'd in the former Reign. *Henry Herbert*, Eſq; was, at the ſame time, ennobled by the Stile and Title of Baron *Herbert*, of *Cherbury*. The Friends and Partizans of Mr. *Ruſſel* had the Satisfaction of ſeeing him advanc'd to the Head of the Admiralty-Board, in the Room of Lord *Falkland*: And Sir *George Rook*, and Sir *John Houblon*, were appointed Commiſſioners, in the Room of the two obnoxious Admirals, *Killegrew* and *Delaval*.

Boyer.

And here it was reaſonable to think the reigning Party had either ſet a Bound to their Demands, or the King to his Conceſſions: For that very Day his Majeſty ſet out for *Holland*; but the Wind proving contrary, he was forc'd to return in the Evening to *Kenſington*; and on the 30th following, was farther induc'd, to create the Earl of *Bedford*, Duke of *Bedford*; the Earl of *Devonſhire*, Duke of *Devonſhire*; the Earl of *Clare*, Duke of *Newcaſtle*; and the Lord-Viſcount *Newport*, Treaſurer of the Houſhold, to be earl of *Bradford*: As, alſo, to prefer Mr. *Montagu* to be Chancellor and Under-Treaſurer of the Exchequer; and Sir *William Trumbal*, and *John Smith*, Eſq; to be Commiſſioners of the Treaſury, in the Room of Mr. *Hampden*, and Sir *Edward Seymour*.

A. D. 1694. *Seymour*. But then, that the *Tories* might not be without Hope, he not only continued the Marquis of *Carmarthen* at the Head of the Council-Board, but gratified him with the Title of Duke of *Leeds*: And he directed the Marquis of *Normanby*, and the Lord Viſcount *Durfley*, to be ſworn of his Privy-Council.

This laſt Tranſaction bears date the 3d of *May*: The ſame Evening his Majeſty ſet out again for *Graveſend*; but the Winds proving again unfavourable, proceeded on to *Canterbury*, and from thence to *Margate*, where he embark'd on the 7th: And by an Article dated from *White-Hall*, *May* the 8th, we are yet farther told, That *their Majeſties* had been graciouſly pleas'd to create the Lord Viſcount *Sydney*, Lord Warden of the Cinque Ports, and Earl of *Rumney*. Laſtly, by another of the 10th it appears, that, in Virtue of *Her* Majeſty's Command, the Earl of *Stamford*, and Mr. Chancellor of the Exchequer, were ſummon'd to the Council-Board, and had taken their Places accordingly.

Thus it may be ſaid, that all the great Offices of the Crown were either in the Hands of *Whigs*, or of ſuch *Tories* as were pliant enough to ſerve under them, merely for the Profits and Perquiſites of their ſeveral Offices.

Jacobite Account of the Cabinet.

But to be in Place, and to be in Power, are very different Things, tho' they are vulgarly underſtood to be the ſame: And this was ſo far from being a Secret in this Reign, that in a Pamphlet, which was writ expreſly to expoſe it, we find it very confidently affirm'd, not only, that the Secret of our Negotiations with foreign Courts was entruſted to the *Dutch* Miniſters reſiding there, not our own, but alſo, (*y*) that the Miniſters, *ſuppos'd* to be at the Head of our Affairs at Home, were no otherwiſe advis'd with, than to carry pre-concerted Meaſures into Execution: That the King, the Earl of *Portland*, and the Earl of *Sunderland*, made up the whole Cabinet: That even the Secretaries of State were no better than little ſervile *Commis*: And that Lord *Shrewſbury* himſelf, who had once reſign'd on this very Account, and who had been lur'd back to Court by an high Title, a Blue Ribbon, and certain inſidious Promiſes, of being more conſider'd for the time to come, found himſelf as much a Cypher as before.

It may now, perhaps, be expected, that we ſhould accompany his Majeſty to *Holland*, and proceed immediately to the opening of the Campaign: But tho' the Opportunity be inviting, we muſt not embrace it, A. D 1694. till we have clear'd certain other Tranſactions, which ſtill lie in our way.

And, firſt, tho' little or nothing need, as yet, be ſaid concerning *Ireland*, which was under the Dominion of the Lords-Juſtices, *Capel*, *Wych*, and *Duncomb*, it is neceſſary to ſay a Word or two concerning *Scotland*.

Affairs of Scotland.

It is true, no material Alteration had been made in the Regency there; but then that Regency had made no Progreſs in conciliating the Affections of the People. The ſame Correſpondence was ſtill carry'd on between the Malcontents and the Court of St. *Germains*: A Party of the Latter ſtill kept Poſſeſſion of the *Baſi*, an inacceſſible Rock, ſurrounded with the Sea: And Sir *James Montgomery*, who was then Agent of the Party in *England*, and who, from time to time, made it his Buſineſs to keep up their Spirits, by expoſing the Errors and Corruptions of the Government, had not only found Means to make his Eſcape out of Cuſtody, but to elude all the Re-ſearches that were made after him, tho' back'd by a Proclamation, and the Offer of a 500*l.* Reward.

But theſe were Conſiderations of ſmall Importance: There was ſtill an Anti-Court Faction in the Parliament, which the Government Eſtabliſhments and Revenue of *Scotland* were not large enough to gratify: Theſe waited for a Seſſion with the utmoſt Impatience; as making no doubt, but that out of the *Glenco*-Affair, and ſuch other Cauſes of Complaint as had been adminiſter'd by thoſe in Power, they ſhould be able to trouble the Waters enough, to anſwer all the Purpoſes they had to ſerve. The Government, on the other Hand, who wanted to draw *Scotland* into a larger Share of the War as well as *England*; as, alſo, to find Ways and Means to defray the Expence of it, were well enough inclin'd to gratify them with a Seſſion, and, probably, ſomething farther, if any Security could have been given, that the Current of it ſhould have flow'd no otherwiſe than as they directed. It alſo appears, that they had even conceiv'd ſome Hopes of carrying their Point: For mention is made in the *Gazette*, of a Purpoſe to appoint the Duke of *Hamilton* Commiſſioner; and the Parliament having been adjourn'd to the 9th of *January*, a Proclamation was ſet forth, towards the End of *December*, directing, That it ſhould be farther adjourn'd to the 15th of *March*; when all the Members were requir'd to give their Attendance in the uſual way, and under the uſual Certifications.

(*y*) The very Words of the ſaid Pamphlet are as follow: "Nor is it matter of Wonder or Surprize, that he treats thoſe *Engliſh* with Diſdain, as well as Reſervedneſs, whom he pretends to employ under public Characters Abroad; ſeeing the Miniſters, who are ſuppos'd to be at the Head of Affairs at Home, and who are believed to be admitted into all the Secrets of the Government, and are made acquainted with very little, previous to its coming to be concluded; but then they, whom he did not think worthy to be his Counſellors, tho' they bear the Name, are call'd upon, and ſet at work, as his Tools, to ſee that perform'd which only himſelf, and his Minion *Bentinck*, and may be one certain Perſon more, who is in Credit with him, for having formerly betray'd unto him both his Maſter and the Kingdom, had debated and reſolv'd upon. Yea, thoſe whom he calls his *Principal Secretaries of State*, ſignify no more, nor make any better Figure in the moſt important and weighty Matters, than that of little and ſervile *Commis*; which one of theſe ſo reſented heretofore, that he ſurrender'd his Poſt, and withdrew from Buſineſs; but being tempted with the Profits, Salaries, and Perquiſites of the Place, and allur'd by a lofty Title, and a Blue Ribbon, and likewiſe flatter'd with the Hopes that were given him of being otherwiſe, and more honorably dealt with for the future, he hath re aſſum'd it again, but meets with the ſame Reaſons, and has the ſame Cauſe given him of abandoning it afreſh, as he pretended to have for deſerting it before. *Brief Account of ſome of the Dutch Encroachments*, p. 20.

A. D. 1694. cations. But in this Interval it being found, for the preſent, impracticable to reconcile the Paſſions on one Hand, to the Intereſts on the other, State Expedients were ſubſtituted in the Place of Parliamentary ones: For, two or three Days before that Adjournment expir'd, the Seſſion was farther adjourn'd to the 15th of *June*; and two other Proclamations were iſſued, tending to gratify the Court, on one Hand, with the Augmentation deſir'd, and, at the ſame time, to ſecure it from every ill Conſequence on the other. By the firſt, in Virtue of the Sixth Act of the fourth Seſſion of the Parliament then in being, (which provided, that, for the further Security of the Proteſtant Religion, and their Majeſties Government, during the preſent Exigence, no *Nonjuror* ſhould keep any Horſe, worth above 100 Marks *Scots*, or any ſort of Arms, except a *walking Sword*, on the Penalty of forfeiting 1000 Marks) the Lords of the Privy-Council were authoris'd to take ſuch effectual Methods to diſarm ſuch Perſons, and ſeize their Horſes, as they ſhould judge neceſſary: And all Perſons, without Exception, were requir'd, either to take the Oaths, or deliver up their Arms and Horſes, under the ſaid Penalty: And by the ſecond, all Heretors, and others, requir'd by the Seventh Act of the ſame Seſſion, to furniſh Men towards the new Levy, appointed by the ſaid Act, were commanded to prepare their ſaid Levies, and to deliver them up to ſuch Officers, and at ſuch Places, as ſhould be appointed by the Privy-Council.

State Expedients ſubſtituted inſtead of parliamentary ones.

7000 Men embark'd from Leith for Flanders.

The Number of theſe Levies amounted to about 3000 Men; and with ſuch Rigour and Expedition were they rais'd, that tho' the firſt Notice of this Meaſure was not given till the 23d of *December*, and the two latter Proclamations were not iſſued till the 14th of *March*, by the 22d of *April* they were not only completed, but actually embark'd, together with five Regiments of Foot; making in all near 7000 Men; and on the laſt Day of the Month they ſet Sail for *Flanders*, under the Convoy of the *Greenwich*, *Dartmouth*, *African* and *Smyrna-Factor* Men of War.

The Surrender of the Baſs.

It happen'd, alſo, in this Interval, that by a Series of lucky Incidents, the Government got Poſſeſſion of the *Baſs*. The Number of Deſperadoes who held that Poſt, were thirty-two: It had been made Treaſon to furniſh them with any Proviſions, or hold any Correſpondence with them: They were in Want of all Things, and had but one way to ſupply themſelves, which was, by manning out their Boat, and riffing ſuch Veſſels as fell within their Reach. One Day ſeeing a ſmall Bark, with a Freight of Corn, ſailing from *Dunbar*, they ſent out eighteen of their Garriſon to ſeize and bring her in, who ſeiz'd her accordingly; but inſtead of bringing her in, were forc'd, by a Storm, into *Dundee*, where they all leap'd aſhore, and made the beſt Shift they could to eſcape: Three of them, however, were taken, try'd, and condemn'd to be executed; as were alſo two others, who had been convicted of furniſhing the ſaid Garriſon with Proviſions. But ſo many Days Reſpite were allow'd them, that thoſe of the *Baſs* had Notice of it; and, as well to preſerve the Lives of their Comrades, as to put an End to their own Miſery, made an Offer to capitulate, which the Lords of the Council were pleas'd to accept; and upon the 21ſt of *April* it was ſurrender'd upon Articles; by which a Pardon were not only granted to the ſixteen who ſurrender'd it, but to all the reſt, as well thoſe under Sentence of Death, as thoſe not taken; and the ſaid ſixteen were permitted to depart in Peace, with their Baggage and Swords. A. D. 1694.

And now, by way of Introduction to the great Buſineſs of the Campaign, it is neceſſary, firſt, to make the beſt Uſe we can of two Paſſages in *Burnet*'s Hiſtory of his own Times; and then to diſcourſe of another Occurrence which he has not thought fit to mention at all: The firſt is conceiv'd in theſe Words: "We were, at this time, alarm'd with a Negotiation, that the Court of *France* was ſetting on Foot at *Madrid*: They offer'd to reſtore to the Crown of *Spain* all that had been taken from it, ſince the Peace of *Munſter*, on condition that the Duke of *Anjou* ſhall be declar'd the Heir of that Crown,, in Default of Iſſue by the King: The Grandees of *Spain*, who are bred up to a Diſregard and Contempt of all the World beſides themſelves, were inclinable to entertain this Propoſition; tho' they ſaw that by ſo doing, they muſt loſe the Houſe of *Auſtria*, the Elector of *Bavaria*, and many of their other Allies. But the King himſelf, weak as he was, ſtood firm and intractable; and ſeemed to be as much ſet on watching their Conduct, as a Man of his low Genius could poſſibly be. He reſolv'd to adhere to the Alliance, and to carry on the War; tho' he could do little more than barely reſolve on it. The *Spaniards* thought of nothing but their Intrigues at *Madrid*; and for the Management of the War, and all their Affairs, they left the Care of that to their Stars, and to their Allies."

Conduct of Spain with regard to the French Offers of Peace.

It is ſo much the more to be lamented, that the Biſhop has not ſpecified the Authority from whence he has deriv'd this extraordinary Article; becauſe the Accounts given by other Authors, of the *French* Negotiations at the Court of his *Catholic* Majeſty, give no Countenance to any Part of it. According to them, the ſaid Negotiations were conducted by the Pope's *Nuncio*; and the Propoſals he made were conformable to thoſe which had been made by the Kings of *Sweden* and *Denmark*, to the other Confederates, That the Anſwer given by his *Catholic* Majeſty was to this Effect, That none of the Powers at War were more deſirous of a firm and ſolid Peace than himſelf: That he would not fail to appriſe them, by his Miniſters, of the Advances his Holineſs had made, and the Zeal he had diſcover'd for accompliſhing ſo good a Work: But that he could not liſten to any Negotiation of that kind, without the Participation of his Allies; nor perſuade

A. D. 1694. himself, that *France* was sincere, even in the Offers she made. It is, moreover, added, That, growing apprehensive that the States-General might be dazzled by the Concern which seem'd to be shewn for their Interest therein, he dispatch'd a Letter to their Lordships, which was dated *January* 23, signifying, That he look'd upon the said Offers as no other than a Snare for the Allies: That he made no doubt but their Lordships consider'd them in the same Light: That with regard to that Part of them which related to himself, he could not help being surpriz'd beyond Measure, that his *Most Christian* Majesty should interfere in the Succession of his Dominions, or to dispose of any Part of the *Spanish* Monarchy: That how highly soever the Duke of *Bavaria* stood in his Opinion, he could not hear of any Project to alienate the *Netherlands* in his Favour, without the most sensible Displeasure: That he hop'd their Lordships, instead of being mov'd by these insidious Offers, would redouble their Efforts to carve out a Peace for themselves: That, for his Part, he would co-operate with all the Power which *God* had put into his Hands; and that if it should so happen that the Allies should give way to an Accommodation, on such ignominous Terms, he would persist, singly, in carrying on the War, tho' to the Hazard of his Crown and Life, rather than submit to them.

The Bishop's second Passage runs thus: "Prince *Lewis* of *Baden* came this Winter to concert Measures with the King: He stay'd above two Months in *England*, and was treated with very singular Respects, and at a great Expence."

The Prince of Baden in England.

Now it is also to be wish'd, that his Lordship, who, long before this, had devoted so great a Part of his Attention to the political Occurrences of his Time, and so piously resolv'd to do his very best, for the Information of Posterity, had not hurried with altogether so much Celerity over this Ground. The Prince of *Baden*'s Commission, it may be presum'd, was of very great Importance; and some farther Explanation of it, might, perhaps, have accounted for many other mysterious Passages: Or if, as some have asserted, the Secret was so inviolably kept, that it was never imparted to any but the King himself; the honest Acknowledgment of that Truth, would, in some Respects, have pass'd for Information.

And as to the Occurrence which his Lordship has not thought fit to mention at all, it was, in substance, as follows:

Swedish and Danish Ships bound to France seiz'd by the English and Dutch.

The *Danes* and *Swedes*, taking Advantage of their Neutrality, had not only carried on a very great Commerce during the War, but had been the Purveyors of *France* for naval Stores, Corn, and, in general, whatever else it was in their Power to supply them with. As long as there was any Hopes of bringing them into the Confederacy, this had been conniv'd at by the *Maritime* Powers: But as soon as the two Courts took upon them to be importunate for the Conclusion of a Peace, and to act, upon all Occasions, as the Advocates, if not Partizans of *France*, it was resolv'd to make them sensible, that they could not lean to one Party, without incurring the Resentment of the other: Accordingly, as if it was by Consent, the Commanders of the *English* and *Dutch* Men of War, and Privateers, had Orders to stop, visit, and seize all *Danish* or *Swedish* Ships, that were either bound to the *French* Ports, or laden with such Commodities as seem'd to be provided for a *French* Market; which Orders were very exactly obey'd; and several Ships, of both Nations, were actually taken, tho' not condemn'd; because the Experiment had been made only by way of Warning, not with any purpose to bring on a Rupture. A. D. 1694.

Whether by Accident or Design, it is hard to say, the *Danes* were the greatest Sufferers, and the *Dutch* the greatest Aggressors. According to the *Dutch* Writers, however, the *Danes* drew this Mischief on themselves, by re-asserting their old Pretensions to certain Duties from every Ship which enter'd the *Sound*, and obliging some of the *Dutch* Ships to pay it: And to render this the more plausible, they tell us, That the King of *Denmark*, having caus'd certain *Dutch* Ships to be seiz'd, and carried into the Road of *Copenhagen*, their High Mightinesses did, in their turn, cause a Seizure to be made, on the 12th of *February*, of thirty-four *Danish* Ships, then lying in their Ports. But in the *London-Gazette*, there is an Article from *Amsterdam*, dated *December* 30, which says, That his *Danish* Majesty had caus'd sixteen *Dutch* Ships bound home from *Dantzick* and *Koningsberg*, to be stopt, by way of Reprizal, for the *Danish* Ships which had been taken by the *Dutch* Men of War and Privateers: And our own Advices from *Deal* and *Dover*, in the same Paper, at the same Period of Time, manifest, that the Practice of *England* and *Holland* was alike.

Suite de l'Hist. de Hollande, Tom. II.

Contest between Denmark and Holland on that Account.

No. 2936.

It does not, however, appear, that the *Swedes* proceeded to make any Reprizals, or even to demand Satisfaction of either Nation; which is so much the more extraordinary, in as much as the Ships of that Nation, taken by us, were said to be under the Convoy of two *Swedish* Men of War: And what is still more extraordinary, his Majesty of *Sweden* was one of the Powers that interpos'd, with their good Offices, to make up the Breach between the *Danes* and the *Dutch*: And tho' the Broil lasted for some time, and was maintain'd with great Heat on both Sides, it was, at last, compos'd under the Mediation of his *Britannic* Majesty.

Gaz. No. 2938.

There was yet another Incident which is mention'd by almost all the Writers of these Times; namely, the Death of the Prince-Bishop of *Liege*. He was, as we have seen, strongly attach'd to the Confederates; and, not without Reason, great Apprehensions were entertain'd of the Intrigues of *France*, with regard to the Course and Issue of a new Election: For no sooner had the News reach'd *Versailles*, than the Cardinal de *Bouillon* was directed to attend that Proceeding, full freighted with all the Powers, Promises,

Death of the Prince of Liege.

A. D. 1694. and other Requisites that could possibly give an additional Weight to his Negotiations: He was of the Chapter, and Provost of the Cathedral Church of St. *Lambert*; but tho' in a Capacity to be elected, was not in a Capacity to give his own Voice in the Election; because he had not been present at the last great Chapter of St. *Giles*, to which he was oblig'd, by the Laws and Statutes of the Chapter. The Competitors were many, but the two principal were the Elector of *Cologne*, Brother to the Duke of *Bavaria*, and the Grand Master of the *Teutonic* Order, who was Brother to the Elector *Palatine*, and Brother-in-Law to the Emperor; whence it follow'd, that being Princes of the same Faction, the Powers of which it was compos'd, were at a Loss to declare for either, for fear of disobliging the other.

Cardinal Bouillon dispatch'd thither as an Agent of France.

As to the Cardinal, whatsoever his Intentions were, he did not declare them: For having repair'd to *Huy*, and being refus'd the Passes he had requir'd, in order to be present at the Election, under the Pretence above specified, of his being disqualified to vote, he contented himself with assailing the Out-works, before he attempted to carry the Place: He communicated a Declaration of the *Most Christian* King's, dated *March* 15, importing, That in case the Princes of the Confederacy would withdraw their Forces from the City, Citadel, and Fortifications of *Liege*, to the End that all Persons indifferently might have free Access, and be in a Condition to vote freely, his Majesty would grant a full Neutrality to the City and Diocese, till the first of *May*; and also all manner of safe Conducts, Passes, *&c.* to those concern'd, during the said Term. He plied the Chapter with Expostulations on the Hardships impos'd on him: He desired Leave to plead his own Cause before the Chapter; or that a Committee might be delegated to give him a Meeting at *Huy*. And while he was thus employ'd on one Hand, and in feasting and distributing Alms on the other, as if he had a mind to out-riot *Lucullus*, and make Charity herself a Bankrupt, all the *French* Agents at *Rome* incessantly importun'd the *Pope* to interpose in his Behalf; or, at least, to postpone the Day of Election: But his Holiness, it seems, affecting to observe a perfect Neutrality, refus'd to have any Concern in the Broil: And the Cardinal finding that an unalterable Resolution had been taken to keep the Gates for ever shut against him, had recourse to a solemn Protestation against all that should be transacted in the Chapter, during his Absence; accompany'd with an Appeal to the Holy See; which some of his Creatures had the Courage to fix up in several Parts of the City; tho' they were soon taken down by order of the Capitulars.

He is refus'd Admittance.

and protests against all Proceedings in his Absence.

And this Opposition to the Cardinal, was the only Point in which they were unanimous: For tho' they persisted equally, in proceeding to Election, without any Regard either to his Clames or Resentments, in the Prosecution of their several Interests, they were as much divided, and as much interested, as if they had no third Party to oppose. A. D. 1694.

The Day of Election was the 20th of *April*: The Number of Canons was forty-six; and the first Point in dispute was, for the Nomination of the returning Officer, which was carry'd by the Elector of *Cologne*, by twenty-four Voices against twenty-two.

And now as the Issue of the Election was known, by the Issue of this previous Question, the grand Master's Party saw they had nothing for it, but to raise some Point of Dispute, that should either leave the Matter in suspence, or furnish them with a Pretence to secede, in case the Majority should resolve to make the most of their present Advantage.

Accordingly, when the Brief of Eligibility, granted by the late *Pope* to the Elector, came to be read, they maintain'd it to be null; and being out-voted as before, left the Chapter, under the Umbrage of a Protest, against all that should be done without their Participation; which was so little regarded by their Opponents, that they proceeded immediately to Election; and having voted unanimously for the Elector, caus'd him to be proclaim'd Bishop and Prince of *Liege*; carry'd him, in Triumph, to the Palace, where a magnificent Feast was in readiness for their Entertainment: And the Noise of Bells, great Guns, and the Forms of Acknowledgement and Congratulation took up the rest of the Day.

The Elector of Cologne chosen.

On the Morrow, however, the *Seceders* return'd to the Chapter-house, in order to proceed to a Re-Election; and being prevented by the Attendance of the same Party who had ousted them before, repair'd to the Dean's, where they also elected a Prince of their own; namely, the Grand Master; and would have celebrated their Choice in the same manner as their Opposers had done, if the Latter had not prevented them.

and also the Grand-Master.

In few Words, the two Parties again met in the Chapter-House; and the Minority contending for the Validity of the second Election, the Majority pronounc'd it to be null; and set forth an Ordinance, forbidding the Inhabitants of the City and Diocese, to acknowledge any other for Bishop and Prince, but the Archbishop of *Cologne*. This, however, did not put an End to the Dispute: The Grand-Master persisted in his Clame; Couriers were dispatch'd, by both Parties, to the Pope, the Emperor, and, in general, to every Prince and Power that could be serviceable to either: The Cardinal de *Bouillon* redoubled his Protests; and till some Temperament could be found, the Administration was, by common Consent, left in the Hands of the Capitulars; that is to say, three of each Party.

But while such was the uneasy State of Things, the Grand-Master died of a Malignant Disease, which was then prevalent in *Liege*, and which had carried off several Persons: And this sudden Removal of one Competitor, shorten'd the Dispute, and made it so much the more easy for the other

who dies.

A. D. 1694. to get Poſſeſſion of the Power, as well as the Title.

All this while, that the Deſigns of *France*, upon the Principality of *Liege*, by the means of the Cardinal, were fruſtrated; and were ſtill like to be fruſtrated, which ever Party prevail'd, afforded great matter of Triumph to the Confederates; and in the *Engliſh*, *Dutch*, and *German Gazettes* was ſet forth accordingly; as was alſo the miſerable State of *France*; the Scarcity of every kind of Grain and Forage; the Diſcontents and Mutinies it caus'd; the Failure of Specie, which began to be felt in their moſt conſiderable Towns, and which had long been felt every where elſe; the frequent Bankruptcies it occaſion'd; the arbitrary Methods taken to ſupply it; and the general Backwardneſs and Deficiency of all their Preparations for opening the Campaign.

France reſolves to act on the Defenſive this Campaign.

The Truth of the Matter, indeed, was, that *France*, tho' victorious, had her full Share of Preſſures and Calamities at this Criſis. King *Lewis*, and his Miniſtry, had exerted themſelves in a very extraordinary Manner, and made very free with the Property and Blood of the Subject, at the Entrance, and during the firſt Years of the War, in hope to reduce the Confederates to ſuch a Condition, as ſhould oblige them to give over the Experiment; and be glad to accept of ſuch a Peace as they ſhould think fit to preſcribe. But when they obſerv'd their very Succeſſes had operated a quite contrary way, that the ſaid Confederates, inſtead of ſinking under their Misfortunes, or catching at the Offers which they had thrown out, made Proviſion to redouble their Efforts, and carry on the War at a far greater Expence, and with abundantly more Vigour than before, they made a ſuitable Change in their Syſtem: They try'd ſuch Practices on the Court of *Turin*, as they had very good Reaſon to believe would not fail to have their Effect: They made a proper Diſpoſition to cover their Frontiers every where: And they reſolv'd to make their Impreſſion, where they knew the Enemy was weakeſt.

Except on the Side of Spain.

This was on the Side of *Spain*; and it was not only reſolv'd to furniſh M. de *Noialles* with a ſufficient Force, and all the other Requiſites, to open the Campaign both early and effectually, but, alſo, to countenance his Efforts with the whole naval Force of *France*; in order to which, all the proper Meaſures were taken, ſo to expedite the Preparations, both at *Breſt* and *Toulon*, that the two Squadrons might both join and enter upon Action, before the Fleets of the *Maritime* Powers ſhould be in a Condition to hinder it.

On the other Hand, it was natural to expect, that the fatal Experience of the paſs'd Year, ſhould have induc'd the *Maritime* Powers to make uſe of every Ray of Intelligence, and to put in Practice every Meaſure which had a Tendency to prevent this Junction: Both the Secretary's Office and the Admiralty were now under the Direction of *Whigs*: Mr. *Ruſſel* was again at the Head of the Fleet; and a total Difference of Behaviour, under this Adminiſtration, ſeem'd to be a ſort of Debt to the Public, in conſequence of the Clamours which had been rais'd againſt the laſt.

A. D. 1694.

Naval Preparations at Breſt *and* Toulon.

Every body knew, that unleſs the Allies were firſt at Sea, the *Breſt* Squadron, if ſo diſpos'd, would give them the Slip: Every body alſo knew, that in caſe it fell in with either of the Squadrons, under *Wheeler*, *Hopſon*, or *Nevil*, the Advantage would be wholly on the *French* Side: In an Article from *Paris*, dated *February* 19, N. S. and publiſh'd in the *London-Gazette* of *February* 26, O. S. it is ſaid, The Count *d'Eſtrée* was preparing for his Return to *Toulon*, to command the Ships that were fitting out there. In another, dated *March* 9, it is ſaid, He was gone; and that the Marſhal de *Tourville* would ſet out ſhortly for *Breſt*. In a third, dated the 15th, it is ſaid, He, the ſaid Marſhal, had taken his Leave of the King. In a fourth, dated the 20th, it is ſaid, He was gone, and that M. *d'Eſtrée* was arriv'd at *Toulon*. In a fifth, dated *April* 5, it is ſaid, A great Reinforcement had been ſent to the Army in *Catalonia*: As alſo, that it was ſuppos'd they had a Deſign upon *Barcelona*; and that Letters from *Breſt* gave Account of the fitting out twenty Men of War at that Port. In a ſixth, dated the 16th, that M. de *Tourville* was gone from *Breſt*, to haſten the Ships which were equipping in other Ports; and that the *Toulon* Squadron would be ready to Sail in a ſhort time. In a ſeventh, dated the 19th, that the ſaid Marſhal was gone Poſt from *Breſt* to *Toulon*, (which was, in Truth, the very Expedition of the 9th, mention'd above) and that the Squadron fitting out at the laſt of thoſe Places was to ſail forthwith. In an eighth, dated the 26th, That M. de *Noialles* departed, on the 24th, for *Catalonia*; and that it was ſtill given out, the Deſign was to beſiege *Barcelona* by Sea and Land: And, Burcher. laſtly, as the ſame fatal Experience of the former Year had ſhewn, that all the Advices from *Paris*, inſerted in our own *Gazette*, were founded on Matters of Fact; ſo London Gazette. theſe were, in like manner, more than verified, by the actual ſailing of the *French* Fleet out of *Breſt*, on the 15th of *April*, N. S. And ſo narrowly did Admiral *Nevil*, with his ſhatter'd Ships, eſcape the falling into their Hands, that he had ſcarce got round from *Gibraltar* to *Cadiz*, as formerly recited, before they paſs'd by the laſt of thoſe Ports, and made their Entrance into the *Streights*.

But notwithſtanding all this, the Event ſhewed, that either we had the ſame Defect of Intelligence, which had been complain'd of the Year before, or the ſame Backwardneſs to make a right Uſe of it: For Admiral *Ruſſel* did not arrive at *Portſmouth* till the 27th of *April* at Night, which was two Days after the *Breſt* Squadron was at Sea: And when he did arrive, his Conduct was ſuch, as, at this Diſtance of Time, and, perhaps, for want of ſufficient Lights, is ſcarce to be accounted for.

Admiral Ruſſel hoiſts his Flag at Portſmouth.

The

A. D. 1694. The Services expected from him were of a complicated Nature: The *Breſt* Squadron was to be attended to; the Ports of *Spain*, on the *Mediterranean* Side, were to be protected; and a Deſign upon *Breſt*, which is aſcrib'd by Biſhop *Burnet* to General *Talmaſh*, was alſo to be carry'd into Execution.

When the Admiral came to *Portſmouth*, *Burchet* bears Witneſs, that the whole Fleet lay at St. *Helens*; and that the Land-Forces to be employ'd in this Expedition, were on their March towards that Place: In order, therefore, to fulfil the whole of his Charge, it might have been not unreaſonably expected, that he ſhould have choſe to wait for the coming up of the Forces, and having embark'd them, ſhould have proceeded with the whole Fleet to *Breſt*: But inſtead of doing ſo, on the 3d of *May* he gave Orders to Sir *Cloudſley Shovel*, to remain at St. *Helens* with three Firſt Rates, nine Seconds, thirteen Thirds, ſeven Fourths, four Fifths, and three Sixths, with ſeveral Tenders; as alſo, to adviſe with *Talmaſh* concerning the Diſtribution of the Forces, which were about 6000, to be ſhipt on board them; and with the reſt of the Fleet ſet Sail towards the *Soundings*, for Intelligence of the *French* Fleet.

He ſets Sail with Part of the Fleet to the Soundings.

London Gazette, No. 2972. It was on the 5th that he ſet Sail; on the 9th he reach'd his Station; and falling in with a *Swediſh* Ship, which had left *Breſt* three Days before, he receiv'd the Information mention'd above, that the *French* Fleet had ſail'd from thence on the (x) 25th of *April*, O. S. As alſo, that a Fleet of *French* Merchant Men, under the Convoy of one or two Ships of War, lay then at Anchor in *Bertheaume* Bay.

And now, as it was no Secret at *White-Hall*, that the Deſtination of the *Breſt* Squadron was to the *Mediterranean*, in order to join that of *Toulon*, and co operate with M. de *Noiailles* in reducing *Barcelona*; and as it had been preconcerted between the *Engliſh* and *Spaniſh* Courts, that the main Body of the united Fleet ſhould follow them; it might alſo have been expected, that Mr. *Ruſſel* would have made the beſt of his way to *Cadiz*, to join Admiral *Nevil*, and ſuch of the Ships of both Nations as had taken Shelter there; and with that Reinforcement, to have gone immediately in queſt of the Enemy. But whether he was reſtrain'd by his Inſtructions, or whether he did not think that *Nevil*'s Force, added to his own, together with the *Spaniſh* Armada, if in a Condition to put to Sea, would be a Strength ſufficient to encounter the two *French* Squadrons, he contented himſelf with ordering two Men of War, and a Fire-Ship, to deſtroy the Merchant-Men in *Bertheaume*-Bay; and thirty-eight out of fifty-five having been deſtroy'd accordingly, return'd to St. *Helens*.

and returns to St. Helens.

It was the 23d when he recover'd that Port; ſo that eighteen Days were employ'd in this Excurſion; and in ſix Days more the whole Fleet was ſo completely provided, that nothing was wanting but a favourable Wind, which ſpringing up the next Day, they ſet Sail, and by Noon were out of Sight: And yet Biſhop *Burnet* has been pleas'd to account for this Interval in theſe Words: "The Preparations were not quite ready by the Day that was ſettled; and when all was ready, they were ſtopt by a Weſterly Wind for ſome time; ſo that they came thither a Month later than was intended." It is true, he alſo drops a Hint, that a Deſign of the ſame Nature with this of *Talmaſh*'s, had been propos'd to Lord *Nottingham*; and that his Lordſhip, among other Things, had accus'd *Ruſſel* of neglecting it, when it was imparted to him, by certain Perſons who came from *Breſt*: And the Light which breaks in upon us from this Circumſtance, makes ſome Amends for the Obſcurity in which he has involv'd the former. A. D. 1694.

That Part of the Fleet, deſtin'd for the Attempt on *Breſt*, conſiſted of three Firſt Rates, four Second Rates, twelve Third Rates, one Fourth Rate, two Fifth Rates, ten Fire-Ships, and three Hoſpitals; beſides Bombs, Tenders, &c. which was the *Engliſh* Proportion; and nineteen *Dutch* of the Line of Battle, and four Fire-Ships: Thus, at leaſt, the Strength of the Squadron is ſtated by *Burchet*; but according to the Sea-Journal, ſet forth in the Name of the Marquis of *Carmarthen*, who ſerv'd as Rear-Admiral of the Blue in this Expedition, it conſiſted but of eighteen *Engliſh*, and eleven *Dutch* Ships of the Line of Battle; in all twenty-nine. The chief Command was given to Lord *Berkley*; and his Lordſhip's Inſtructions were, To act in general as ſhould be agreed in a Council of War, compos'd of the principal Sea and Land Officers: To call ſuch a Council before they arriv'd at *Breſt*, in order to adjuſt the Manner of making the ſaid Attempt: To uſe his beſt Endeavours to aſſiſt and protect the Forces, both in landing and re-embarking them; and in caſe it ſhould be found neceſſary, to detach ſuch a Number of Seamen, to co-operate with them, as the general Officers ſhould require of him, conſiſtent with the Safety of the Ships. His Lordſhip had it alſo in Charge, when all had been done, which could be done, at *Breſt*, to adviſe, with a Council of War, what farther Services might be perform'd againſt any other of the *French* Ports; and when, by the ſame Authority, it ſhould be reſolv'd, That no ſuch farther Service could be done, either by Sea or Land, he was to ſhip the Forces again, and to repair to *Torbay* or *Spithead*, where he was to remain till he ſhould receive freſh Orders, either from the King or the Lords of the Admiralty.

A Squadron appointed to make an Attempt on Breſt.

Lord Berkley's *Inſtructions.*

(x) According to the *Suite de l'Hiſtoire de Hollande*, they did not ſail till the 7th of *May*, N. S. which alſo agrees with a vague Article from *Paris*, in the *London-Gazette*, dated *May* 14. But then there is ſuch a Concurrence of Evidence, in confirmation of the Intelligence given by the *Swede*, as puts the Matter out of Diſpute: And, indeed, how was it poſſible that a Fleet ſhould ſail from *Breſt* on the 7th, and be ſeen off of *Gibraltar* on the 4th, as it actually was?

A. D. 1694. ralty: And, laſtly, it was reſolv'd at a general Council of War, held on board the Admiral's Ship, *May* 31, That Lord *Berkley*, with his Squadron, ſhould make the beſt of his way to *Camaret*-Bay: That the Forces ſhould be landed there forthwith: That the Men of War ſhould continue at Anchor, till they receiv'd Advice from General *Talmaſh* of the Diſpoſition of the Enemy: And it being not proper to come to any poſitive Reſolution, at what time the Fleet ſhould go into *Breſt Water*, that the ſaid Matter ſhould be left to Conſideration, when they were actually in the Bay.

The two Fleets ſeperate. The two Fleets continued together after this, till the 5th of *June*, ſays the Journal above quoted, till the 6th, ſays *Burchet*; when the Admiral, with his Diviſion, paſs'd on to the *Streights*, and Lord *Berkley* bore down for *Camaret*-Bay.

On the Morrow a Council of War, conſiſting of the Flag and (*a*) Field Officers, was held, as directed above, to adjuſt the Manner of the Deſcent: And the Journal aſſerts, That Lord *Cutts* gave it as his Opinion, That fifty Grenadiers ſhould be landed firſt, to diſcover the Poſture and Countenance of the Enemy: That in caſe they found them ſtrongly entrench'd, and ſupported by regular Troops, it would not be adviſable to attack them: That this Forlorn ſhould be ſuſtain'd by the reſt of the Grenadiers, who were about 550 more; and Theſe again by the reſt of the Forces: That in caſe it ſhould be thought expedient to puſh the Enterpriſe, the Regularity of the Attack might render it the eaſier: That this Opinion was approv'd, and receiv'd by *all* without Exception: That it was agreed the Grenadiers ſhould be embark'd on board the Well-Boats, which were provided on purpoſe for the Deſcent: That Lord *Cutts* offer'd his Service to head them, which was alſo accepted. That they came to Anchor between *Camaret* and *Bertheaume*-Bays, (which lye on each Side the Entrance of *Breſt*-Water) on the 7th, about Seven o'Clock in the Evening; having been ſaluted in their Approach, by the Enemies Bombs from ſeveral Poſts, tho' without receiving any Damage: That the Marquis of *Carmarthen*, the Lord *Cutts*, and ſeveral other Officers, together with two noble Voluntiers, the Lord *Mohun*, and Mr. *Wharton*, apply'd to the Admiral for Leave to go aboard the Marquis's (*b*) Galley, and look into *Camaret*-Bay: That having obtain'd it, they ſail'd under the Fort, in the Midſt of all the Fire it could make; and having taken their Survey, reported, at their Return, how advantageouſly it was ſituated to cover the Landing Places: That upon this, the *Monk*, of ſixty Guns, and a *Dutch* Ship of the ſame Force, were order'd to batter the Caſtle in the Morning: That the Marquis remonſtrating to Lord *Berkley*, That ſo ſmall a Force was not ſufficient for ſo dangerous a Service; and ſuggeſting, That it would be more adviſeable to ſend ſuch a Number of Ships as might not only cover the Boats from the Caſtle, but alſo protect the Soldiers in landing, againſt ſuch an unexpected Proviſion of Lines, Entrenchments, and Batteries, as they would find themſelves on all Sides ſurrounded with, his Lordſhip was pleas'd to reply, That he would be directed in it by a Council of War: That on the 8th, at Day-Break, he order'd a Signal to be made accordingly, but without immediate effect, becauſe of a thick Fog, which continu'd till between ſix and ſeven o'Clock. That when the Fog broke up, the Enemy diſcover'd the ſaid Signal, as alſo another for embarking the Soldiers; and took the Advantage to line their Entrenchments, and draw up *Fourteen* Squadrons of Horſe in a Body, ready to be diſpos'd of, as Need ſhould require. That when the Council of War was, at length, aſſembled, the Marquis's Advice was ſo far adopted, that three *Engliſh* and three *Dutch* Frigates were added to the two nominated the Evening before. That the Marquis's Offer to command theſe Ships himſelf having been accepted, he farther deſir'd, that ſome able Land-Officer might be ſent in with him, to reconnoitre the Shore, and the Works which cover'd it, in order to make a Report to the General of the Difficulties of the Attempt, before it was made, which was alſo comply'd with: And that in *all* other Matters, except the Addition of a Signal for the Ships, Boats, *&c.* to come off, this Council of War agreed in their Reſolutions with that of the 6th.

Lord Berkley *anchors before* Breſt.

A. D. 1694.

And yet Biſhop *Burnet* takes the Liberty to ſay, That when our Fleet was come near enough to the Coaſt to ſee the Preparations which were taken to defend it, the Council of Officers were *all* againſt making the Attempt; and that *Talmaſh* had ſet his Heart ſo much upon it, that he could not be diverted from it. "He, the General, continues our Hiſtorian, *fancied* the Men they ſaw were only a Rabble, brought together to make a Shew; tho' it appear'd very evidently, that there were regular Bodies among them; and that their Numbers were double to his." Whence we are to infer, that the Commander in Chief, whom he ſoon after calls a good Officer, was the only Man who could derive no Information from what his own Eyes beheld; which is utterly inconceiveable, as well as irreconcilable with all the Accounts which are extant of this Undertaking. Vol. II. p. 130.

According to the Marquis's Journal, many of the Well-Boats, *&c.* in which the Soldiers were embark'd, came under Lord *Berkley*'s Stern, before the Council of War broke up; and yet by reaſon of the Fog, and the Calm which accompany'd it, they were three or four Hours later than was deſign'd: His

(*a*) Namely, General *Talmaſh*, the Earl of *Macclesfield*, Lord *Cutts*, and Sir *Martin Beckman*.

(*b*) A Veſſel of his own, call'd after his own Name, the *Peregrine*, famous for her Sailing; afterwards purchas'd by the Crown, and converted into a Yacht.

A. D. 1694. His Lordſhip, the Admiral had alſo ordered the two Men of War firſt mentioned, to cannonade the Fort, before the other ſix could come up, and of theſe ſix Ships, two carried but thirty Guns; two others thirty two Guns each; one forty four, and one, the *Greenwich* fifty-four; which laſt thro' the Intelligence or Cowardice of her Commander, or both, theſe are the Marquis's own Words, never came up to her Station the whole Day.

Six ſmall Ships appointed to batter the Fort.

Thoſe who underſtand theſe Adventures beſt, can beſt decide whether Ships of ſuch ſmall Force, were the fitteſt to be ſent upon ſuch a Service; whether the Method follow'd by the Marquis of piloting them into the Bay, ſeverally, by which they were ſeverally expoſed to the Shot of the Fort, which at one Return took them in poop, and rak'd them fore and aft, was the moſt rational that could have been devis'd; and whether if the whole fleet (in which were three Ships of a hundred Guns, ſeven of ninety and ninety four, and three of eighty, eighty-ſix and eighty-eight) had been ſuffered to venture in at once, the Affair might not have been accompliſhed.

The Marquis does indeed ſuggeſt, That after they had paſs'd the Fort, and were *ſhot pretty well* into the Bay, they were ſurpriz'd with the Fire of two Batteries, which they had not perceiv'd before, and of one Redoubt: But then he adds, that the latter mounted but five or ſix Guns, of a ſmall Bore, and the former but twelve Guns in all. And again; That, notwithſtanding all the Efforts of the Enemy, he made a Shift ſo to poſt his Ships, that they gave great Succour to our Land Forces, and great Annoyance to the Enemy: That tho' his Men were bad Gunners, and the Walls of the Fort too thick to be hurt by their Shot, he *ſaw* the Enemy driven twice from their Guns, and their Officers as often driving them back.

Beſides, tho' his Lordſhip repreſents the whole Bay as ſurrounded with Entrenchments, flank'd on the Right and Left, with Redoubts of Earth, covered with Cannon; thoſe Entrenchments as crouded with Horſe and Foot; and the whole Diſpoſition to be ſuch, as in his *poor* Judgment, double the Number of their Forces could not have broke thro', it is not eaſy to imagine how any occaſional Works, tho' form'd, as they were by the great Mr. *Vauban* himſelf, could have withſtood the Fire of ſuch a Fleet: And as to the Number of the Defendants, we find it ſumm'd up, in that Commander's own Letter to the King, at 4000 regular Troops, one Regiment of Dragoons, 3000 Gentlemen-Volunteers, and 1400 Bombardiers.

It is alſo not a little extraordinary, if the Difficulties attending this Service were really ſo inſurmountable, as they have been repreſented, That the Report of the Land Officer who accompanied the Marquis into the Bay, and who was ſent back as ſoon as the Ships came to Anchor, did not induce the General to give over the Enterprize: And A. D. 1694. it is yet more extraordinary, if the latter proceeded to land his Men without waiting for that Report. Which was the Caſe, it is now impoſſible to determine; for the Marquis leaves this Circumſtance wholly in the Dark, and we know of no other Detail to ſupply the Defects of this.

As to the Event, it is recited by the Marquis in theſe Words, "I thought our Land Forces moved towards the Shore in great Diſorder; and how it happened I know not, but Lieutenant-General *Talmaſh*, with a *ſmall* Number of Well-Boats, in a kind of a confuſed Manner, went on Shore under a little Rock on the South-ſide of the ſmall Bay, where they landed: And I ſaw no Proſecution of that regular Way of Landing, which my Lord *Cutts* propoſed, and was before agreed on; but, having a great deal on my Hands, and ſo little Aſſiſtance, that I was forced generally to go on my own Meſſages, I am able to give but little Account of that was done cloſe by the Shore: Only that when I ſaw the Boats and ſmall Veſſels, in which our Land Forces were embarked, had made their Retreat from thence (except ſuch as ſtuck (*c*) faſt, in which a great many Men were kill'd, and out of which others were taken Priſoners, and ſome jump'd into the Water, endeavouring that Way to make their Eſcape) I went with my Twenty-Oar'd Boat pretty cloſe to the Shore, in hopes to ſave ſome, and had the good Fortune to take up ſeveral before they were drown'd. At the ſame Time, I had the Opportunity to take Notice of the Diſpoſition of that little Bay; the Enemy juſt then making a running Fire round all their Trenches, and from every Battery they had raiſed on this Occaſion."

The Troops land in a diſorderly Manner.

and are repulſed.

His Lordſhip then proceeds to deſcribe the little Bay, where this wretched Attempt was made; ſays, it was about 300 Yards in Front, and naturally eaſy of Acceſs: But now flank'd to the Right and Left, with Cannon and Entrenchments, within half Muſket-Shot of the Water: And then recounts the Difficulties he had to ſtruggle with, and the Dangers he had to ſuſtain in bringing off the Ships: For, thoſe having been all this while expoſed to the ſeveral Batteries on Shore, almoſt all their Rigging cut to pieces, and moſt of their Maſts and Yards diſabled, he was forced to go in Perſon after the Boats, which were carrying off the Forces, and oblige ſuch of them as he could reach, by Force, to take the Ships in tow, and row them out of the Bay: But ſo hot was the Service, ſo much were the poor Fellows expoſed, and ſo many of them were kill'd on all Sides, that they ſometimes quitted their Oars, and ran their Boats for Shelter under the Side of the Ship; inſomuch that the Marquis himſelf found it neceſſary not only to employ his own Boat in the ſame Service, but to leap into her himſelf:

Difficulties and Dangers of bringing off the Ships.

(*c*) The Tide was out.

A. D. 1694. himself: Nor was even this sufficient to keep them in heart; for one Boat having been shot thro', and another sunk downright, the Pannic took Place again, and he was forced to fire among them himself, that so one Danger might efface the Dread of another. It must indeed be allowed to his Honour, that no Man ever distinguish'd himself more than he did on this Occasion; and if he was able to bring off six of the seven Ships that bore the Brunt of that terrible Day, and which had not Mettle enough to silence any one of the Batteries that played upon them, it may again be ask'd, What would have become of those Batteries if the 100 Gun Ships had been brought to bear against them?

One Dutch Frigate lost. The Ship that was lost was a *Dutch* Frigate of thirty Guns call'd the *Wesel*; she had twelve Foot Water in her Hold, and was sinking, when the Marquis was making another Trip with his Boats to tow her off: For so unluckily had she been stationed, that out of half a Company of Land Forces, which had been accidentally left on board her, only the Ensign, a Drummer, and one Man more were left alive: Nor had her own Crew escap'd much better: For her Captain and all his Officers were kill'd, and two small Boats contain'd all the Survivors.

General Talmash wounded. In the Retreat from Shore, General *Talmash* himself had received a Wound in the Thigh, which being thought dangerous, he had been carry'd on board the *Dreadnought*, which was the Ship he had sail'd in from *England*: And hither, in complement to him on this melancholy Occasion, repair'd the Lord *Berkley*, and all the other Flag and Field-Officers, to consider what was most advisable to be done, in Conformity to their Instructions, and in consequence of the Shock they had sustain'd.

But, before we pass on to the Result, which the Marquis has given us Word for Word, it may not be improper to speak of the Loss. In the *Gazette* it is stinted to about 300 killed and wounded: *Burchet* acknowledges 600 of the Land Forces killed; which at first Sight seems to imply, that the Forlorn of Grenadiers, consisting of that Number, were cut off; but according to the *Gazette*, and other Accounts, not above 3 or 400 were landed; and the chief Misery of the Action arose from the Impossibility of disembarking the Soldiers fast enough; in consequence of which, not only those which were disembark'd, but those which lay off Shore in the Boats, were equally exposed to the Fire of the whole Curve they were surrounded with. The Marquis does not take upon him to be acquainted with the Loss sustain'd by the Land Forces, and only says, that it was reported, that the killed, wounded and taken were about 700: But then he is express, that the Loss on board the seven Ships amounted to about 400; whereas *Burchet* reduces it to 112 killed and wounded; and as to the *French*, the modestest of them, will not be satisfied, unless we admit, that the Attempt cost near 1000 Land Men; and the rest swell the Account to double that Number.

Different Accounts of the Loss.

A. D. 1694.

But whether the Loss was more or less it served to discourage the Council of War from making any new Attempt: It was observ'd, that the Enemy was entrench'd at every Place where a Landing could have been made; and it seems to have been admitted, that it was impossible to dislodge them: Insomuch that, after a long Consultation, the Question stated on the Issue, was not whether the Attack might be renew'd by any other Method, or at any other Place? But in what other Service the Fleet and Land Forces might be employed? With Regard to the latter, *Talmash* was ask'd whether he had Power to make an Attempt on any other Port? And having reply'd in the negative, he proposed in his Turn, That a Squadron of small Frigates, together with the Bomb-Vessels, might be sent into *Brest*, to bombard the Place. But this was over-rul'd by the Sea-Officers, for these Reasons: "1. Because they could not go in without a Westerly Wind, which was then Easterly; nor get out without an Easterly Wind; so that the whole Fleet would be oblig'd to wait for their Return, were it ever so long: 2. Because not knowing what Forces the Enemy might have in *Brest*, it might be sending them into the Enemy's Hands: And 3. because one of the Frigates requir'd, was already lost; and most of the rest for the present render'd unserviceable.

The Batteries proof over.

Thus the Sea-Officers suggesting, that nothing farther could be undertaken there, and the Land-officers having no Orders to act any where else, all that remain'd, was to return to *Spithead*, agreeable to the third Instruction, which Lord *Berkley* had receiv'd from the Admiral.

And now, in order to close on this Head, it remains to be observ'd, 1. That the Writers of our Nation, who treat of this Expedition, on the one Hand pronounce, That the King's Measures were *betray'd* in it; on the other, That *Talmash* was *sacrific'd*: And 2. That these Expressions have a very different Meaning; though, for Want of a thorough Insight into the Party History of those Times, they are generally taken for convertible Terms, and us'd accordingly.

Remarks on the whole Affair.

Those who say the King's Measures were betray'd would have us understand, That the Court of *France* was appriz'd from hence of the Design; and had thereby Time enough given them, to make such a Provision for their Defence, as we had not Strength enough to force: And *Burchet* makes no Difficulty to insinuate, That they had that Intelligence from their own Refugees, who were employed in the Expedition. But 'tis well known that no Troops in the King's Pay, behaved with more Bravery and Resolution against the *French* than those Refugees did, and some of them actually accompany'd *Talmash* in the Attempt, and were killed on the Beach. Besides, *Burnet* gravely makes a Doubt, whether the Secret was betray'd or not, tho' he had just before suggested, that the hiring of Transport-Ships discovered it:

P. 500.

Vol. II. P. 130.

And

A. D 1694. *Life of King William, Vol. II. P. 390.*

And *Boyer* is peremptory, that it was the *Town-Talk* of *London* ſome Months before it was put in Execution.

On the other Hand, thoſe who maintain, that *Talmaſh* was *ſacrific'd*, inſinuate, 1. That he was perſonally diſagreeable to the King, becauſe he ſtood upon his Rank, and would never make the ſmalleſt Conceſſion to any of the *Dutch* Favourites; which gave occaſion to *Burnet* to ſay, That he was much *too apt* to be *diſcontented*, and to *turn mutinous*; and therefore, that he was, upon the whole, *one of thoſe dangerous Men who were capable of doing as much Miſchief as good Service*. And, 2. That his Majeſty could not be brought to think, that the making War on the Maritime Provinces of *France*, any way contributed to his favourite Scheme of making a Figure at the Head of the Confederate Army in *Flanders*. But unleſs we had ſuch Vouchers as were ſufficient to warrant theſe Inſinuations, it would be as unjuſt as indecent to lay any Streſs upon them.

Indeed, whoever reflects upon what has been already cited from *Burnet*, namely, That Lord *Nottingham* had made it a Part of his Charge againſt *Ruſſel*, that he had neglected a Deſign of the ſame Nature, when formerly imparted to him; and upon the Succeſſive Ferments which the Conduct of our naval Affairs had occaſion'd from Year to Year, will poſſibly ſee Cauſe to conclude, That the Latter was no Well-Wiſher to its Succeſs: And it is impoſſible not to impute ſome Part of the Miſcarriage to the firſt Reſolution of the Council of War, before the Seperation of the Fleets; which directed, in effect, That the Troops ſhould be put on Shore, without the Aſſiſtance of any of the Ships to cover them: And that the ſaid Ships ſhould continue at Anchor, until *Talmaſh* ſent Advice of the Difficulties he had to conquer.

Again; it is obvious enough, that the Scope of the Marquis's Journal, (which does not ſeem to have been made public as a mere Matter of Curioſity) and alſo of the Biſhop's Narrative, have a Tendency to make the General anſwerable for all: And, laſtly, whereas that Prelate is pleas'd to ſurmiſe, that the ſole Object of the Expedition was to reduce that Point of *Camaret*-Bay, which commands the Entrance into *Breſt*; and that the 6000 Men he had been furniſh'd with, was a ſufficient Force for that Purpoſe, the ſecond Reſolution of the Council of War, juſt cited, which leaves the time of the Squadron's entering into *Breſt-Water* to be ſettled, when they ſhould arrive in *Camaret*-Bay, is alone ſufficient to confute him: And how ill he, *Talmaſh*, was furniſh'd to make an Attempt upon *Breſt*, may not only be gather'd from his Misfortune in *Camaret*, but alſo from the Sketch which is left us of Mr. *Vauban*'s Preparations to receive him there; namely, That he had caus'd a new Battery of ſixteen Pieces of Cannon, and eight Mortars, to be rais'd on that Baſtion of the City near the Caſtle; and a Second on *Long Iſland*, of ſix Pieces of Cannon, carrying ſixty-four Pound Ball each, and ſix Mortars: That he had cover'd eight large Rafts with Mortars; and, in general, that he had diſpos'd of ninety Mortars, and three hundred Pieces of Cannon, to the beſt Advantage. A. D. 1694.

But what Cenſures ſoever were paſs'd on this Undertaking, or what Controverſies ſoever it gave Riſe to, the General did not ſurvive it long enough to take any Part in them; nor does it appear that he left any Friend behind him, who was over-anxious for his Fame. He died at *Plymouth*, *June* 12, where he had been landed by the *Dreadnought* the Day before; with ſome Expreſſions in his Mouth, which ſeem'd to argue, that he was more concern'd for the ill Succeſs of the Action, than the Loſs of his Life. *Death of* Talmaſh.

As the Deſign upon *Breſt* had given the *French* a ſenſible Alarm, ſo neither could they conceal the Satisfaction which they took in the Defeat of it: And, what added to the Pride and Pleaſure which they expreſs'd on the Occaſion, a few Days after, the famous Adventurer *de Bart*, (who had undertaken, with a Squadron of Eight clean, light Ships, to lay the Commerce of the Maritime Powers under Contribution, in Contempt of all the Ships they could put to Sea) fell in with as many *Dutch* Men of War, under the Command of a Rear-Admiral, who had juſt made Prize of a Fleet of *Daniſh* and *Swediſh* Merchant-Ships, laden with Corn and naval Stores for *France*; and after a ſmart Engagement, took the ſaid Admiral and two more, put the reſt to flight, reſcu'd the Merchant-Men, and carry'd both them and the Prizes ſafe into *Dunkirk*. *Eight* Dutch *Men of War beat by eight* French *Privateers.*

But then that this Felicity of theirs might not be without a due Proportion of Alloy, no ſooner was Lord *Berkley*, and his Squadron, return'd to St. *Helens*; than he receiv'd Orders from the Queen to refit as faſt as poſſible; and with as many of the Land-Forces as ſhould be held requiſite, to ſtretch over to the Coaſt of *France*, and not only to annoy the Enemy with the Bomb-Veſſels, but by landing in the Country, and committing every other kind of Hoſtility, that was juſtifiable by the Laws of Arms. *Orders given to Lord* Berkley *to annoy the Coaſt of* France.

Accordingly, having taken four Regiments on board, which were thought ſufficient for this Service, and added ſome Frigates to the Fleet, for the better ſuſtaining the Bomb-Veſſels, his Lordſhip ſet Sail on the 29th of *June* for *Diep*, but was prevented, by bad Weather, from putting his Orders in Execution, till the 12th of *July*; when Captain *Bembo* undertook the Bombardment of that Place, and perform'd it ſo effectually, that it was in a manner reduc'd to Aſhes. *Diep bombarded.*

The next Viſit they paid was to *Havre-de-Grace*, which they treated in the ſame manner, but not with altogether the ſame Succeſs: For the Enemy had, by way of Precaution, ſunk ſix Ships in the Mouth of the Harbour, which hinder'd the Approach of the Frigates; and had rais'd ſeveral Batteries on the Shore: However, the Bomb-Veſſels were ſent in as near as poſſible, under the Cover of the Boats, which were fill'd with Seamen and Soldiers; and *and* Havre-de-Grace.

A.D. 1694. the Storm was continued for several Days together; during which time the Town took Fire in several Places, and several of the Enemies Ships were destroy'd: But no Attempt was made, either here or at *Diep*, to make a Descent; tho' it is said, that such was the Terror which had taken hold of both Inhabitant and Soldiers, that neither of them were capable of making any considerable Defence.

On the 21st they set Sail again; and proceeding along Shore towards *La Hogue* and *Cherbourgh*, alarm'd the whole Coast, which was visible by the firing their Beacons, the Discharge of their Signal Guns, and all those other precipitate Motions which proclame Danger at Hand, and a Necessity of making Head against it.

But this coasting Project was mere Matter of Parade and Terror only: Our Ammunition was exhausted; many of our Ships were disabled, and the Weather rather too boistrous for such crazy Bottoms: When, therefore, they had sufficiently gratify'd themselves with the Pannic of the *French*, they all at once stretch'd over to our own Coast, and on the 26th came to an Anchor at St. *Helens*; where we shall leave them for the present, in order to keep Pace with the main Branch of our Sea-Service in the *Mediterranean*; which was so connected with the Progress of the War in *Catalonia*, that we are under a Necessity to make the one serve as an Introduction to the other.

The Campaign in Catalonia open'd with a Battle.

In one of the *Paris* Articles in our *Gazette*, it was said, as it may be remember'd, That the Marshal, Duke de *Noailles*, had set out for *Catalonia* on the 24th of *May*: But that Advice was so far behind the Fact, that we find him much sooner at the Head of his Army; and not only making all the necessary Dispositions for an early and vigorous Campaign, but actually on his March towards the River *Ter*, on the Banks of which the *Spanish* Army was posted, under the Command of the Vice-Roy of *Catalonia*, with a Resolution to dispute the Passage: For that River being broad and deep, the Bottom full of Quick-Sands, the Fords few, and the *Spaniards* entrench'd over-against every one of them, it was presum'd by his Excellency, that tho' his Army did not exceed 16000 Horse and Foot, and that of the *French* amounted to 28000, he should be able to make it good.

On the 26th, in the Afternoon, the Marshal and his Army came up; and having made himself perfectly acquainted with all the Fords, found that the broadest and fasest of them all was the worst guarded: In order, therefore, that the Vice-Roy might not have any time to recover this Oversight, before he had made his own Use of it, he amus'd them with a Cannonading, while his Army again put themselves in motion; and having march'd from ten o'Clock till Day-break, presented themselves in Battle Array, at the Ford Side; and under the Cover of their Artillery, which far surpass'd that of the *Spaniards*, and was much better serv'd, order'd some of his best Corps to throw themselves into the Water; which they did with A.D. 1694. so much Intrepidity, and having gain'd the other Side, attack'd the Entrenchments with so much Vigour, that tho' the *Spaniards*, for half an Hour, maintain'd a very brisk Fire, they were driven from their Posts, which were immediately occupied by the Assailants; and the Latter being every Moment reinforc'd by fresh Parties, the Action, by degrees, grew general: And then it was that the *Spaniards*, finding themselves over-power'd, gave way on every Side; their Infantry first, and afterwards their Cavalry: But then it is mention'd, to the peculiar Honour of the Latter, that they rallied several times, and as often return'd to their Charge, with a great deal of Bravery; by which means the Former made a Shift to recover the neighbouring Eminencies, tho' not without considerable Loss. The Marshal, in his Letter to the King his Master, asserts, that he pursued the Enemy for four *French* Leagues together: That he had taken all their Ammunition and Baggage even to the Vice-Roy's Tent, and Papers; sixteen Colours, and about 1200 Prisoners, among whom were some of Quality: And in his *Most Christian* Majesty's own Letter to the Archbishop of *Paris*, directing a solemn *Te Deum* to be celebrated on this Occasion, he was pleas'd to recapitulate all these Circumstances with these splendid Additions, That the Loss of the Enemy amounted to 5 or 6000, kill'd or taken Prisoners: That never was Victory more complete; and that he had Reason to think, that so prosperous a Beginning portended him a Train of the like Prosperities, not only in *Catalonia*, but also in other Places.

in which the Spaniards were worsted.

Indeed, it was not easy to say more of this Victory than the immediate Fruits of it made good. For the Marshal, having allow'd one Day of Refreshment to his Army, on the 29th caus'd a large Body of Horse to invest *Palamos*; on the 30th he follow'd with the Infantry; and the same Day began to make the necessary Dispositions for opening the Siege in form On the 31st the two Squadrons of *Brest* and *Toulon* came before the Place: They had join'd in the Bay of *Roses* on the very Day the Battle was fought; and the Former, in its Passage from the *Streights*, had fallen in with four *Spanish* Men of War, which were returning from *Barcelona*, and had forc'd them on Shore; where two were burnt by their own Officers, and the other two by the *French*.

Four Spanish Men of War burnt by the French.

Thus *Palamos* was invested both by Sea and Land; and the Army having been supply'd with battering Cannon, Mortars, &c. from on board the Fleet, the Trenches were open'd on the 2d of *June*: And tho', on the 3d, the Besieg'd made a vigorous and successful Sally, by the 6th, a sufficient Breach was made; and it was resolv'd to storm the Place the next Morning; which was done accordingly, with so much Rage and Fury, that they put all they met to the Sword, without Distinction of Age and Sex, pillag'd the Houses, and committed all manner of Outrages; not, indeed, by the Direction,

Palamos taken by Storm.

A. D. 1694. rection, or with the Approbation of their General; for it was by his Interposition that a Stop was, at last, put to their Excesses; and all his Authority was but barely sufficient to obtain it: And such a Savage Spirit of Resentment did the News of this Event excite in *Saragossa*, that the Mob of that City fell upon the *French*, who resided there, and, by way of Reprizal, massacred a great Number of them, set fire to some of their Houses, and plunder'd all, in Defiance of all that the Magistrates could do to restrain them: Nor was the Tumult compos'd at last, but by the Execution of the Ringleaders.

The Castle of *Palamos* held out some Days longer; but being equally press'd by Land and Sea, and having no Prospect of Relief, surrender'd at last at discretion.

Having succeeded thus far, and allow'd his Army to repose themselves for a few Days, the Marshal's next Exterprize was to reduce *Gironne*, upon the River *Ter*, a City that was pretty well fortified; and which had, besides, the Advantage of lying under the Cover of three Forts, which stood at some Distance from each other, on the rising Grounds adjoining to it.

On the 19th the Army came before it; on the 22d the *Spaniards* abandon'd one of their Forts; on the 27th another; and on the 29th, seeing all the Preparations made for a Storm, and dreading the like Fate which had befel *Palamos*, surrendered on the following Conditions, That the Garrison should march out with their Arms and Baggage, but without Cannon, and be conducted to *Arragon*. That the Cavalry should quit their Horses, and march with the Foot; and that they should leave all their Ammunition and Provisions behind them.

Gironne capitulates,

Two Cities having been thus happily carry'd, the Marshal, with the same Vigour, proceeded on to a third, but less considerable one, call'd *Ostalric*; and having reduc'd it, almost as soon as he came before it, would have push'd on to *Castel-Folletto*, in order to clear his way to *Barcelona*, if his Army had been in a Condition to have acted up to the Ardour of their General: But the Fatigues they had already undergone, the excessive Heats they were expos'd to, and the Diseases which began to rage, both among the Men and the Horses, rendering it impossible for them to keep Pace in their Endeavours with his Purposes, he employ'd some time in strengthening *Ostalric* with some additional Works; and having been invested with the Title of Vice-Roy of *Catalonia*, by his *Most Christian* Majesty, and receiv'd in that Capacity at *Gironne*, about the Beginning of *August*, he distributed his Army into Quarters of Refreshment, along the River *Terdore*, and took Post himself at *Blanes*, a little pleasant Town by the Sea Side, from whence he had a distant Prospect of *Barcelona*.

and Ostalric.

A good Part of this time, however, both the Court and the Kingdom of *Spain* were under inexpressible Uneasiness: Their Army, such as it was, was considerably diminish'd; the Enemy had laid a great Part of *Catalonia* under Contribution; and their Fleet was, as yet, absolute Lords of the *Mediterranean*: In this Exigence all the Consolation they could derive, was from the Advices they had receiv'd, that Admiral *Russel*, at the Head of the united Fleet, was actually making the best of his way to their Deliverance; and even this was miserably damp'd by every Reflection which arose of the cross Accidents that Expeditions by Sea were liable to: At length, however, the joyful News arriv'd at *Madrid*, that on the 8th of *July*, N. S. a Frigate had brought Orders to Admiral *Nevil*, at *Cadiz*, to join the said Fleet off of Cape *Spartel*, with all the *English* Men of War then lying in that Harbour; and that the next Morning the said Admiral had set Sail accordingly; as had also the two *Dutch* Vice-Admirals, *Callenberg* and *Evertzon*, with the Ships under their Command, together with the *Spanish Armada*, consisting of ten Men of War: And it is said, that so highly was his *Catholic Majesty* transported upon this Occasion, that he sent a Jewel to *Russel* valued at 80,000 Crowns, and another of 12,000 to the Commander in Chief of the *Dutch*.

A.D. 1694. *The whole Kingdom alarm'd.*

The united Fleet arrives off of Cadiz. London-Gazette, No. 2994.

State of Europe, Vol. V. P. 307.

Between the 10th and 11th, the *English* and *Dutch* Ships from *Cadiz* join'd the main Fleet, which then consisted of sixty-three Ships of the Line; after which a Council of War having been held, it was resolv'd to proceed to *Barcelona*, in quest of the Enemy: And an Express was dispatch'd to Mr. (*d*) *Stanhope*, the *English* Envoy at *Madrid*, with an Account of this Resolution, and the Hopes which the Admiral had entertain'd of arriving there time enough to cover the Coast from any farther Insult. Burchet.

Meeting, however, with a strong *Levant* Wind, it was the 15th before they could pass the *Streights*, and the 23d before they reach'd *Carthagene*, where they learn'd, that M. *de Tourville*, instead of coming before *Barcelona* with his Fleet, on receiving Intelligence that they had pass'd the *Streights*, and were making for that Port, had retir'd, in all haste, to the Isles of the *Hieres*, off of *Toulon*, by express Order from the King his Master: Upon which it was soon after resolv'd, at a Council of War, to put into *Altea*-Bay, for a Supply of Water: And from hence it may be suppos'd it was, that he dated the Dispatch, or rather Remonstrance, which follows, as it is given in Abstract by Mr. *Burchet*, who serv'd in this Expedition as Secretary to Mr. *Russel*, and which, it is remarkable, was address'd to M. *Schonenbergh*, the *Dutch* Minister at *Madrid*, and not to Mr. *Stanhope*.

and past the Streights.

The Subject of it was, a State of his *Catholic Majesty*'s Ports and naval Affairs: With regard

(*d*) A Branch of the *Chesterfield* Family; and, as I learn from a valuable M. S. which I have been lately favour'd with, (and which contains a Sketch of the Lives and Characters of 198 Persons, eminent in the State, during the Reigns of K. *William* and Q. *Anne*,) a Gentleman every way qualified to serve in that Capacity, except that he had the Misfortune to be an *Englishman*; for which Reason Minheer *Schonenbergh*, the *Dutch* Minister there, was more confided in than he.

A. D. 1694. Russel's *Remonstrance concerning the Spanish Affairs, to the Dutch Minister at Madrid.*

regard to the Latter, he represented, That out of the ten *Spanish* Ships which had join'd him, but four were of sufficient Strength to be admitted into the Line of Battle: That the rest were of small Force, and all so rotten, that they would hardly bear the firing of their own Guns: That as to the Former, they were so utterly unprovided, both as to Men and all other warlike Preparations, that in case any of the Enemy's Ships were only to cannonade either *Malaga* or *Alicant*, it was reasonable to fear they would be instantly abandon'd. That he had also his Doubts, whether the Residue of *Catalonia* would be able to resist the Enemy, after the Fleet had quitted those Coasts; the *French* Army consisting of 25,000 well disciplin'd Men, completely supply'd with all Necessaries, and the *Spaniards* but of 9000, who were also destitute of Tents, and all other requisites for a Camp: That in case they were once Masters of *Barcelona*, it was to be apprehended they would fall upon *Minorca*, which, in its present Circumstances, could not hold out two Days against 2000 Men: That, therefore, it was incumbent on the Vice-Roy to make some brisk Effort, while the Fleet was at hand to co-operate with him: And, finally, that he should be oblig'd to return very speedily, the *Dutch* not having Provisions enough to last longer than the next Month.

He receives a Proposal from Lord Galway for the Fleet to winter in the Mediterranean, *which he declines.*

This was dated the 25th of *July*, O. S. or *August* 4, N. S. And *Burchet* adds, that, at the same time, the Admiral receiv'd a Dispatch from Lord *Galway*, who commanded the King's Forces in *Piedmont*, containing a Proposal for the Fleet's wintering in the *Mediterranean*; but whether in his own Name only, or the Duke of *Savoy*'s, or of the Allies in general, or to answer what Ends, the Secretary has not thought fit to explane: On the contrary, as if he was still under the Admiral's Command, and was to consider only what was for his Service, he adds nothing more on this Head but an Abstract of his Answer, which was to this Effect, That he, the Admiral, could by no means think it advisable to comply with it, for these Reasons, Because there was no Port in that Sea fit to receive and protect them but *Mahon*, which was unfit, because wholly destitute of Provisions: Because *Naples* was without Defence, (and yet we remember, that even the *Spanish* Fleet found means of defending itself there) and *Messina* was not large enough to receive them: But more especially, because the *French* might have render'd themselves too strong, by the Spring, for all the Force that could, in these Seas, have been brought against them.

State of the War in Piedmont.

And now, in order to trace the Connection between the Service in *Spain*, and that of *Piedmont*, as well as the very imperfect Intelligence before us will give Leave, it may be expedient to make a Transition to the State of the War on that Side.

Whether it is true or not, that the bloody Battle of *Landen* was fought, purposely to convince the several Powers of the Confederacy, that they ought to bring a greater Force into the Field against *France*, and to act with more Vigour and Unanimity, if they hop'd to act with more Success; we have seen, that the *Maritime* Powers did accordingly exert themselves in an extraordinary Manner, both by Sea and Land, in hope the Experiment would answer: And it might have been expected, from the Outside of Things, That his Royal Highness of *Savoy*, would have thought himself oblig'd to have acted with the same Spirit; or if not, that the Courts of *Vienna*, *Madrid*, and *London*, with whom he was colleagu'd, would have been so forward with their own Preparations for an early Campaign, as should have left him without the least Pretence of an Excuse, to cover his own Tardiness or Perfidy. It was known, at the two Former of those Courts, that the more M. *Catinat* was press'd on that Side, the less was to be apprehended on the *Rhine* from M. *de Lorges*, and in *Catalonia* from M. *de Noailles*; and at the Latter, that if any one Province of the War was neglected, it would affect the Operation of the whole. It was, no doubt, on this Principle, that Lord *Galway* had set out for *Turin* so early as the 6th of *December*; and tho' he did not arrive there till the 22d of *March*, O. S. we must suppose, that the Length of time employ'd in his Journey, was owing to the Commissions he had to execute by the way: For it was in this Interval, that a Convention was executed with the Court of *Berlin* for three Regiments of *Brandenburghs*, of 1000 Men each, to pass into the Service of the Duke of *Savoy*; and we can scarce suppose, that any Negotiation of such a Nature, could be transacted there, without the Intervention of the King of *Great-Britain*: And it is further observable, that the Number of this Corps, quadrates exactly with the Number said to be raising by his Electoral Highness of *Brandenburgh*, in the Account of the Proportions of Forces, furnish'd by the several Powers of the Confederacy, which had, the last Session, been laid before the House of Commons.

A. D. 1694.

In this very Interval, it had been given out in our own *Gazettes*, not without a good deal of Ostentation, That the Duke of *Savoy* had rejected all the Offers of *France*; and that M. *Catinat*, before he quitted the Neighbourhood of *Turin*, had set fire to the *Venerie*, a fine hunting Seat belonging to his Royal Highness; as if such an Act of Outrage had arose from the Despair of an Accommodation: And scarce a Post arriv'd, without some Advice of the Conferences held by the Duke with the Marquis *de Leganez*, and Count *Caprara*; and of the Measures taken upon the Issue for recruiting their several Corps, and making such Dispositions of every Sort, as should enable them to enter upon Action with the very first of the Season.

But, as usual, the Expectation rais'd by these Artifices, was miserably defeated; and tho' it was known all *Europe* over, that the *French* intended to lye on the Defensive on that Side, and had sent a large Detachment

A. D. 1694. tachment of their beſt Troops, to reinforce M. *de Noailles*, not only the Spring came on, but the Summer too, before it appear'd that even any Plan of Action had been form'd. General *Caprara*, who had render'd himſelf ſo odious to the Princes of *Italy*, by an officious Obedience to the Commands he had receiv'd from the *Imperial* Court, in relation to Winter Quarters, was recall'd, not on that Account, but to take upon him the chief Command in *Hungary*, in the Room of the Duke of *Croy*; and Prince *Eugene* of *Savoy*, who was appointed to command the *Imperial* Troops in his Place, did not arrive at *Turin* till the 29th of *June*, N. S. It was the Middle of *July* before the Troops of the ſeveral Nations were drawn together; and after it had been oſtentatiouſly given out, that they would again break into *Provence*, and co-operate with the united Fleet, in reducing the Maritime Towns of that Province; all that follow'd, was, certain Marches and counter Marches, for the Sake of conſuming the Forage, certain Skirmiſhes between the *Vaudois* and the *French*, and the forming the Blockade of *Caſal*: So that, upon the whole Matter, however eaſy it may be to account for *Burchet*'s mention of Lord *Galway*'s Requeſt to Admiral *Ruſſel*, That the Fleet might winter in the *Mediterranean*, it is ſcarce poſſible to account for his Lordſhip's making that Requeſt; not only becauſe of the Inactivity of the Army in which he commanded, during the whole Interval, when the Countenance of that Fleet might really have facilitated their Deſigns, but becauſe of the Reception given to a Propoſal of the Admiral's, which we ſhall diſcourſe of in its Place.

It was, indeed, by this time, growing into a Cuſtom, for every Power in the Confederacy to transfer their Wants to *England*; and our Writers, inſtead of diſcovering any Reſentment on the Occaſion, ſeem to glory in the Efforts we made to ſupply them all.

Extravagant Demands of the Spaniards *to Admiral* Ruſſel.

Thus we find, that the *Spaniards*, far from being ſatisfy'd with the Succours which they had receiv'd, by the Arrival of the Fleet in the *Mediterranean*, proceeded to demand, That either the Admiral ſhould furniſh them with 8 or 10,000 Soldiers from on board the Ships, to enable them to force the Enemy to a Battle; or that he ſhould go in queſt of the *French* Fleet, and endeavour to deſtroy them in their Ports: And when it was made appear, That both theſe Demands were extravagant alike; that the Fortifications of *Toulon* were not to be forc'd; that there were no Soldiers on board the Fleet; and that all the Admiral could do, was to aſſiſt in recovering any of the Places on the Sea-Coaſt, out of the Hands of the *French*; the Anſwer was, That unleſs the Army could be reinforc'd from the Fleet, no ſuch Attempt could be made. This Anſwer was alſo accompany'd with a new Propoſal, That the Fleet would endeavour to make a Deſcent on the Coaſt of *France*; and that, in ſuch Caſe, a ſufficient Body of Infantry ſhould be ſupply'd from the Army. But neither did this appear more reaſonable to the Admiral than the two Former. He ſaid, A. D. 1694. The Fleet was provided for an Engagement at Sea, but not for an Invaſion on Shore. And yet, what was pretty near the ſame thing, he undertook to convoy a Body of Soldiers in the Fleet and Gallies to *Palamos*; and to aſſiſt in carrying the Place by Surprize, or Storm, or both, as Opportunity ſhould offer. But this the Vice-Roy of *Catalonia*, with whom this Parly was held, declin'd; becauſe the Forces of the King, his Maſter, were ſo much inferior to the Enemy, and becauſe there was ſo little Proſpect of their being augmented: And all that he requir'd was to know, How long the Fleet could conveniently ſtay on the Coaſt? To which the Admiral reply'd, That on his, the Vice-Roy's, firſt Repreſentation of the State of *Catalonia*, Care had been taken to furniſh the Ships of the *States-General* with fourteen Days Proviſions from the *Engliſh*, for the Sake of ſtaying on the Coaſt as long as poſſible: But that a general Want beginning to appear, and many Inconveniencies being to be apprehended, in caſe the Winds ſhould ſet in Weſterly, it would be abſolutely neceſſary to retire towards the *Streights*. He alſo diſpatch'd a Letter, about the ſame time, to his *Catholic* Majeſty, ſetting forth his Concern, That he could be of no farther Service, than merely to protect the Coaſt, as long as he remain'd upon it; as alſo, the Neceſſity he was under of leaving it forthwith; and remonſtrating, that unleſs Care was immediately taken to put *Catalonia* into a better Poſture of Defence, it would be almoſt impoſſible to preſerve it many Weeks under his Subjection; and that the Kingdom of *Valencia*, as well as the Sea-Port Towns, were in no better Condition.

The Admiral's Remonſtrance to the King of Spain *concerning the Danger of* Catalonia.

The Vice-Roy had alſo the like Apprehenſions; or, at leaſt, that when the *French* ſhould be appriz'd of the Departure of the Fleet, they would renew their Deſign upon *Barcelona*: In order, therefore, to conceal the Truth as long as poſſible, and thereby to retard their Meaſures, till it ſhould be too late to put them in Execution, when the Fleet ſet ſail from that Port, it was reſolv'd to ſhape their Courſe to the Eaſtward, as if they were bound on ſome Expedition in thoſe Seas; and, in the Night, to tack about and ſtand for the *Streights*, which was done accordingly.

The Day they ſail'd was the 16th of *Auguſt*; and tho', as Appearances then lay, it could only be ſaid, that they had reſcriev'd, not ſav'd the *Spaniſh* Coaſt; the Admiral took care to ſignify, by Letter, to the Dey of *Algiers*, That notwithſtanding the Suggeſtions of *France*, that the King his Maſter could not ſpare a ſufficient Number of Ships ſo far from home, he had ſent ſuch a Force into thoſe Seas, as M. *de Tourville* had not thought fit to face; but on the contrary, had retir'd from, and taken Refuge in *Toulon*.

He ſets Sail from Barcelona *on his Return.*

The *French*, however, had no ſooner receiv'd Advice of his Departure from *Barcelona*, than they ſent out ſeveral light Fri-

A. D. 1694. gates for Intelligence of his Courſe; and, in the mean while, made ready their Fleet to proſecute the Enterprize, which his Arrival had interrupted before, as ſoon as it ſhould be known that he had repaſs'd the *Streights*.

Receives contrary Orders. But if this was really their Purpoſe, they met with a new Diſappointment: For when the Admiral had reach'd *Malaga*, he receiv'd Orders (contrary to his Expectation, as we are told) from his Majeſty, under his Royal Signet and Sign Manual, dated *Auguſt* the 9th, to continue in thoſe Seas, and to winter at *Cadiz*, for the more effectual preventing the Deſigns of the *French* upon *Catalonia*; upon which it was reſolv'd to repair, forthwith, to *Alicant* again: And whereas it muſt neceſſarily recur to every Man's Reflection, that theſe Orders, unleſs accompany'd with a Supply of Proviſions, would not remove the *Neceſſity* which had before oblig'd the Admiral to leave *Barcelona* expos'd to the Attempts of the Enemy; we find it farther ſuggeſted, That ſuch a Supply was actually arriv'd at *Cadiz* for the *Engliſh*, and at *Alicant* for the *Dutch*: And that the Admiral had *already* taken proper Meaſures for procuring a ſufficient Quantity on his own Credit, to ſerve the Fleet till their Return to *Cadiz*; which was not to be till ſome time in *October*, unleſs he ſhould receive certain Information, That the *French* had diſarm'd their Ships.

Barchet.

Returns to Alicant.

From *Alicant* he ſent Diſpatches to the Vice-Roy of *Catalonia*, with Advice of the new Inſtructions he had receiv'd; others to Mr. *Stanhope*, at *Madrid*, to procure the neceſſary Orders for clearing the *Puntals* for the Reception of the Fleet at their Return; and others to *England*, for a farther Supply of Proviſions, and of Men: He alſo order'd Rear-Admiral *Nevil*, with ten Ships, to cruiſe between the Iſle of *Formentera* and the Coaſt of *Barbary*: And being ſoon after oblig'd to go on Shore, on account of his being ſeiz'd with a Fever and Bloody-Flux, he gave the Command of the Fleet to Vice-Admiral *Aylmer*, with Orders to join *Nevil*, and to take ſuch Meaſures to annoy the Enemy, as ſhould be reſolv'd on at a Council of War; under this Reſtriction, That if he did not fall in with the Enemy in ſix Days, or receive authentic Intelligence, that they had quitted *Toulon*, he was to return to *Alicant*: Neither of which happening, he did return accordingly on the 10th of *September*.

Falls ill, and transfers the Command to Admiral Aylmer.

Still the Admiral continuing indiſpos'd, and it being part of his Majeſty's Inſtructions, That he ſhould take the moſt effectual Meaſures in his Power to prevent the Enemy from paſſing the *Streights*, he directed a Council of War to take this Matter into Conſideration: And that no Intelligence of their Motions might be wanting, he directed the *Engliſh* Conſul at *Majorca*, to keep a Veſſel continually plying between that Iſland and *Toulon*: He alſo ſtation'd one Frigate at *Oran*, and another at *Tetuan*, that they might not give him the Slip, by keeping cloſe within the *Barbary* Shore: But then we are farther told, tho' in a very perplex'd Manner, by *Burchet*, That, in caſe they had endeavour'd to paſs the *Streights*, they might have ſucceeded in it, notwithſtanding all the Precautions the Admiral could take: He ſays, the *French* Ships were ſound and clean, ours foul, and in no Condition to bear the rough Weather they were ſure to meet: They were in no want of Proviſions; we were furniſh'd only *from Hand to Mouth*: And, laſtly, it may be preſum'd, they had their full Compliment of Hands; whereas the *Engliſh* and *Dutch* had loſt very near 3000. A. D. 1694.

It is true, our Author grounds what he ſays, concerning the Enemy's paſſing the *Streights*, on a Suppoſition of our Fleets being, at the ſame time, at *Cadiz*: But then, if this Diſparity of Circumſtance could not operate in favour of the Enemy, unleſs our Fleet was ſtation'd at *Cadiz*, it will appear ſomewhat ſtrange, that the Admiral ſhould make it his Choice to winter there. And it is not only certain that he did ſo, but that he did ſo againſt the Inſtances of the *Spaniſh* Court, who preſs'd him to winter at *Mahon*: Indeed, in his Anſwer to thoſe Inſtances, he alledges, That the Iſland of *Minorca* was deſtitute of all Neceſſaries for a Fleet; and that the *French* would have ſo much the more Sea-Room to make prize of ſuch as ſhould be ſent from *England*. But ſurely, the more Care was taken to embay the far greater Part of the *French* Naval Force in the *Mediterranean*, the more eaſy it would have been to protect our Navigation againſt the reſt: And, upon the whole, perhaps, we ought to conclude, that the Admiral, notwithſtanding the Inſinuation of his Secretary, was convinc'd, That he could guard the Iſſue of the *Streights*, as well on this Side as the other.

The Fleet returns to Cadiz.

However this may be, it is certain that he arriv'd at *Cadiz* on the 8th of *October*; that after a Fortnight had been employ'd in taking in Proviſions, it muſt be ſuppos'd, a Council of War was held, in order to conſider how the Fleet might beſt be poſted to anſwer that End: That upon the Iſſue, it was agreed to repair off of Cape *Spartel*, as ſoon as the Wind ſhould come up Eaſterly; that in the mean time ſeveral Ships were ſent out ſeveral ways for Intelligence; and that, upon the whole, the Weather growing very turbulent, the *Catalonians* being rid of their Apprehenſions, and no Advices having been receiv'd of the *French* Fleet, it was reſolv'd, on the 8th of *November*, to proceed to the cleaning, repairing, and refitting the Ships, with all poſſible Diligence; but, withal, in ſo gradual a manner, that there ſhould be always a ſufficient Force in ſailing order, both to prevent a Surprize, and to follow the Enemy, in caſe the Cruizers ſhould bring any News of their being within Reach.

But tho' the Marſhal *de Noailles*, by reaſon of the Sickneſs which had affail'd his Army, and for want of the Aſſiſtance of the Fleet, could not proſecute the Orders he had receiv'd, in relation to *Barcelona*, he did not continue all this while in a State of

Caſtel Folletto reduc'd by M. de Noailles.

A.D. 1694. Inactivity; on the contrary, when the Heats were abated, and his Forces in part recovered, he ſat down before *Caſtel Folletto*, which was ſituated on a Mountain, ſuppos'd to be inacceſſible, except on one Side; and took his Meaſures ſo well, that in three Days he carry'd the Place.

Nor were the *Spaniards* themſelves wholly idle: For while the Marſhal was taken up with this Enterprize, they made an Effort to recover *Oſtalric*, and ſo far ſucceeded in it, that the Garriſon capitulated, and Hoſtages were exchang'd: But the Beſiegers inſiſting, That the *Miquelets*, who had aſſiſted in defending the Place, ſhould be made Priſoners of War; and the Governor refuſing to agree to it, M. *de Noailles* had time to come up with his Forces, and to raiſe the Siege, which put an End to the Campaign on both Sides.

He obliges the Spaniards to raiſe the Siege of Oſtalric.

It is now proper to attend the Courſe of the War in *Germany*, or rather to clear our way, by touching on thoſe preparatory Meaſures, which we are to ſuppoſe were the Reſult of the Concert, form'd by King *William* and the Prince of *Baden*, during the Winter in *London*.

Courſe of the War in Germany.

And, firſt, it is neceſſary to obſerve, that his Highneſs did not repair to *Vienna*, on his Return, as was expected, but to *Frankfort*, *Guntſburgh*, *Studgart*, and, in general, to every other Place where his Preſence was neceſſary, either to forward the Reſolutions of the Circles, to quicken the Preparations of the *Imperial* Commiſſaries, or to have ſuch a Body of Forces ready to take the Field, as might be able to prevent the uſual Depredations of the Enemy, at the Opening of every Campaign: For the ſame End, he alſo caus'd the Caſtle of *Heydelburgh* to be once more put in a Condition of holding out againſt any ſudden Attack, and to be furniſh'd with a ſufficient Garriſon; and wherever there was any conſiderable Paſs, he poſted a ſuitable Corps, to ſecure it againſt the Enterprizes of the Enemy.

The Place he had appointed for the Rendezvous of the Allies, was in the Neighbourhood of *Hailbron*; and ſo far had his Efforts ſucceeded, that by the Beginning of *May*, upwards of 20,000 Men, conſiſting of *Imperialiſts*, *Swabians*, and *Franconians*, enter'd into the Camp, which he had prepar'd for their Reception.

But we are not to ſuppoſe, that the Plan tranſmitted from *Vienna* to *London*, and the Concert form'd upon it, regarded preventive Meaſures only: On the contrary, we find an Intimation, that it was propos'd to open the Campaign offenſively, with an Army of 60,000 Men; and it may be reaſonably ſuppos'd, that no Endeavours were wanting, at the ſeveral Courts of *Germany*, to make that Propoſal good: With that of *Saxony*, in particular, a Negotiation of great Weight had been long depending: For tho' in the Liſt of the Confederate Troops, laid before the Houſe of Commons, the Quota of his Electoral Highneſs was ſet down at 12000, with a Supplement of 2000 more, ſaid to be raiſing, the Seaſon was far advanc'd before it was poſitively knowns that A.D. 1695. thoſe Troops could be depended upon: The Elector inſiſted on the Enlargement of General *Schoening*, and alſo on a Subſidy for himſelf: To move the Court of *Vienna* on the firſt of thoſe Points, was no very eaſy matter; and it was ſcarce in their Power to comply with the Second: The Treaty met alſo with ſome little Interruption, by the Death of that Prince, of the Small-Pox, in the Flower of his Age; but was, at length, perfected by his Brother and Succeſſor: His *Imperial* Majeſty conſenting to the Releaſe of *Schoening*, on condition that he ſhould not be employ'd in any civil Employment during one Year, nor in any military Employment during his Life, unleſs with the Emperor's Leave: And the Subſidy being fix'd at 400,000 Florins a Year, on condition that his Electoral Highneſs furniſh'd 12000 Men yearly, for the Service on the Upper *Rhine*, of which one Moiety were to winter on the Frontier, in ſuch Quarters as ſhould be aſſign'd them.

In the Beginning of *June* this Negotiation was finiſh'd; and no ſooner had the Marſhal *de Lorges*, who had aſſembled his Forces at *Neuſtadt*, receiv'd Intelligence of it, than he broke up his Camp, and on the 10th and 11th paſs'd the *Rhine* at *Philipſburgh*, with a Deſign to force the Allies to a Battle, before the *Saxons* could join them, or, by a precipitate Retreat, to leave *Hailbron*, *Heydelburgh*, and the whole Frontier, once more at his Mercy. *The French paſs the* Rhine *at* Philipſburgh.

On the other Hand, the Prince of *Baden*, having been inform'd of this Motion, repair'd immediately to the Camp; and having call'd in all his Parties, and diſpatch'd ſeveral Expreſſes to the *Saxons*, *Heſſians*, &c. to quicken their March, that he might be in a Condition to give the Enemy a proper Reception, and thereby prevent the Miſchiefs which might otherwiſe befall the Empire, advanc'd the ſame Day, *viz.* the 11th, N. S. to *Eppingen*, where he propos'd to remain, in caſe the Enemy would give him Leave, till the Reinforcements he expected came up: But that they would ſpare him ſo long, was what he had little Reaſon to expect: The *Heſſians* were ſtill diſpers'd in their Quarters between *Mentz* and *Frankfort*: The Troops of *Munſter* and *Paderborne* were ſeveral Days March behind them; half the *Saxons* had not, as yet, taken the Field; and thoſe which had, tho' furniſh'd with the neceſſary Orders, could not reach him in ſeveral Days.

In this diſagreeable Situation the Prince receiv'd Intelligence, on the 15th, that the Enemy were in motion towards him, which was confirm'd by other Advices the next Day; and having call'd a Council of War, reſolv'd, upon the Iſſue, to decamp, and advance to meet them in order of Battle: Accordingly, on the 17th, this Meaſure was put in Execution: The Tents were ſtruck, the Army was diſpos'd in three Columns, and M. *de Lorges*, who conſider'd this Motion as the Effect of a deſperate Temerity, took all the Meaſures which ſeem'd to argue, that he thought an Action unavoidable: But *The Prince of* Baden *by a Feint ſecures a ſtrong Paſs.*

A. D. 1694. no ſooner had the Confederates taken Poſſeſſion of a ſtrong Paſs near *Sintzheim*, than they began to entrench themſelves on that Side, which lay moſt open to the Enemy; whence it became apparent, That the menacing Advance they had made, was but a Feint, to enable them to withſtand the Efforts of a ſuperior Enemy.

According to the general Plan of the *French* Court, for the Operations of the Year, the Marſhal was not to expoſe his Army: Inſtead, therefore, of endeavouring to force this Poſt, he firſt halted at *Langenbruck*, and then proceeded on to *Viſeloch*; from whence he ſent out ſeveral Detachments to take in *Ladenburgh*, and ſeveral little Forts on the *Necker*; as alſo to lay waſte the adjacent Country: And this he did in hopes to draw the Prince of *Baden* from the advantageous Ground he poſſeſs'd: But in this alſo he was diſappointed: For his Highneſs contented himſelf with ſending out his Irregulars to harraſs thoſe Detachments, and kept his Poſt till the 24th, when the firſt Column of the *Saxons*, conſiſting of about 6000, being within a few Hours March of his Camp, at Break of Day he broke up to meet them, and proceeded on towards *Viſeloch*, with a Deſign to fall upon the Enemy, before they could make a proper Diſpoſition to receive him: It ſo happen'd, however, that by reaſon of the many Defiles his Army had to paſs, he could not reach that Place till Evening; by which time the Marſhal, being appriz'd of his Approach, and fearing that his Purpoſe was, to cut off his Communication with the *Rhine*, gave Order for decamping at Midnight; which was done accordingly, with ſo much Haſte and Precipitation, that they ſcarce gave themſelves time to recall their Parties.

and being join'd by a Part of the Saxons, endeavours to ſurprize the Enemy.

who retire at Midnight.

The next Day his Highneſs ſent out ſeveral Parties for Intelligence, and ſeveral ſharp Skirmiſhes enſued: But tho' he was inform'd that the Marſhal had taken Poſt at *Ruth*, and had ſent his heavy Baggage towards *Philipſburgh*, he did not continue his March from *Viſeloch* to *Gonſbergh*, near *Manheim*, till the 29th; and that very Day the *French* repaſs'd the *Rhine*, and encamp'd between *Worms* and *Spires*.

Thus the Aſpect of the Campaign was wholly chang'd: The Communication was now entirely open between the Prince and the Troops of *Heſſe*, *Munſter*, *Brandenburgh*, and *Newburgh*, who were encamp'd near *Gernſheim*: Orders were given for throwing a Bridge over the *Rhine*, near *Manheim*: A Project was entertain'd of refortifying that City, and nothing was talk'd of among the Confederates but paſſing the River, and either forcing the Enemy to a Battle, or undertaking a Siege: But all this while, ſuch was the Diſunion of Councils among the Confederates, that either no Reſolution was taken, or if taken carry'd into Effect: Thus after the new Works had been actually proſecuted for ſome time at *Manheim*, they were given over; and no Attempt, or even Motion, was made worth remembring, till towards the Middle of *September*: It is true, A. D. 1694. the Reſidue of the *Saxons* did not come up till the 18th of *Auguſt*, and the Day before Prince *Lewis* remov'd from the Ground, which he had ſo long occupy'd, between *Heydelburgh* and *Philipſburgh*, in order to facilitate that Junction: But then he halted again at *Kretzengen*, near *Dourlach*, and continued there above a Fortnight longer; and when the Army was again put in Motion, it was reaſonable to doubt, whether it was with the Concurrence of the *Saxons*: For on the 12th of *September* they quitted the Camp, and march'd towards *Hailbron*, under a Pretence of covering the Magazine they had at that Place, while the reſt of the Forces drew off towards the *Rhine*, and made the neceſſary Diſpoſitions for paſſing that River. But whether this Motion of the *Saxons* was the Effect of this Diſcontent, or only a Feint, as ſome gave out, a Bridge of Boats was that Night thrown over part of the *Rhine*, to a little Iſland in the Midſt of it, where the heavy Baggage was diſpos'd under a Guard of 2000 Grenadiers; the next Morning the Margrave of *Dourlach*, with one Column of the Army, paſs'd over, in the Neighbourhood of *Hagenbach*; and another Bridge having been completed by the 15th, the Prince follow'd with the reſt. This great Enterprize having ſucceeded thus fortunately, his Highneſs immediately gave Notice of it to the *Saxons*, and the Landgrave of *Heſſe*, the Former of whom he requir'd to rejoin him, and the Latter to paſs the *Rhine* forthwith at *Mentz*, in order to make one great Effort with all their Forces: That ſome inſtant Advantages might alſo be deriv'd from the Surprize of the *French*, he advanc'd the next Day to *Hagenbach*, and having taken in ſeveral Poſts, which they had abandon'd, ſent out his Parties on all Sides, to lay the Country under Contribution, which was performed without Mercy.

The Imperialiſts paſs the Rhine,

and levy Contributions.

This, however, was all that was done between the 15th and the 22d, when, and not before, the *Saxons* came up and paſs'd the River; but ſtill with a due Regard to their own Preſervation; for tho' the Horſe did actually join the Army, the Foot did not leave the River Side: The Enemy, indeed, were by this time in full March towards them: For Marſhal *de Lorges* had come to a Reſolution to give them Battle at all Hazards, in order to reſcue Lower *Alſace* out of their Hands; and was, moreover, ſo confident of Succeſs, that he had directed the Governors of *Fort Lewis* and *Straſburgh* to endeavour to break their Bridges, by driving great Rafts of Timber down the Stream upon them, and alſo by large Boats fill'd with Combuſtibles, after the manner of Fire-Ships, in order to prevent their Retreat: On the ſame Day that the *Saxons* came up, the Van of the *French* fell in with that of the *Imperialiſts*: About Noon Advice was receiv'd, That the whole Body of their Cavalry was advancing on the Spur; and towards the Evening, That their Foot was following with all the Expedition they could make. As theſe ſeveral Circumſtances ſufficiently

A. D. 1691. *But on the Approach of the Enemy repass it again.*

ciently shew'd the Marshal's Purpose, Prince *Lewis* call'd a Council of War, at which it was resolv'd to avoid an Action, if possible, and to repass the *Rhine* immediately, which the heavy Rains that had fallen, and the sudden Swell of the River, furnish'd them a plausible Pretence to excuse: Accordingly about Midnight this Measure was follow'd with the utmost Caution and Circumspection; all the Approaches to their Camp, which lay thro' the Wood of *Hagenbach*, having been first render'd in a manner impassable, by the Fall of great Trees across each other; and certain Battalions of Grenadiers having been posted in proper Places, as well to defend those Approaches as to bring up the Rear: And it was owing, in some degree, to their Bravery, that this Project of passing the *Rhine* so late in the Year, had not been fatal to the Undertakers: For it is confess'd in our own *Gazettes*, that some Squadrons of the Enemy's Dragoons did actually attempt to force these Passes; but finding themselves vigorously attack'd in Flank, and the Marshal, with the Residue of the Horse, being too far behind to sustain them, were glad to desist, and leave the Defendants at leisure to re-join the Army, which, by this time, had recover'd the Island in the Midst of the *Rhine*, where the Baggage had been left: And when the last Corps had done the same, they did not forget to break down the Bridges behind them, that the Enemy might not have the same Convenience to follow them.

The next Day, *viz.* the 24th, they also pass'd the other Branch of the *Rhine*, and took Post at *Dachland*, to sum up the Profit and Loss of the Adventure; which has nevertheless been so variously represented, that no true Judgment can be form'd concerning it. On the *Imperial* Side it was said, That they had destroy'd vast Quantities of Forage: That they had brought off 14000 Head of Cattle: That the Contributions they actually levy'd, amounted to 1,000,000 of Florins, and that they had taken Hostages for 3,000,000 more. On the other Hand, the *French* gave out, That the Prince lost above 2000 Men in the several Rencounters which his Parties had with theirs: That he left above 6000 Irregulars behind him, which he had not time to recal, and which were soon after taken Prisoners in the Mountains: And that, supposing the Prize he made, and the Waste he committed to answer his own Representations, it did not answer a Tenth Part of the Risque which he had incurr'd. For, not to insist on what he had to apprehend from the Marshal, he had scarce taken up his Boats, before the River rose so high with the Freshes which came down, that all the Island, and a great Part of the Camp, which he had occupy'd near *Hagenbach*, was cover'd.

Then, as to the Landgrave of *Hesse*, and the Troops under his Command, he did not pass the *Rhine* till the 24th; and after a March or two, having receiv'd Advice of what had happen'd, he measur'd back the same Ground, and repass'd the *Rhine* at *Metz*, on the 2d of *September*: Soon after which both Armies went into their Winter-Quarters.

A. D. 1691. *Both Armies pass into Winter Quarters.*

It is now to be observ'd, That tho' the Endeavours of the *English* and *Dutch* Ministers to effectuate an Accommodation between the *German* and *Ottoman* Empires, were still (*e*) defeated by M. *Chateaumeuf*, the Minister of *France*, and his Partizans, the military Preparations of the *Port* did not answer the Impatience of their *Most Christian* Allies. Both the Divan and the Seraglio were still divided into Factions, the *Mufti* being at the Head of those who were for continuing the War, and the favourite Sultaness of those who were for a Peace: In *March* the Grand Vizier was depos'd; and the new one, for some time, appear'd irresolute which Party to embrace; and when he was, at last, prevail'd upon to close with the Former, he found it altogether impossible to take the Field so early as was requir'd of him, with a Force superior to that of the *Germans*. About the Middle of *May*, indeed, a Party of *Turks* made two several Attempts to storm the Fortress of *Titul*, on the *Danube*, a Place of great Importance, because the Masters of it were also Masters of the Communication between *Transylvania* and Lower *Hungary*; but they were both times repuls'd with considerable Loss: They also undertook to throw in a Supply of Provisions into *Giula* and *Temeswaer*, and succeeded in it, tho' not without some Loss: For the *Imperialists* fell on each of those Parties on their Return, and of the Latter kill'd many hundreds.

A new Grand Vizier.

Opening of the Campaign in Hungary.

It was not, however, till the 16th of *August* that the Grand Vizier arriv'd at *Belgrade*, in order to open the Campaign; and part of the *Tartars*, which were to form his Army, were not come up: But, on the other Hand, the *Imperialists*, even then, were in no Condition to face him. It was the 30th before *Caprara* set out from *Vienna*, and the 5th of *September* before he reach'd the Army; which, on the News of the Vizier's Approach, had been hastily drawn together in the Neighbourhood of *Peter-Waraden*; many of the Corps of which it was form'd were defective; many others were still upon their March; and if all had been present, all had been too few to act offensively against the Enemy. This appear'd so plainly to the General, when he took a Review of them on the 6th, that he sent Orders of Revocation to all the Parties, of all Kinds, which had been detach'd from it; as also, an Express to General *Veterani*, who had the chief Command in *Transylvania*, requiring him to take such Measures as were necessary to secure the Passes;

A. D. 1691.

(*e*) *Hemskirk*, the *Dutch* Minister, thro' whose Hands the Negotiation had principally pass'd, having been recall'd, and being on his Journey home, was stopt at *Belgrade*, in *May*, and detain'd there till the End of the Campaign.

A. D. 1694. Paſſes; and with the main Body of his Forces to advance towards the two Armies: And, laſtly, he thought it convenient not only to maintain his Poſt, but to entrench and fortify it with all the Skill he was maſter of.

The Grand Vizier paſſes the Save, The Vizier, in the mean while, paſs'd the *Saave*; and if he had us'd a little more Expedition in his March, had probably given a fatal Turn to the Courſe of the War on that Side: But either his Intelligence was ſo bad, or his Conduct ſo weak, that he did not come in ſight of the *Imperialiſts* till the 9th: And then he made his Approaches more like a Man who fear'd to be defeated himſelf, than one who had any Purpoſe to defeat his Enemy.

The *Imperialiſts* had the *Danube* behind or rather in the Midſt of them: For their Foot lay on that Side next the Vizier, and their Horſe, together with certain ſtrong Parties of *Radzieus*, *Huſſars*, &c. on the other; and both were connected by the Means of a Bridge of Boats. To deſtroy this Bridge, therefore, was the firſt Object the Vizier had in view; and he made all the Efforts in his Power, both by his Fleet on the River, and his Cannon on Shore, to effect it, tho' in vain: The *Imperialiſts* had alſo their Fleet as well as the *Turks*; and not only defended their Bridge like Men who knew the Importance of it, but threw over a Second, for fear any Accident ſhould befal the Former.

attacks the Imperialiſts in their Camp, During the ſame Interval alſo, the Vizier carry'd on his Approaches under the Cover of 500 Pieces of Cannon: But if he made any Progreſs, he made it ſo ſlowly, that the *Brandenburgh* Auxiliaries, and certain *Imperial* Regiments of Horſe, amounting in all to about 8000, had time to reach the Camp, and ſhare in the Honour of defending it.

Still, however, the Vizier perſever'd in his Enterprize; and having made himſelf Maſter of the little Iſland of *Ozorowitz*, near *Peter-Waraden*, and above the Bridges, by the Means of Boats which had been carry'd upon Waggons by Land, and then put into the Water, the *Imperialiſts* began to be in pain for the Navigation of the River, which from thence might have been greatly annoy'd by the Enemy, and without the Benefit of which, it was impoſſible for them to ſubſiſt.

But before the Enemy could make any ſignal uſe of this Acquiſition, or the *Imperialiſts* any Attempt to recover it, ſuch Abundance of Rain fell, ſuch Feuds aroſe between the Vizier and the Cham of the *Tartars*, on account of the Hardſhips the Latter had been expos'd to, and the Loſſes they had ſuſtain'd, and to ſuch a Condition was the whole *Ottoman* Army reduc'd, by the Inclemencies of the Seaſon, Sickneſs, Fatigue, *&c.* that the Vizier came to a Reſolution to diſmount his Batteries, recall his Parties, and decamp, which was perform'd accordingly on the 11ſt of *October* at Night, to the infinite Joy of the *Imperialiſts*, who had every Day expected a general Aſſault on their Camp, and who had ſuffer'd ſo much on their Side, that they compounded for a Deliverance, without thinking of a Purſuit.

and is oblig'd to retire.

Both Armies immediately after this, diſtributed themſelves into Quarters of Refreſhment, and the Vizier return'd to *Adrianople*, infinitely mortify'd at the Diſappointment he had met with. A. D. 1694.

The Struggle of the Campaign was, however, prolong'd to the very End of the Year: On the one Side the *Turks* made a new Attempt on *Titul*, but were again repuls'd; and on the other, the *Imperialiſts* diſpos'd their Parties ſo advantageouſly, to cut off the Intercourſe of the Enemy with *Giula*, that the Garriſon being reduc'd to the laſt Extremities, were oblig'd to capitulate for the Surrender of the Place; and did ſurrender it accordingly, as ſoon as the Emperor had ratify'd the Conditions.

Poland was ſtill a Party in the War; and her Province was to hold the *Tartars* in cheque, or, at leaſt, to create ſuch a Diverſion on that Side, that they might not be able to aſſiſt the *Ottomans* with their whole Force in *Hungary*. Thro' the Intrigues of *France*, in the Court, Senate, and Diet of *Poland*, and the Miſunderſtandings which had ariſen between his *Poliſh* Majeſty and the Court of *Vienna*, this Diverſion had hitherto prov'd a very faint one: And yet faint as it was, no Endeavours were wanting to put an End to it, by the means of a ſeperate Peace: When the *Tartar* Envoy return'd home for new Inſtructions, towards the Cloſe of the laſt Year, the *French* Miniſter at *Warſaw* undertook the Negotiation in his Place, and offer'd the *Ukrain*, part of *Moldavia*, and even *Caminiec* into the Bargain: But whether he offer'd more than he could make good, or whether his *Poliſh* Majeſty inſiſted on more than was offer'd, the Treaty hung in ſuſpence, and a Diet was call'd to deliberate on the moſt effectual Methods to continue the War.

The Diet of Poland breaks up as ſoon as aſſembled. It now became the Buſineſs of that Miniſter to fruſtrate the Diet; and accordingly his *Poliſh* Majeſty being diſabled, by Sickneſs, to preſide in it in Perſon, the Deputies of *Lithuania* were prevail'd upon to make uſe of that Pretext, to declare, That by the Conſtitutions of the Kingdom, they could not enter upon any Buſineſs, unleſs the King was preſent; to enter their Proteſt againſt all that ſhould be done at that Meeting in their Abſence; and to break up the Diet, by withdrawing as ſoon as they had made this Declaration.

The Grandees for a ſeperate Peace. To remedy this Misfortune, an Aſſembly of the Grandees and Senators was held at *Zolkiew*, in the Preſence of his *Poliſh* Majeſty; but without the deſir'd Effect: The ſame Spirit which had prevail'd in the Diet, prevail'd alſo on this Occaſion. The Expediency of accepting a ſeperate Peace was not only urg'd, but even the Neceſſity; ſeeing it was plain, that in the preſent Circumſtance of Things, the Crown-Army was ſcarce in a Condition to act even on the Defenſive: And that while the Nobles continued to think ſo unfavourably of the War, it was not to be expected, that a Diet would ever be induc'd to ſupport a Meaſure, they could not be induc'd to approve.

A. D. 1694. The Reſult of theſe Conferences, like that of other public Aſſemblies, was ſoon known all over *Europe*: But in the *Gazettes* of the Confederates, it was nevertheleſs aſſerted, That his *Poliſh* Majeſty continued unalterably firm, to accept of no Peace, except in Conjunction with the Allies: And before he had time to waver, an Envoy extraordinary arriv'd at his Court, from the Elector of *Bavaria*, with a Commiſſion to ſollicit his Daughter in Marriage; which prov'd ſo agreeable to him, that, notwithſtanding all the Inſtances, and all the Intrigues of the *French* Miniſter, he embrac'd the Propoſal; and, in conſequence of it, was once more eſteem'd a faſt Friend to that which was call'd the Common-Cauſe.

A Marriage negotiated between the E. of Bavaria *and a Princeſs of* Poland.

It is alſo certain, that the Marriage Articles were no ſooner adjuſted, than the Crown-Army had orders to repair to their Rendezvous, on the Frontiers of *Podolia*: A ſtrong Reinforcement was ſent to that Body of Troops which was poſted in the Neighbourhood of *Caminiec*: Such Applications were made to the *Coſſacks*, as drew them into an Engagement to make a Diverſion, by invading the *Crimea*: And ſuch a Diſpoſition appear'd in the Court at laſt, as ſeem'd to argue, that his *Poliſh* Majeſty was reſolv'd to co-operate with his Allies, as far as the Repugnance of his Grandees would give him Leave.

Caminiec reliev'd by the Tartars.

But while theſe Meaſures were yet in Agitation, a Body of 20,000 *Tartar* Horſe, moſt of them with a Sack of Corn mounted behind them, and having 700 Waggons under their Convoy, paſs'd thro' *Valachia* to *Caminiec*, where they depoſited their Charge for the Relief of the Garriſon: After which they advanc'd to *Pomerzany*, within twelve Leagues of *Lemberg*, and meeting with little or no Reſiſtance, laid all waſte behind them.

This Inſult, however, ſerv'd to quicken the Motions of the *Poles*: The Crown-General drew together about 16000 Horſe and Foot: And the *Coſſacks* about the ſame time falling into the *Crimea*, the Enemy thought fit to withdraw.

Another Attempt of the like Nature acceſſion an Affair.

A dead Calm enſued, which laſted till the Beginning of *October*, when a Body of *Turks*, of whom 1000 were *Janiſaries*, and 30,000 *Tartars*, undertook to throw yet another Convoy into *Caminiec*, and alſo to change the Garriſon; of which the Crown-General, *Jabliauwſki*, having receiv'd Advice, he advanc'd, on the 5th, from his Camp at *Kudrine*, towards the *Neiſter*, with all his Horſe and Dragoons, the beſt of his Foot, and eighteen Field-Pieces, and was join'd by the *Lithuanians*, with twelve Field-Pieces more, by the way. On the 6th a Detachment ſwam over the River; and having poſted themſelves on the other Side, maintain'd their Ground, againſt a ſtrong Party of the Enemy, till the reſt of the Army had alſo paſs'd over at the Fords; upon which the ſaid Party retir'd to their main Body, and were follow'd by the *Poles*; as ſoon as they had form'd themſelves in order of Battle: An obſtinate Engagement enſued; which, according to the Account ſent from *Warſaw*, laſted eight Hours; according to other Accounts, five, with various Succeſs: At laſt, however, the *Turks* and *Tartars* were put to flight; ſeveral thouſands of them were kill'd upon the Spot; Numbers were made Priſoners; 4000 Waggons, laden with Rice, Oil, and other Proviſions, Arms, Ammunition, Cloaths, Money, and all manner of Neceſſaries, were taken; and had not the Night prevented a Purſuit, it is added, the Slaughter would have been much greater. A. D. 1694.

In which the Turks and Tartars are worſted.

This Victory was follow'd by an Inroad of the *Coſſacks* into the Country of *Budziack*, and another into that of the *Coſſacks*, who had ſome Years before revolted from *Poland*, and put themſelves under the Protection of the *Port*: In both theſe Expeditions the Invaders met with little or no Reſiſtance; all the ſerviceable Men having been forc'd from their Habitations, either to guard the Convoy to *Caminiec*, or to attend the *Cham* into *Hungary*: And as their Buſineſs was Plunder, at their Return, they carried off all that was valuable and moveable.

The Court of *Poland* alſo flatter'd themſelves, that the Surrender of *Caminiec* would have been the Fruits of theſe Succeſſes: But we ſhall find by the Sequel, that the Enemy were ſtill in a better Condition to preſerve that Place, than the *Poles* to render themſelves Maſters of it; and that in gaining his *Poliſh* Majeſty, the Allies had gain'd but half the Strength of the *Poliſh* Republic.—But it is now time to beſtow a Section on the Conduct of the *Venetians*.

Moroſini, the Doge, who had commanded the Forces of the Republic the preceding Year, had not only employ'd part of the Winter in fortifying the *Iſthmus* of *Corinth*, and in taking ſuch other Meaſures as were neceſſary to ſecure the *Morea* from the Irruptions of the Enemy, but, having receiv'd Advice, that the great Effort of the next Campain, was to be made in *Hungary*, requir'd the Senate to ſend ſuch Reinforcements, as ſhould enable him to make ſome Acquiſition worthy their Arms: But while the Senate were deliberating on his Requeſt, News arriv'd of his Death; accompany'd with a Letter which he had dictated and ſign'd ſome Hours before, ſignifying the Conſolation he felt in his laſt Moments from the Reflection, That they were ſpent in the Service of the Republic; as alſo recommending Signior *Antonio Zeno*, Proveditor-General in the *Morea*, as the fitteſt Perſon to ſucceed him, in his Capacity of Captain-General: And ſo great a Deference did the Senate ſhew to his Opinion, that the ſame Evening they conſtituted *Zeno* Captain-General accordingly. Signior *Silveſtro Valieri*, Procurator of St. *Mark*, was elected Doge in his ſtead; the Count *de Steinau*, a *German*, was appointed to command the Land-Forces; and the Courſe of public Affairs not only proceeded in the ſame Channel, but rather with a quicker Motion than before: For the Grand Signior had prohibited the *Venetian* Merchant-Ships from entering his Ports, under any Flag, or any Pretence whatſoever,

Moroſini, *Doge of Venice, dies.*

Zeno made Captain General in his room.

A.D. 1694. on Pain of being made Prize, and the Mariners Slaves; and had also order'd all such as resided in his Dominions, to quit them in two Months, on the like Penalty.

This had touch'd the Republic to the Quick; and as, if in Resentment of it, the Reinforcements requir'd by the deceas'd Doge, were forwarded with all possible Diligence: On the 28th of *April*, the first great Convoy, with Recruits, Money, Provisions, &c. set Sail for the *Levant*. On the 10th of *June*, General *Steinau*, with another yet greater, took the same Course: And while the new General *Zeno*, waited their Arrival at *Napoli-di-Romana*, Signior *Delfino*, Proveditor General for the State in *Dalmatia*, with an Army of 12000 Foot, and 4000 Horse, all regular Troops, and the Militia of the Country, form'd a Design of reducing *Cyclut*, upon the River *Naranta*, a Place of considerable Importance, because it open'd a Passage into *Albania*, *Bosnia*, and *Erzegovinia*; and also because of the Salt-Pits in the Neighbourhood of it, which yielded a considerable Revenue annually to the *Turks*.

Cyclut reduc'd by the Venetians.

On the 15th of *June* he came before the Place, and in a few Days made himself Master of it, together with the Forts, and other advanc'd Posts in the Neighbourhood.

The whole Process cost him but twenty Men; and yet instead of proceeding, as was expected, to lay the adjacent Countries under Contribution, or to disperse the Parties of the Enemy, which had shewn themselves during the Siege, he apply'd himself only to secure the Acquisition he had made; and having made the Provisions he thought necessary for that Purpose, as also left a sufficient Garrison for its Defence, he return'd with his Army to *Spalato*.

The Turks endeavour to recover it.

But scarce had his Troops re-enter'd their old Cantonments, before the Bashaws of the three Provinces above-mention'd, collected all their Forces, and undertook to recover the Place: It was the 22d of *July* when they sat down before it; and if mere undirected Courage had been the only Requisite in Sieges, they had carry'd it: But all they effected by their Courage, was ruin'd by their Inexperience: Not having completed their Investiture, the Besieg'd found means to obtain a Reinforcement of between 5 and 600 Men: Having made good their Approaches to the Counter-Scarp, they were repuls'd for want of Skill to make a Lodgment: Before they had time to recover the Advantage they had lost, they were driven from several of their Works, by a Sally from the Town: And hearing, at the same time, that General *Delfino* was advancing with his Army to raise the Siege, they decamp'd in Disorder, and repair'd the *Naranta*, leaving behind them many of their Sick and wounded, and a good Quantity of Provisions.

in vain.

Signior *Delfino* continued his March notwithstanding; and, upon his Arrival the second time, not only order'd the Works, which had been damag'd during the Siege, to be repair'd and strengthen'd, but sent out a strong Party to make an Incursion into the Enemy's Country, reduc'd the strong Fortress of *Cobluck*, seated on a Rock, after a Siege of nine Days; and by his Success in all these several Expeditions, encourag'd great Numbers of *Greek* Families to revolt from the *Turks*, and to throw themselves under the Protection of the Republic. A.D. 1694.

In this Interval, General *Steinau* having reach'd *Napoli-di-Romana* with the second Convoy, and the Pope's Gallies, together with those of *Malta*, having join'd the Fleet of the Republic, in the Road of that Place, on the 3d of *August*, the Signal was immediately given for Sailing; and the whole Fleet, having on board 12000 Land-Forces, set Sail accordingly. On what Expedition they were bound, was kept a profound Secret; but the Course they steer'd was for the *Archipelago*: At the Entrance of that Sea they encounter'd a violent Storm, which damag'd several of the Ships, and dispers'd most of them: But *Andros* having been assign'd for the Place of Rendezvous, in case of such a Misfortune, all of them had the good Fortune to re-assemble there; and in about three Weeks time, were again put into sailing Order.

On the 5th of *September* the Captain-General, having summon'd a Council of War, communicated to them the Advice he had receiv'd, that the *Turkish* Fleet had landed 2000 Men at *Tenedos*, and was return'd towards the *Dardanels*, and propos'd to make an Attempt on the Island of *Scio*: His Proposal was approv'd: On the 7th they set Sail: The same Day they came in Sight of the Island; and the necessary Dispositions having been made for landing the Forces, on the next, they were landed accordingly, under the Cover of all the great Guns of the Fleet, which were so well directed, that they oblig'd the Enemy to retire within their Fortifications. The 9th was employ'd in landing the Artillery, and raising a Battery of four Pieces of Cannon, and four Mortars; and in the four following Days, the Besiegers having reduc'd a Fort which covered the Harbour, as also the Arsenal, and sprung one Mine, which only serv'd to destroy 200 of their own Troops, the Bashaw and his Garrison were so intimidated, that they surrender'd the Island at the first Summons, on condition, That they should be transported to *Smyrna*; That all the *Christians*, *Jews*, *Moors*, Renegadoes, and Slaves of all sorts should be left in the Island; and that all the Artillery and Magazines should be yielded to the Conquerors

Scio surrender'd to the Venetians.

The Garrison consisted of 4000 Men; they had 230 pieces of Cannon on their Ramparts; the next day after they had evacuated the Place, the *Ottoman* Fleet came in Sight, consisting of 20 men of war, 6 Sultans, 17 Gallies, and 10 Galliots; and if they had defended themselves, as they ought, the *Turkish* Admiral might either have brav'd the *Venetian* Fleet; or the Siege must have been suspended to enable Signior *Zeno* to chastise the *Ottomans*: But when the Captain-Bashaw was informed that the Fate of the Island was decided, and

A.D. 1694. and that the *Venetians* were embarking the greateſt Part of their Forces, in order to give him Battle, he tack'd about, and ſtood for the (*f*) *Dardanels*, with all the Sail he could ſpread.

The Importance of this Acquiſition now became one of the favourite Topics at all the Courts of the Confederacy: It was ſaid to be one of the moſt conſiderable Iſlands in the *Archipelago:* To be fruitful in Corn, Wine, Figs, and other excellent Fruits; To have afforded a very conſiderable Revenue to the Grand Signior: And which was of more Importance than all, To be ſo ſituated, as to enable the *Venetians* to cut off or at leaſt greatly interrupt the Communication between *Conſtantinople* and *Ægypt*, and all the maritime Provinces of the *Turkiſh* Dominions on that ſide. General *Zeno* was made a Knight of St. *Mark* by the Senate, in Honour of this Exploit. Count *Steinau* was preſented with a Sword ſet with Diamonds to the Value of 3000 Ducats; all the Commanders of the Auxiliaries were complemented and rewarded for their ſeveral Shares in the Service; and laſtly the Imperial Count aſſiſted at a ſolemn *Te Deum* on the Occaſion, as a Joint Sharer in the Succeſſes of her Allies.

We muſt not, however ſuppoſe, that the *Turks* were wanting in their Endeavours to make ſuitable Repriſals during the Abſence of General *Zeno*. On the contrary, he had ſcarce ſet ſail from *Napoli-di-Romania*, before the Seraſquier of *Negropont*, having drawn together a Body of 3000 Horſe and 7000 Foot, march'd towards the *Iſthmus* of *Corinth*, in order to force that Paſs; and finding the Enterpriſe, for want of Cannon, above his Strength, made an Invaſion into the *Morea*, as far as *Argos*; but rather in queſt of Fortune, than with any determin'd Purpoſe: For the Country was already deſerted and laid waſte to his Hands: And when the *Venetian* Commanders in thoſe Parts having been reinforced with the Garriſons of *Zant*, *Corfu*, and *Cephalonica*, which had fail'd from theſe Iſlands to their Aſſiſtance, advanc'd to meet him, he retired in all Haſte towards *Thebes*; where he had ſoon after the Mortification to hear, That thoſe Garriſons in their return, had reduced and demoliſh'd the Caſtle of *Archangelo*, ſituated between *Patraſſo* and *Lepanto*, and forced the Enemy to abandon another Caſtle call'd *Salone*.

The Turks make an Irruption into the Morea.

Laſtly, the Bathaws of the ſeveral Provinces, bordering upon *Cyclut*, once more collected together a Body of 16000 Horſe and Foot, and 6000 Pioneers, and made a new Attempt to reduce that Place; but with no better Succeſs than before: From the 17th of *October* to the 6th of *November* they nevertheleſs purſued their Point; but then, finding they had made no material Progreſs, and that their Troops were ſo weaken'd and diſcourag'd, that they were not in a Condition to withſtand General *Delfino*, who was coming to the Relief of the Place; they diſmounted their Batteries, and retreated with ſo much Precipitation that they left a good Quantity of Proviſion, and Part of their Baggage behind them: Nor was this the worſt that befel them, for when the *Venetians* were appriz'd of this Event, they ſent out ſeveral Parties to plunder the Country, which was now left without Protection; and with thoſe and the like petty Adventures ended the Campaign.(*g*) A.D. 1694. *In Valo.*

Having thus taken a View of theſe remote and leſs intereſting Provinces of the War, we are now to beſtow a ſuitable Attention on the more important and alarming Scene that ſtill remains to be opened in *Flanders*; in which the greateſt Armies, and the moſt illuſtrious Leaders were employ'd; and on which the Cataſtrophe of the whole in a great meaſure depended.

The extraordinary Efforts of the *Maritime* Powers to make an extraordinary Figure in it, we are already acquainted with; and as we have alſo ſeen, that *France*, exhauſted and enfeebled, as ſhe was ſaid to be, was almoſt every where able to face her Enemies upon equal Terms, we are not to conceive, that ſhe would fail to make a ſufficient Reſerve of Power, to cover her Frontier, where it was moſt like to be endanger'd.

May the 7*th* or 17*th* N. S. his Majeſty ſet ſail from *Margate* under the Convoy of eight *Dutch* Men of War, and the next Day, at Noon the Wind failing, when he was ſix Leagues from Land, went into a Man of War's Boat, and caus'd himſelf to be row'd the reſt of the Way: On the 19th he took his Place in the Aſſembly of the States, made them a ſhort Speech, and receiv'd the Compliments in return as uſual: On the 21ſt he retired to *Loo*: On the 31ſt he removed to *Breda*, and on *June* the 3d to *Bertherme-Abbey*, near *Louvain*, which was the Place appointed for the Rendezvous of the Army, and where he was met by the Electors of *Bavaria* and *Cologne*. Till then the Duke of *Holſtein-Ploen* had commanded in chief, and only twenty-five Regiments of Foot had taken the Field: But in four Days more their Number was encreaſed to fifty eight, by the Arrival of five from *King* William *arrives in* Holland. *and aſſembles his Army.*

(*f*) In the State of *Europe* for *October* 1694 it is ſaid, the Gallies and Galliots *only* ſtood for the *Dardanels*, and that the Captain Bathaw, with the Men of War, *&c.* ran into *Smyrna*; with this notable Addition, That General *Zeno* followed them, and would have burnt them in the Port, as alſo bombarded the Place itſelf if the *Engliſh* and *Dutch* Conſuls had not prevailed with him to deſiſt, in compliment to the Warehouſes of the two Nations. But even our own Gazette does not give the leaſt Authority to this improbable Story.

(*g*) Before we turn our Backs on *Italy* for this Year, Notice ought to be taken, that in the Beginning of *April* Mount *Veſuvius*, having threatned an Irruption, by frequent ſubterraneous Thunders, accompanied with intermixt Diſcharges of Flame and Smoke, at length threw out ſeveral Torrents of liquid Fire, which ran down the Sides of the Mountains with incredible Noiſe and Fury, and continued running for many Days together: And that moſt of the Cities in the Kingdom of *Naples*, were ſoon after viſited by an Earthquake, which overturn'd numbers of Houſes, Towers and Churches, and bury'd ſome thouſands of People under the Ruins of them

A. D. 1694. from *Louvain*, and twenty eight, moſtly *Engliſh* and *Scots*, from the ſeveral Garriſons of *Flanders*, under the Command of the Duke of *Wirtemberg* and Sir *Henry Belaſis*. Upon the 13th, the Army took Poſt at *Hertogendale*, about eight Miles from *Louvain*, and the next Day was reinforced by twelve Battalions from *Liege* and *Maeſtricht*, and nine Battalions more of *Engliſh* and *Scots*, commanded by Sir *David Collier*: The *Dutch* Artillery was already in the Camp; the *Engliſh* came up on the 16th, under the Command of two Regiments of Foot: The *Britiſh* Light Horſe and Dragoons enter'd the Camp about the ſame time; but after having been review'd, were canton'd, with the reſt of the Cavalry, in the neighbouring Villages, for the ſake of Forage: And from all theſe Preparatives, which had a Face of Enterprize in the *Gazettes*, it became the general Belief, that his Majeſty would have employ'd the Superiority he had now at laſt acquir'd, in opening the Campaign with ſome Maſter-Stroke, which ſhould have convinc'd the Univerſe, That in undertaking to reduce the exorbitant Power of *France*, he had not exceeded his Abilities.

It is certain the *French* Miniſtry were never ſo apprehenſive of the Event of any Campaign as this: They knew the Preſence of the King their Maſter might be of uſe to animate his Troops; but they were loth he ſhould expoſe himſelf either to the Danger or Diſgrace of ſo doubtful an Experiment: And on the whole Matter it was reſolv'd, that the only proper Medium to be made uſe of, was to depute the *Dauphin* in his Place.

The Dauphin and M. de Luxemburgh appointed to command againſt him.

To the *Dauphin*, therefore, this critical Truſt was transferr'd; but under a prudential Reſtriction of being adviſ'd, in all Things, by the Marſhal Duke of *Luxemburgh*, who had the Honour to command under him, and to whoſe Experience, Capacity, and Reputation, all imaginable Deference was due. Whence it follow'd, happily enough for the Army, That they were not like to be offer'd up by whole Hecatombs at once, for the Sake of gratifying any ſavage Frolic that his Royal Highneſs might think fit to amuſe himſelf with; and as happily for the General, that no body could heſitate in their Obedience to any Command, how difficult or deſperate ſoever, which had ſo high a Sanction: But then it follow'd alſo, on the other Hand, That when Generals were ſo unequally yok'd, the Honour of every great Exploit would be aſcrib'd to the one, and the Blame of every Miſcarriage to the other.

The Place of Rendezvous for the Army, under their immediate Command, was between *Mons* and *Maubeuge*; and when we conſider, that the Marſhal arriv'd at the laſt of thoſe Places on the Day King *William* arriv'd at *Breda*, that he had conſequently three Days the Start of his Majeſty in aſſembling his Forces, that the *Dauphin* himſelf join'd the Army on the 3d of *June*; and that in paſſing the *Sambre*, and encamping at *Fleurus*, and thereby occupying the Ground of the Confederates, (which occaſion'd his Majeſty's March from *Berthieme* to *Hortogendale*) he maintain'd the War on the Confederate Side of the Country, we ſhall be forc'd to confeſs, that the Honour and Advantage, both of the firſt and ſecond Motion, belong'd to him: For having continu'd three or four Days in this Camp, on the 18th he diſlodg'd again, and took Poſt between St. *Tron* and *Wareheim*.

A. D. 1694. *They paſs the Sambre and encamp at Fleurus.*

The Confederates, it is true, on the 19th remov'd alſo from *Hortogendale* to *Rooſbeck*; but then it was as Obſervers, not as Aſſailants: Or rather as thoſe who were more than half afraid of being aſſail'd themſelves: For on the fourth or fifth Day after this Remove, his Majeſty caus'd ſix Regiments of Foot to march from the Right to the Left Wing, in order to ſtrengthen that Part of his Camp which lay neareſt to the Enemy.

In this Situation, however, the two Armies lay till the 11th of *July*, in which Interval the Marſhal *de Boufflers*, who had the Command of a ſeperate Army near *Chency*, paſs'd the *Maeſe*, and encamp'd at *Wareheim*, near *Huy*; as did alſo Mr. *Harcourt*, with another ſeperate Corps, on the other Side of the *Maeſe*. The *Brandenburgh* Army conſiſting of ſixteen Battalions, ſeven Regiments of Horſe, and four of Dragoons, broke up from the *Viſet*, where they had been poſted, and were diſtributed part into *Liege*, part into *Maeſtricht*; and the Elector of *Bavaria*, with his Forces, conſiſting of his Troop of Guards, two Regiments of Cuiraſſiers, two of Dragoons, and four Battalions of Foot, making in all about 6000 Men, took Poſt at *Neder-Iſche*, within a few Hours March of the grand Camp, to be ready to co-operate on the firſt Notice.

Feuquieres, the military Critic, aſſures us, That M. *de Luxemburgh*, thinking it diſhonourable to the *Dauphin* to continue merely on the Defenſive, took all his Meaſures ſo as to create a Belief in the King, That he deſign'd to make an Attempt on *Liege*, in caſe his Majeſty ventur'd to advance towards *Flanders*: And, farther, that the King being effectually deceiv'd by theſe Meaſures, directed all his counter Motions ſo as to cover *Louvain*; and that he might be in a Condition to fight the *French* Army, in caſe they made an Attempt on *Liege*: He alſo adds, That another Part of the Marſhal's Deſign, was to ſubſiſt his Forces in the Enemy's Country, during the greateſt Part of the Campaign; which he not only effected likewiſe, but thereby gave the Huſband-Men in their own Provinces, Time and Opportunity to complete their Harveſt.

M. de Feuquieres's Account of Luxemburgh's Views. Tome I.

The latter Part of this Evidence has been already acknowledg'd: And even in the Accounts tranſmitted from the Confederate Army at that time, there is no want of Vouchers for the reſt, as will be made appear in the Sequel.

Upon the 11th, before-Day-break, the *Dauphin* decamp'd from St. *Tron*, and, having diſpos'd his Army in four Columns, proceeded

The Dauphin removes from St. Tron to Tongres.

A. D. 1694. ceeded to *Oerle*, upon the *Jaar*, or *Jecker*, where he fix'd his Head Quarters; his Right extending to *Tongres*, his Left to *Fies*, and the two ſeperate Corps under M. *Boufflers* and M. *Harcourt* remaining in their former Poſts near *Huy*. On the other Hand, no ſooner had the King receiv'd Notice of this Motion, than he invited the Elector of *Bavaria* to repair, with all poſſible Expedition, to his Camp, in order to aſſiſt at a Council of War, which was held immediately on his Arrival, and at which, it was reſolv'd, as we are expreſly told, To decamp and follow the Enemy, as well to obſerve their Motions, as to prevent any Deſigns they might have form'd upon *Liege* and *Maeſtricht*, between which two Places they had poſted themſelves.

[*State of Europe*, Vol. VI. p. 243.]

which is ſuppos'd to be an Overſight.

And here it is fit to obſerve, That as the Marſhal *de Luxemburgh* is ſuppos'd to have committed a great Overſight in making this Advance, accompany'd, or rather encumber'd, with his heavy Baggage and Cannon, ſo the Confederates are ſuppos'd to have committed a much greater, in not having improv'd the Opportunity, which was thus unexpectedly thrown into their Hands.

Namur, *Huy*, *Liege*, and *Maeſtricht* lie all along the *Maes*: The two Former, it may be remember'd, were in the Poſſeſſion of the Enemy, the two Latter in that of the Confederates: And by making ſuch an Advance towards the one, it became extremely practicable to cut off their Communication with the other. The Army under the King's Command was ſaid to amount to 31,000 Horſe and Dragoons, and 51,000 Foot, without reckoning the Troops poſted at *Liege*, or another Body of 7000, under the Command of Count *Thyan*, near *Ghent*: The *French* were inferior, in point of Number, by many thouſands: Our *Gazettes* boaſted, that they had loſt no leſs than 3000 by Deſertion; that their Cavalry were poorly mounted; that their Infantry languiſh'd under the Want of all kinds of Neceſſaries; and, it is added, by the Hiſtorians of theſe Times, that the Troops of the Confederates, both Horſe and Foot, were, on the contrary, the fineſt and the beſt furniſh'd, in all reſpects, of any that had ever taken the Field during the War.

Kennet, Oldmixon.

Hence, therefore, it appears, that the Confederates were in the beſt Condition imaginable to make a proper uſe of every Advantage that offer'd, and to interpoſe between the *French* and *Huy*, in order to cut off their Retreat, as above hinted, was thought to be the beſt uſe that could be made of This: But after all the neceſſary Diſpoſitions had been made on the 11th, for following the Enemy the next Day, agreeable to the Reſult of the Council of War, freſh Advice having been receiv'd, That they had halted again; or, as it is more tenderly expreſs'd, That they had only chang'd their Camp for the Convenience of Forage, a new Reſolution was taken by the Confederates to ſuſpend their March, and it was ſuſpended accordingly; after which both Armies continued quietly, in their reſpective Poſts, till the 22d: But then the Diſcovery being at laſt made, that the Enemy had over-ſhot themſelves; and ſufficient Care having been taken of *Liege* and *Maeſtricht*, his Majeſty thought fit to put his whole Army in motion, ſoon after Midnight, and to appoint the *Spaniſh*, *Bavarian*, and *Brandenburgh* Horſe, who were to have the Van, to join him by the way.

A. D. 1694. *During theſe Days the Confederates take no Advantage of it.*

Of all the Places on the *French* Frontiers *Huy* projected fartheſt out, towards the Quarters of the Confederates, and conſequently was the poſt which it was reaſonable to think the Latter would endeavour to recover firſt: But what was Reaſon to them, did not appear ſo to their Adverſaries: His Majeſty, it ſeems, held it more adviſable to take a much longer and more difficult March, in order to interpoſe between them and *Namur*, at leaſt on that Side the *Maeſe*, which he believed would either oblige them to fight him, under a Variety of Diſadvantages, or to repaſs the River; in which caſe he hop'd to have an Opportunity to fall upon their Rear.

It is acknowledg'd, that ſuch were the Difficulties, by reaſon of bad Ways, and frequent Defiles, which the ſeveral Diviſions of the Troops before ſpecify'd had to ſurmount in their March, that the reſt of the Army were forc'd to halt for them above two Hours in the Plains of *Judoigne*: That the Right Wing, commanded by the Elector of *Bavaria*, did not reach *Bonnaile* till two in the Afternoon, nor the Left, under the Duke of *Holſtein Ploen*, till Evening; that they march'd ſix great Leagues that Day; and that from *Judoigne* they proceeded in order of Battle, as well as the Ground would give them leave, for fear of being attack'd by the Enemy.

But therefore move to Bonnaile,

The Enemy, however, gave them no Diſturbance, nor even mov'd out of their Camp: But on the Morrow, when the Drift of his Majeſty's Motion was fully diſcover'd, ſtruck their Tents, and took up their Quarters at *Vignamont*, in the Neighbourhood of *Huy*, as if with a Deſign to let him ſee, he had carry'd but half his Purpoſe: It is true, he was between them and *Namur*; but then they had a Bridge over the *Maeſe* at *Huy*, and they immediately made it their Buſineſs to throw over ſeveral more; whereas he had none, nor did he ever attempt to have one: They had, conſequently, the ſole Command of the Country on the other Side; and they were ſtill in a Condition to diſpute the Command with him on this: The Front of their Lines was ſo cover'd by the *Jecker* and the *Mehaigne*, as alſo the hollow way and marſhy Ground between thoſe Rivers, that it was impracticable to force them: And, laſtly, he allow'd them time enough, both to ſend off their Artillery and heavy Baggage, and to entrench every Paſs that was likely to give the leaſt Encouragement, even to the moſt deſperate Aſſailant.

and the French to Vignamont,

where they entrench themſelves.

All, therefore, that his Majeſty had to boaſt of in this Affair, was the palpable Neceſſity which the *Dauphin* was reduc'd to,

A. D. 1694. of remaining on the Defenſive merely: And that in this Interval, his Parties had every where the Advantage of thoſe of the Enemy. But then the forcing the *French* Lines, between *Conde* and St. *Guiſlain*, by a Detachment from the Garriſon of *Aeth*, ſupported by a Party of Horſe from the flying Camp, under the Command of the Count *de Thian*, the Ravages committed by the Troops of *Liege*, and ſuch like inconſiderable Advantages, but ill anſwer'd the Expectations which the manifeſt Superiority of the Allies had rais'd; and which, it had been ſuppos'd, was the only thing wanting, to turn the whole Current of the War.

Beſides; it appear'd from the Event, that this Motion of his Majeſty's from *Rooſbeck* to *Bonmale*, did not anſwer what even his own Partiſans gave out concerning it: For inſtead of obliging the Enemy to repaſs the *Maſe*, and from their ſo doing, deriving an Opportunity to fall upon their Rear, he himſelf was oblig'd to decamp firſt; tho' the contrary has been ſuggeſted by his Apologiſts, who pretend, that M. *de Luxemburgh* had form'd a Deſign to ſecure the ſtrong Poſt at *Peyten*; and that the King decamp'd only to prevent him.

The Confederates oblig'd to decamp firſt.

But even our own *Gazettes* do not countenance theſe Suggeſtions: On the contrary they ſay, That the heavy Baggage was ſent away to *Louvain* on the 15th of *Auguſt*, under the Convoy of one *Engliſh* Regiment of Dragoons: That the next Morning the King took a Review of all the light Horſe in the *Engliſh* Pay: That on the 18th, very early in the Morning, the Army remov'd to *Sombref*, which they did not reach till late at Night; and that the Enemy, upon receiving Notice of their March, decamp'd alſo about Noon; and having march'd all Night, poſted themſelves between *Tempion* and *Maſy*, with the Rivulet of *Orn* before them, within a League and a half of the Confederates.

Thus it is, in effect, admitted, that the King grew ſick of his own Experiment; and we ſhall find, that every ſubſequent Motion he made, was part of a new one, which it was hop'd would atone for the Diſappointment of the Former.

For his Majeſty, on the 20th, (having firſt detach'd twelve Battalions of Foot, under the Command of Lieutenant-General *Fagel*, to join twenty-two more from *Maeſtricht* and *Liege*) continued his March from *Sombref* to *Neville*; on the 21ſt to *Sognies*, on the 22d to *Chivere*, from whence, on the 23d, early in the Morning, he detach'd the Duke of *Wirtemburgh*, with fifteen Squadrons of Horſe and Dragoons, to take under his Command the Forces commanded by the Count *de Thian*; as alſo the two Bodies of Foot juſt mention'd, to paſs the *Scheldt* at *Audenarde*, and poſt himſelf on the other Side, in order to facilitate the Paſſage of the Army over that River. The ſame Day his Majeſty alſo proceeded on to *Grames*, near *Aeth*; and the next, the Elector of *Bavaria*, with a Detachment of about 6000 Men, advanc'd with an Intention to

The King deſigns to paſs the Scheldt.

paſs the *Scheldt* at *Pont d'Eſperies*: But, tho' the Confederates had much the ſhorteſt Cut to the Poſt they intended to ſurprize, and had gain'd three or four Marches, when the Elector came in ſight of it, he diſcover'd a great Body of the *French*, both Horſe and Foot, entrenching themſelves on the other Side of the River, and making ſo formidable an Appearance, at leaſt, that it was not thought prudent to attack them. A. D. 1694.

M. *de Luxemburgh* was no ſooner appriz'd of the Rout which the Confederates had taken, than he detach'd 4000 of his beſt Horſe, with each a Foot-Soldier behind him, to reinforce M. *de Valette*, who had the Command of the *French* Lines at *Pont d'Eſperies*, with all poſſible Expedition: He alſo detach'd certain of his choiceſt Corps to follow as cloſe at their Heels as poſſible, and for the more Expedition Sake, without obſerving the uſual Forms of a March: The Marſhal *de Villeroy*, with all the Cavalry of the Right Wing, the Houſhold-Troops, and twenty Field-Pieces, advanc'd next; and behind him the *Dauphin* in Perſon, with the Cavalry of the Left, and certain Parties of the Muſketeers and Body-Guards: All theſe march'd with ſo much Precipitation, that they ſometimes meaſur'd ten Leagues a Day: Nay, the foremoſt Parties made ſuch incredible Haſte, that the Confederates, in the firſt Tranſports of their Aſtoniſhment, were almoſt induc'd to believe they flew. M. *de Valette*, as being neareſt to the Poſt endanger'd, arriv'd there firſt, with fifteen Battalions, nine Regiments of Cavalry, and two of Dragoons; but was the ſame Evening join'd by the Marſhal *de Villeroy*, after a March of ſeventeen Hours, without drawing Bit; and even the *Dauphin* himſelf reach'd *Tournai*, where he thought fit to repoſe himſelf till the Center of his Army could overtake him.

but is prevented by M. de Luxemburgh.

But if all *Europe* was amaz'd at this prodigious March, the Amazement was almoſt equal, that the Elector did not make an Attempt to force their Lines, as ſoon as he appear'd before them; while the Enemy, both Men and Horſe, were, in a manner, incapable of ſtanding upon their Legs, and while the Bulk of their Army was ſo far behind, that it was impoſſible they ſhould advance time enough to countenance their Efforts, much leſs to ſuſtain them. The Detachment he commanded was, indeed, inſufficient for the Enterprize: But we find by an Article in our own *Gazette*, dated the 23d, No. 3004. that the Confederates were appriz'd that the Duke *de Villeroy* was advancing, with long and continual Marches to prevent them; and from thence it is but fair to aſk, Why his electoral Highneſs was not better provided to execute a Project of ſo much Importance, which could not have miſcarry'd, if the Army of the Allies had proceeded with half the Vigour manifeſted by the Enemy? Why ſeveral Parties were not employ'd in the ſame Service? And why the Attempt was not made in ſeveral Places at once? It has alſo been aſk'd by Others, Why his Majeſty, whoſe Troops had ſuffer'd little

A. D. 1694. little or no Fatigue, in compariſon of the Enemy, did not proſecute his March into *France*, when he found it impoſſible to paſs the *Schelde*? But, perhaps, the very Mention of this Cavil is ſufficient to anſwer it: And inſtead of dwelling any longer on the Reſinements which either the Malice or ill Humour of the Times gave riſe to, we ought to return to thoſe Facts which are uncontroverted and undeniable.

That the King himſelf reconnoitred the Diſpoſition of the Enemy, and the Banks of the River; that he concluded it impracticable to paſs in ſight of the Enemy, and that he coaſted it downwards, towards *Audenarde*, is acknowledged on all Hands.

This took up part of the 24th, the 25th, and part of the 26th; at which time the *French* having made a Motion to attack the Duke of *Wirtembergh* who lay with his Detachment on the other Side of the *Schelde*, according to his Orders, one whole Column paſs'd the River at *Audenarde*, in order to reinforce him, and on the 27th was follow'd by the reſt of the Army, which was now poſted between the *Schelde* and the *Lys*; the King having his Head Quarters at *Wanneghem*, and the Elector his at *Cruſhouten*.

The Confederates paſs the Schelde at Audenarde.

According to M. *de Feuquieres*, his Majeſty's Intention in making this Motion from *Taviers* to the *Schelde*, was to finiſh his Campaign, by taking poſſeſſion of *Courtray* before the *Dauphin*, or rather M. *de Luxemburgh*, could prevent him, and thereby not only to ſecure the Forage between the *Lys* and the *Schelde*, but to eſtabliſh Winter-Quarters in that Diſtrict for a conſiderable Part of his Army; in every Particular of which he was defeated: For the Marſhal having poſted his Army between *Courtray* and *Menin*, found Means both to extend and cover his Lines in ſo maſterly a manner, that the Confederates on the one hand, durſt not attempt to force them, nor, on the other, could hinder him from ſubſiſting his Army, during the Remainder of the Campaign, at the Expence of the Caſtellany of *Courtray*, as alſo of the *Spaniards*, and even from foraging on the other Side of the *Lys*.

But find the French Lines impracticable.

King Lewis ſends a Letter of Thanks to his Army.

It is yet farther aſſerted, by the Writers of thoſe Times, That his *Moſt Chriſtian* Majeſty was ſo ſenſible of the excellent Conduct of his Generals on this Occaſion, and the vigorous Efforts of his Troops, and thought it ſo eſſential to his Intereſt to make them acquainted with that Senſibility, that he writ a Letter, with his own Hand, to the *Dauphin*, the Princes of the Blood, M. *de Luxemburgh*, the Commanders under him, and, in general, to the Officers and Soldiers of the whole Army, acknowledging, That he ſtood oblig'd to their unparallell'd Zeal and Diligence for the Preſervation of the Frontiers on that Side; and aſſuring them, That he would take all Opportunities to make them ſuitable Returns.—And it is added, That by his Majeſty's expreſs Command, this gracious Letter was read to every Corps, from the Right to the Left of the Army.

But if King *William* was diſappointed in his immediate Purpoſe, he had ſtill another in reſerve, which it was not in the Power of *France* to diſappoint him of: For being aware that his Enemies would not fail to be ſevere on his Conduct, if he did not derive ſome Advantage from the Superiority which he had ſo warmly contended for, and which he was now in poſſeſſion of; and knowing that *Huy* muſt be left expos'd, in caſe the Marſhal *de Luxemburgh* undertook to diſpute the Paſſage of the *Schelde*, he caus'd a Body of Troops to be drawn out of the Garriſons of *Liege* and *Maeſtricht*, and to encamp firſt near *Vilvord*, and then without the Gates of *Ghent*, to be in readineſs to inveſt that Place, as ſoon as he found it convenient to ſend them a proper Reinforcement: Accordingly, on the 3d of *September*, he detach'd all the *Brandenburgh* Horſe, and ſixteen Regiments of Foot, from his Camp at *Wanneghem*, to join them; and appointed the Duke of *Holſtein-Ploen*, as Commander in Chief, to put himſelf at their Head with all poſſible Expedition. A. D. 1694.

The Confederates paſs the Lys.

The next Day his Majeſty made the neceſſary Diſpoſitions for his Army to paſs the *Lys*, which they perform'd in ſeveral Columns, ſome at *Deynſe* and ſome over *Pontoons*: A Camp having been prepar'd for them at *Wenterghem*, the whole Army took Poſt there on the 6th at Night, and continued in it till the 8th, when his Majeſty, with a great Part of the Army, march'd to *Reſelaer*, which in the *London Gazette* was ſaid to be four Leagues in the Enemy's Country: But this is diſputed: For ſome ſay, That only was to be eſteem'd the Enemy's Country which was within their Lines; whereas his Majeſty's Camp was not only without thoſe Lines, but eight or nine Miles ſhort of them. However this may be, the Reſidue of the Army, which conſiſted of the Troops formerly mention'd to be under the Command of Count *Thian*, and part of the Left Wing, compos'd chiefly of *Engliſh* Horſe, continued at *Wenterghem*: Which Diviſion of the Confederate Forces oblig'd the *French*, on the one Hand, to make Detachments to the amount of 16000 Men, to cover *Ipres* and *Menin*, and of 6000, on the other, to cover *Furnes* and *Dunkirk*.

A Frenchman ſaves alive for attempting to fire the Magazines.

And while this was the Situation of Things, a *Frenchman* was ſeiz'd in his Majeſty's Camp, in the very act of placing a lighted Match in one of the Ammunition Waggons: Being examin'd, whether by Torture or not, is not ſpecify'd, he acknowledg'd, That he was employ'd by ſeveral of the General Officers of the *French* Army, to ſet fire to the whole Magazine; which being held an unwarrantable way of making a War, the wretched Undertaker was ſentenc'd, by a Court-Martial, to have his Right Hand cut off, and afterwards to be burnt alive; which was perform'd accordingly.

Whether the Diſcovery and Execution of this Miſcreant put an End to the Projects of the Enemy for this Campaign, or whether the *Dauphin* was weary of a Command

A. D. 1694. *The Dauphin leaves his Army first, and the King afterwards.*

which was not like to produce a Sufficiency of Glory to balance the Fatigues and Hazards of it, he took his Leave of it, on the 18th; and tho' his Majesty kept the Field till the 30th following, it does not appear it was for any other Purpose than to wait for the Surrender of *Huy*.

Huy retak'd.

On the 16th that Place had been invested: The next Day the City was surrender'd to the Besiegers, on the same Conditions *Namur* had been surrender'd to the *French* two Years before; that is to say, That the Garrison should retire into the Castle; and that neither the Castle should fire upon the City, nor the City upon the Castle. On the 18th several Batteries were rais'd, and a Bridge of Communication was thrown over the *Maese*. On the 21st, at Night, the Trenches were open'd: On the 24th Fort *Picard*, and the *Red Fort*, were taken by Assault: In the Afternoon, on the 27th, the Garrison capitulated; and the same Evening the Besiegers were put in Possession of the Castle-Gate.

Two things remain to be observ'd, *viz.* 1. That it was expected the Body of Troops which had form'd the Siege, and which amounted to 26000 Men, would immediately after have enter'd into the Duchy of *Luxemburgh*: And the *London-Gazette* (No. 3017) insinuates, That the Cavalry, together with six Battalions of Foot, and some Field-Pieces, did actually march thither, and put the Country round under Contribution: But others assert, That they never ventur'd out of the Diocese of *Liege*, and for Proof cite the same *Gazette*, which says, They took Post between *Navaigne* and *Franchimont*, both which Places are in the same Diocese. 2. That before the King left the Army, a Resolution had been taken to fortify *Dixmuyde*, which the *French* had slighted and abandon'd, as also *Deynse*, *Ninove*, and *Tirlemont*, which would not only afford very good Winter-Quarters for a large Number of Troops, but very much straiten the neighbouring Garrisons, if not enable the Confederates to force their way into the Districts they were intended to secure. Thus, at least, the Affair was represented by the Voice of Authority in *England*: But those who were not in a Humour to be satisfied with his Majesty's Proceedings, on the contrary gave out, That every one of these Places was so near some other Garrison of our own; and all together would contribute so little to the Maintainance of the Garrisons necessary for their Defence, that the Benefit would not answer the twentieth Part of the Charge.

But howsoever the military Critics may think fit to decide on these Transactions, they were the last of the Campaign: And about the middle of *October* both Armies seperated, and went into Winter-Quarters.

We must now return once more to our own Element the Sea, that we may have the whole of our military Exploits before us at one view.

An Attempt on Dunkirk.

The Bombardments of *Dieppe* and *Havre* had not answered his Majesty's Purposes: He was for bringing all the Force he could against *France* on the Side of *Flanders*; and for that Reason had, thorough the whole course of the Summer, recommended an Attempt upon *Dunkirk* and *Calais*. But without effect: Lord *Berkeley*, who had the Command in the Channel, had no Opinion of the Service; and All, both Officers and Pilots, had given it as their Opinion, that it was impracticable. His Majesty, nevertheless, persevered in his Opinion: And Lord *Berkeley* having struck his Flag, it fell to the Lot of Sir *Cloudsley Shovel*, as next in Command, to gratify his Majesty, whose Orders were now become peremptory, with the Attempt he was so fond of. There was one Mr. *Meesters*, a *Dutchman*, who had invented a sort of Machine, which had been call'd an *Infernal*, from the Smoke it vomited, and from the Fury of its Discharge: It was on the Representations of this Man that the King had founded his Belief: And whereas the *English* Pilots had declin'd the Service, he was authoris'd to collect such foreign Pilots in *Flanders*, as were either better qualify'd, or better dispos'd to officiate in their Places.

A. D. 1694.

The Squadron to be employ'd in this Enterprize, consisted of thirteen *English*, and six *Dutch* Men of War, two Bomb-Vessels, seventeen Machine-Ships, or *Infernals*, and certain Frigates, &c. On the 4th of *September*, O. S. this Squadron came to Anchor in the *Downs*, where they were to wait for the Arrival of the foreign Pilots, mention'd above, and their Director-General, Mr. *Meesters*, who seems to have been also constituted Director-General of the Expedition: For Captain *Benbow*, who was appointed to command the Bomb-Ships, and other small Vessels to be employ'd in the Attempt, was also appointed to take his Orders from him. On the 7th Mr. *Meesters* and his Party arrived, and the same Day they set Sail; but were oblig'd, by the hard Weather they met with, to come to Anchor again the same Day.

On the 12th, however, they came before *Dunkirk*; towards the Evening Captain *Benbow*, with his Boats, sounded the Western Channel, in the midst of the Enemy's Fire: The next Morning he repeated the Experiment: And, upon his Report of the Precautions which the Enemy had taken for the Security of their Works, it was judg'd impossible to destroy them, unless they could first destroy the two Forts which cover'd the *Risbank*: That, however, nothing might be wanting on their Side, in the Afternoon two of the *Infernals* were sent in, with the Promise of a good Reward to him who should venture farthest, and do most Execution: But whether the Attempt was really impracticable, as our *English* Pilots had pronounc'd, or the *Flemings* were too discrete to sacrifice themselves for any Consideration whatsoever, neither of them had any Effect: The first being fir'd before it was possible for her to do the Enemy any Mischief; and the second, which it is said had stood in very boldly, being abandon'd, when pretty far advanc'd to the Mole Head,

A. D. 1694. was overset by the Tide for want of Steerage; and having drove side-ways about a Cables length, blew up, to as little Purpose as the Other had done before.

As Mr. *Meesters* and his Pilots were the only Persons to be convinc'd, That his *Infernals* were useless, because unmanageable, Things, that great Point was no sooner carry'd, than the Admiral gave over the Attempt, and withdrew to *Gravelines*. And whereas some Persons have suggested, that the Precautions which the *French* had taken for their Security, were the Effect of the Intelligence transmitted to them, according to Custom, from hence; it is a known thing, that the Intention of this Visit had been long the Talk of *Europe*: Vice-Admiral *Hopson*, with a strong Squadron, had, moreover, been station'd in their Road, just before, for the Sake of preventing the Depredations of *du Bast*, who, for the more Security, had drawn up his Ships within the Bason; and even the recent Examples of *Dieppe*, &c. were alone sufficient to put them on their Guard.

A like fruitless Attempt on Calais.

Still, however, Sir *Cloudsley* had not executed the whole of the King's Commands: His Majesty had procur'd a Plan of *Calais*, which had brought him to conceive, that *France* was accessible there; and the Admiral was requir'd to make the Trial: Accordingly, having been join'd in the *Downs* on the 16th, by all the Bomb-Vessels, and a Body of Land Forces, under the Command of Sir *Martin Beckman*, he came the same Day before that Place, where our Ancestors had left the last Print of their Foot-steps in the *French* Soil; and the Weather proving fair and favourable, on the Morrow, the Bomb-Vessels went in, and threw some Shells into the Town: These are the Words of the *Gazette*; but with what Effect they were thrown, is not specified: It is, indeed, said elsewhere, that thirty Houses were ruin'd, and some others damag'd. But if the Number so damag'd and destroy'd had been a hundred or two, surely it was not worth the Attention and Solicitude of a great King, to make War at the Expence of a few miserable Individuals, who had never provok'd his Indignation. And we must therefore conclude, That his Majesty was equally misled in both these Attempts; For it is agreed on all Hands, That no Man was braver, more indefatigable, or better dispos'd to do his Duty, in all Respects, or more belov'd and esteem'd, both by Officers and Seamen, than *Shovel*: And yet *Shovel* did not think fit to waste his Stores, or expose his Men any farther; but, on the contrary, as the Failure of the Spring-Tides furnish'd him with a reasonable Pretence for quitting *Dunkirk*, a rough Gale, at N. W. and W. and a rolling Sea, furnish'd him with a like Pretence for quitting *Calais*, which he did on the 19th, without discharging, or attempting to discharge another Bomb in the Interval. A. D. 1694.

Sir *Cloudsley* was, after this, sent with his Squadron to the Eastward, to protect the Trade against *du Bart*, who had made his Escape out of *Dunkirk*: And all that remains to be said in relation to this, and every other Measure of the like kind, is, That it gave Rise to two opposite Opinions: One, which was universally the Opinion of the Seamen, and, therefore, is echoed by *Burchet*, viz. That in all such expensive, and ineffectual Attempts, we more (*b*) expos'd and injur'd ourselves than the Enemy: And another, which had its Origin at Court, *viz.* That in obliging the Enemy to distribute a large Body of regular Troops along their Coast, and in convincing all *Europe*, That they were so far from being Lords of both Seas, as they had given out, that they could not protect their own Ports, the Adventure abundantly overpaid us, both in Glory and Profit.

Two Attempts of the French on Jamaica.

The last naval Attempts of this Year, that we are to speak of, are those of the *French* in *America*, by way of Reprizal, for *Wheeler*'s Enterprizes on their Colonies the Year before: Of these, the first was made on *Jamaica*, by M. *du Casi*, Governor of St. *Domingo*, who having rais'd a Body of Forces, and embark'd them on board five Men of War, and nine other Vessels, came to Anchor in *Cow-Bay*, on the 17th of *June*, with a Purpose to land immediately: For he had receiv'd Information, That the Inhabitants were equally unapprehensive of such a Visit, and unprovided for a Defence; and fully believ'd, That he should find little or no Resistance.

But one *Elliot*, a Master of a Sloop belonging to that Island, who had been taken at Sea, and sent Prisoner to *Petit-Guaves*, in *Hispaniola*, having come to the Knowledge of M. *du Casi*'s Design, found means to make his Escape, in an open Canoe, with two of his Men; and, almost by Miracle, reaching *Port-Royal* in Safety, imparted the Discovery he had made to Sir *William Beeston*, the Governor; who made such notable use of it, that when M. *du Casi*, and his Squadron, came upon the Coast, he found such a Disposition made, at all the considerable Parts on the Island, to give him a proper Reception, that all he adventur'd to do, was to land his Forces in small Parties, who destroy'd the Plantations and Sugar-Works, and committed every other kind of Outrage in their Power, tho' not without Loss to themselves; for some of these Parties were defeated and cut off, and the rest were so dispirited with the unexpected Opposition they met with, that M. *du Casi* thought it advisable to compound for the Plunder he had got, and the Mischief he had done, and to quit the Island. Soon after which, by way of Bravade, Sir *William Beeston*

(*b*) The *Jacobites* also took occasion to insinuate, That the Government neglected the Care of our Commerce and Navigation, which they illustrate, among others, by the Case of a Merchant, who lost Shares in twenty-three Ships, that our Fleet might fool away a Campaign, and squander the Treasure of the Nation upon impracticable Expeditions, such as the Bombarding of *Brest*, *Calais*, &c. and blowing up *Dunkirk* with *Machine* Vessels.——See a Letter to Mr. Secretary *Trenchard*, and other Pieces from that Quarter, publish'd about this time.

A. D. 1694. *Beeston* diſpatch'd the *Advice*, the *Hampſhire*, and *Experiment*, three ſmall Men of War, to annoy the Coaſt of *Hiſpaniola*; and we find an Article in the *Gazette*, ſignifying, that having cannonaded the Town of *Leogana*, and ſet fire to a rich Merchant Ship, (in which Attempt the Captain of the *Advice* was kill'd, by a Shot from the Shore) the ſaid three Frigates return'd to *Jamaica*.

A. D. 1694.

As to *Elliot*, and his Men, his Majeſty was graciouſly pleas'd, in conſideration of their good Services, to give the Latter 50*l.* a piece, and 500*l.* to the Former, together with a Medal and Chain, valued at 100*l.* more; and was, moreover, pleas'd to recommend him to the Lords of the Admiralty for an Employment in the Navy.

and St. John's *in* Newfoundland. The ſecond Attempt of the *French* was made by M. *St. Clair*, with four Men of War, upon St. *John*'s Fort in *Newfoundland*, but with no better Succeſs than the Former: For the Ships in the Harbour having been drawn up under the Cover of the Cannon on Shore, and the Inhabitants plying their ſmall Arms, with as much Dexterity as Reſolution, the Aſſailants were beaten off, and the Place preſerved.

State of Hoſtilities between the Miniſters and Jacobites. And, now, before we can accompany his Majeſty in his Retreat to *Leo*, &c. or follow the general Current of public Affairs, it is incumbent on us to ſpeak of the Interior of our own Country; and more particularly of the Attempts, real or imputed, of the *Jacobites* againſt the Government, and the Proceedings of the Government againſt them.

That theſe Oppoſites were ever at mortal Variance; and that it was their reciprocal Study to ruin and deſtroy each other, may be eaſily believed: But for that very Reaſon we ought not over eaſily to believe or adopt the Aſperſions of either.

If the *Jacobites* had no other way left to ſerve their Cauſe, than by Plots and Conſpiracies, the Government could no otherwiſe juſtify their Severities againſt them, or obtain other political Purpoſes they had to obtain, than by perpetual Accuſations: And as the Forgeries of *Fuller*, *Young*, *Whitney*, &c. were yet freſh in Remembrance, the Courtiers found it almoſt as hard to perſuade the Bulk of the People, That thoſe Accuſations were founded upon Evidence and Conviction, as the *Jacobites* to find any People deſperate enough to be their Co-adjutors.

Lancaſhire *Plot.* This was the State of the Caſe on both Sides, when the Miniſters thought fit to revive the cold Scent of a Conſpiracy among certain of the Gentlemen in *Lancaſhire* and *Cheſhire*, to favour the intended Invaſion from the Coaſt of *Normandy*, in the Year 92, by cauſing an Inſurrection in the Name, and on the Behalf of the late King *James*. *Lunt*, an *Iriſhman*, was the firſt Informer; but many more came in afterwards; with what Characters, and under what Encouragement, will be expreſs'd in its Place: The Depoſitions were taken by Mr. Secretary *Trenchard*; the Warrants for apprehending the Perſons accus'd, were iſſued from his Office; and the ſerving them was entruſted to the Informers themſelves, accompany'd by the Meſſengers of State, as alſo by a Party of the *Dutch* Horſe-Guards, under the Command of one Captain *Baker*, who was moreover commiſſion'd to break open Doors, and ſeize Papers and Arms, as well as Perſons, without an over-ſcrupulous Regard to the uſual Forms of Law, or the Rights of the Subject.

Parker and Croſby impriſon'd. Colonel *Parker*, formerly mention'd, as one of the Perſons employ'd by king *James* to promote this Inſurrection, and one Mr. *Croſby*, had been ſeiz'd and committed, the one to the Tower, the other to *Newgate*, ſome time before, on Suſpicion only: For tho' certain Papers, of a dangerous Tendency, were ſaid to be found in *Croſby*'s Cuſtody, they proved nothing; and how well diſpos'd ſoever the Proſecutors might be to ſecure the Government from the Practices of Perſons ſo notoriouſly known to be diſaffected to it, a Verdict was not to be obtain'd without ſufficient Witneſſes.

The Priſoners, in the mean time, as if conſcious of their Innocency, mov'd the Court of *King's-Bench* for the Benefit of the *Habeas-Corpus* Act; but were detain'd in Cuſtody, in virtue of a Bill of High-Treaſon, found againſt each, for having been in Arms in *Ireland*, under King *James*; which, if admitted, could not warrant a Proſecution againſt them; becauſe every ſuch Offence had been remitted and pardon'd, in the fulleſt manner, by the Articles of *Limerick*.

Letter to Sir J. Trenchard. Thoſe who have tranſmitted certain Circumſtances to us, which our *Hiſtorians* in general have not thought worth their Notice, moreover accuſe Mr. Secretary *Trenchard* of having endeavour'd, tho' without effect, to get this Deficiency of Evidence ſupply'd, by tempting certain Perſons, under examination before him, to acknowledge, as, he ſaid, *Parker* himſelf had already done, That he, *Parker*, had return'd from *France*, ſince the enacting of the Law which made it Treaſon for any *Engliſh* Subject to return from thence without Leave: As alſo, That he was of the Concert with *Grandval*, to aſſaſſinate his Majeſty, &c. To which one of the ſaid Perſons reply'd, That if *Parker* had made any ſuch Acknowledgment, he had ſlander'd and bely'd himſelf: For that, to his Knowledge, he had not been in *France* within that Interval. And if the ſame Authority is to be rely'd on, the Secretary himſelf acknowledg'd to Lord *Lucas*, Lieutenant of the Tower, That he had no Witneſſes againſt the Colonel, but was reſolv'd to hold him in Priſon till he had: Which his Lordſhip having imparted to his Priſoner, either thro' Compaſſion or Indiſcretion, the Latter reſolv'd to make uſe of every Expedient he could think of to facilitate his Eſcape; as thinking that ſuch a Declaration imply'd a ſettled Reſolution to make him a Victim to Revenge, if it ſhould be found impoſſible to make him one to Juſtice.

The Former makes his Eſcape. But whether he was actuated by a Dread of Power, or a Conſciouſneſs of Guilt, it is certain that he did make his Eſcape out of the

A. D. 1694. the *Tower*, on the 11th of *Auguſt*: And tho' a Proclamation was iſſued, with the Offer of 400*l.* Reward, to any Perſon who ſhould apprehend him, and both a Pardon and the like Reward to any of his Abettors, who ſhould do the Government that Service, ſo faithful were his Friends, or ſo artful his Conduct, that his Perſuers could never overtake him.

Of *Croſby* we ſhall find occaſion to ſpeak hereafter: And in the mean time, it is neceſſary to obſerve, that the famous *Ferguſon*, who had been ſo deeply concern'd with the Malcontents in the Reign of King *Charles*, who had accompany'd both the Duke of *Monmouth* and Prince of *Orange* in their ſeveral Expeditions to *England*, who had been made Houſe-keeper to the *Exciſe-Office* in the preſent Reign, and who, growing again diſſatisfy'd either with the Meaſures of the Government, or the very contemptible Reward he had receiv'd, for the great Share he had taken, and the Riſque he had run, in aſſiſting to eſtabliſh it, had gone off to the *Jacobites*, and enter'd as deeply into their Service, as he had ever done into that of their Adverſaries: This *Ferguſon*, concerning whom it had been writ by Biſhop *Sprat*, That he had declar'd a Reſolution to be a Plotter in every Plot during his Time: This extraordinary Man, who was perſonally known to every Miniſter, and every one of their Implements, who had every Year ſince his laſt Tergiverſation, ſet forth a Pamphlet or two which endanger'd his Neck, and who had hitherto eſcap'd with Impunity, now ſet forth a familiar Letter to his old Friend and fellow Labourer in the Cauſe of *Liberty*, Sir *John Trenchard*, on the Abuſe of Power daily practis'd by himſelf and the *Scots* Secretary of State, *Johnſton*, in their ſeveral Offices; and the wicked Methods they purſued to ſuborn Witneſſes, and furniſh them with forged Matter againſt thoſe whom they intended to ſacrifice. A. D. 1694.

Ferguſon's *Charge againſt Sir* John *Trenchard.*

The Charge he brings againſt the firſt of theſe Miniſters, conſiſts of thirteen Articles, (which ſo much the more deſerve to be enumerated, becauſe they make a Part of the Hiſtory of theſe Times, and may be an Admonition to thoſe to come) and in his Preamble to them he lays down the following *Poſtulata*, viz. 1. That whether there was an original Contract between former Kings and the free People of this Country or not, there was a very formal and explicite one between them and King *William*. 2. That by not puniſhing the Inſtruments of the Miſcarriages in the late Reign, who were by Law the *only* Perſons puniſhable for them, King *William* had made himſelf reſponſible for the political Crimes of his Civil Officers: And, 3. That the Majority of thoſe who had taken the Oaths to the new Government, as well as thoſe who had refus'd them, did believe him to be only King *de facto*, not *de jure*. He alſo draws from theſe *Poſtulata* ſome very (*i*) ſevere Concluſions; and then proceeds in his Charge in the Order following, *viz.*

1. That he hounded out his Meſſengers, arm'd with *Blank-Warrants*, which was in itſelf an arbitrary Meaſure; and of which they made as arbitrary an Uſe: *And of this*, ſays he, I not *only* accuſe, but publiſh you guilty, and conſign you over to Parliament, to be impeach'd and proſecuted for.

2. That in ſome of thoſe Warrants, the Crimes of thoſe who were apprehended in Virtue of them, were not ſpecify'd, which was contrary both to the Letter and Spirit of the Law.

3. That

(*i*) Which I have inſerted underneath for fear the ſuppreſſing them ſhould be conſtrued into a tacit Acknowledgment, That they were founded on Truth and Reaſon.

"And therefore having diſcharged the foregoing *Poſtulata*, with all the Brevity that the Matter would admit, I ſhall now proceed to a more particular Recapitulation of the Miſcarriages in the Conduct of King *William*'s Miniſters, and chiefly of yours, which have far exceeded that of others in Illegality, Inhumanities, and barbarous Practices. And I do challenge all Mankind, e're I advance any further, to name ſo much as one Thing call'd a Grievance under the Reign of King *James*, that has not been repeated, or outgone ſince the Reign of King *William*. May be we have not had all the ſame Things over again in *Species*, but we have had them to the full in the Value and Equivalent. And for thoſe we have not had *ſpecifically* repeated, it is not becauſe they have been thought unlawful, but becauſe the Paſſions and Inclinations of King *William*, and his Miniſters, are of a diſtinct kind from thoſe of King *James*, and travel in a different Road from what his did. But if the Former King did, in ſome Things, exceed the Bounds which the Law had chalk'd out as the Meaſures of his Government, that he might thereby have brought all his People to ſtand upon the ſame Level of Capacity, in reference to Civil and Military Employs, and in order to putting a Period to Perſecutions for Matters of meer Conſcience and reveal'd Religion, without Damage to the Church by Law eſtabliſh'd, either in its Dignities, Properties, or Juriſdictions, they were ſo noble and royal Ends, as might have ſerv'd to excuſe, if not to juſtify, the little irregular Exceſſes taken and purſued for compaſſing of them: Whereas, we have ſince the Reſolution, not only ſeen the principal Offices of Honour and Truſt, rightfully due to natural Subjects, conferr'd and beſtow'd chiefly upon Foreigners, but have had the Misfortune to be often arbitrarily robb'd of our Liberties, which is both the leaving us no legal Bottom at all to ſtand upon, and infinitely worſe in itſelf, than the having our Country-men, Fellow-Chriſtians, and Neighbours brought, in the Things forementioned and practiſed under King *James*'s Reign, to live upon the Square with ourſelves. And the Invaſion upon our moſt eſſential Right, as well as the firſt and moſt inſeparable and valuable Property, which is that of the Freedom of our Perſons, and Safety of our Manſion-Houſes, has been ſo daringly, notoriouſly, and often repeated, that the Miniſters of King *William* have been forced to ſolicite and procure divers Acts of Parliament, ſometimes to legitimate them, before hand, to commit Rapine upon our Liberties; as in the diſpenſing oftener than once with the *Habeas Corpus* Act; and at other times to indemnify them for the Violences they had perpetrated without a previous Allowance. And as we have had the ſame, or the like Oppreſſions and Grievances renewed, which we pretended to be under, and ſo much complain'd of before, ſo there are two very ill favour'd Aggravations attend the Latter, wherewith the Former were no ways accompany'd. One is, That we have increaſed our Diſeaſe, where we expected our Remedy; and that thoſe who ſet up for our Phyſicians, have enlarged our Wounds, in the ſtead of curing them; and that we have Poiſon adminiſter'd to us in the room of healing Medicines. All Men know with what different Pre-apprehenſions, in many of the People, King *James* and King *William* came to the Crown; and the firſt as much exceeded our Hopes, as the laſt has diſappointed them. The other is, That whereas King *James* erred upon Example in moſt Things, without ſeaſonable and temperate Caution given him in any, and upon the Authority of the Judges (whoſe Office it was to expound the Law to him) in ſome: The Illegalities of this Reign are in Contradiction to Promiſes, in Violation of Stipulations, in Defiance of Warnings, without the Countenance and Concurrence of the Judges, and with the Improbation of the Parliament, regiſter'd in divers of their Addreſſes: From which it is very obvious for peeviſh People to draw a couple of unfriendly but very natural Conſequences; namely, that as by repeating the worſt of Things chargeable upon King *James*'s Government, as well as by perpetrating thoſe of a more miſchievous Nature, than any it could be accuſed of, you have ridiculed all the Motives of his Abdication."

A. D. 1694.

3. That often when both Perſons and Crimes were ſpecified, that Specification was made on *bare Suſpicion* only, unſupported with any Proof or Depoſition upon Oath, which Form of Commitment had been argued in the *King's-Bench, An.* 1690, and declar'd *Contra Legem Terræ*.

4. That in his Warrants he aſſign'd thoſe Matters for Crimes, which the Law did not account ſufficient, either for the ſeizing or detaining any Body.

(The Fifth might have been comprehended in the Third; for it only charges the Secretary with omitting to declare in his Warrants, as the Law preſcrib'd, That the Facts alledg'd had been depos'd and ſworn to *before him.*)

6. That his Meſſengers did often ſearch Houſes, and that by Night, as well as by Day, without the Preſence of a Conſtable or Head-borough: And in another Part of this Letter it is ſhewn, That they did this without Warrant, as well as without the Authority of a Peace-Officer. For one Mr. *Graſcom*, a Nonjuring Clergyman, with his little Congregation, being at their Devotions, at a Houſe in *Scroop's-Court*, near St. *Andrew's* Church, *Kitſon*, a Meſſenger, with his Poſſe, broke in, and ſeiz'd ſeveral of them, without producing or having any Warrant; and what is ſtill more extraordinary, *Graſcom* refuſing to deliver to him the Key of his, *Graſcom's*, Study, unleſs he ſhew'd by what Authority he acted, *Kitſon* pointed to his Badge with one Hand, and pulling out a Piſtol with the other, ſwore by *God*, he would ſhoot *Graſcom* thro' the Head, if he heſitated a Moment longer.

7. That under the Pretence of ſeizing treaſonable Papers, his Officers made no Difficulty to ſeize and carry off the Tide-Deeds of Mens Eſtates, their Books of Accounts, and Letters concerning their private Affairs: That they did this without numbering or marking the Papers they ſeiz'd, or ſuffering the Priſoners to do it; in conſequence of which unfair Proceeding, they had it in their Power to create the Crime they pretended to puniſh, by intermixing Papers of a dangerous Tendency, and making their Priſoners anſwerable for them: And that they often plunder'd them of what they found in their Cuſtody, as was the Caſe of Mr. *Tildeſly*, one of the *Lancaſhire* Gentlemen, who was robb'd of a Purſe of Gold by Captain *Baker* and his *Dutch* Co-adjutors; who on this Occaſion are ſarcaſtically call'd, *The Conſervators of* Britiſh *Liberty*. As if it was criminal for Perſons, reputed *Jacobites*, to have Money, Arms, or Papers.

8. That when innocent Perſons had been thus arbitrarily ſeiz'd and confin'd, they were ſuffer'd to languiſh for three or four Months together, in the Cuſtody of a Meſſenger, without being heard or examin'd.

9. That the making Goals of Meſſengers Houſes, and converting Meſſengers into Goalers, was illegal, and a manifold Violation of the Birth-right of the Subject.

10. That Priſoners of State, both in Goals and Meſſengers Houſes, were treated with the utmoſt Indecency; Rudeneſs, and Barbarity in ſeveral Inſtances, ſuch as lodging them in damp, unwholſome Chambers, debarring all Acceſs to them, even of their Lawyers, except in the Preſence of a Keeper, extorting extravagant Fees from them, under Pretence of Civility-Money, for not putting them in Irons, *&c.*

11. The refuſing to admit the ſaid Priſoners to Bail, in Caſes Bailable by Law, and the allowing none to be ſufficient Bail but ſuch as *Aaron Smith*, the Solicitor for the Treaſury, thought fit to approve of; which was, in effect, conſtituting him ſovereign Judge of the Reputations, Fortunes, and Qualities of the whole middle Claſs of Subjects.

12. That the ſaid Secretary had employ'd *Trepans* to decoy indiſcreet but well-meaning Perſons into Crimes, which otherwiſe they would never have entertain'd a Thought of; in Confirmation of which, mention is made of one *Kingſton*, who had been ſent into two ſeveral Counties, (meaning *Cheſhire* and *Lancaſhire*) ſometimes in the Character and Habit of a Parſon, ſometimes of a Phyſician, and ſometimes of a diſcarded *Jacobite* Officer, with Inſtructions to ſpeak of a Conſpiracy againſt the Government, in ſuch plauſible and captivating Terms, as ſhould induce the Unwary not only to give him a favorable Hearing, but, if poſſible, to ſpeak as favourably of it, and thereby to draw theſe very Perſons within the Suſpicion of being Accomplices, and furniſh his Employers with freſh Matter to eſtabliſh a Belief, That that Plot was a Fact, and not a Forgery.

A. D. 1694.

And, laſtly, That the ſaid Secretary countenance'd and abetted the Subornation of infamous Fellows, to ſwear innocent and peaceable Perſons out of their Lives; in Exemplification of which, he tells us of a *Qualification-Office*, kept at the *Rummer* Tavern below *Charing-Croſs*, by *Alexander Johnſton*, Brother to *Johnſton* the *Scotiſh* Secretary of State: And adds, that it was the Cuſtom of the ſaid *Johnſton* to warm thoſe with Plenty of Wine firſt, whom he propos'd to coin into Witneſſes, and then to corrupt them with the Offer of Guineas, and Aſſurances of Civil and Military Employs: That if his own Boaſts were to be believ'd, all the *Scots* Witneſſes were of his procuring: That preſuming on the Merit of his Service, he had told Sir *George Maxwell* he was to die as a Traitor; and that his, Sir *George's*, Eſtate had been offer'd to him. That the (*k*) Story of one Lieutenant *Drummond* was ſufficient to ſhew with what Intemperance, Temerity, and Malice Mr. Secretary *Johnſton* himſelf had

(*k*) Which, as he tells it, is as follows: Namely, "That the ſaid Mr. Secretary being inform'd, or at leaſt pretended to be ſo, by that ſuborn'd and mercenary Fellow *Bates*, how one Lieutenant *Drummond*, who ſerves King *William* in one of the Regiments in *Flanders*, could be an Evidence againſt Colonel *Fountain*, he not only writ to have the ſaid *Drummond* ſent immediately over from thence hither, which King *William* (whom you Mobbers have drawn into the Belief of

A. D. 1694. had engag'd in ſupporting, if not in forming this *Sham* Plot, on the Credit of his Brother *Alexander*: And, upon the whole, That the ſaid *Alexander*, and Captain *Baker*, before-mention'd, were evidently the principal Procurers and Suborners of Witneſſes in ſupport of the ſaid Plot: That even Mr. Secretary *Trenchard* had been pleas'd to declare, He knew no more of it than what the *Scots* Secretary had inform'd him. And that if it ſhould be admitted, that the laſt of thoſe Secretaries rely'd on the Intelligence procur'd by his Brother, it would follow, That the two Undertakers above-mention'd were the Forgers of the Plot; and that it was made current thro' the Kingdom, by the Credit which the ſaid two Secretaries had ſtampt upon it.

In the ſame Paragraph the Letter-Writer is pleas'd to diſcharge his Grace of *Shreſbury* from all Concern in theſe infamous Practices; any otherwiſe, than as They, ſays he, meaning the two other Secretaries, had involv'd him in the ignominious Drudgery of perſuing it, by craftily, as well imperiouſly, playing their Witneſſes upon him, while *Trenchard* withdrew into the Country, to obſerve, at a diſtance, how the Mine would ſpring.

Inſtance of Subordination. He then proceeds to ſhew, That the Trade of Suborning was grown ſo common, that every pitiful Fellow who had aſpir'd to Court Favour, or a Court Penſion, durſt openly practice it; and in ſupport of this Aſſertion, he produces three Inſtances, *viz.* 1. Of two *Bailiffs*, who tempted a Third to come in as an Evidence againſt Mr. *Tildſley*, and another Gentleman, (neither of which he had ever ſeen) for having dropt certain treaſonable Expreſſions concerning the Murder of the Queen. 2. A Conference between *Lunt*, *Taaſe*, and two other Perſons, *Banks* and *Bereſford*, whom *Taaſe* introduc'd to *Lunt* as Perſons proper for his Purpoſe, at the Ship Ale-Houſe in *Butcher-Row*; in which the Latter declar'd, That he ſtood in Need of ſome Gentlemen of Reputation to ſupport his Deſign; that for want of ſuch, he was forc'd to maintain ſome ſcandalous Fellows to keep his Plot on foot; that if they co-operated with him, they ſhould be plentifully provided for: And, having caus'd the ſaid *Taaſe* to read the Narrative of his Plot to them, and boaſted of his own Dexterity in the Management of it, proceeded to tell them, That Mr. *Lee*, of *Lime*, having a vaſt Eſtate, his Buſineſs was to be done: That he deſign'd them to do a particular Service in that Matter; and that they muſt procure certain Commiſſions to be A. D. 1694. drawn, as from the late King *James*, for the raiſing Troops to ſubvert the preſent Government; and that he would take Care to have them ſign'd with King *James*'s Hand, as he uſually writ it: All which had been depos'd upon Oath by the ſaid *Banks* and *Bereſford*, and had been imparted to the Lord Chief Juſtice *Holt*. And, 3. A ſubſequent Attempt of the ſaid *Lunt*, to induce one of the Priſoners committed to *Cheſter* Goal, firſt, by the Promiſe of great Rewards, to ſwear, That he had receiv'd Money of Mr. *Walmſley* for the carrying on the Service of King *James*; and then, by Menaces, of cauſing his Allowance to be leſſen'd, and of expoſing him to all the Severities that could be inflicted in a Goal; which, on his proving intractable, were not only put in Execution, but the Man, with two others under the like Circumſtance, were hurry'd up to *London*, where they were diſpos'd of in the Hands of Meſſengers, as it is alledg'd, tho' the ſaid Meſſengers would not own they had any ſuch Priſoners in their Cuſtody.

Having thus circumſtantially clear'd and *An Account of the Witneſſes.* prepar'd his way, our *Letter-Writer*, at laſt, comes to the great Point he had in View from the Beginning, that is to ſay, to lay before the Public ſuch an Account of thoſe Perſons, who had been glean'd up by the Creatures of Power, to appear againſt the Gentlemen of *Lancaſhire*, as ſhould effectually blaſt their Evidence.

And he begins with one *Brereton*, on Brereton: whoſe Credit a Bill had already been found againſt one Captain *Williamſon*, at *Hicks*'s-*Hall*, for having been in *France* after the Time limited by the Act, whom he proves to be a common Sharper, by Reference upon Reference to the Perſons whom he had cheated and robb'd. That he had been in *France*, and was known at the Court of St. *Germains*, he admits; but after what manner, he expreſſes by the following Incident, *viz.* That having wander'd to *Liſle*; and been detain'd there till ſome Account could be had of him from the Miniſters of that Court, the Repreſentations they gave of him were ſo little to his Advantage, that upon the Receipt of them, he was drumm'd out of the Place.

The next Perſon he ſpeaks of, is one Slingſby. *Slingſby*, who had been an Agent to a Regiment in *Ireland*, and who, on the Court-Side, was ſaid to be a Gentleman of Character and Fortune: But, according to his Account, *Slingſby* was altogether as much an

---

a Conſpiracy againſt him) accordingly did; and that under a Command of making ſo much haſte to be here, that the Gentleman had not ſo much time allow'd him, as to fetch his Linnen and Cloaths from the Place where they lay: But upon his Arrival the ſaid Secretary would have at firſt wheedled, and at laſt endeavour'd to huff, him to appear as an Evidence againſt the forementioned Colonel *Fountain*. And tho' *Drummond* averred to him, upon the Word of a Gentleman, that he was ſo far from underſtanding any thing whereof the Colonel was accuſed, that he did not ſo much as know him, nor was ever in his Company, to the beſt of his Remembrance: Yet the forenamed Secretary continued not only to rail againſt Colonel *Fountain*, as a heinous Traytor that muſt die, but both to inſinuate and affirm, that *Drummond* muſt know a great deal againſt him. Which ſo provoked the Gentleman, upon the finding himſelf tempted and importuned to murder an innocent Man, by a falſe and perjurious Depoſition, that he told the ſaid Secretary, That as he neither could, nor would be an Evidence in that Matter, ſo the Secretary needed not to be ſo earneſt to ſuborn and debauch him; ſeeing he might eaſily furniſh himſelf with enough of ſuch Witneſſes about the Town, as he look'd after, *for half a Guinea a Man*. Which as it declares how large and deep this Conſpiracy is, of thoſe that ſerve the Government, againſt the Lives of guiltleſs Perſons; ſo it both ſhews the Hazard that Colonel *Fountain* is in, upon no other Score ſave that of meer Malice: and unfolds unto us the Methods taken and purſued to draw in and ſuborn Witneſſes.

A. D. 1694. an Adventurer as *Brereton*, and had even blasted his on Credibility by acknowledging to one Mr. *Willoughby*, that one of the Lords Justices of *Ireland* had promis'd he should be provided for all his Life, in case he would be a Witness against *Crosby*. He also charges him with having defrauded Lord *Ranelagh*, the Pay-Master of the Forces, of 60*l.* with having forg'd a Bill of 50*l.* of which he receiv'd 15*l.* before the Cheat was discover'd, and with having doubly falsified his Faith, by pretending to be a Convert to the Church of *Rome*, and, at the same time declaring, that it was not upon Conviction he had done so, but merely to make his Court to his Relations.

Lunt. *Lunt* comes forward next; and him he traces from the Condition of a *Labourer* at *Highgate*, at Twelve-pence a Day, to that of a *Gentleman*-Witness, with his Purse overflowing with Gold; but not Stage by Stage: For, in order to expose the Ingratitude of the Man, having occasion to say, that he had landed at *Dover*, from *Flanders*, in the Year 93, he passes over the Occasion, real or pretended, of his Voyage: It is also observable, that the Instances given of his Ingratitude, are confin'd to the Accusations he had brought against several Persons, who had furnish'd him with Money at *Dover*, *Canterbury*, and *Rochester*, on his Return from that Voyage; and against two more of his Creditors, the one a Man, who, hearing of the Change in his Circumstances, had importun'd him for his Debt; and the other, one who, at several times, had lent him Money to the Amount of 40*l.* And, tho' it should be acknowledg'd, that none but a Villain would have made such a Return to his Benefactors, one cannot help concluding, That neither would the Latter of these have given a mere Labourer Credit for such a Sum as 40*l.* nor the Former been so uncommonly generous to a Traveller on the Road, if there had not been some more cogent Recommendation in his Favour, than the pitiful Tale of a Robbery, which is mention'd as the Inducement in one Instance, or a Series of common Distresses, which we are to believe had the like Operation in the other.

For the Sake of exposing this Witness, and his Employers, it is also said, That he, *Lunt*, having been serv'd with a legal Warrant, on the 2d of *October*, for having marry'd two Wives, *Aaron Smith*, the Solicitor for the Treasury, had represented him as an Instrument of such Consequence to the State, at this Crisis, and had enforc'd this Plea with so menacing an Air, that the Lord Mayor and Recorder, before whom he was brought, admitted him to Bail: Which certainly indicates, that the Solicitor was not more earnest to have the Benefit of his, *Lunt's*, Evidence, than the Defendants to exempt themselves from the Danger of it.

Wilson. The next Person upon the List is one *Wilson*, once a Chamberlain at an Inn in *Smithfield*, whom he dispatches in few Words, by saying, he had been convicted of stealing four Bullocks, before Baron *Turton*, and burnt in the Hand. He then proceeds to one *Chezall*, whom he brands with having been dismissed out of Service, for defrauding his Master; with having afterwards forged Notes in his Name four several Times; with having also forged the Hand of one Mr. *l'Espine*; and with having broke open a Trunk at a Tavern in *Bartholomew-Lane*. One *Aylock*, who had been a Servant to the famous Doctor *Oates*, makes the Third on this black List of Thieves, who having been thrown into *Newgate*, for robbing a Man of Money and Hair to the Value of 30 l. drew, up in that Place, a Narrative of a Design to assassinate the Queen, and sent it to *Ashurst*, the Lord Mayor of that Year, who having transmitted it to Mr. Secretary *Trenchard*, the Latter was not only pleased to cause the Prosecution of the Felon to be suspended, but to give him a weekly Allowance, and to compound the Felony with the Prosecutor. A. D. 1694. Aylock.

The last Persons mentioned by him, are one *Bateman* and his Wife, who had been thrown into Prison in *Flanders*, for robbing a Church, and having Reason to apprehend they should be boiled to Death, according to the Usage of the Country in the like Case, found means to obtain a Release through the Intercession of King *William*, by the Offer of making great Discoveries of a Conspiracy in *England* against his Person and Government: But these Persons having been consign'd to the Keeping of one *Cooke* a Messenger, and thinking Theft and Sacrilege to be less Crimes than Perjury, took an Opportunity to rifle their Lodgings of all the Money and Valuables they could find, and made their Escape. *Bateman and his Wife.*

And lastly, he takes Occasion to observe, That though the violent Prosecution of Plots, was the Disgrace of both Parties in the Reign of King *Charles* II. no-body was prosecuted by those in Power, for detecting the Forgeries of those Plots, or exposing the detestable Lives and Characters of the Persons then called the King's Witnesses: Whereas such was the Violence of the present Times, that a warrant had been issued from the Secretary's Office in these Words, That *They* (the Persons empowered to serve them) *should apprehend and bring before* them, (the said Secretary or Secretaries) the *Persons* of *together with their Papers, for conspiring and endeavouring to suborn Witnesses, against the Lives and Credit of several Witnesses for their Majesties against Persons charged with High-Treason, &c.* "Which looks, continues he, like a summoning all the Malefactors in the several Goals of the Kingdom, to come in and list themselves Witnesses for the Government, with an assurance, not only of Protections and Rewards, but that they would have the Satisfaction and Pleasure to see those imprisoned and punished, who should dare to prosecute them for their Crimes." *Warrants issued out to screen the Witnesses from Prosecution.*

Thus we are to understand, that all was Forgery and Persecution on one Side, and all Innocence and Injury on the other: But if we should allow that the Practices of those in Power, were over violent; that they went upon Presumptions rather than Proofs,

A. D. 1694. Proofs, and that the Character of their Witneſſes were, in general, as black as they were painted, it is but reaſonable to conclude notwithſtanding, That the Repreſentation partakes as ſtrongly of a Party-Biaſs, as the very Proſecutions, it is calculated to expoſe: The Man who makes it, was of as violent a Turn as *Trenchard*, *Johnſton*, or the moſt thorough-pac'd Implements of Power: And tho' we are not furniſhed with ſufficient Matter to confute his Facts, we may juſtly queſtion his Ingenuity. A Hint of this Nature has already been dropt; and it is farther to be obſerved, that he, who was ſo particular in remembring, that *Lunt*, the *Witneſs*, had once been *Lunt* the *Labourer*, ſtudiouſly forgot, that in the Interval, he, *Lunt*, had been ennobled by the Truſt, repos'd in him by the Jacobite-Party, had undergone a Trial for High-Treaſon at *Manchester*, and had been acquitted for want of Poſitive, not circumſtantial Proofs.—But Diſingenuity is a Curſe that cleaves to all Parties a-like: And thoſe who endeavour to eſtabliſh the Belief of their Conſpiracy, and thoſe who would explain it away, are alike tainted.

Great Diſingenuity in both Parties.

Vid. p. 349. As far back as the Year 92, we met with ſome Traces of the Diſcovery; and it has been already acknowledged, that ſuch was then the Criſis, as both warranted all the Suſpicions of the Government, and the Precautions that were taken for its Preſervation: But then it has alſo been acknowledged, that theſe Diſcoveries were not ſo perfect as could have been wiſhed: It is moreover reaſonable to think if they had been ſo, the Miniſters would have immediately proceeded to puniſh the Parties concerned; and while they waited for fuller Evidence, the Affair of *La Hogue* blew up the whole Project, and almoſt extinguiſhed the very Hopes of the Undertakers. How truly, then, ſoever their Intelligence was founded, there was certainly more of Malice and Intereſt, than Wiſdom and Policy in the Uſe that was made of it. At leaſt, we may venture to pronounce, that unleſs the Danger was inſtant, or the Evidence unexceptionable (neither of which happened to be the Caſe) they ought not to have ſet the Nation in a Ferment, for the puniſhing a few obnoxious Individuals, or to furniſh the Malcontents with a Pretence to complain of the Rigour of the Government, merely to make a Merit of their own Vigilance.

The Government Account of the Plot.

Hiſt. of the late Conſpiracy.

And that this was the Caſe, appears in a good Degree, even from that very Book which was ſet forth by the Direction of thoſe in Power, for their own Juſtification. According to that Authority, this *Lancaſhire* Plot, as it came to be call'd, was ſet on Foot in the Year 1689, by one *Bromfield* a Quaker; after whom it fell to the Management of one *Gordon*, one *Thriſſall*, and *Lunt*, the *Labourer*, who were ſent A. D. 1694. from *Ireland* with Declarations and Commiſſions, from King *James* to the *Roman* Catholics; that is to ſay, *Gordon* to thoſe of *Scotland*; *Thriſſall* to thoſe of *Yorkſhire*; and *Lunt* to thoſe of *Staffordſhire*, *Cheſhire*, and *Lancaſhire*.

Of *Gordon* we hear no more: But *Thriſſall*, we are told, having finiſhed his Negotiation, and being on his return thro' *Cheſhire* into *Ireland*, was purſued upon ſuſpicion, and killed in endeavouring to defend himſelf: And as to *Lunt*, we have already heard how he got off.

Two Perſons more are then mentioned as being in the Secret, *viz.* one *Kelly* and one *Dodſworth*; both of whom turn'd Diſcoverers, and were to have been Joint-Witneſſes againſt *Lunt*: But the Former diſappeared of a ſudden, no Body could tell how; and the ſingle evidence of the latter was of no Significancy.

For the next Stage of the Plot, we are told of *Lunt*'s being ſent into *France*, by a Convention of *Jacobites* at *Standiſh-Hall* in *Lancaſhire*, to acquaint King *James* with the Poſture of Affairs, and to know what Aſſiſtance might be expected from him. This was in *November* 91, and in *December* he, *Lunt*, returned with Aſſurances, That he, King *James*, was preparing to come in Perſon next Spring; and that, in the mean Time, he would ſend them his laſt inſtructions by a ſure and faithful Hand. Accordingly, *Walmſley* and *Parker* were diſpatched on that Errand in the Spring; at leaſt we are ſo informed: As alſo, that they appointed a Meeting of the principal Perſons of their Faction at *Dingen-Hall*, where they delivered the Commiſſions and Preſents they had brought from *France*; and confirmed the Advices brought by *Lunt*, That King *James* would ſpeedily land in *England*, with a Force ſufficient to countenance the Efforts of his Friends. But whether theſe Preſents and Commiſſions were accompany'd with the promis'd inſtructions, or, what thoſe Inſtructions were, has never been explain'd.

What follows, is an Account of the intended Deſcent, and of *Grandval*'s Conſpiracy, which is more artfully than fairly made a Branch of the ſame Conſpiracy, by the Mention of *Parker* as privy to the whole.

The Applications of Sir *John Cochran* to King *James* for Money, to enable him to raiſe Commotions in *Scotland*, ſupported by the Depoſitions of one ſingle Witneſs *(Brice Blaire)* and an Aſſertion, that *Ferguſon* was alſo one of the Conſpirators, unſupported by any Depoſition at all, make the next Sections of this Narrative that deſerve Notice: And after a ſtrange Mixture of groſs, general, and inconcluſive Invectives, *Lunt* is brought upon the Stage again, as very

(1) When he was brought to his Trial (which by the way was after he had been five Months on Bail) the Maſter of the Ship who brought him from *Ireland* either was or pretended to be ſick: And the Officers of the Cuſtom Houſe could not ſwear, that the Papers which were produced in Court, where the ſame which were found in the Ship, becauſe they had forgotten to mark them. *Hiſt. of the late Conſpir. p.* 33.

A. D. 1694. very active in performing his Commiſſion, and having made a conſiderable Progreſs about the Time when the *French* Forces were expected to land, by providing Arms, and liſting Men with the Money he had received from Lord *Molineaux*, and *(m)* Others of the Conſpirators; as having alſo inſinuated himſelf ſo far into the Favour and Eſteem of the Party, that they again ſent him into *France* in the Year 93: But whether to carry Advices, or receive Inſtructions, the Author has not thought fit to inform the World. Having then given us a View of King *James*'s Court, as divided into the two Factions of *Compounders* and *Non-compounders*, (that is to ſay, Such as were for ſubduing the Nation by Force, and Such as were for giving the People reaſonable Terms) under the Direction of the Lords *Middleton* and *Melford*, he tells us, ſomewhat abruptly, That the Latter, whoſe Credit had been in the Wane for ſome time, undertook to recover it, by contriving the Project of *aſſaſſinating* his Majeſty.

It is ſaid, he had already engag'd *Broomfield* and *Griffin*, who had their Correſpondents in *England*; and that upon *Lunt*'s Arrival, he propos'd the Deſign to him, engag'd him in it, and ſent him to *Dover*, to concert the Means of executing it, with Captain *Stone*, Captain *Walter*, Captain *Roberts*, one *Pepper*, and one *Preſton*, Names never mention'd on the Liſt before.

This, it ſeems, was in *July* 93; and in the *December* following, this worthy Fraternity not only engage in this Deſign, but deliberately ſign an Obligation to that Effect: After which, conſulting anew with *Lunt* about the Means, they were all *ſuddenly* ſeiz'd with Horror and Remorſe, and as *ſuddenly* reſolve to atone for their Crime, by diſcovering it to the Council.

It is in this ſtrange manner, and almoſt in theſe Words, this ſtrange Story is told; and that their Information might neither be ſlighted nor ſuſpected, ſays our Author, they made uſe of one *Taafe*, who, not long before, had done a *conſiderable Service* to the Government, and conſequently was neither unknown nor unwelcome at Court: But, according to Biſhop *Burnet*, inſtead of being ſtruck with Horror and Remorſe, *Lunt*, being *bold* and *poor*, turn'd *Diſcoverer* for the ſake of the *Reward*; and *falling into the Hands* of *Taafe*, was by him introduc'd to the Miniſters, as a Man who had great Diſcoveries to make: To ſhew, alſo, what Reaſon the Miniſters had to confide in *Taafe*, his Lordſhip moreover tells us, That he was an *Iriſh* Prieſt, who had not only chang'd his Religion, but had marry'd in King *James*'s Time: That he had been retain'd in the Service of the Government, and had a ſmall Penſion: That he had been long in purſuit of a Diſcovery of the Impoſture in the Birth of the Prince of *Wales*, and was engag'd with *more Succeſs* in diſcovering the conceal'd Eſtates of the Prieſts, A. D. 1694. and the religious Orders, in which ſome Progreſs was made.

This, perhaps, was the *conſiderable Service* before ſpoken of; but whether it was or not, it is manifeſt by the Sequel, That *Taafe* and *Lunt* were not more forward to inform, than the Miniſters to believe. In *January* theſe Informations were taken, and the whole Plan of Proſecution being thoroughly digeſted by the *July* following, *Baker*, *Taafe*, and *Lunt* were immediately ſent into *Lancaſhire*, as ſpecified above, in order to ſeize the Conſpirators, and trace out ſuch collateral Proofs of their Guilt, as ſhould ſerve to ſupply all Defects of living Evidence. Some of the Former were taken, and ſome thought fit to abſcond; and as to the Latter, we find them in the *Hiſtory of the Conſpiracy* ſumm'd up in theſe Words: "Their Houſes were ſearch'd, and in them were found Saddles, Swords, Carbines, great Quantities of Powder and Bullets, Standards, a Commiſſion from King *James*, &c." But Biſhop *Burnet* mentions a Carrier, who had been employ'd by the Conſpirators a great while, in carrying down Cheſts of Arms, the Contents of which he had diſcover'd, by the breaking of one of them: He alſo ſays, That in one of their Houſes, incloſ'd very dextrouſly within Walls, Arms were found for a Troop of Horſe: But then he does not ſpecify in whoſe Houſe theſe Arms were found, nor who the Perſons were that employ'd the Carrier. Other Writers mention the Draught of a Remonſtrance or Declaration, to be printed and publiſh'd at King *James*'s landing, which was found at *Standiſh*-Hall: And when the Trials came on at *Mancheſter*, by ſpecial Commiſſion, on the 16th and 17th of *Octo-* *The Trials come on at Mancheſter.* *ber*, the Drift of the Depoſitions was to prove, That the Priſoners had receiv'd Commiſſions from the late King *James* to levy Troops: That they had accordingly levy'd Troops, and form'd them into Bodies, with a Deſign to aſſiſt the *French* after their landing: That the *Papiſts* in *Lancaſhire* contributed Money for the Subſiſtance of theſe Troops: And that they were furniſh'd with Officers, Arms, and all Sorts of Ammunition for War, &c. The Witneſſes who made theſe Depoſitions were *Lunt*, *Wombal*, *Wilſon*, &c. But whatever Foundations of Truth they built upon, or whatever Degree of Credit their Evidence might have deriv'd from the *la Hogue* Preparations, carry'd on at the ſame Period of Time, and other Circumſtances of Suſpicion; and whatever Precautions had been taken, or Practices had been us'd, to render the whole Detail conſiſtent, and of a Piece, no Regard was ſhewn to their Teſtimony; which was owing to theſe ſeveral Conſiderations: *Ferguſon*'s Letter to *Trenchard* was in every Man's Hand, and had induc'd all the Effects that the moſt ſanguine of his Party could have expected

(m) Amongſt whom Sir *John Friend* was one.

A. D. 1694. expected from it: The Miniſtry were ſuſpected of being themſelves the *only* Plotters; the Witneſſes were, one and all, eſteem'd the moſt profligate of Men: The Inhabitants of *Manchester*, and the Parts adjacent, were exaſperated to ſuch a Degree, not only againſt them, but againſt all thoſe concern'd in the Proſecution, that it was with great Difficulty ſome of them eſcap'd with their Lives: And if the ſame Spirit of Outrage did not follow them into Court, it is ſaid a Spirit of Prejudice did: Sir *William Williams*, who was firſt Counſel for the King, ſtands charg'd with having endeavour'd to *baffle* and *confound the King's Witneſſes*; and ſome of the Judges themſelves with being *pre-engag'd* and *poſſeſs'd with groundleſs Prejudices againſt them*: And when *Lunt* was requir'd to diſtinguiſh every one of the Priſoners at the Bar by Name, and happen'd to miſtake one Perſon for another, the Court rung with the Shouts of Joy and Diriſion it occaſion'd.

Boyer. Tindal. *Hiſt. of the Conſpiracy.*

But tho' theſe Circumſtances are dwelt upon by thoſe who are themſelves tinctur'd with the Jaundice of Party, That which brought the Affair to a Deciſion, was the ſurprizing Declaration made by *Taaſe* in open Court, *viz.* That the whole Plot was no other than a villanous Contrivance between himſelf and *Lunt*: For no ſooner had this counter Diſcovery been made, than Sir *William Williams* threw up the Cauſe; and the Judges, in their Charge to the Jury, directed ſuch an Iſſue, that the Priſoners were acquitted, and all thoſe who were under Confinement, on the ſame Evidence, were order'd to be enlarg'd.

The King's Council threw up the Proſecution.

It ought not, however, to be forgot, That this ſtrange Turn in *Taaſe*'s Conduct, is aſcrib'd to a corrupt Influence. This is aſſerted by ſome in general Terms; as that, being diſappointed in his Hopes of a farther Proviſion from the Court, he liſten'd to the advantageous Offers made him by the other Side: According to Biſhop *Burnet*, he ſent them Word, That if he could be well paid for it, he would bring them all off; and, continues he, it may be eaſily imagin'd that they ſtuck at nothing for ſuch a Service: But Others more particularly tell us, That having committed ſeveral groſs Felonies in the Courſe of his Attendance on Captain *Baker* and his military Aſſiſtants, and finding himſelf not only ſlighted, but reprimanded, when he apply'd for a Reward, he grew angry, and ſtruck a Bargain with the Agents of the Priſoners for twenty Pounds down, and a good Annuity for Life, to be ſettled in *Lancaſhire*: The Latter moreover add, That other Practices of the ſame kind were try'd on ſeveral other of the King's Witneſſes, tho' without Effect: And that when it appear'd they were not to be corrupted, they brib'd *others* to blaſt their Credit, by Forgeries of the blackeſt Kind, which theſe laſt were ſo much the more eaſily induc'd to do, becauſe not being upon their Oaths, they could not incur either the Guilt or Danger of Perjury. What, however is ſcarce to be accounted for, we are yet farther told, That *nothing was alledg'd* by theſe *Hirelings* (except what was alledg'd by *Taaſe*) *that could invalidate the King's Evidence*: So that we muſt either conclude that their Invention fell ſhort of their Wickedneſs, or, which is more likely to be the Caſe, that, inſtead of endeavouring to diſprove any part of the Evidence, they were brought forward to ſhew, That the Evidence of ſuch Miſcreants ought not to be admitted at all. *Burnet*, who had many Reaſons, to give the beſt Colour he could to this Proceeding, is expreſs, "That *Taaſe* witneſs'd many Things againſt *Lunt* that ſhook his Credit. *Taaſe*, continues he, had engag'd him in Company in *London*, to whom he had talk'd very idly, like a Man who reſolv'd to make a *Fortune* by *Swearing*: And it ſeem'd by what he had ſaid, That he had many Diſcoveries yet in Reſerve, which he intended to ſpread among many, till he ſhould grow rich and conſiderable by it; this was ſworn againſt him." He alſo ſays, "There was another Evidence that ſupported *Lunt*'s Evidence; but he was ſo profligate a Man, that great and juſt Obligations lay againſt giving him any Credit." In ſhort, the Biſhop himſelf is forc'd to reſt the Merits of the Cauſe on the Carrier's Evidence only, which he ſays, was not ſhaken. If, therefore, all that he depos'd ſhould be admitted, and farther, that the Arms he had carry'd at different Times from *London*, were to be apply'd to traitorous Purpoſes, which even the Carrier himſelf could not prove, the Law could take no Cognizance of the Fact, for want of ſufficient Evidence: It is therefore no Wonder at all, That Sir *William Williams* ſhould refuſe to proceed with the Trials, when the Credit of *Lunt*, the principal Witneſs, was ſo effectually blaſted; That he ſhould ſet out Poſt for *London*, as ſoon as the Trial was over, to remonſtrate againſt the Iniquity of the whole Proceeding; or That the Court ſhould endeavour to make their Peace with the Public, by committing their own Witneſſes to *Newgate*, and ordering them to be proſecuted for a Conſpiracy againſt the Lives and Honours of the Gentlemen of *Lancaſhire*: And all that is left us to wonder at, is, That in the *Hiſtory* of the *Conſpiracy*, ſo often quoted, and which was ſet forth under the Countenance of the Miniſters themſelves, the *Aſſaſſination-Part* of the Conſpiracy ſhould be retain'd, when not one Syllable of the Nature was offer'd in Evidence.

A. D. 1694.

The Witneſſes committed.

The whole Kingdom rung with every Particular of the Story: The Diſaffected did not fail to make the moſt malicious Uſe of it; and thoſe who had the Honour and Intereſt of the Government moſt at Heart, found it extremely difficult to obviate the Reſentments it cauſ'd. That, however, the Abhorrence which the Court affected to teſtify on the Occaſion, was Affectation merely, or ſomewhat worſe; namely, an Artifice to take the Proſecution out of the Hands of the injur'd Perſons, who, they were ſure, would make the moſt of it, the Sequel will ſufficiently manifeſt: But that

A. D. 1694. we may not anticipate Events, it is neceſſary, in the firſt Place, to accompany the King in his Return from the Army, and to bring down the Series of Affairs to the Opening of the Seſſion.

It was the 30th of *September*, N. S. when his Majeſty quitted the Field; and on the 5th of *October*, late at Night, he arrived at *Loo*, having review'd the Troops commanded by the Earl of *Athlone*, in the Neighbourhood of *Ghent*, and viſited the Fortifications of *Leige* and *Maeſtricht*, in his Way: Here he remain'd till the 23d; and in this Interval a Paper was handed about the ſeveral Courts of *Europe*, under the Title of *Articles of Peace propoſ'd by the King of* France *to the Confederates*; which Articles were as follow, *viz.*

Propoſals of Peace ſaid to be made by France.

1. That the King abſolutely abandons the Thoughts of aggrandiſing himſelf, and enlarging his Conqueſts.

2. That the King will reſtore, to thoſe to whom they belong, all his Conqueſts won ſince the Beginning of the War, without Exception.

3. That the King will reſtore *Straſburg*, *Luxemburg*, *Mont-Royal*, *Fort-Lewis*, and *Friburg*, as they are, and *Hunningen* demoliſh'd.

4. That the Pretenſions of the Duke of *Orleans*, and Madame his Wife, ſhall be compenſated by the Immunities allow'd by the Prince *Palatine*.

5. That the King will reſtore *Lorrain* entire, excepting *Saar Lewis*, *Binche*, and *Homburg*, for which the King will give an Equivalent.

6. That the King will reſtore *Caſal* to the Duke of *Mantua*, provided he pay back the Money which he receiv'd.

7. That a good Correſpondence ſhall be eſtabliſh'd between *France* and *England*, as well in *Europe* as in *America*, and other Places: To which Purpoſe the King promiſes not to give any Aid or Support to King *James*, or his Children, provided King *William* ſhall allow King *James* a Penſion, where he ſhall think convenient to retire.

8. That Trade ſhall be reſtor'd between the King of *France* and the States-General, as it was before the War.

9. That the King, in reſpect to the potent Allies, and for the Good of the Peace, ſhall reſtore to the Proteſtants of his Kingdom, as alſo thoſe that are Abroad, without Exception, entire Liberty of Conſcience, with full Poſſeſſion of their Eſtates, Advantages and Prerogatives, as before the vacating the Edict of Nants.

10. That the King, in caſe the King of *Spain* dies without Children, renounces all the Right and Title which the *Dauphin* may pretend to in *Flanders*, in favour of the Duke of *Bavaria*, provided the Emperor conſent to the Renunciation of the deceas'd Queen, *Mary Thereſa* of *Auſtria*, to the Crown of *Spain*.

11. That for the Eſtabliſhment of a good and firm Peace, and in order to a juſt and amicable Adjuſtment of the Pretenſions and Exceptions of Parties, Commiſſioners ſhall be appointed on both Sides, with plenary Power: And in caſe they cannot agree, the King offers to ſubmit fully and wholly the Deciſion of the Queſtions undetermin'd, to the moſt ſerene Republick of *Venice*. A. D. 1694.

But tho' theſe Articles were aſcrib'd to *France*, there is no Proof to be trac'd that they were iſſued from hence: On the contrary, thoſe, who furniſe, that they might poſſibly be thrown out as a Lure by the *French* Miniſters, profeſs to believe the contrary: On the other Hand, *Hallewyn's* Caſe has already furniſh'd us with ſufficient Evidence, That as there was one Faction in *Holland*, who had their Reaſons to be as deſirous of Peace as any of the *French* Cabinet, ſo there was alſo Another, which being as obſtinately bent on continuing the War, made it their Buſineſs to decry every Propoſition which had a Tendency that way, as calculated only to render the Confederates ſuſpicious of each other, and conſequently to diſſolve the Union. *Remarks thereon.*

Even *Burnet* himſelf makes uſe of the following Expreſſions: "At the End of the Campaign, the Court of *France* flatter'd their People with Hopes of a ſpeedy End of the War: And ſome Men, of great Conſideration, were ſent to try what Terms they could bring the Empire or the States to: But the *French* were yet far from offering Conditions, upon which a juſt or a ſafe Peace could be treated of: The States ſent ſome as far as to *Maeſtricht*, to ſee what Powers thoſe ſent from *France* had brought with them, before they would grant them the Paſſports that they deſir'd: And when they ſaw how limited theſe were, the Negotiation was ſoon at an End, or rather, it never began. When the *French* ſaw this, they diſown'd their having ſent any on ſuch an Errand; and pretended, that this was only an Artifice of the Confederates to keep one another, and their People in Heart, by making them believe that they had now only a ſmall Remnant of the War before them, ſince the *French* had Inſtruments every where at work to ſolicit a Peace."

Thus we have an Acknowledgement, that ſome new Advances were made on the Side of *France*: And in order to prove that the Powers of the *French* Agents were too limited, and that their Offers were *unjuſt* and *unſafe*, both the one and the other ſhould have been explan'd: But however this may be, that the *French* ſhould diſown their having ſent any Perſons on ſuch Errand, is utterly inconceivable: For we have ſeen the Miniſters of *Sweden* and *Denmark* openly acting as their Solicitors; and the great Meaſure they made uſe of to reconcile their People to the Burden and Miſery of the War, was a conſtant Avowal of their Inclinations and Endeavours to effectuate a Peace.

But whether the Offers they made were really unreaſonable, or were unreaſonably refus'd, when his Majeſty repair'd to the *Hague*, the State of the War was adjuſted for the enſuing Year; and to induce the Parliament of *England* to concur, was all that remain'd to be done, to render the Syſtem complete.

According

A. D. 1694. According to the Proclamation which had been iſſued for the Meeting, the Members of both Houſes had been charg'd and commanded to give their Attendance, for the Diſpatch of Buſineſs, on the 6th of *November*: The Marquis of *Carmarthen*, with the Yachts and a Squadron of Men of War, had arriv'd in the *Maeſe*, about the 10th of *October*, to wait his Majeſty's Leiſure: But the Winds hanging Weſterly, and *continuing to blow very hard for ſeveral Days together, he could not embark till the 6th of *November*, (on which Day the Parliament was adjourn'd, by Commiſſion, till the 12th) nor ſet Sail till the 8th at Noon; but was then favour'd with ſo quick a Paſſage, that he landed at Twelve the next Day at *Margate*, from whence he proceeded to *Canterbury* the ſame Night; and having been met by the Queen at *Rocheſter* on the Morrow, arriv'd at *Kenſington* in the Evening; having been receiv'd as a Conqueror all the way; and as if there was no ſuch thing as Diſcontent or Diſaffection in the Land.

The King lands at Margate.

Congratulated by the City.

On the 12th the Lord-Mayor and Aldermen of *London* waited on his Majeſty; and the Recorder, in the Name of the City, congratulated him on his ſafe and happy Return, and the *proſperous* State of his Affairs, both by Sea and Land: After which they paid the ſame Compliments to the Queen, with ſupplemental Acknowledgments of her wiſe and proſperous Adminiſtration of the Government, during his Majeſty's Abſence: Of the whole Ceremonial, a proper Entry was made in the *Gazette*; and as if to reproach the other Corporations of the Kingdom, for not having diſcover'd a ſufficient Senſibility of the Happineſs they enjoy'd, a few Days after, a national Thankſgiving was appointed for the great Mercies of Almighty *God*, in preſerving their Majeſties, and their Government, againſt the Deſigns and Attempts of their *open* and *ſecret* Enemies; in protecting his Majeſty's Perſon from the Danger to which it had been expos'd in his late Expedition, and in granting ſuch Succeſs to his Arms, and to thoſe of his Confederates, both by Sea and Land, as had put a *conſiderable Stop* to the Rage and Fury of the Enemy.

Proclamation for a national Thankſgiving.

It will now, perhaps, be expected that we ſhould proceed to the Buſineſs of the Seſſion: But there remains ſtill another Point to be treated of firſt; as well becauſe it ſtands foremoſt in order of Time, as becauſe of the great Uſe that was made of it for twenty Years together, by all the Diſcontented of the old monarchical Party.

Finding the People were not to be ſufficiently fermented by any civil Conſiderations, and recollecting what Uſe had been made of the Affair of *Magdalen* College, the Trial of the Biſhops, *&c.* by the Undertakers in the late Revolution, the Enemies to the Government ſet forth a Pamphlet, during the Receſs, under the Title of *Querela Temporum*, or, *The Danger of the Church of* England: The Scope and Tendency of which was to ſhew, That as much was to be apprehended from *Preſbytery* now, as from *Popery* then; by Arguments and Inferences drawn from the Abolition of *Epiſcopacy* in *Scotland*; the diſtributing all the Powers of the State, Eccleſiaſtic, Civil, and Military, among Latitudinarian Time-ſervers, political Indifferents, known Atheiſts, and occaſional Conformiſts, and the Act of *Toleration*; concerning which, and the State of *Epiſcopacy* in *England*, he takes the Liberty to write as follows: "What a contemptible Figure do our Biſhops now make in the Houſe of Lords? *It was never ſo known before*: No, never! *They* are oblig'd either to quit their Seats in that *Houſe*, or to bear the Raillery of the *Lay-Lords* every Day, who think them a dead Weight among the Peers, of whom the greateſt Part would be glad to be rid of them, not only out of their Houſe, but out of the Nation. And the Houſe of Commons, as well as the Lords, have ſeveral Times minded them of their Frailty; and that what has been done (in *Scotland*, for example, and in *England* in 42) may be done as well in *this* as in *other* Things. But more than all this, both Houſes of Commons and Lords have ſhewn their Love to us, and high Regard of our Conſtitution, in that they have diveſted us of all our Authority over the People, by their unlimited Act of Indulgence to all Sorts and Sizes of *Diſſenters*; and commanding, That the eccleſiaſtical Courts ſhould have no Power to proceed againſt any of them; and giving Power to the Juſtices of Peace, at this Seſſions, to licence Teachers and Preachers, as it is in the Act of *Toleration*, 24 *May*, 89, *prim. Guil. & Mar.* This has render'd our Church a perfect Cypher: And if any, or all, of our Flocks ſhould deſert us To-morrow, and go over openly to the *Diſſenters*, we have no Power left us, by this Act, to reſtrain any of them by eccleſiaſtic Cenſures, or any other way; and the whole Nation have Liberty to believe any of their Communicants to be as ſafe a way to Heaven, as our own."—How ſtrong an Argument this very Invective contains for the Toleration, there is no need to point out: And how untowardly the Author plays the Advocate, even for that very Church, which he affects to be ſo much concern'd for, may be farther ſeen, when, coming to ſpeak of the Rents and Revenues, which, he ſays, were all which the Government had left it; he proceeds in theſe Words: "*The Church*, tho' over-run with *Errors*, was in far greater Authority and Reverence than now, when *Henry* VIII. ſeiz'd her Revenue; and had more, and greater Friends to ſtand by her. The *Pope*, and all the then Chriſtian Princes, did deteſt this Act as ſacrilegious, and were highly concern'd to have it rectify'd; and it was thought abominable to all *England*, except thoſe among whom he divided the Spoil. But is there one Man in the World would be concern'd for us, or pity us, if we loſt all?" Thus it appears, That the *firſt* Outcry concerning the *Danger of the Church*, aroſe from a *Popiſh* Prieſt; for ſurely none but a *Popiſh* Prieſt would have ſet ſuch a Value on the *Pope*'s Deteſtation of that Act,

A. D. 1694.

Account of a Pamphlet concerning the Danger of the Church.

Reaſon for aſcribing it to a Popiſh Prieſt.

A. D. 1694. or his Concern to have it rectify'd: With what Intent it was rais'd, appears alſo from the following Paſſage: "We ſee the Enemy already *Roar in the Midſt of our Congregations, and they have ſet up their Banners for a Token:* We ſeem now to hold our Poſt, but at their Diſcretion, till they are ready to give the Word, as in *Scotland*, No more *Epiſcopacy!* No more *Church of England!* But we ſhall not fall like them: They fell *altogether*; every Biſhop in the Kingdom, and almoſt the whole Number of the inferior Clergy. They may riſe again, and *will* riſe Glorious, aſſerting ſtill the ſame Principles as we did before in the *Reſtoration*, 1660. But as for *us* now, *Whether ſhall we cauſe our Shame to go?* Will not the *Scots* upbraid us? Where was our Zeal for *Epiſcopacy*, or Foreſight of our own Danger, when we ſtood ſilent by, and ſaw their Fall, without putting in one Addreſs, or ſhewing the leaſt Concern for our Brethren? They will mind us (for we have not thought of it) of the Zeal which the *Engliſh* Biſhops ſhew'd in the Caſe of the Archbiſhop of *Glaſgow*, unjuſtly depriv'd by *Lay-Authority*, in the Reign of *Charles* the Second, tho' there was an Act of Parliament there to countenance it; they eſpous'd it as their own Cauſe, (for ſo indeed it was) till they prevail'd with the King to have him reſtor'd. But now we could ſee not only all the Biſhops in that Kingdom, but our own renown'd *Metropolitan*, and near half of the then Biſhops of our own Kingdom, depriv'd by mere *Lay-Authority*, (not to mention the Diſpute of the Validity of that *Lay-Authority*, and the Cauſe, which none of us did think ſufficient for a Deprivation) without interpoſing one Word on their Behalf; or ſo much as for having that Allowance made good to them, which was provided for them by the Act of Parliament, either by King *William*, to whom the Act entruſted the diſpoſing of it; or if not from his *Juſtice*, yet at leaſt from the *Generoſity* of thoſe who came, unwilling and ſorrowful, as they pretended, into their Places: Nor did our *Convocation* once complain of the Abſence of their Archbiſhop, and ſo many of their other Biſhops, or make any Addreſs on their Behalf, or deſire any Conference with them, to know their Reaſons, and endeavour any Accommodation. No; we did none of theſe Things: We were ſeiz'd with, I know not what, panic Conſternation. Though all were well inclin'd, and every one would gladly have been a *Second*, yet none durſt begin. We were *Paſſive* here to a ſuperlative Degree: Our Courage and our Souls have left us: We lie under the Load, tho' we ſee ourſelves ſinking with it. What is this but *Infatuation!* and the End muſt be *Deſtruction*. But now, at laſt, if we have any Spirit left, tho' we have not made any Addreſs, or ſhewn ourſelves concern'd for the Caſe of our *Brethren* in *Scotland*, or for our depriv'd Biſhops and Clergy *here*; yet let us not ſit ſtill, and, by a ſupine Negligence, be ſo wanting to *ourſelves*, as at leaſt not to *Petition*, to *repreſent* our *Fears* and our *Danger* to the King and Government, to deſire ſome Redreſs to our juſt Grievances; that there may be an *Alteration* of the *Perſons* employ'd in *public Offices*, and ſuch only ſet at the *Head* of Affairs as are ſincerely for the *Church of England*; and let us make our *Exceptions* againſt thoſe whom we know to be of a quite different Intereſt. We ventur'd upon all this, and more, to King *James*, and had good Succeſs in it. Who knows but, upon our appearing zealous and active for the Safety of the *Church*, Others of our Flocks may join with us; at leaſt, they will approve and juſtify us in aſſerting *our* and *their* true Intereſt. But who will ſtir for us, or ſtand by us, if we dare not ſo much as open our Mouths in our own Behalf? It is our Office to lead and inſtruct them: They will love us the better for it; and we may, by this, recover many whom we have loſt. But we ſhall loſe all, if we render ourſelves wholy inſignificant and inſenſible of the Encroachments which are daily made upon us: And our Poſterities may curſe us, in whoſe Power it was to have ſtem'd this Tide, if we had taken it in time. The People will never believe that we can be hearty to them, and ſtand in the Gap for Preſervation of their Rights and Privileges, (as we have heretofore done, and were honour'd for it) while they ſee us ſo very diſpirited and negligent in *our own*. At leaſt this we ſhall gain by it, That if a deaf Ear be given to all our Applications, we may then reſt aſſur'd of what is determin'd againſt us."

A. D. 1694.

And with how little Reaſon this *Outcry* was rais'd, not only the political Uſe, which in all Reigns has been made both of the Church and her right Reverend Fathers, but the Experience of more than half a Century has demonſtrated.

Thoſe who either compos'd, or directed the compoſing this Pamphlet, it muſt be imagin'd, ſpar'd no Pains either to diſperſe or countenance it: But how earneſtly and ſincerely ſoever they labour'd to render it effectual, it had not the deſir'd Effect: The Clergy, ſatisfied, That their Rents and Revenues were ſafe, had no Inclination to countenance any ſuch Meaſure, as, perhaps, might really endanger them: And hence it follow'd, that, notwithſtanding theſe Endeavours on one Hand, and thoſe of the *Lancaſhire* Gentlemen, and their Friends, on the other, that Biſhop *Burnet* is authoris'd to ſay, That the Parliament was open'd with a calmer Face than had appear'd in any Seſſion during the Reign. *A Seſſion of Parliament.*

His Majeſty's Speech, upon this Occaſion, was conceiv'd in the following Words:

"*My Lords and Gentlemen,*

I am glad to meet you here, when I can ſay our Affairs are in a better Poſture, both by Sea and Land, than when we parted laſt. *The King's Speech.*

The Enemy has not been in a Condition to oppoſe our Fleet in theſe Seas; and our ſending ſo great a Force into the *Mediterranean*, has diſappointed their Deſigns, and leaves us a Proſpect of farther Succeſs.

With reſpect to the War by Land, I think I may ſay, that this Year a Stop has been

A. D. 1694. been put to the Progreſs of the *French* Arms.

Gentlemen of the Houſe of Commons,

I have had ſo much Experience of your good Affection to me, and of your Zeal for the Public, that I cannot doubt of your Aſſiſtance at this Time: I do therefore earneſtly recommend to you, to provide ſuch Supplies, as may enable me to proſecute the War with Vigour; which is the only Means to procure *Peace* to *Chriſtendom*, with the Safety and Honour of *England*.

I muſt likewiſe put you in Mind, that the Act of Tunnage and Poundage expires at *Chriſtmas*; and I hope you will think fit to continue that Revenue to the Crown: Which is the more neceſſary at this Time, in regard the ſeveral Branches of the Revenue are under great Anticipations, for extraordinary Expences of the War, and ſubject to many Demands upon other Accounts.

I cannot but mention to you again, the Debt for the Tranſport-Ships employ'd in reducing of *Ireland*, which is a Caſe of Compaſſion, and deſerves Relief.

My Lords and Gentlemen,

I ſhould be glad you would take into your Conſideration, the preparing ſome good Bill for the Encouragement of our Seamen: You cannot but be ſenſible, how much a Law of this Nature, would tend to the Advancement of Trade, and of the naval Strength of the Kingdom, which is our great Intereſt, and ought to be our principal Care."

Commons adjourn.

It is remarkable, that tho' the Seſſion was open'd ſix Days later than was expected, the Commons did not proceed to Buſineſs; but, on the contrary, adjourn'd till the 19th; which ſeem'd to indicate, either That the Plan was not ſettled, or that ſome preparatory Meaſures were firſt to be taken with the Leaders of the Oppoſition: Biſhop *Burnet* ſuggeſts, That the Bill of *frequent Parliaments*, or, as it has been ſince call'd, the *Triennial* Bill, was, by expreſs Bargain, the Price of the Supply: And ſo far, indeed, this Suggeſtion is countenanc'd by the Matter of Fact, that the firſt material Order of the Houſe, after Adjournment, was for

Bill for frequent Parliaments order'd.

Mr. *Harley* to prepare and bring in the ſaid Bill: And what follow'd was calling for Accounts, Eſtimates, Contracts, and all thoſe other Papers which are made uſe of to juſtify Demands on one Side, and Compliances on the other. On the 21ſt a Supply was unanimouſly voted: On the 22d the Bill was preſented and receiv'd. On the 30th it was reſolv'd, That the Sum of 2,382,712*l.* ſhould be granted for the Service of the Navy, and 2,382,000*l.* for that of the Army: Towards the raiſing theſe immenſe Sums, it was farther reſolv'd *December* 4. That Four Shillings in the Pound ſhould be levy'd on the Land; and that the Subſidies of Tunnage and Poundage, which expir'd on the 24th inſtant, ſhould be granted for the Term of five Years longer, to begin from the 26th; ſo that there was an Intermiſſion of theſe Duties for one Day; and this was wiſely provided, that the Crown might not, in length of Time, plead Preſcription for thoſe Revenues, and continue to levy them by Prerogative, inſtead of Donation from the People: On the 30th the *Triennial* Bill was ſent up by Colonel *Granville* to the Lords, and on the 18th the Lordſhips ſignify'd by Meſſage, That they had agreed to it without Amendment; and in every Stage of its Progreſs the *Tunnage-Bill* waited upon it, if it did not bear it Company.

A. D. 1694.

Tunnage and Poundage renew'd.

The two Bills keep pace.

Of the Latter of theſe *Bills*, no more need be ſaid than is contain'd in the Preamble to it; which runs in theſe Words—"*The Commons*, aſſembled in Parliament, repoſing Truſt and Confidence in your Majeſties, for the guarding of the Seas, againſt all Perſons who ſhall attempt to invade this your Realm, or to diſturb your Subjects in their Trade and Commerce, towards the defraying the neceſſary Charge thereof, and alſo for the better enabling your Majeſties to proſecute the preſent War, againſt the *French* King, with Vigour, have chearfully and unanimouſly given and granted, *&c.*"

Some Account of them.

But of the Former, as well becauſe of the many fruitleſs Efforts which had been made to obtain it, as becauſe of the extraordinary Fate which many Years afterwards overtook it, a more copious Account ought to be given.

The Neceſſity of *frequent Parliaments* had been aſſerted in the laſt Article of the *Declaration of Rights*; but then it had been aſſerted in ſuch indefinite Terms, that the King did not think himſelf oblig'd to obſerve it: And in the Courtiers Senſe, *frequent Seſſions* did as well: When, therefore, Experience began to ſhew, That long Parliaments, and all the Abuſes and Corruptions they produc'd, were as fondly cheriſh'd in this Reign, and by the ſame Party, which in that of *Charles* II. had been ſo eager to detect and expoſe them, this Expedient of the *Triennial* Bill was again brought into Play, and proſecuted with ſo much Steddineſs and Perſeverance, as, at length, got the better of all Oppoſition.

The Preamble, which deſerves to be had in everlaſting Remembrance, was conceiv'd in theſe Words: "Whereas, by the antient Laws and Statutes of this Kingdom, *frequent Parliaments* ought to be held; and whereas *frequent* and *new* Parliaments tend very much to the happy Union and good Agreement of the King and People, we, your Majeſties moſt loyal and obedient Subjects, the Lords *&c.* do moſt humbly beſeech your moſt excellent Majeſties, *&c.*"

By the firſt enacting Clauſe, it was provided, That from thenceforth a Parliament ſhould be held once in three Years at the leaſt: By the Second, That within three Years at fartheſt, after the Diſſolution of the Parliament then ſubſiſting, and ſo from time to time for ever after, legal Writs under the great Seal, ſhould be iſſued, by the Direction

A. D. 1694. rection of the (*n*) Crown, for calling, aſſembling, and holding another new Parliament. By the Third, That no Parliament whatſoever ſhould have Continuance longer than for three Years *only, at the fartheſt*; to be accounted from the firſt Day of the firſt Seſſion: And by the Fourth, That the ſaid then ſubſiſting Parliament ſhould ceaſe and determine on the firſt Day of the next following *November*, unleſs their Majeſties ſhould think fit to diſſolve it ſooner.

A Proteſt againſt the Triennial Bill. It ſhould alſo be remember'd, that, upon the laſt reading of the Bill in the Houſe of Lords, the Lords *Devonſhire*, *Weymouth*, *Aylesbury*, and *Halifax*, enter'd their Proteſt againſt it, for this Reaſon, *viz.* Becauſe it tended to the Continuance of the preſent Parliament, longer than, as they apprehended, was agreeable to the Conſtitution of *England*; and becauſe of the ill Conſequences which, in many Reſpects, might attend it.

Royal Aſſent given to both. And now both Bills lying ready for the Royal Aſſent, his Majeſty came to the Houſe of Peers, on the 22d, and having firſt beſtow'd that Grace on the *Tunnage*-Bill, ſuffer'd its Companion, the (*o*) *Triennial*-Bill, alſo to become a Law.

Remarks thereon. Why his Majeſty formerly rejected this Bill, has been already inſinuated: And that he paſs'd it now, may poſſibly be imputed to the *Bargain* diſcours'd of by *Burnet*: But the Fact has been treated in ſo different a manner, by different Authors, that the Reader has a Right to have all their ſeveral Authorities laid before him.

But by way of Preparatory, it will be neceſſary to premiſe, That her Majeſty, the Queen, had been taken ill the Day *before*, and, according to the general Apprehenſion, of the Small-Pox, which had been very riſe, and very fatal, during the whole Seaſon.—Mr. *Boyer*, notwithſtanding, ſays, That the paſſing the *long-wiſh'd-for* Bill, for the frequent meeting of Parliaments, *before* the Queen was *taken ill*, was the moſt *lucky Hit* of King *William*'s Politics: According to Biſhop *Kennet*, "There ſeem'd to be a *particular Providence* that *directed* the King to the *Wiſdom* of paſſing that *popular Bill*, before the *Death* of the Queen; for, continues he, if it had been deferr'd to this time, ſome People would not have fail'd to ſay, That he had been *forc'd* to it by the *Neceſſity of his Affairs*." And as to Biſhop *Burnet*, (forgetting the *Bargain* which he had ſpoke of before) he roundly declares, That if the King had not paſs'd the Bill on the *Second* Day of the Queen's Illneſs, *it is very probable he would never have paſs'd it*. A. D. 1694.

Theſe are almoſt the very Words of his Lordſhip: But, perhaps, he ought rather to have ſaid, That if the Queen's Illneſs had not happen'd, his Majeſty would not have paſs'd it: For, upon her Death, he could ſcarce have avoided it: And his Policy conſiſts in having provided againſt the worſt, and thereby put in for all the Merit, which his former Refuſal had left within his Reach. What, however, the Former of theſe Right Reverend Fathers does not care to admit, the Latter makes no Difficulty to avow: And it is certain, that if either the Rectitude of the Meaſure, or the Demands of his People, had weigh'd with him, they would have operated as forcibly in the firſt Inſtance as in the laſt.

Having incidentally touch'd on the Malady which had ſeiz'd the Queen, it may be expected that we ſhould now haſten to the Event: But there is yet another melancholy Incident, the Death of Archbiſhop *Tillotſon*, which, ſtanding foremoſt in point of Time, muſt, for that Reaſon, be treated of firſt.

Death of Archbiſhop Tillotſon. He was ſeiz'd with a Fit of the dead Palſy, at *Whitehall*-Chapel: But tho' he felt the Approach, did not think it decent to interrupt the Courſe of divine Service, by withdrawing for Aſſiſtance: The Conſequence was, that the Diſeaſe obtain'd the Maſtery, and Death follow'd on the fifth Day after the Attack. It is ſaid, That he continued ſenſible a great part of the Time; that he appear'd compos'd and reſign'd; and that in broken Words he made a Shift to ſay, *Thank* God *I am quiet within!—I have nothing to do but to wait the Will of Heaven*. *Burnet* preach'd his Funeral Sermon; and the Character he gave of the Deceas'd, *(ſeverely true*, as he declares it was, and rather leſs than larger than the Life) together with the over-flow of Rancour, which, in the ſame Breath, he raſhly diſcharg'd againſt the *depriv'd Clergy*, drew both on the *Dead* and the *Living* as ſevere Invectives: According to the Preacher, *Tillotſon* was a Man whoſe Life was free from *Blemiſhes*, was *ſhining* in *all* the Parts of it, was an *Example* of all *ſublime* and *heroical Piety* and *Virtue*, and a *Pattern* both to *Church* and *State*: According to Thoſe who anſwer'd him, ſuppoſing theſe Things to be true, they were not to be admitted on the Authority of him who deliver'd them: According to them, *Burnet* had no *(p)* Authority, and *Til-*

Different Characters of him.

(*n*) By the *Triennial* Act, paſs'd in 1640, the Lord-Chancellor, or Lord-Keeper, were oblig'd to iſſue the Writs within the Term, whether directed or not, on pain of loſing their Places: And when King *Charles* afterwards upbraided the Parliament with the Favour he had done them in paſſing this Act, they reply'd, *That it was not ſo much as by Law they could require, there being two Statutes then in force for a Parliament once a Year.* Theſe two Statutes were, 1. That of the 4th of *Edward* III. in which it is accorded, *That a Parliament ſhould be holden every Year once, and more often if Need be.* And 2dly, That of the 36th of the ſame *Edward*, in which it is enacted, *That for the Maintenance of the ſaid Articles and Statutes, and the Redreſs of divers Miſchiefs and Grievances which daily happen, a Parliament ſhould be holden every Year.*

(*o*) In the Year 1716 this Act was repeal'd, and a *Septennial* Act was ſubſtituted in lieu of it, which I mention in this Place for the ſake of what follows: One *Cranfhanks*, an Officer in the Treaſury, writing four Years after upon the Funds, in anſwer to certain Papers ſet forth by *Archibald Hutcheſon*, Eſq; and often *going out of his way* for the ſake of forcing a Compliment on our great *Deliverer*, found the Times ſo ſore on that Head, and was ſo afraid of touching the Ulcer, that tho' he has treated largely of the *Tunnage* Bill, and the Queen's Death, he did not think fit to mention the *Triennial* Bill at all.

(*p*) To prove this they quoted Paſſages out of his own Writings, to this Effect, "That there was no Hereſy ſo contrary to the whole Deſign of Religion, and more deſtructive to Mankind, than the bloody Opinion of defending Religion by

A. D. 1694. *Tillotson*'s Life abounded more with (*q*) *Blemishes* than *Beauties*; and the Truth of the Matter is, That Prejudice was equally predominant on both Sides. The Archbishop was a Man of shining Parts, and eminent Accomplishments; but not altogether so consistent with himself as became a Philosopher, a Hero, and a Saint: That he was as much an Enemy to the narrow, servile, selfish, hypocritical Practices of Priests, as a Priest could be, ought to be acknowledg'd: But then, that he was not so averse to the Refinements of the Courtier, as an inflexible Patriot ought to have been, cannot be deny'd: In all that *Largeness* of Sentiment, and Extensiveness of Charity, for which he has been so highly extoll'd by some, and so bitterly reproach'd by others, there was more of A. D. 1694.

by Arms, and of forcible Resistance, upon the Colour of preserving Religion. And that less Disorder was to be apprehended from the Pretensions of the *Roman* Bishops, than from those Maxims which put the Power of judging and controlling the Magistrate, and which open'd a Door to endless Confusion, and set every private Person in the Throne." And to these Passages of his *own Writing*, they oppos'd his *own Practice*, 1. In persuading the Princess of *Orange* to the unnatural Invasion of her Father's Crown. 2. In answering a certain noble Lord, (the Marquis of *Halifax*) who ask'd him, when sent as one of the three Commissioners from his Majesty to the Prince of *Orange*, *What then* must we do with the King? In these Words, *He must be deposed! He must be deposed!* [See the Bishop's Account of this Matter in the History of *his own* Times, Vol. I. p. 794.] And, 3dly, (tho' many more Instances are given) In his Behaviour to Mr. *Nopleton*, who brought Advice to the Prince, then at *Windsor*, of the King's having been stopt at *Feversham*, of which a Detail has already been given in the former Volume, p. 1066. and to which the following Paragraph was, at the time of this Controversy, annex'd. "He wept like any Crocodile at Mr. *Nopleton*'s Relation of the barbarous Usage which the King met with at *Feversham*: And, pray, Mr. *Nopleton*, said he, still wiping his Eyes, *carry my Duty to the King, and let him know my Concern for him.* Which puts me in mind of a Story that I have heard of that Master-Enthusiast *Cromwell*, who, when a Gentleman came to entreat his Excellency, that he would give him Leave that he might have a Lock of the beheaded King's Hair, for an honourable Lady—*Ah No, Sir*, said he, bursting into Tears, *That must not be: For, I swore to him, when he was living, That not a Hair of his Head should perish.*

(*q*) To prove which, as also, That he was not educated among the *best Sort* of Puritans, as *Burnet* had asserted in his Sermon, they made a Collection of all the exceptionable Passages in his Life, of which the following may serve for a Specimen.

"But I have reason to think that they were not the *best Sort* of *Puritans*, under whom he had his first Education: First, Because his Father very early turn'd *Anabaptist*, which gave some Occasion to call his Baptism into question: And, Secondly, Because the best sort of *Puritans*, as hath been often shew'd, were far from the Principles of Resistance and Rebellion; but under whomsoever he had his first Education, he came season'd to the University of *Cambridge*, with those Principles. For not long after he came thither, King *Charles* the First was brought by *Cambridge* to *Hampton-Court*, and lodging at Sir *John Cuts*'s House, at *Childerly*, near that University, the Scholars went thither to kiss his Hand: But he, and some few more, had so signaliz'd themselves for those they then call'd *Round-Heads*, that they were not admitted to that Honour with the rest of the Scholars. Within a Year or two after he went out *Midsummer Batchelor of Arts*; by which, having locally qualify'd himself for a Fellowship, he got the *King*'s *Mandamus* for Dr. *Gunning*'s, (which I think one of his own Gang enjoy'd a little before him) as a Reward for his good Affection to the *Cause*. From that time, to his Discontinuance, he govern'd the College; the Senior Fellows not daring to oppose him, because of the Interest he had with his great Masters: And so zealous was he for them, that the Corner of the College, which he and his Pupils took up in the new Building, was call'd the *Roued-Headed* Corner. And when King *Charles* the Second was beaten at *Worcester*, he sent for the Tables in which the *College Grace* was written, and after the Passage of Thanksgiving for their Benefactors, *Te Laudamus pro Benefactoribus nostris*, &c. he added, with his own Hand, and of his own Head, *Præfertim pro nostra Victoria contra*, Carolum Stuartum, *in Agro* Wigorniensi *reportata*, or to that Effect. In the Year 1656, or the Beginning of 1657, he discontinued from the College, being invited by *Prideaux*, *Cromwell*'s Attorney-General, to teach his Son, and do the Office of a Chaplain in his Family; and the Reader may please to take Notice, That his Son was the same Mr. *Prideaux* who was in the Duke of *Monmouth*'s Rebellion. I have related all this upon very good Authority, to shew that Dr. *Tillotson* had not his first Education under the *best Puritans*, and that he was not so soon freed from the Prejudices and Impressions of it; but that hitherto he was perfectly master'd by them: And whether or no they had not some influence over him all his Life long, I leave the Reader, from what I have said of him in this Chapter to Judge.

Cromwell *was his Uncle.*

He also saith, That his *extraordinary Worth forc'd some, who had no Kindness for him, to advance him*: The *same* he means is only King *Charles* the Second, who plainly perceiv'd, that he was not quite *freed from the Prejudices of his first Education*; for when he officiated in the Closet, instead of bowing at the Name of *Jesus*, or rather to *Jesus*, at the mentioning of his saving Name, that he might seem to do something, and yet not do the thing itself, he *used to step* and bend backwards, calling up his Eyes to Heaven; which the King observing, said, He bowed the wrong way, as the *Quakers* do when they salute their Friends. And yet, tho' his Majesty, who was a great Discerner of Men, perfectly knew him, he prefer'd him to gratify the Heads of a Party. And may all Princes, who, for *politic Ends*, prefer those for whom they have no Kindness, and who have no true Kindness for them, be requited as he was.

I now proceed to shew, that he hath not follow'd the generous and laudable Example of another Person, in the very Case in which he hath proposed it for Imitation. "It cannot be denied, nor am I much concern'd to dissemble it, (saith he, *Tillotson*, in his Funeral Sermon on Dr. *Whitehcot*) that here he possess'd another Man's Place, who, by the Iniquity of the Times, was wrongfully ejected; I mean Dr. *Collins*, the famous and learn'd Divinity Professor, of that University; during whose Life, (and he lived many Years after) by the free Consent of the College, there were two Shares, out of the common Dividend, allotted to the Provost, one whereof was constantly paid to Dr. *Collins*, as if he had been still Provost. To this Dr. *Whitchcot* did not only give his Consent, (without which the thing could not have been done) but was very forward in doing of it; tho' hereby he did not only considerably lessen his own Profit, but likewise incur no small Censure and Hazard, as Times then were: And left this had not been Kindness enough to that worthy Person, whose Place he possess'd, in his last Will he left to his Son, Sir *John Collins*, a Legacy of 100*l.*"

One would think, that such *heroic Virtue* as his, should have follow'd such a generous Example of his own proposing; but as Dr. *Whitchcot* had Dr. *Collins*'s Place, so he had Dr. *Gunning*'s Fellowship at the same time, and never allow'd him one Farthing; tho' he was as wrongfully ejected as Dr. *Collins*, and stood in more Need of an Allowance than the Doctor did. But there is one thing more to be said for the Honour of Dr. *Whitchcot*, which he took no Notice of, and it is this, That he had Dr *Collins*'s Consent to take his Place, which he himself had not from Dr. *Gunning* to take his; and yet he was very angry at him for resuming his Fellowship from him at the Restoration. This would pass for a Blemish in any other Man's Life but Dr. *Tillotson*'s; or if it would not, methinks his taking the Archbishop's Place, not only without but against his Consent, should pass for a Blemish in his Life: He having not only got him *extruded* by Force out of it, but thereby made himself the Author and Architect of a most scandalous and outragious Schism; which will not only be an everlasting Blot upon his Memory, but, if not healed, an everlasting Blemish upon the Church. Methinks he might have so far follow'd Dr. *Whitchcot*'s Example, and to have made him an Offer of some Allowance, tho' he had refus'd it, as I am sure he would have done: But far from doing that, he behav'd himself towards him with the greatest Inhumanity, as appear'd from expressing his Joy, unawares, to Dr. *Beveridge*, for the glorious Device of the *Writ of Intrusion*, thinking the Doctor had come to talk with him, as one that had accepted the Bishopric of *Wells*: but when he found that he came to excuse himself from the Acceptance of it, (worth 200*l.*) he turn'd pale upon reflecting he had discover'd too much. He also *suffer'd* his Grace's Steward and Nephew, Mr. *Somerset*, who kept Possession at *Lambeth* for his Uncle, to be imprison'd and fin'd, tho' he might have prevented both if he would; and yet left him not a Legacy for reparation of his great Fine, as Dr. *Whitchcot* did to Sir *John Collins*, tho' he had all the *Fruits* and *Profits* of the Archbishopric, from the time of the *Deprivation*, to the time that he took Possession thereof. And it is further observable, That as he enjoy'd the Place of one, who was deprived by those who had usurp'd the Authority of *Charles* the First, and that of another, but of vaster Consequence, who was depriv'd by the Power of those who had first depriv'd King *James* the Second; so he took the Place of a Third, a Minister in *Suffolk*, who was legally ejected by the *Bartholomew Act*, upon the Return of *Charles* the Second: Which shews, That he was a Man of all Times, and all Governments, Right or Wrong; and which, in truth, makes him look more like *a Vicar of Bray*, than an Hero in Virtue.

A. D. 1694. of the Politician than the Chriſtian. Tho' many of the high Clergy had temporis'd with the Government, they were not thoroughly reconcil'd to it: Thoſe who could not pretend to the *divine Right* of Kingſhip, would never acknowledge a *divine Right* in the Prieſthood: And the great Link of Church and King being thus broke, it was eaſy to ſee, that the two Principles would ferment; and, as in all other Fermentations, that the Mightieſt would prevail: This made it neceſſary to humble Thoſe whom it was not ſafe to combat with any other way; and by a gradual Introduction of new Principles, and new Doctrines, as well as by a proper Diſtribution of Preferments, to new-model the whole eccleſiaſtical Part of the Conſtitution: It was for this great (*r*) End that he was promoted: And it is in this great Light that his Character and Conduct, after this Promotion, are to be conſider'd; not that of a ſplendid Preacher, or a mere Metropolitan: And if his Heart had been as firm as his Head was clear; or, in other Words, if his Reſolution had been equal to his Capacity, Envy muſt have own'd, That he was every way qualify'd for the great Poſt he was choſe to fill. But even *Burnet* acknowledges, A. D. 1694.

(*r*) *Burnet*, in his Sermon had ſaid, That their Majeſties had made choice of Dr. *Tillotſon* for the Archbiſhopric, as the fitteſt Perſon: And the *Anſwerer* agrees, That he was as fit a Perſon for *that Turn*, as they could have pitch'd upon: But the Biſhop proceeding to ſay, That he *(Tillotſon)* was unwilling to accept it, yet their Majeſties, *perſiſting* in their Intentions, made him think it was the *Call* and *Voice of God*, and ſo he ſubmitted; adds—*Kings may call, tempt, and importune us to commit deadly Sins, as well as other Men.*

That the Archbiſhop was an egregious Flatterer, the ſaid Anſwerer farther endeavours to prove, by a Quotation out of his Thankſgiving Sermon, for the Victory at *la Hogue*; in which he ſays, That King *William* was a *Prince, who had made it the great Study and Endeavour of his Life, to imitate the Divine Perfections, as far as the Imperfection of human Nature, in this mortal State, would admit.* And that he had none of the Candour and Benevolence, which was aſcrib'd to him, from his preaching often againſt the *Nonjurors*; and declaring, *He thought Priſons, and all the hard Uſages of them, which in former Reigns he was wont to call unchriſtian and inhuman Methods of converting Men, not too bad for the beſt of them.*

Taking occaſion, alſo, to ſpeak of Dr. *Tillotſon*'s famous Letter to Lord *Ruſſel*, concerning *Reſiſtance*: and his laſt Prayer with him on the Scaffold, in which he ſaid, *Grant, Lord, That all we who ſurvive, by This and other Inſtances of thy* Providence, *may learn our Duty to* God *and the* King! He compares his Principles and Behaviour *then*, with his Thankſgiving Sermon at *Lincoln's-Inn, January* 31, 1688, in which he call'd the late *Deliverance*, the *Lord's Doing*; adds', ſaid the *Anſwerer*, it *was brought about by the utter Violation of that Doctrine, and the whole Duty of Subjects withal ſolemnly from us.* And adds, That it was in conſequence of a cloſe Conſult, with him and one or two more, that a Motion was made, in the Houſe of Lords, for appointing the ſaid Thankſgiving to God, *for having made his Highneſs, the Prince of Orange, the glorious Inſtrument of delivering this Kingdom from* Popery *and arbitrary Power.*

Laſtly, as well with regard to this Looſeneſs of Principle and Inconſiſtency of Practice, as the Concern he felt from the Treatment it brought upon him, he proceeds as follows:

But this is but one Inſtance of acting in contradiction to his own Doctrine, when the appointed time of Tryal came; there are many more ſo well known, that I need not mention them: For, indeed, his whole Practice, ſince the Revolution, hath been one Series of Apoſtacy, and by which he hath not only diſhonour'd his Memory, and made all his other Good be evil ſpoken of, but been a Scandal to our holy Church and Religion, to which our Preacher's faith, he was *ſuch an Honour*; giving the Enemies of them great occaſion to triumph, their beſt and moſt ſtedfaſt Friends great occaſion of Grief and Shame: And, laſtly, tempted looſe and unprincipled Men to turn *Atheiſts*, and ridicule our Prieſthood and Religion: And this he hath been told of in ſuch different Manners, that I do not wonder it ſank deep into him, and had ſuch influence upon his Health.

I cannot imagine but that one Letter, which was ſent to his Lady for him, and ſuperſcrib'd for Dr. *Tillotſon*, muſt needs diſquiet him very much, if he receiv'd it, and read it. It is written throughout with a ſerious Air, and every Line of it ſpeaks to his Conſcience: And becauſe I know the worthy Gentleman who wrote it, and that it is a full and clear Proof of what I have ſaid, I preſent my Reader, but more eſpecially the Preacher of his funeral Sermon, with a few Paragraphs of it, if he will have the Patience to read them. It begins thus, "Sir, I ſhall preface what I am about to ſay with an Aſſurance, That I have formerly had the greateſt Veneration for you, as well for your Piety, as good Senſe and Learning; that my Notions of Government are ſo large, that the firſt thing I ever doubtfully examin'd, that had your Name affix'd to it, was your Letter to my Lord *Ruſſel*: But your Actions ſince do leſs quadrate with that Opinion, and ſeriouſly make me addreſs myſelf to you, to know how you reconcile your preſent Actings to the Principles either of natural or reveal'd Religion; eſpecially how you reconcile them with the Poſitions and Intentions of that Letter, and conſequently whether you have a Belief of *God*, and the World to come.——But to come to your more particular Caſe: I beſeech you to publiſh ſome Diſcourſe (if you can clear Things) to demonſtrate either your Repentance of what you wrote to my Lord *Ruſſel*, or the Reaſons that make *that*, and *what* you now do, conſiſtent: And that you, with the uſual Solidity, with which you treat upon other Subjects, juſtify the Proceedings, and explain the Title of King *William*. I know no Body hath a ſtronger and clearer Head; and, if you have Truth on your Side, you can write unanſwerably. *God's Glory, and the Reputation of the* Proteſtant *Religion, is at Stake: Your own good Name calls for it*; and more eſpecially becauſe you have accepted *a moſt reverend and devout Man's Archbiſhopric.* A Man who hath given Evidence, how unalterably he is a *Proteſtant: A Sufferer formerly for the Laws, and Church of* England; *and a Sufferer for thoſe very Principles upon which that Letter to my Lord was written; for thoſe very Principles which you diſputed for, when he had ſo ſworn a Time to live?* Nay, which you remember'd him of, even upon the Scaffold, with the dreadful Commination of eternal Woe. Really, Sir, if there be any Truth, if there be any Virtue, if there be any Religion, what ſhall we ſay to theſe Things? What will you ſay to them? You muſt be at the Pains to clear this Matter, that we may not believe the Boundaries of Right and Wrong, the Meaſures of Violence and Juſtice quite taken away; that we may not be tempted to ſpeculative, and from thence to practical Atheiſm. This Change has made many ſober Men ſceptical, and gone further towards the eradicating all the Notions of a Deity, than all the Labours of *Hobs*; and your Part in it hath, I confeſs, more ſtagger'd me, than any one thing elſe. I have been ready to ſuſpect, that Religion itſelf was a Cheat, and that it was a Defect in my Underſtanding that I could not look into it; for I think, if I can know any Right Hand from my Left, our preſent Government ſtands upon Foundations, that contradict all thoſe Diſcourſes which you, as well as others, have ſent to, paſſive Obedience. The exceſſive Value I have for you, for your Knowledge, your Judgment, your Largeneſs of Spirit, your Moderation, and many other great Qualities, that have ſignaliz'd your Name, once made you one of the greateſt Ornaments of the Chriſtian Church.—*Apology* from what you preached, and wrote, pretended to believe, and would have others believe, ſhake me ſo violently, in the firſt *Credenda* of Religion, that I beſeech you, if you think it neceſſary upon no other Account, that you will publiſh ſuch a Diſcourſe, at leaſt for the Satisfaction of mine, and other Mens Conſciences, who, I can aſſure you, of my own Knowledge, lie under the ſame Scruples with myſelf, have the ſame Scruples in relation to the Government, and the ſame Temptations to queſtion Religion itſelf upon your Account.——I beg of *God Almighty* to lay an happy Conſtraint upon you, to do what may be moſt for his Glory, and the Good of theſe Nations: and I earneſtly ſupplicate him, that he will enable me to ſuffer whatever may be neceſſary for thoſe great Ends; and that he will incline you to publiſh your Reaſons, or Repentance."

Such was the Matter of Invective brought againſt this eminent Prelate, by his profeſs'd Enemies. But, on the other Hand, all that were perſonally attach'd to him, the whole Body of the Diſſenters, the Court, and all that depended upon it, as well as Dr. *Burnet*, talk'd of him as a Man that ſeem'd not to have the Frailties of Mankind; and that even in this mortal State, was fit for the Society of Angels: With them, that he had held *Pluralities*, was no Reproach to his Chriſtianity: And that he accepted the higheſt Station in the Church, after he had refus'd many inferior Biſhoprics, and often declar'd, he would accept of none, was a Theme neither to his Sincerity or Humility: In ſhort, he was as much the Idol of one Party, as the Averſion of the other: And if we may believe Dr. *Sherlock* from the Pulpit, "The greateſt Fault "he had was, That ſome envious and ambitious Men could "not bear his Greatneſs, which he himſelf never courted, "but always induſtriouſly avoided.——All *England* knew and "own'd his Worth; and if it had been put to the *Poll*, there "would have been vaſt Odds on his Side, That he would "have been *voted* into the See of *Canterbury*."

A. D. 1694. ledges, That the Slanders which perpetually follow'd him affected him ſo much, that they were thought to have ſhorten'd his Days.

Sancroft had died the Year before, and his Character was now put into the Scale againſt *Tillotſon*, together with the Weight of the whole Nonjuring Party: The one was call'd an *Intruder*: The other a *Confeſſor*: This a Man after our *Saviour's* own Heart; That a Man of Craft and Ambition, who had invented the very Writ of *Intruſion*, by which he got Poſſeſſion of an Archbiſhopric, worth above 5000*l.* a Year. *Burnet* reproach'd *Sancroft* with having rais'd a great Eſtate out of the Revenues of his Dioceſe: His Partiſans affirm'd, no Man ever ſet a leſs Value on his Revenues than he: And this is ſelf-evident, That if Avarice was one of his Vices, the Sacrifice he made was ſo much the greater: On the other Hand, it muſt be admitted, That the true *Levitical* Leaven had ſeaſon'd his whole Deportment; That he went too far in countenancing the Revolution, according to his own Principles; and That he ſtopt too ſoon, according to thoſe of the contrary Party. But if he, as well as *Tillotſon*, has juſtly incurr'd Cenſure for this unevenneſs of Conduct; if it is juſtly imputed to him, that he at firſt countenanc'd the Prince of *Orange*'s Undertaking, in hope to have ſhar'd with him in the Kingdom, the Power, and the Glory; and that he retir'd again to his Cell, when he found he was not to be a Co-adjutor to the Throne, he ought, nevertheleſs, to be exempt from the Cenſures, which *Burnet* has paſs'd upon him, for having liv'd in a State of Seperation form the Church, without daring to own it in any public Declaration: As a private Man, he was accountable only to *God* and himſelf for Matters of Opinion: As a public Man, in ſuffering the Controverſy to die, as far as regarded him, he acted in the wiſeſt Manner with regard to the public Peace; and in his laſt Conference, with one of his *conforming* Chaplains, his Expreſſions ſeem to bear Witneſs, That he dy'd in Charity with all Men. "You and "I, ſaid he, have gone different Ways in "theſe late Affairs: But I truſt Heaven's "Gates are wide enough to receive us "both: What I have done, I have done "in the Integrity of my Heart; indeed, in "the great Integrity of my Heart."

Sancroft *oppos'd to him.*

To cloſe on this Head, if *Sancroft* dy'd rich, it is ſaid, that *Tillotſon* dy'd ſo poor, that, if the King had not forgiven him his firſt Fruits, his Debts could not all have been paid: This is a Circumſtance which has ever been mention'd to his Honour; and alſo, that while he was in a private Station, his Cuſtom was to lay aſide two Tenths of his Income for charitable Uſes: But if it be true, as we find it aſſerted, That he had all the Profits of the Archbiſhopric, from the Time of the *Deprivation*, to the Time that he took Poſſeſſion of it, it muſt be admitted, that he had it in his Power to be as juſt on one Hand, as *munificent* on the other. —But whatever Parties may ſay, Men will be Men: The moſt obnoxious may have a Vein of Worth, tho' broken and interrupted, which their Enemies may not chuſe to acknowledge; and the moſt admir'd and exalted, ſuch Spots and Flaws, as all the Endeavours of their Friends may not be able to purge away. A. D. 16

A Portion of that high Favour which he enjoy'd at Court, deſcended to his Widow, who, at the Interceſſion of the Queen, it is ſaid, tho' the Date of the (*z*) Grants do not warrant it, had a Penſion of 400*l.* *per An.* ſettled upon her firſt, and afterwards 200*l.* *per An.* more.

But what more than all diſcover'd his Importance, her Majeſty honour'd his Aſhes with her Tears: And the King never mention'd him but with ſome Teſtimony of his ſingular Eſteem for his Memory; as in particular to Mr. *Chadwick*, his Son-in-Law, in theſe and the like Terms: *I lov'd your Father: I never knew an honeſter Man; and I never had a better Friend.* Burnet. Kennet.

Several eminent Divines were not only talk'd of for his Succeſſor, but had their ſeveral Factions to ſolicit and importune in their Favour: Of theſe *Burnet* mentions none but *Teniſon* Biſhop of *Lincoln*, and *Stillingfleet* Biſhop of *Worceſter*; and concerning whom he writes as follows: "Many wiſh'd "that *Stillingfleet* might have ſucceeded, he "being not only ſo eminently learned, but "judg'd a Man, *in all Reſpects*, fit for the Poſt. "The Queen was inclin'd to him; ſhe ſpoke "with ſome Earneſtneſs, oftener than once, "to the Duke of *Shrewſbury* on that Subject: "She thought he would fill that Poſt with "great Dignity: She alſo preſs'd the King earneſtly for him: But as his ill Health made "him not capable of the Fatigue that belong'd "to this Province; ſo the *Whigs* did generally "apprehend, that both his Notions and his "Temper were *too high*; and *all concurr'd* to "deſire *Teniſon*, who had a firmer Health, "with a more active Temper; and was univerſally well lik'd, for having ſerv'd the Cu"racy of St. *Martin's*, in the *worſt Time*, with "ſo much Courage and Diſcretion: So that, "at this Time, he had many Friends, and no "Enemies." Several Perſons ſet up to be his Succeſſor.

How all could *concur* in the Nomination of *Teniſon*, when *ſo many* were ſo preſſing on the Behalf of *Stillingfleet*; or how the Latter could be, in all Reſpects, fit for the Poſt, and yet be unfit for want of Health and Temper, ſurpaſſes an ordinary Comprehenſion.

But this is not the whole of the Story; and to reconcile theſe ſeveral Difficulties we muſt give the *Remainder*: There were two other Candidates, namely, *Hall* Biſhop of *Briſtol*, and Dr. *Thomas Burnet*, Maſter of the *Chartreaux*: The Former, it is ſaid, was

(*z*) *Vin.* May 2, and *Auguſt* 18.

A. D. 1694. was recommended by a great Party of Men, who had an Opinion of his Piety and Moderation: And the Latter had some Prospect of Success, till certain Bishops enter'd a *Caveat* against him, on account of his Writings, which were not held to be altogether Orthodox. If, therefore, we can suppose that his Majesty, and his Ministers, could be induc'd to relinquish their *own Man*, in compliment to the Cavils of these Bishops, we may also suppose, that *Stillingfleet* paid the Price of that Sacrifice; and that the general Concurrence, in favour of *Tenison*, was neither better nor worse than a Compromise. But however this may be, it is certain the Interest of the *Whigs* prov'd too mighty for that of the Queen: And on the 10th of *December*, being the 12th Day after *Tillotson*'s Death, it was declar'd in the *Gazette*, That the Lot was fallen upon *Tennison*.

Oldmixon.

Tenison *appointed.*

The Queen's Illness.

It is now time to attend the Progress of the Disease which had seis'd upon her Majesty: And, according to the Report of the new Archbishop, as deliver'd by himself to Bishop *Kennet*, "Her greatest Danger, *at first*, arose from the different Opinions of her Physicians: Sir *Thomas Millington* said rightly it would be the Small-Pox, and would have had some suitable Evacuations: But Dr. *Radcliffe* said, it would be the Measles only, and would not agree to any such Prescription till it was too late." *Burnet* also says, "The Physicians Part was universally condemn'd: And her Death was imputed to the Negligence or Unskilfulness of Dr. *Radcliffe*." But tho' he thus far agrees with the Archbishop, in the Sequel of his Report, he differs from him essentially: For he proceeds in these Words: "He *(Radcliffe)* was call'd for; and it appear'd, but too evidently, that his Opinion was chiefly consulted, and was most depended on. Other Physicians were *afterwards* called; but not till it was too late." It is not very material which of these Right Reverend Fathers were in the right: But in mitigation of the Censures pass'd by Both on Dr. *Radcliffe*, it ought to be remember'd, That *Millington* was a *Whig*, and *Radcliffe* a *Tory*; and such is the Malignity of Party, that it corrodes whatever it touches.

As few Princes had ever a more captivating Manner than the Queen, so none, perhaps, was ever more sincerely or more generally belov'd: It was no wonder, therefore, that both Court and City manifested a more than ordinary Concern for her Danger: And if his Majesty had not discover'd all that Excess of Sorrow which the *Historian* of *his own Times* is at so much Pains to describe, he would have been justly esteem'd the most insensible of Men: For she had acted towards him, as if all the Virtue, all the Religion, and even all the Pride of a Wife had consisted in Obedience to her Husband.

It is said, that on the first Attack of the Disease, she prepar'd herself for the worst it could produce: She sent those of her Court out of the way, who had never undergone the same Visitation: She shut herself up in her Closet, to burn some Papers and methodise the rest: When the Symptoms appear'd to be of the most alarming kind, she betray'd none of that Horror or Dismay which the Privilege of her Sex and exalted Condition might have excus'd: When a flattering Interval had not only kindled a Dawn of Hope, but, in a manner, establish'd an Assurance, That nothing fatal was to be apprehended, she discover'd no intemperate Elevation: And when the new Archbishop, among the other Duties of his Office, thought fit to apprise her, That her Case was desperate, and endeavour'd to prepare her for a Sentence which he trembled to pronounce, she receiv'd it, says he, *with a Courage agreeable to the Strength of her Faith. Both she was to terrify those about her: But for herself, she seem'd neither to fear Death, nor covet Life.* These are the Archbishop's own Words; and *Burnet* adds, That she continued in that calm and resign'd State to the last Minute of her Life: But then, as the Former hints, That some few Hours before her Death, *her Apprehension began to fail*, so the Latter admits, That after having continued silent for some Hours, *some Words that came from her shew'd her Thoughts began to break.* He, *Burnet*, also says, "She had formerly wrote her Mind, in many Particulars, to the King: And she gave order to look carefully for a small *Scrutoir* that she made use of, and to deliver it to the King. And having dispatch'd that she avoided giving herself or him the Tenderness which a final Parting might have rais'd in them Both." Which, however, is scarce reconcilable to what he afterwards throws in, *viz.* That in her last Agonies she try'd once or twice to say something to the King, but was not able to go through with it.

A. D. 1694.

"At last, (these again are the Archbishop's Words) the Helps of Art, and Prayers, and Tears not prevailing, a Quarter before One, on *Friday* Morning, *(December* 28) after two or three small Struggles of Nature, and without such Agonies as in such Cases are common, she fell on (*t*) sleep."

and Death.

She was bury'd at *Westminster*, with unusual Honours; for both Houses of Parliament assisted at the Solemnity: The Archbishop of *Canterbury* preach'd her Funeral Sermon, in which he bestow'd on her all the Praises that the best of Women, and the best of Sovereigns could deserve. *Burnet* also tells us, "That he wrote a Book, as an Essay on her Character, in which, says he, I have said nothing but that which I knew to be strictly true, without the Enlargement of Figure or Rhetoric." Both the Book and the Sermon were soon after made public; as also a variety of other Discourses, all over-flowing with Panegyric: For Men seldom testify so much Zeal in Offerings

(*t*) In the 33d Year of her Age, and the 6th of her Reign.

A.D. 1694. Offerings of this Nature, as when the Incenſe they burn to the Dead, is grateful to the Living.

But ſuch an Inundation of Praiſe did not fail to provoke a ſuitable Quantity of Invective, in which no Mercy was ſhewn, either to the one or the other: A Sermon was preach'd, or ſaid to be preach'd, on this remarkable Text, *Go now, ſee this curſed Woman, and bury her, for ſhe is a King's Daughter:* And in another *Jacobite* Piece, call'd, *Remarks on ſome late Sermons*, a Vent was given to all the Gall of the Party.

Oldmixon.

But what excited the moſt Attention, was a Letter from *Ken*, the depriv'd Biſhop of *Bath* and *Wells*, to the new Archbiſhop, in which he very freely upbraids him with a Failure of his Duty, in not having endeavour'd to awaken the Queen's Conſcience to a proper Senſe of her Behaviour to her Father; and more than inſinuates, That her teſtifying no Remorſe on that Account, argued either, that her Conſcience was ſear'd, or that the Compoſure ſhe was ſaid to dye with, was fallacious and inſincere.

That indeed, no Reflection on that Subject ſhould ariſe in her Mind, was impoſſible; that ſhe ſhould not communicate what ſhe thought upon it to the Archbiſhop was unlikely; and that his Grace did not impart to the Public all that paſs'd between them, may be inferr'd both from what *Burnet* mentions, namely, *That he had much private Diſcourſe with her*; and what *Kennet* profeſſes to report from the Archbiſhop's own Mouth. That ſhe bid the Company withdraw; and when they ſeem'd to be all gone out, ſhe bid him again look behind the Skreen, For, ſaid ſhe, Dr. *Radcliffe has put a* popiſh *Nurſe upon me; and ſhe is always liſtening to what is ſaid about me: That Woman is a great Diſturbance to me.* A. D. 169

But whether any Scruples in relation to her Father, made a part of theſe *private Diſcourſes*, and the Arch-Divine took upon his own Soul the Preſſures which in thoſe weak, unguarded Moments might poſſibly lye on hers, muſt remain a Secret to the Judgment-day.

The late Ducheſs of *Marlborough* does indeed not only leave it as a Stain on her Memory, That ſhe did not die in Charity with her Siſter; but embitters her Reproach by recollecting, That tho' ſhe received the Sacrament in her Illneſs, ſhe never made the leaſt advance towards a Reconciliation; or ſignify'd, that ſhe ſet any Value on thoſe made by the Princeſs; and by profeſſing, That "how this Conduct to a Siſter could ſuit with the Character of a *devout* Queen, ſhe was at a Loſs to know." But then her Grace at the ſame time, forgets, what *Burnet*, upon another Occaſion, thought fit to acknowledge, namely, That in all which related to the Public, ſhe *play'd a Part* that was not very *natural* to her; for ſo much in effect does his Acknowledgment amount to, and if this is admitted, it will follow, That in all political Matters at leaſt, ſhe had no Will nor Direction of her own.

THE

THE HISTORY OF ENGLAND,

During the REIGN of

King *WILLIAM* the Third.

A. D. 1694.

AS all the Popularity of the Government was owing to the frank, open, and affable Deportment of the Queen; as it was believ'd by Many, that ſhe had a natural Right to ſway the Sceptre which her Father had been oblig'd to lay down; and as by profeſſing to make the Welfare of the Church a Fundamental both of her Religion and Policy, ſhe had all the moſt conſiderable Eccleſiaſtics, together with all their Followers, in her Train; it was grievouſly apprehended, that her Death would have ſhook the very Foundation of the new Syſtem. *Burnet* himſelf acknowledges, that the *Proſpect* was very *melancholy*; and that the Turn which Matters took, was beyond all *Expectation*. But then he will not give us Leave to think, that the King had any Share in the Management of it. "During the Queen's Sickneſs, He was in an Agony that amaz'd us all, (ſays the Biſhop) fainting often, and breaking out into moſt violent Lamentations: When ſhe dy'd, his Spirits ſunk ſo low, that there was great Reaſon to apprehend that he was following her: For ſome *Weeks* after, he was ſo little Maſter of himſelf, that he was not capable of minding Buſineſs, or of ſeeing Company. He turn'd himſelf much to the Meditations of Religion, and to ſecret Prayer: The Archbiſhop was often and long with him; he enter'd upon ſolemn and ſerious Reſolutions, of becoming, in all Things, an exact and exemplary *Chriſtian*." Thus we are to underſtand, that the Hero, and the Politician, was, all at once, loſt in the Mourner and the Devotee: But if his Majeſty was really become ſo indifferent as to all worldly Purſuits, and ſo incapable of attending them; and if his frequent and long Conferences with the Archbiſhop, regarded only the ſettling his Conſcience, and making a timely Proviſion for a future State, it muſt be acknowledg'd, that his Miniſters ſerv'd him, during that whole Interval, with as much Zeal, Fidelity, and Ability, as ever Sovereign was ſerv'd with. A. D. 1694.

That the Lord *Sunderland* was at the Head of Theſe, tho' without any Office, we have already ſeen: And that it was one of his firſt Cares to prevail with the Princeſs to write a Letter of Condolance to his Majeſty; and at the ſame time to ſolicit a Reconciliation, we learn from the Ducheſs of *Marlborough*'s Account: But then her Grace will not ſuffer us to think, that his Majeſty lent a favourable Ear, for any but political Conſiderations. *Lord Sunderland prevails with the Princeſs of Denmark to ſolicit a Reconciliation with the King.*

"The Kings, ſays ſhe, had Senſe enough to know, that it would be impoſſible to continue any longer an open Difference with the Princeſs, without expoſing himſelf to daily Slights, and a manifeſt Diſregard for his ſovereign Pleaſure; for he could not hope that the Nobility of *England* would be hinder'd, now the Queen was dead, from paying Reſpect to a Princeſs, who was next Heir to him by Act of Parliament, and who, if Title by *Blood* had taken Place, would have had the Crown *before* him: And he was well aware, that every body, who had a mind to ſhew they did not *care* for him, would certainly do it by making their *court* to her.

"Quickly after this Letter, therefore, the Princeſs, with the King's Conſent, and at a time which he appointed, waited on him at *Kenſington*, and was receiv'd with extraordinary Civility.

"I never heard of any Body that oppos'd this Reconciliation, except my Lord *Portland*: But the Perſon who wholly manag'd the Affair, between the King and Princeſs, was my Lord *Sunderland*. He had, upon all Occaſions relating to her, ſhewed himſelf a Man of Senſe and Breeding; and

A. D. 1694. before there was any thought of the Queen's dying, had design'd to use his utmost Endeavours to make up the Breach; in which, however I am persuaded, he could not have have succeeded during the Queen's Life. Her Death made it easy to him, (for the Reasons I have mention'd) to bring the King to a Reconcilement; and he also persuaded his Majesty to give the Princess St. *James*'s House. But this, and some other (*u*) Favours granted her, at his Lordship's Request, were only to save *Appearances*, and for *political Views*."

That the Nation in general might also know, as soon as possible, what Sentiments they were to entertain, and what Language they were to use, the two Houses, instead of adjourning, as usual, during the Holydays, were severally call'd upon, to approach the Throne with Addresses suitable to the Occasion, which Both comply'd with on the same Day, *viz.* the last Day of the Year, tho' with some Difference of Stile and Manner. Said the Lords, "We your Majesty's most dutiful and loyal Subjects, &c. do, with *inexpressible* Grief, assure your Majesty of the deep Sense we have of the Loss your Majesty and the whole Kingdom doth sustain by the Death of that excellent Princess, our *Sovereign Lady*, the Queen; most humbly beseeching your Majesty, that you would not indulge your Grief upon this sad Occasion, to the Prejudice of the Health of your royal Person, in whose Preservation, not only the Welfare of your own Subjects, but of all *Christendom* is so nearly concern'd. We farther beg Leave upon this sad Occasion, humbly to *renew* to your Majesty the hearty and sincere Assurances of our utmost Assistance against *all* your Enemies, both at *Home* and *Abroad*; and of all other Demonstrations of the greatest Duty and Affection that can possibly be paid by the most dutiful and loyal Subjects." Said the Commons, "We, &c. being deeply sensible of the great Misfortune which hath befallen your Majesty, and this Kingdom, by the Death of our most gracious Queen, do, with *unspeakable* Grief of Heart, humbly beg Leave to condole the *irreparable* Loss of that most excellent Princess, the *Best of Women*; to enumerate whose Virtues, were to aggravate our Sorrow: We cannot, at the same time, but bless *God* for the Preservation of your Majesty to us, on whose Life the Welfare and Happiness of this Kingdom, and the Liberties of *Europe*, do, in so great a Measure, depend." Here follow'd a Paragraph of Advice, That his Majesty would moderate his Grief, and be careful of his Health; and for a Close, they express'd themselves as follows: "We also look upon it as a Duty we owe to your Majesty, to ourselves, and to those we represent, to take this Occasion of assuring your Majesty, That We your faithful Commons, will always, to the utmost of our Power, stand by, support, and defend your Majesty and your Government, against all your Enemies both *at Home* and *Abroad*."

The Lords Address of Condolance.

And also that of the Commons.

A. D. 1

Both these Addresses were made public in the *Gazette* the same Day: The next, the Lord-Mayor, Aldermen, and Common-Council of *London*, also set forth their deep Sense of the *unspeakable* Loss which the whole Kingdom had sustain'd; humbly besought his Majesty not to entertain such a Resentment of it, as might be dangerous to his Person, and give *farther Advantage* to his Enemies; and assur'd him, That they would stand by and support him against all his Enemies: And the same Day they came to a Resolution to set up the Statues of both King and Queen in the *Royal-Exchange*, "in Acknowledgment of the great Benefits and "Advantages the City had receiv'd under "their most gracious Government."

Statues of the King and Queen order'd to be put up in the Exchange.

The Regency of *Scotland*, the Lords of Session, and the City of *Edinburgh*, were the next to present their Complements of Condolance, and were follow'd by almost all the considerable Corporations in the three Kingdoms: Some of their own mere Motion; out of Principle, or because it became a Fashion; but the far greater Number, by the usual Stimulation of such Persons, as hope to make their own Court so much the more acceptably, by serving the Purposes of those in Power.

But while the *Gazette* was croaded with these ostentatious Nothings, a (*w*) printed Paper was privately handed about, which undertook to prove, That the Parliament was dissolv'd by the Death of the Queen; and which, it is reasonable to think, would have had a very singular Effect, if the late passing the *Triennial Act* had not dispos'd the Bulk of the People to be satisfy'd with the Provision made therein for a Dissolution.

A Question started whether the Parliament was not dissolv'd by the Death of the Queen.

Burnet

(*u*) He presented her with a great Part of the Queen's Jewels.

(*w*) Which being a very curious Piece, and Short, I have thought fit to insert in this Place, for the Information of Posterity.

SIR,

You are pleas'd to observe in your Letter, That it was the general Sense and Discourse in the Country, during the Queen's Sickness, that in Case she should then happen to die, they must go to a new Election of Members; for that her Death would make a *Dissolution of the Parliament*: And this, you say, was held so plain a Case, that you did not perceive that any body made any Doubt of it, but was taken by all for granted; and that, therefore, you were not a little surpriz'd to hear the Parliament were still sitting, notwithstanding her Death: And the more so, for that you have not heard that either House so much as made any Debate or Question about it, either before or since her Death; which (as you are pleas'd to add) puts you upon a Request to me to know, How I conceive the Matter stands in the Laws of the Land, that you may a little understand whether your Representatives have dealt fairly with you? Now, tho' I might, in answer to what you say, only tell you, That it was then thought as plain a Case here among the Lawyers, and, as I have been inform'd, even among your very Representatives themselves; and thence conclude it vain and needless to send you any particular Opinion, especially of my own: Yet to let you see how well the Law of the Land has provided for this Case, and that we are upon no Uncertainties in Law, however we may be in Men, in a Matter of this high Consequence and Concernment to the Kingdom, I will endeavour, as briefly as I can, to lay the Law before you, in so plain and clear a Light, that you may evidently see that the Parliament became necessarily dissolv'd, in Law, by the Queen's Death.

Now

A. D. 1694. *Burnet* assures us, That the Earl of *Rochester*, nevertheless, made it his Endeavour to establish that Doctrine within Doors, which had been handled so plausibly without: Others again affirm, That the Doubt was started by the Earl of *Nottingham*: And that the Earl of *Portland* reply'd, *It was not fit to be mention'd, much less to be debated*: But which soever of these Peers it was, that had the Boldness to make so dangerous a Motion, it met with no Countenance: For it was thought the wisest way to overlook a Defect or Form, if any such Defect there was, rather than suffer the whole Business of the Year to languish, and the whole Kingdom to be put into a Ferment at so delicate a Conjuncture, when more than ordinary Caution was necessary for the Sake of preserving Peace at Home.

And over-ruled in the House of Lords.

It does not appear that any Hint of this Nature

A. D. 1694.

Now you must know, whatever some may fancy, that Parliaments are under the Directions and Restrictions of the Common Law, as well as any inferior Court or Corporation: By the Law they have their Existence, by the Law they Act, and by the Law they cease: For the Being of a Parliament is a legal Being, and therefore can no longer exist than the Law upholds them; they are the King's Writs that raise them, and call them together: 'Tis under the immediate Influence, and legal Authority of these Writs, that they Sit and Act; and when these legal Writs, or the legal Authority they have by them, ceaseth, they necessarily cease too, and fall into Dissolution: So that whether the two Houses, now Sitting in *Westminster*, are a Parliament, or not, is altogether a Question of Law; and this, as I conceive, will chiefly, if not altogether, depend upon this Enquiry, Whether the Writs, issued out in the Names of King *William* and Queen *Mary*, were not abated and determin'd in Law by Queen *Mary*'s Death? For if they were, there is nothing legal left to support them, and consequently (whatever there may be else) can be no *Legal Parliament*; nor what they Act, or pretend to Enact, have any Force or Validity in Law. Now in order to examine this candidly and impartially (for I utterly abhor all unfair or unfaithful Dealing) I will first set before you a true Copy of the Writ by which this Parliament was call'd; and also so much of the late Act of Settlement of the Crown, 1 *William* and *Mary*, as concerns this Question, that you may the more clearly discern and judge of what I herein after say.

The Act 1 *William* and *Mary* first reciting the Donation of the Crown and Royal Dignity, by the Convention to the Prince and Princess of *Orange*, and that *thereby they did become, and of Right ought to be, our Sovereign Liege Lord and Lady, King and Queen of* England, *&c. in and to all those Princely Persons the Royal Estate, Crown, and Dignity of those Realms, with all Honours, Stiles, Titles, Regalities, Prerogatives, Powers, Jurisdictions, and Authorities to the same belonging, are most Fully, Rightfully, and Intirely Invested and Incorporated, United and Annexed*; then goes on, and says, That 'tis therein *Enacted and Declared, That the Crown, and regal Government of those Realms, with all and singular the Premisses thereunto belonging, shall be and continue to their said Majesties, and the Survivours of them, during their Lives, and the Life of the Survivour of them: And that the intire and full Exercise of the Regal Power and Government be only in and executed by his Majesty in the Names of both their Majesties, during their Joint Lives; and after their Decease, the Crown and Premisses shall be and remain to the Heirs of the Body of her Majesty*; and so on to the Princess, *Ann*, *&c.*

And the Writ is this:

Gulielmus & Maria, *Dei Gratia*, Angl. *&c. Rex & Regina. Fidei Defensor Vicecomit. B. Salutem. Quia de Advisamento & Assensu Consilii nostri pro quibusdam Arduis & urgentibus negotiis nos, Statum, & Defensionem Regni nostri Angl. & Eccles.* Anglican. *Concernen. quoddam Parliamentum nostrum apud Civitatem nostram* Westminster, *vicesimo die Martii prox. futur. teneri ordinavimus & ibidem cum Prelatis Magnatibus & Proceribus dicti Regni nostri Colloquium habere & tractatus. Tibi precipimus firmiter injungend. quod facta Proclamatione in prox. Com. tuo, post receptionem hujus brevis nostri tenend. de Die & Loco predictis, duos Milites Gladio Cinctos magis Idoneos & Discretos Com. predict. & de qualibet Civitate Com. illius duos Cives & de qualibet Burgo duos Burgenses de discretioribus & magis sufficient. liberi & indifferenter per illos qui Proclamationi hujusmodi interfuerint juxta formam Statuti inde Editi & provis. Elegi & nomine Eorundem Militum Civium & Burgens. sic Eligend. in quibusdam Indentur. inter te & illos qui hujusmodi Electioni interfuerint inde Confic. fiend. hujusmodi eligend. presentes fuerint aut Absentes inde fieri voluer. aut dictis Die & Locum venire fuer. Ita quod iidem Milites plenam & sufficientem potestat. pro se & Comunit. Com. illius ac dictis Cives & Burgenses pro se & Communitat. Civitat. & Burgor. predictor. desuper ad ipsis habitant. ad faciend. & consentiend. his que tunc ibidem de Communi Consilio dicti Regni nostri (Favente Deo) Contingent. ordinari super Negotiis dictis potest. Ita quod pro defectu potestat. hujusmodi seu propt. improvidam Electionem Militum Civ. aut Burgens. predictor. dict. Negotia infecta non remanent quovismodo, &c.*

Now it will not be deny'd, but that all *Parliament Writs* must naturally, necessarily, and essentially, be deriv'd and proceed from the whole and entire Sovereignty and Royal Dignity; and consequently these our Writs must necessarily have their Being and Authority as well from Queen *Mary* as King *William*; because the Sovereignty and Royal Dignity, at the time of issuing these Writs, were no less united and incorporated to the natural Person of Queen *Mary* than King *William*; they both then being actually and jointly in the Possession thereof, however distinguish'd in the Exercise of them: And therefore the Clause for using her Name in the Exercise of the Regal Power and Government, was not inserted in the said Act of Settlement, as a Matter only of Respect and Deference, but as a thing necessary and essential to that Share of the Sovereignty wherewith her Person was invested: In respect of which Sovereignty, so lodg'd in her, Treason, no doubt, might no less have been committed against her natural Person, than against his: So that her Name was necessary to these Writs, *ex Essentia rei*; and the Writs could not have been sufficient or valid in Law, unless her Name had been used in them, and that altho' there had been no such Clause in the said Act for the using both their Names. Now, therefore, if the Validity of these Writs essentially consisted in their being in the Names of both, as proceeding from the joynt regal Authority of these two joint Sovereigns; and could not have been good in either of their Names alone, for want of legal Sovereignty enough in either of them to impregnate the Writs: Then must the Death of either necessarily abate and dissolve these Writs, and the Parliament depending thereon; because the Sovereignty of the one, which necessarily went to the Authority and Support of these Writs, is demised or departed from the natural Body wherein it was invested, and consequently from these Writs. *Nihil enim tam Convenions est naturali Equitati unumquodque dissolvi eo ligamine quo Constitutur*, as says *Bracton*. Nor is it any Objection to say, That the Sovereignty vested in Queen *Mary*, did, by her Death, become vested in King *William* as Survivor, and the whole Sovereignty is now in him; unless any one could say, or think, That her Sovereignty, which was of absolute Necessity to make good these Writs, and which, by her Death, departed these Writs, could immediately again re-enter into these very Writs; which would be very absurd to say. So that these Writs must either remain half alive, and half dead, or else must wholy abate and determine by the Queen's Death. And to shew you further, that here was a Demise, and consequently a Dissolution, please to observe, That it is not the Kingship, or Sovereignty *in Genere*, that preserves these Writs, for then they might be as durable as the Monarchy itself; for the King *in Genere* never dies, but these Writs depend upon the Continuance of the natural Person of the King *in Individuo*, who issued them out: Now the King, who issued them forth, was King *William* and Queen *Mary* (they both being but *one Roy* in the Sense of the Law) but this *one Roy* is chang'd and gone by the Queen's Death; unless any one can say, That King *William* alone is the same *Roy in Individuo* with King *William* and Queen *Mary*. Therefore here is a Demise of the Crown, and consequently an Abatement of the Writs; for where the Sovereignty ceases to be *in Statu quo*, but is become otherwise lodg'd, and the Sovereign Stile alter'd and chang'd, by the Death of any natural Person invested with the Sovereignty, and a new Stile used in all Writs, Patents, and Acts of Government; such Change and Alteration is in Law a Demise, and what this Kingdom ever took Notice of as such: And if so, then certainly the Queen's Death was a Demise; for thereby the Sovereignty became otherwise lodg'd than it was before: For the Sovereignty thereby became wholy in King *William*, whereas before he was but a Joynt-tenant with Queen *Mary*; and, whereas, before the regal Stile was King *William* and Queen *Mary*, now, by her Death, the regal Stile is alter'd to King *William* III. and all this by the Act of God. So that all the legal Demonstrations, that can go to the Proof of a Demise of the Crown, proves this plainly to be one; and consequently the Parliament dissolv'd, if a Demise can do it. 'Tis not at all material to this Argument, how King *William* now claims or holds the Crown, whether by Survivor, or otherwise; all that need be ask'd is but this, Whether or no any Sovereignty was vested in Queen *Mary*'s natural Person, and whether the same be not thence departed by her Death? For if so, then according to our Laws, 'tis the Law knows what a Demise is; there was a Demise by her Death.

As

A. D. 1694. Nature was ever ſuffer'd to eſcape in the Houſe of Commons: On the contrary, they proceeded, without any Scruple, to the Buſineſs that lay before them: And as the Supplies could neither be refus'd nor retarded, while thoſe in Power made it their chief Buſineſs to fix the Attention of the Houſe on that Point only, thoſe who bid for Popularity, lay in wait for Grievances, and to couple ſo much Clamour with ſo much Service.

A. D. 1694. *The Civil-Liſt Eſtabliſhment caſt afresh by the Commons.*

On the 12th of *January* it was order'd, "That a State of the Revenue, with the Loans, Debts, and Charges thereupon; and likewiſe an Account of the Eſtabliſhment, Charge, and Expence of the *Civil Liſt*, ſhould be laid before the Houſe by the Commiſſioners of the Treaſury, and thoſe for taking and ſtating the public Accounts." And the ſame Day the Match was laid to a long Train of Enquiries into Abuſes and Corruptions, by

---

As to the Power given King *William* by this Act, for his only Exerciſe of the regal Power, that, if it makes any thing, makes the Diſſolution yet more evident; for that no ways alter'd, or affected the joint Lodgment or Settlement of the Sovereignty, but was only as in the Nature of a Warrant of Attorney; which, by the expreſs Limitation of the Act, wholly determin'd by her Death, being given only during their joynt Lives. But King *William* now has the ſole Exerciſe, not by Virtue of this Clauſe in the Act, but as reſulting and flowing from his ſole Title by Survivor; and therefore theſe Writs, if they were grounded or depended on his ſole Exercile, muſt conſequently be at an End for this Reaſon alſo.

Beſides, from the very Nature of Joynt-tenancy, theſe Writs muſt be determin'd: For, was it ever made a Queſtion in Law, where two Joynt-tenants grant any Authority to any Perſon or Perſons, but that the Death of the one Joynt-tenant determines the Authority ſo granted? If two Joynt-tenants make a Letter of Attorney to any Perſon or Perſons, to do any Act or Acts, is not the Death of one of ſuch Joynt-tenants, a Determination in Law of ſuch Letter of Attorney? Suppoſe two Joynt-tenants of a Manor grant the ſame to one or more Perſons, and one of theſe Joynt-tenants dies, can the Grantees claim any more than a Moiety only as from the Survivor? For though a ſurviving Joynt-tenant may, in ſome Caſes, claim wholly as immediately from the Donor; yet nothing is plainer in Law than that they that have any Grant or Authority from two Joynt-tenants, cannot afterwards claim as from the ſurviving Joint-tenant only, but muſt from both the Joynt-tenants reſpectively, according to their reſpective Intereſts and Eſtates: And therefore, if the Parliament cannot now make good their Sittings, as if call'd *ab Initio* from King *William* only, (which he then alone had no Power to do) then, certainly, neither can the ſole Title of King *William*, now by Survivor, ſtand them in any ſtead.

You may pleaſe to obſerve further, That for the Parliament to continue longer than the Joynt Lives of King *William* and Queen *Mary*, is as contrary to the End and Intent of their Writs, as it is without any Authority from them. The Writ tells you, That they, viz. King *William* and Queen *Mary*, for ſome high and urgent Matters concerning themſelves, and the State and Defence of the Kingdom, *&c.* having, by the Advice of their Council, appointed a Parliament at *Weſtminſter*, and there to have a *Colloquium & Tractatum*, i. e. Conference and Conſult with the Preſates, and great Men of their Kingdom, King *William* and Queen *Mary* command the Sheriff to proclaim the ſame in his next County Court, after the Receipt of this their Writ, to cauſe two ſuch Knights, *&c.* to be choſe, *&c.* as ſhall have ſufficient Power for themſelves, and the Commonalty of the County, *&c.* to do and conſent to ſuch Things as ſhall fall out to be ordain'd by the Common Council of their Kingdom, upon the Matters aforeſaid, *&c.* And the Knights, *&c.* after they are choſe by Virtue of the Writ, have, by Indenture, full Power given them by the Electors of the County, *&c.* for themſelves, and the whole County, to do and conſent as aforeſaid.

Now the Power and Truſt given by the Electors to the Knights, *&c.* are conform and correſpondent to the Power requir'd by the Writ, and that is, to repreſent them to King *William* and Queen *Mary* jointly; and to do and conſent to ſuch Things as ſhall be ordain'd, as well concerning King *William* and Queen *Mary*'s Perſons, as the State of the Kingdom: therefore, when either of their Perſons fail, this Power and Truſt given by the Electors, muſt fail and determine; for this being but a bare Authority, muſt be ſtrictly obſerv'd and perſued. Now that this intends their particular natural Perſons, nothing can be more evident, unleſs the Prelates and great Men could have *Colloquium & Tractatum*, with their politic Capacities. So that the Power theſe Parliament Men had from the People, of repreſenting and doing for them, is at an End; unleſs they could ſtill repreſent them to, and conſent and do, as well for Queen *Mary* as King *William*; which was what the Writs requir'd, and the People choſe and ſent them for. If the Parliament, when they made this Act of Settlement, would have had a Parliament to continue in ſuch a Caſe as this, they ſhould have made Proviſion for it in the Act, and have given Power for the making of ſuch Writs as would have ſerv'd on ſuch an Occaſion; and then the People would have diveſted their Choice of Repreſentatives, and impower'd them accordingly: But without an *Act of Parliament*, the antient Writs cannot be alter'd, any more than any other Part of the Common Law: Neither could the People give their Repreſentatives any other Power than the Writs requir'd; and theſe only go to King *William* and Queen *Mary*, jointly, and not to the Survivor of them. Beſides, if the Death of the Queen did not diſſolve this Parliament, then, certainly, neither could King *William*'s, in caſe he had happen'd to die firſt: (For the had the better Eſtate in the Sovereignty, as having an Eſtate tail to ſome Purpoſes executed in her, which, in caſe ſhe had ſurviv'd, had been executed to all Purpoſes.) And if ſo, then was here a Power in them of holding the ſame Parliament, during their joint Lives, and the Life of the longer Liver of them: And by the ſame Reaſon, if the regal Power, had, after the ſame manner, been ſettled alſo on the Prince and Princeſs of *Denmark*, and Duke of *Glouceſter*, and twenty more, the ſame Parliament might continue during all their Lives, and the Lives of the Survivors and Survivor of them; and conſequently there would have been an End of the Peoples Elections, for one Age at leaſt, unleſs the Perſon, who, for the time being, ſhould have the Exerciſe of the regal Power, ſhould think fit to diſſolve them. Of what ill Conſequence it may be to the Monarchy, for Parliaments once to begin to ſurvive Demiſes of the Sovereignty, I will neither conſider nor examine, confining myſelf altogether to the Matter of Law. Only I will ſay, with the Lord Chief Juſtice *Coke*, (4 *Inſt.* 27.) That the more high and abſolute the high Court of Parliament is, the more juſt and honourable ought it to be, and give Example of Juſtice and fair Dealing to the Kingdom. And as *Fleta* ſays of Kings, ſo it may be ſaid of Parliaments too, they are *ſub Deo & Lege*: (As here the Parliament is diſſolv'd in Law by the Act of God) And tho', as Sir *Robert Atkins* ſays, a Power limited by Law, may be thought *poteſtas Minor, ſed tutior & diuturnior*.

The Parliament Writs, and the legal Certainty of them, is all the legal Security the People have for the great Truſt and Concernment they commit to Parliaments; and if theſe are once exceeded, and a Parliament got beyond the Boundaries of them, and conſequently of the Law, they may, for all that can be ſaid, as well continue to ſit after the Deceaſes of both King *William* and Queen *Mary*, as after the Deceaſe of either; for no one can determine who or what can make them ceaſe and diſſolve, when the Law cannot.

To add yet one Conſideration more; I would fain know how any Laws can be enacted, by the legal Conſent of this Parliament, but only ſuch as receive their Sanction from the Authority both of King *William* and Queen *Mary*? For if the Writs neither ſpeak of, or imply any other, neither by the People are their Repreſentatives choſen or impower'd to conſent to any other, but expreſly by the Peoples Indenture, annex'd to the Writs impower'd, only by them to conſent to ſuch Things as ſhall be ordain'd at the ſaid Parliament of King *William* and Queen *Mary*, mention'd in the ſaid Writs. How could this be any longer call'd the Parliament of King *William* and Queen *Mary*, than whilſt Queen *Mary* was alive?

Beſides, it has ever been a ſteady ſtanding Rule in all Parliaments, and the Law, That all Acts of Parliament muſt relate to the firſt Day of the Seſſion; ſo that what can't relate to the firſt Day of the Seſſion, can be no Act. And I think no one will ſay, That Acts made now, under the Reign of *William* III. can have any Relation in Law to the firſt Day of the Seſſion, which was in the Reigns of King *William* and Queen *Mary*, any more than they can relate to *William* the Conqueror.

SIR,

I could ſay much more, to let you ſee how plainly and certainly the Laws of the Kingdom have fixed and fenced the legal Limits and Boundaries of Parliaments, and how evidently and inevitably, by the Queen's Death, the Parliament was diſſolv'd in Law; but ſuppoſing I have ſaid more than enough already, to ſatisfy you that there is Foundation ſufficient in the Law for the Aſſurance you had in the Country of the Parliament's Diſſolution by the Queen's Death; and therefore I ſhall add no more, but that

I am

Your Faithful Servant.

A. D. 1694. *A Petition against the Violence of the Soldiery.*

by a Petition from the Inhabitants of *Royſton*, complaining of oppreſſive Uſage from the Officers and Soldiers of Colonel *Haſtings*'s Regiment, quarter'd upon them, in exacting Subſiſtance-Money, almoſt on the Pain of military Execution: As nothing could be of a more provoking and inflammatory Nature than ſuch a Complaint, it met with a ſuitable Reception: The Officers, againſt whom it was levell'd, were immediately taken into Examination, as was alſo one Mr. *Tracey Pauncefort*, Agent to the ſaid Regiment: And, upon the Iſſue, it was reſolv'd, That the Officers and Soldiers of the Army, demanding and exacting Subſiſtance-Money in their Quarters, or upon a March, is arbitrary and illegal, and a great Violation of the Rights and Liberties of the Subject: And order'd, That the Commiſſioners for taking and ſtating the public Accounts, do lay before the Houſe their Obſervations of the Abuſes and ill Practices committed by the Agents for the ſeveral Regiments of the Army; as alſo a Liſt of thoſe as had neglected to attend their Summons: And farther, That Agent *Pauncefort* ſhould lay before the Houſe a particular Account of the Money he had receiv'd from the Earl of *Ranelagh*, Pay-Maſter, and how he had diſpos'd of the ſame. On the 25th this Order was comply'd with: On the 28th *Pauncefort* preſented his Accounts, and was examin'd as to the Truth of them: And the next Day (for neglecting to pay the Subſiſtance-Money he had receiv'd for the Officers and Soldiers quarter'd at *Royſton*) was committed to the Cuſtody of the Serjeants, together with two other Agents, and one Lieutenant. On the 12th of *February*, he, *Pauncefort*, was re-examin'd; but refuſing to give ſatisfactory Anſwers, was committed to the *Tower* for a Contempt: And on the 15th, having been brought again to the Bar, on his Petition, acknowledging his Offence, and ſetting forth his Sorrow for it, but continuing to evade the Purpoſe of the Houſe, as before, was re-committed: On the 16th, his Brother, *Edward Pauncefort*, having been examin'd, and the Houſe having obtain'd ſuch other Lights as ſeem'd to aſcertain the Grievances, which ſo loudly cry'd for Redreſs, came to the following Reſolutions, *viz.* That the ſaid *Edward Pauncefort*, for contriving to cheat Colonel *Haſtings*'s Regiment of 500 Guineas, and for giving a Bribe of 200 Guineas to obtain the King's Bounty, be taken into Cuſtody: And that Mr. *Henry Guy*, (a Member) for taking the ſaid Bribe, be committed Priſoner to the *Tower*; which was done accordingly. That this Gentleman was Secretary of the Treaſury, and that a great Part of the *Secret-Service* Money paſs'd thro' his Hands, has already been diſcours'd of more than once. That, therefore, the *Anti-Courtiers* ſhould ſnatch this Opportunity to ſet a Mark upon him, is not ſo much to be wonder'd at, as that the *Courtiers* durſt not venture to ſkreen him from the Indignation he had incurr'd. But this is a new Inſtance, That theſe Times had not wholly abandon'd their Modeſty, how much ſoever they had tarniſh'd their Virtue.—Even Biſhop *Burnet* admits, "That many were the more ſharpen'd againſt *Guy*, becauſe it was believ'd that he, as well as *Trevor*, the Speaker, was *deeply concern'd in corrupting the Members* of *the Houſe of Commons*." But then he takes care to inſinuate, That he learn'd his Trade in the two preceding Reigns, by adding, "That he had held his Place both in King *Charles* and King *James*'s Time; and the Share he had in the *ſecret Diſtribution of Money*, had made him a *neceſſary* Man for *thoſe Methods*." But, whether he was moſt obnoxious for his preſent or paſt Corruptions, or becauſe he was in the way of the preſent Corruptors, the Commons follow'd their Blow, and importun'd the King, by Addreſs, to remove him from his Place, which it does not appear that he made any Difficulty to comply with.

A. D. 1694.

Several Agents committed.

Guy, Secretary of the Treaſury, ſent to the Tower for taking a Bribe.

That his Majeſty might not, however, be too ſenſible of the Smart of theſe Proceedings, and that They might not incur the Odium of any malignant Intention, they, in this Interval, incorporated two Bills, namely, one for graning an Aid of Four Shillings in the Pound upon Land, with a Clauſe of Loan at 5 *per Cent.* and a Proviſo, that the forty-three Cruiſers ſhould be continued, according to the Regulation of the preceding Year; and one to direct and provide, that the Tunnage and Poundage-Duties ſhould be made a Fund of Credit, during their Continuance, for raiſing 300,000 *l.* yearly. The ſaid Bill was ſent up to the Lords on the 7th of *February*, and having been return'd, as uſual, without any Amendment, on the 11th, it receiv'd the Royal Aſſent on the ſame Day.

Land-Tax Bill paſs'd.

Thus part of the current Service was provided for; and while Ways and Means to provide for the reſt were under Conſideration, the Houſe, in proſecution of their Enquiry into the Abuſes and ill Practices of the Agents, &c. agreed to the following Repreſentation to his Majeſty.

Repreſentation of the Commons.

"We, your Majeſty's moſt dutiful and loyal Subjects, the Commons in this preſent Parliament aſſembled, do, from a true and unfeign'd Zeal for your Majeſty's Perſon and Government, (which *God* long preſerve) and from the Obligation that lieth upon us, in behalf of thoſe whom we repreſent, moſt humbly lay before your Majeſty the Grievances we lie under, by ſome of the Officers and Soldiers of the Army, in raiſing Money upon the Country, under Pretence of Subſiſtance; which is ſuch a Violation of the Liberty and Property of your Subjects, that it needeth no Aggravation.

"This is, in great Meaſure, occaſion'd by the undue Practices of ſome of the Agents and Officers; the Particulars of which, we beg leave to lay before your Majeſty, in order to the more effectual preventing the like Miſcarriages for the future.

"I. Some of the Agents, amongſt other their ill Practices, have detain'd the Money, due to the Soldiers, in their Hands; and made uſe of it for their own Advantage, inſtead of immediately applying it to the Subſiſtence

A. D. 1694. fiſtence of the Officers and Soldiers, for whom they were intruſted.

" II. Their intolerable Exactions, and great Extortions upon the Officers and Soldiers, for paying Money by way of Advance; their charging more for the Diſcounts of Tallies, than they actually paid: By which fraudulent impoſing upon thoſe who ſerve in your Majeſty's Armies, it appeareth, That notwithſtanding they have a greater Pay, than is given in any other Part of the World, they are yet reduc'd to Inconveniencies and Extremities; which ought not to be put upon thoſe, who venture their Lives for the Honour and Safety of the Nation.

" III. In particular, Colonel *Haſtings* hath compell'd ſome Officers of his Regiment, to take their Clothes from him at extravagant Rates, by confining and threatning thoſe that would not comply therewith: By which the Authority, that may be neceſſary to be lodg'd in the Colonel, over the inferior Officers in ſome Caſes, is miſapply'd, and extended ſo as to promote a private Advantage of his own, without any Regard to your Majeſty's Service, or to the Diſcipline of the Army.

" IV. Colonel *Haſtings*'s Agent hath preſum'd fraudulently to detain 500 Guineas, out of a Bounty given by your Majeſty to the Officers of that Regiment, under Pretence of giving them as a Bribe to obtain the ſame, to the Diſhonour of your Majeſty, and Injury to the Officers thereof: And hath taken Two-pence *per* Pound, out of the Money due to the Officers and Soldiers; for which Deductions, there being no Warrant, the Colonel, whoſe Servant the Agent is, is anſwerable.

" V. Colonel *Haſtings*'s Agent hath refuſed or neglected to give an Account of the Pay due to the Captains of his Regiment, and their Companies; which tends apparently to the defrauding the Officers and Soldiers.

" VI. Some of the Agents aſſume to themſelves the Liberty of making great Deductions: Which, ſince they know not how to juſtify, they endeavour to cover, by putting them under the Shelter of the uncertain Head of Contingencies; which giveth them the better Opportunity of hiding the Frauds and Abuſes, that would otherwiſe be more liable to be detected.

" VII. Colonel *Haſtings* hath diſcharg'd an Enſign, by putting another in his room, contrary to the true Diſcipline of an Army; from which the Colonels have no Right to exempt themſelves, to enlarge their own Authority, to the Prejudice of your Majeſty's Service, and of the Officers who ſerve under them.

" VIII. Colonel *Haſtings* hath taken Money for the recommending to Commands in his Regiment, to the great Diſcouragement to the Officers who are to ſerve in your Majeſty's Armies; who ought to be ſuch as deſerve their Commands, and not ſuch as pay for them.

" Theſe Things we moſt humbly repreſent to your Majeſty, in Confidence of having them redreſs'd by your Majeſty's Juſtice and Wiſdom. A. D. 1

" Your loyal Commons, as they have been always ready to ſupply your Majeſty, cannot but be ſenſible of ſuch Miſcarriages, as may either diminiſh the Strength of your Armies, or the Affections of your People: And it is from a Principle of the higheſt Duty, that we take this way of applying ourſelves to your Majeſty for Redreſs; having an entire Aſſurance, that this our moſt humble Repreſentation, will not only be graciouſly accepted, but that our Expectations from it will be fully anſwer'd."

To this his Majeſty was pleas'd to reply:

" *Gentlemen*,

" I will conſider your Repreſentation, *The King's Anſwer.*
" and take all Care poſſible to have the
" Grievances redreſs'd."

And ſo far he had already thought fit to interpoſe, that on the 19th of *February*, he had been pleas'd to order in *Council*, That the chief Officers of the Army ſhould meet twice a Week, to receive and examine all Informations and Complaints that ſhould be brought before them, againſt any Officer or Soldier in his Majeſty's Pay, in order to redreſs the ſame. It is true, this kind of Remedy, tho' countenanc'd by the Privy-Council, was not authoris'd by the Conſtitution; and, *according to the very Nature of Things*, it was not over-reaſonable to imagine, that the injur'd would take their Caſe out of the Houſe of Commons, in order to put their Truſt in the Equity of a military Court. But his Majeſty, moreover, made an inſtant Example of Colonel *Haſtings*, by caſhiering him, and giving his Regiment to Sir *John Jacob*, his Lieutenant-Colonel: And on the 11th of *March* following, [the Repreſentation was preſented on the 4th] caus'd a Declaration to be iſſued for the ſtrict Diſcipline of the Army, and due Payment of Quarters; charging and commanding all Officers and Soldiers, not to exact or demand any Subſiſtance-Money, or to commit any Spoil or Diſorder, or to uſe any Violence or threatening Words, or otherwiſe to miſbehave themſelves, under Pain of being caſhier'd, and loſing their Pay. *Gazette*, No. 3062.

But theſe Relentings, on the Court Side, did not, as yet, produce any Relenting in the Commons: On the contrary, Mr. *James Craggs*,, and Mr. *Richard Harnage*, two of the Contractors for cloathing the Army, having refus'd to be examin'd upon Oath, by the Commiſſioners of Accounts, *Craggs*, upon their Report, was committed to the *Tower*; and a Bill was order'd in to oblige the ſaid two Contractors, and alſo the two *Pouncefoots*, to diſcover how they had diſpos'd of the Moneys paid into their Hands, on account of the Army, &c. and for puniſhing them in caſe they perſiſted in their Refuſal. *A Bill order'd in to oblige the Agents, &c. to account for the Diſpoſal of the Money they had receiv'd.*

The Cry againſt Bribery and Corruption being thus rais'd, and the whole Nation attentive to the Iſſue of the Purſuit, a Petition was, about the ſame time, lodg'd *Commiſſioners of Hackney-Coaches charg'd with Bribery.*

A. D. 1694. againſt the Commiſſioners for licenſing and regulating Hackney Coaches, which was refer'd to a Committee, who reported to the Houſe, That the Petitioners had prov'd the Subſtance of their Complaint, and were worthy the Conſideration and Relief of the Houſe: As alſo, That ſeveral of the ſaid Commiſſioners had, by receiving Bribes, and by other undue Means, acted corruptly, arbitrarily, and contrary to the Truſt repos'd in them by Act of Parliament. And upon the whole Matter, two of them were acquitted with Honour, and three were remov'd in Diſgrace, in conſequence of an Addreſs to his Majeſty for that Purpoſe, ſetting forth the Particulars of their Mal-Adminiſtration.

and three of them remov'd.

State Trials, Vol. II. p. 480.

"From theſe ſmall Beginnings, ſays a Writer of the Times, a common Murmur aroſe, that an univerſal Corruption had overſpread the Nation; that Court, Camp, and City, nay, the very Parliament itſelf were tainted: So that both Lords and Commons were ready to write *Lord have Mercy upon us*, over their Doors." Nor was a Variety of Facts wanting to authoriſe this Murmur: For, partly by comparing the many unſucceſsful Attempts which had been made to carry the *Orphans* Bill into a Law, with the free and eaſy Paſſage it obtain'd at laſt, and partly from Informations communicated, it was more than preſum'd, that even that Work of Charity partook of the *accurſed Thing*, and had turn'd on a mercenary Hinge: In order, therefore, to come at the Bottom of the Affair, while this Spirit of Reformation was abroad, a ſuitable Motion was made; a Committee was appointed to inſpect the Chamberlain's Books, in order to clear up the whole Courſe of that Proceeding: And on the 7th of *March* they deliver'd in a Report, containing, among other Particulars, the Copy of an Order of the *City-Committee*, of Aldermen and Commoners, for ſoliciting the Bill, to the Chamberlain, to *pay* Sir *John Trevor*, the SPEAKER of the Houſe of Commons, a *thouſand Guineas*, ſo ſoon as the ſaid Bill ſhould be paſs'd: As alſo, an Intimation of Sir *William Hodges*, one of the Aldermen, and Mr. *Dorville*, one of the Commoners, That the ſaid Committee had receiv'd a Hint from Mr. *Borret*, the City Solicitor, That, unleſs the ſaid Sum was given, the Bill would not paſs: And *Borret*'s own Confeſſion, That he *believ'd* the Speaker was privy to the Order, which alſo had been admitted by *Dorville*: And, laſtly, the Information of Alderman *Houblon*, That Sir *Robert Clayton*, himſelf, and the Chamberlain, had waited on the Speaker, with a Complement of Thanks in the Name of the City, and a Bill for the ſaid *Guineas*, which the Speaker accepted, and ſent for the Money, two or three Days afterwards.

Report concerning the Orphans Bill.

In the ſaid Report there was alſo a Copy of all the Entries in the Chamberlain's Books, of Moneys, iſſued out on this Occaſion, and among them the following one, *Paid Mr.* Hungerford, *Chairman of the Grand* Committee, *for his Pains and Services*, Twenty Guineas.

Laſtly, one *Nois* and one *Smith*, who had been joint Solicitors and Undertakers for the Bill, and who had receiv'd a Bond from the Orphans of Twelve-pence in the Pound for their Pains and Charges, to juſtify the ſaid Contract, brought in a Bill to the Committee of 3457*l.* 16*s.* by them diſburs'd; to which they added verbally, That they were a great deal more out of Pocket. But being examin'd to all Item in the ſaid Bill, of 1650*l.* paid to Mr. *G. Finch*, who was himſelf one of the Suiters, ſaid, That the ſaid Sum was to be underſtood of ſo much remitted to him on his Bond for the Twelve-pence in the Pound; not ſo much advanc'd. *Finch* being alſo examin'd, confirm'd this Account of theirs; and alſo acknowledg'd, That he had collected 350*l.* from other Suiters, which he had apply'd to his own Uſe, by way of reimburſing his Charges; denying withal, that he had ever paid any Money to any Member of Parliament: But being preſs'd on that Head, falter'd in his Diſcourſe, and ſaid, It was a hard thing to be aſk'd ſuch Queſtions; which, to uſe their own Words, was all the Committee could get out of him. A. D. 1694.

When Corruption had been thus trac'd to the *Chair*, and it was reaſonable to think had communicated the Taint to many by the way, it was impoſſible for the Houſe to retain any degree of Credit with the People, unleſs they declar'd their Abhorence of the Guilt they had diſcover'd.

The Speaker forc'd to put a Question against himself.

On the receiving and debating this Report, therefore, the Speaker himſelf, in Vertue of his Office, was expos'd to all the Shame and Confuſion of Face which a Man could bear and live, in putting the following Queſtion, *viz.* "That Sir *John Trevor*, Speaker of this Houſe, by receiving a Gratuity of 1000 Guineas from the City of *London*, after paſſing of the *Orphans* Bill, is guilty of a high Crime and Miſdemeanor."

He ignored guilty of a Misdemeanor:

Abdicates the Chair.

And ſo much Grace did he diſcover upon the Occaſion, That he choſe to abdicate rather than be depos'd: And *Paul Foley*, Eſq; was elected to fill the Vacancy, in Oppoſition to Sir *Thomas Lyttleton*, who, having been warmly recommended by Mr. *Wharton*, the Comptroller, was eſteem'd too much of a Courtier to ſerve in that Office, when the Honour of the Houſe was concern'd in almoſt every Queſtion that came before them.

And Hungerford, &c. alſo Hungerford, the Chairman of the Committee.

The next Steps they took, was to expel both *Trevor* and *Hungerford*; to reſolve, That whoſoever ſhould diſcover any Money, or other Gratuity, given to any Member, for Matters tranſacted in that Houſe, ſhould have the Indemnity of the Houſe for ſuch Gift: And to order *Nois* to be taken into the Cuſtody of the Serjeants, for having occaſion'd a Scandal to the Houſe, by pretending he was engag'd to give great Sums to ſeveral Members, and on his Examination denying it.

But while theſe Affairs were yet in Proceſs, another of the ſame kind, tho' of far greater Moment, becauſe extending much farther, riſing much higher, and comprehending a much wider Field of Venality, broke

A. D. 1694. broke out: For no ſooner was it become notorious, That voting was a Trade, and that Members, in conſequence of it, might be Sharers in every profitable Adventure that came before Parliament, than it immediately occur'd to the ſhrew'd Men, That the Favour which of late had been ſhewn to the *Eaſt-India* Company, aroſe from the ſame Conſideration: And having, upon Enquiry, ſortify'd their Suſpicions, by a ſuitable Diſcovery of Facts, they contriv'd, That the ſame Committee, which had the Inſpection of the Chamberlain's Books, ſhould alſo be furniſh'd with the ſame Power to inſpect thoſe of the ſaid Company: And the firſt thing they met with, whether by Accident or Information is not material, was an Abſtract of all Monies paid for the ſpecial Service of the Company ſince the Year 1687, which ſerv'd as a Clue to all their ſubſequent Proceedings. For whereas it appear'd, that in the Year 88, the Charge under that Head, amounted to no more than 1284*l.* 13*s.* 6*d.* in 89, to no more than 20964*l.* 2*s.* 2*d.* in 90, to no more than 30561*l.* 3*s.* 8*d.* in 91, it amounted to 11372*l.* 15*s.* 0*d.* and having fallen again the next Year to 4659*l.* 15*s.* 4*d.* in 93, roſe to no leſs than 80,468*l.* 16*s.* 8*d.* which nevertheleſs fell ſhort of the real Sum, by ſeveral thouſands, as will preſently appear.

An Enquiry into the Conduct of the Eaſt-India Company.

In the two firſt Years, Sir *Benjamin Bathurſt* and Sir *Joſiah Child* had been their Governor and Deputy-Governor: In the two next, Sir *Joſeph Hern* and Sir *Thomas Cooke*; and in the two laſt Sir *Thomas Cooke* and Mr. *Tyſſen*.

The Secret, it was therefore moſt reaſonably concluded, lay in *Cooke*; and in order to a regular Train of Diſcovery, they had Recourſe to the Minute Books of the Court of Committees; where they found Entries made, of certain Informations given by the Governor, of his Endeavours to obtain a *new Charter*; and Accounts of Sums diſburs'd in *Proſecution* thereof; but without deſcending to Particulars, either as to Perſons or Things, which was a Method of Proceeding never admitted before: In the ſaid Entries they moreover found Expreſſions of Approbation and Thankfulneſs, from the ſaid Court of Committees, to the Governor, for his great Care, Pains, and Trouble therein: As alſo, *general* Orders to their Caſhiers, to make Payment of ſuch Sums of Money for carrying on the Company's Service, as the ſaid Governor ſhould direct: And *particular* Orders for the three following Sums, namely, one of *April* 13, 1693, for 22,275*l.* one of *November* 24, for 24,983*l.* and one of *January* 22, 1693-4, for 30,000*l.* beſides ſeveral more for ſmaller Sums, to the Amount of 10,144*l.* 12*s.* 3*d.* in all, 87,402*l.* 12*s.* 3*d.*

But the great Difficulty of all was to trace the Diſpoſal of this Sum: A great Part, it was ſaid, had been paid into the Hands of Sir *Baſil Firebrace*: Upon examining the Company's Caſh-Book, it appear'd, the Balance was, 124,249*l.* 15*s.* 10*d.* but when they put the Queſtion to *Portmans*, the Caſhier, whether he had the ſame in Caſh? A. D. 169 he anſwer'd in the Negative, and produc'd a Receipt of *Cooke*'s, dated *January* 10, 1693-4, for 90,000*l.* and ſignifying, That he had laid out the Sum for 99,197*l.* *Eaſt-India* Stock, on the Company's Account.

But the Committee could neither find any Warrant for the ſaid Sum, nor any Transfer of Stock on the Company's Account, except 18,300*l.*

They alſo found a Contract, dated *February* 26, 1693, for 200 Tuns of *Salt-Petre*, to be brought home in the Ship *Seymour*, from *India*, for which the Company was to pay 12,000*l.* and 25*l.* *per* Tun Freight to the Owners of the ſaid Ship, beſides all Charges here: That 2000*l.* had been iſſued out of the Company's Caſh to pay for the ſaid *Salt-Petre* in *India*: And that a Bond had been given for the reſt, under the Company's Seal, payable *March* 31, 1695, (to Mr. *Thomas Colſton*, tho', as ſuppos'd, in Truſt for ſome body elſe) whether the Ship arriv'd in Safety or not; with this Exception only, That if 200 Tun of *Salt-Petre* was not laden upon the ſaid Ship, then there was to be a Defalcation in Proportion to the Deficience.

They alſo found, That, about the ſame time this Contract was made, as many of the Interlopers as would ſell their Shares in the Interloping Trade, were allow'd their firſt Coſt, 25 *per Cent.* Advance, and half the Profit beſides; which was done by giving them Credit for ſo much in the Company's Books.

Proceeding then to ſuch Particulars as they had been able to diſcover, the Committee obſerv'd, That the Money iſſued during the Government of *Herne* and *Cooke*, had been iſſued by them for private Service, but brought to account under the Head of Charges general: That Sir *Benjamin Bathurſt*, one of the Court of Committees, being examin'd, ſaid, He would have call'd for an Account thereof, but *Cooke* deſir'd he would not: But another time, expoſtulating warmly with the ſaid *Cooke*, concerning the great Sums expended in Secret Service, He, the ſaid *Cooke*, refus'd to give him the Particulars: And again, at another time, concerning the 90,000*l.* *Cooke* thought fit to acknowledge, *It was to gratify ſome Perſons in caſe the* Bill *ſhould paſs.* The Company's Committee of Nine, to whom the Inſpection of the whole Matter was referr'd, alſo declar'd, That they had ſeveral times call'd upon *Cooke* for an Account of the Diſtributions he had made: That he had ſometimes promis'd to comply; but finally told them, *It was not convenient for them to have it.*

Sir *Baſil Firebrace* own'd he had receiv'd upwards of 16,000*l.* which he had laid out in Stock, with the Company's Allowance: That he had invited ſeveral Perſons into the Company, ſome of them Members, and had offer'd to lay down the Money for them, with this additional Inducement, That if they did not like their Bargain at the Year's End, he would take it off their Hands.

Concerning

A. D. 1694.

Concerning the Accommodation with the Interlopers, the Committee was inform'd, That Lord *Nottingham* had acquainted the Company, by Letter, that it was the King's Pleasure they should come to an Agreement with them: That about one half accepted the Terms; but Mr. *Godfrey* and Mr. *Colston* insisting upon 30 *per Cent.* the rest went off: And, lastly, that it was believ'd the Contract for *Salt-Petre*, with the said *Colston*, which was the *original Inducement* for the Leave given, with regard to the Interlopers, was only in Trust with him for some body else.

It was in this Light that this unprecedented Affair first appear'd in the Report of the Committee to the House: And yet, tho' the said Report was receiv'd on the 12th of *March*, and tho' common Decency, as well as common Sense, and common Justice, requir'd, That *Cooke*, who was a Member, should have been examin'd immediately, it was the 26th before an Order was made for that Purpose: But then such a Flame of Zeal burst forth at once, that, upon his Refusal to answer, he was immediately committed to the *Tower*; and a Bill of Pains and Penalties was order'd in, to oblige him to give an Account how the said Sum of 87,402*l.* 12*s.* 3*d.* mention'd in the Report, had been distributed.

1695.

The Report suffer'd to lie dormant fourteen Days.

Cooke, *on his refusing to be examin'd, order'd to the* Tower.

On the 28th this Bill was brought in accordingly, and read for the first time; on the 29th it was read again, and committed to a Committee of the whole House: The same Day *Cooke*, on his Petition, had Leave to be heard against it by his Council: On the 2d of *April* several Amendments were made to the Bill: On the 3d, those Amendments were reported and agreed to: On the 6th, *Cooke*'s Council were heard again; after which the Bill was pass'd, and sent up to the Lords.

A Bill to oblige him to answer sent up to the Lords.

And there the Affair took a new Direction: For on the first reading of the Bill, the Duke of *Leeds* (so often mention'd in the Course of this Work, under the several Titles of the Marquis of *Carmarthen*, Earl of *Danby*, and Sir *Thomas Osborne*) having laid his Hand on his Heart, and prefac'd what he had to say with a solemn Protestation of his own *Cleanness* and *Innocence*; as also having declar'd, upon his Faith and Honour, That he was perfectly disinterested, as having no Part or Concern in the Matter, took occasion to express his Abhorrence of the Bill, and exhausted all the Arguments his Imagination could furnish, to convince the Lords, That they ought to reject it, as being contrary both to Law and Equity, and furnishing a Precedent of the most dangerous Nature: And so much regard was shewn either to him or them, that seven Days more were wasted, before any material Progress was made in the Affair.

Where it is oppos'd by the Duke of Leeds.

But then, on the 13th of *April*, that is to say, an Expedient was thought of at once to keep the Ball in motion, and turn the Biass from the Mark: For *Cooke* being induc'd to petition the Lords for a Hearing at their Bar, their Lordships, by Message, made it their Request to the Commons, That he being a Member, might be permitted, and order'd to make his Appearance there accordingly, when call'd upon: The Commons comply'd, and *Cooke*, in consequence of the Speaker's Warrant, being brought up from the *Tower*, declar'd, That he was *ready* and *willing* to make a full Discovery, in case he might be favour'd with an indemnifying Vote: That he would have made this full Discovery before to the Commons, if he could have prevail'd on them to shew him the same Favour: That their Denial had laid him under a Necessity of making this Application to their Lordships: And that he bemoan'd himself (this he said with Tears in his Eyes) that he was not already so indemnify'd, because he might then instantly have made the Discovery which was expected from him, and which he was so desirous to make.

A. D. 1695.

Being ask'd, Against what he desir'd to be indemnify'd? He answer'd, against all *Actions* and *Suits*, except those of the *East-India* Company, whom he had never injur'd: And when he was withdrawn, the Duke of *Leeds* stood up; and, after intimating, That he was glad the Gentleman was in such a Temper, as render'd the Bill unnecessary, which he look'd upon to be so unjust in itself, and so pernicious in its Tendency; put their Lordships in mind, That the Commons had taken care of the Reputation of *their* House, by asking *Cooke*, whether he had distributed any Money among their Members; and that he had purg'd them by a solemn Protestation, That he had not: After which he proceeded to say, That he thought it reasonable for the Lords to shew the same Regard to themselves; and concluded with a Motion, That he might be call'd in and ask'd, Whether he was willing to purge all those upon Oath who sat there?

But this was over-rul'd; and upon the whole Matter, their Lordships came to a Resolution to drop the Bill of Pains and Penalties; and to appoint a Committee to withdraw forthwith, and prepare such a Bill of Indemnification, as *Cooke* had desir'd.

A Bill of Indemnity order'd by the Lords.

It is remember'd, That when the said Committee was withdrawn, and had made some Progress, one of the Bishops, (it is pity his Name is not also remember'd) who had appear'd zealous for *Cooke* in the Course of the Debate, notify'd to their Lordships, on his Behalf, That he was fearful of being misapprehended, in regard to what he had said at the Bar, *viz.* That he was both *ready* and *willing* to make the Discovery expected from him: For that by *ready*, he meant no more than *willing*; and four Months, at least, would be necessary to answer that Expectation.

This so highly incens'd some of their Lordships, that they were for rising, not only to report this fresh Matter to the House, but in such a manner as might shew the Necessity of perfecting the former Bill.

It so happen'd, however, that some were of a different Mind; and while the Matter was debating, *Cooke* made a second Application,

A. D. 1695. cation, on so low a Footing, as to comply with the Bill in a Fortnight; which not being accepted, he at last agreed to the Time prescrib'd, which was seven Days.

It was, however, the 17th before the Bill was sent down to the Commons, who having given it one Reading, order'd it to lye upon the Table, and by Message put their Lordships in mind of their own Bill of Pains and Penalties.

On the Morrow, however, they resum'd the Consideration of the other; and having grafted upon it a penal Clause, by way of Amendment, sent it up to the Lords on the 19th; who the same Day, by Message, signify'd their Concurrence to the said Amendment.

As to the Intents of it, the Preamble set forth, That, whereas it appear'd by the Books of the *East-India* Company, that Sir *Thomas Cooke* had receiv'd, out of the Stock and Treasure of the said Company, the several Sums of 10,258*l.* 67,000*l.* and 90,000*l.* it was necessary to the vindicating the Honour and Justice of Government, that a true Discovery of the Distribution of these Sums should be made.

In order to which it was enacted, 1. That, in case the said *Cooke*, on or before the 23d of *April*, 1695, did make a true and full Discovery upon Oath, to a *joint Committee* of *Lords* and *Commons*, how, and in what manner, to what Person or Persons, to what particular Uses, Intent, and Purposes, and on what Account the said Sums of 90,000*l.* and 67,000*l.* had been distributed, he should be liable to no Action, except from the *East-India* Company; and should also be pardon'd and indemnify'd for any Crime by him committed in the Direction or Application thereof. 2. That in case the said *Cooke* did, on or before the first of *September*, 1695, in like manner discharge himself upon Oath, to the Commissioners for taking and stating the public Accounts, of the 10,258*l.* above specify'd, he should also be exempted from all Process, and pardon'd.

A penal Clause added by the Commons.

And, 3dly, That, in case he did not make such full and true Discovery, on or before the said 23d of *April*, he should, from thenceforth, continue a Prisoner in the *Tower*, until he should have made such full and true Discovery.

This was the Clause added by the Commons, and which, in effect, reduc'd the two Bills into one. But however necessary it was to vindicate the Honour and Justice of the Government, according to the Preamble of the Bill, tho' the said Bill was ready for the Royal Assent on *Friday*, consequently might have been pass'd the next Day, and on extraordinary Occasions the two Houses have thought it no Breach of the *Sabbath*, to continue their Sittings on that Day, for the Dispatch of Business, his Majesty did not come to the House till *Monday* the 22d; and then having pass'd such Bills as were presented to him (that is say, one for the raising 618,420*l.* by enabling Persons to purchase reversionary Annuities, a Moiety for the Use of the Navy, and the other Moiety for the Use of the Army: A Second for granting several Duties upon *Marriages*, Births, *Burials*, *Batchelors*, and *Widowers*, for the Term of five Years, with a Clause of Loan for 650,000*l.* at 8 *per Cent.* Interest: A Third for granting several additional Duties upon Coffee, Tea, *&c.* for paying the Transport-Service Debt for the Reduction of *Ireland*, which, as settled by the Commissioners of Accounts, amounted to 330,769*l.* 10*s.* 7*d.* A Fourth for continuing the said Commission of Accounts: The Mutiny Act: An Act for explaining the Stamp Act, and ascertaining the Admeasurement of the Tunnage of Ships: *Cooke's* Act, *&c.*) was pleas'd to express himself as follows. A. D. 1695.

"*My Lords and Gentlemen*,

I take this Occasion to tell you, That the Season of the Year is so far advanc'd, and the Circumstances of Affairs are so pressing, that I very earnestly recommend to you the speedy dispatching such Business, as you think of most Importance for the Public Good, because I *must* put an End to this Session in a few Days." *The King presses Dispatch.*

As it is impossible not to discern the Drift of this Speech, it is equally impossible not to be shock'd at it: And the more we are dispos'd to revere the Character of a *Deliverer*, the more we must be confounded at every Measure that serves to disgrace the *Deliverance*. It was once well said, That he who was not at Leisure to do Justice, ought not to be at Leisure to reign: And to King *William* it might have been said with more Propriety, than to any other Prince: His high Pretensions to rectify all Abuses, had constituted him a Sovereign: And his Adversaries could find no Defect in his Title, which hurt him so sensibly as the Defects of his Administration.

But to proceed: The shorter the Time assign'd for the Examination was, the greater was the Necessity to make the most of it: Some of both Houses were in earnest, tho' more were otherwise: And having the Cry with them, they resolv'd to expose, tho' they foresaw it would be impossible to punish.

But notwithstanding all the Ardour they shew'd, and the Diligence they us'd, all that was done by the two Houses, during the Residue of the 22d, in relation to the Prosecution of this Affair, was the making choice of the Committee, which were to make the Inquest, in conformity to the Act.

The Lords appointed twelve, *viz.* The Lord Privy-Seal *Pembroke*, the Duke of *Shrewsbury*, the Earls of *Manchester*, *Bridgewater*, *Thanet*, *Rochester*, *Monmouth*, *Marlborough*, and *Torrington*, the Lord-Viscount *Weymouth*, and the Lords *Cornwallis* and *Godolphin*.

The Commons appointed twenty-four, *viz.* Sir *John Thompson*, Sir *Richard Onslow*, —— *Bridges*, Esq; Sir *Henry Herbert*, *Charles Montagu*, *Henry Boyle*, —— *Hutchinson*, *Hugh Boscawen*, *Thomas Pelham*, *Thomas Wharton*, (Comptroller) *Robert Harley*, *James Chadwick*, *Edward Clarke*, *Thomas Papillon*, Esqrs. Sir *Thomas Pope Blunt*, Sir *Walter*

A. D. 1695. *Walter Young*, Sir *Chriſtopher Muſgrave*, Sir *Edward Abney*, Sir *Herbert Croſts*, Sir *Rowland Gwyn*, Sir *William Cowper*, —— *Brockman*, and *Francis Gwinne*, Eſq.

Thus it appears, that in each Liſt there was a Mixture of Patriot and Courtier, *Whig* and *Tory*: For both Parties affected an equal Concern for the Proſecution; and it is certain that both were equally concern'd in it: Each had Friends to ſkreen, and Adverſaries to expoſe: And the great Point of Conteſt between them probably was, which ſhould be made anſwerable to the Public for the Job.

Cooke examin'd by a joint Committee of both Houſes.

On the Morrow the two Committees met at the *Exchequer-Chamber*: *Cooke* was brought before them, and upon the Acts being read, made it his Requeſt, That in caſe he conform'd to the Intentions of it, by a full and perfect Diſcovery, they would recommend him to the two Houſes, in ſuch a manner, as might obtain their Votes for his Diſcharge, which he apprehended, for want of a ſuitable Direction in the Act, he could no otherwiſe obtain. This they agreed to, tho' they did not allow his Apprehenſion to be well founded: And then having been *ſworn*, he deliver'd in a Paper, which he call'd a full and true Diſcovery to the beſt of his Knowledge, and, which he ſaid, he had put down in writing, for the Eaſe of the Committee.

His firſt Confeſſion.

This conſiſted of ſeveral Articles, of which the moſt material were as follow, *viz.*

1. Deliver'd to *Francis Tyſſen*, Eſq; ſeveral Tallies for 10,000 *l.* for the ſpecial Service of the Company.

2. To Mr. *Richard Acton*, to defray the Expences of himſelf, and for his Friends ſoliciting to prevent a new Settlement of the *Eaſt-India* Company, and to endeavour the Eſtabliſhment of the old, 10,000 *l.*

3. To *Ditto* for Intereſt of the Money, and Gratitude for his Pains more, 2000 *l.*

4. To Mr. *Molineaux*, a Merchant, for himſelf and Friends, in ſoliciting the Company's Affairs, to prevent a new Charter, 310 Guineas.

5. To Colonel *Fitz-Patrick*, for the Service done the Company, by his Solicitations for a new Charter, 1000 Guineas.

6. To *Charles Bates*, Eſq; on the ſame Account, 500 Guineas.

7. To Sir *Baſil Firebrace*, in recompence of his Trouble, in proſecuting the Company's Affairs, and in conſideration of other Loſſes he had ſuſtain'd, by neglecting his own Buſineſs, and by not engaging himſelf with the *interloping* Ships, 10,000 *l.*

8. To the ſaid Sir *Baſil Firebrace*, for 50 *per Cent.* loſs on Stock, which the ſaid *Cooke* was oblig'd, by Contract, to accept of him, on the Company's Account, at 150 *per Cent.* 30,000 *l.*

To this Paper was alſo annex'd an Account of the 90,000 *l.* laid out in Stock on the Company's Account, or rather a Liſt of the Perſons of whom the ſaid Stock was bought, to make good the ſaid Loſs.

But this true and full Diſcovery not anſwering its Title, nor the Purpoſes of the Act, the Committeee not only expreſs'd A. D. 1695. their Diſſatisfaction with it, but proceeded to examine him on ſuch Heads as were leaſt explain'd, and yet deſerv'd Explanation moſt.

His ſecond Confeſſion.

Of theſe the 10,000 *l.* paid to *Tyſſen* for ſpecial Service, ſtanding firſt in the way, was therefore firſt proceeded upon: And in anſwer to the Queſtions put to him by the Committee, he was pleas'd to confeſs yet farther, That it was paid in *November* 92, without any Directions as to the Diſpoſal of it.—But it was in expectation of having their Charter confirm'd, and of obtaining new Regulations.—It was for the Service of the King.—But he could not ſay the King had it.—He believ'd Mr. *Tyſſen* had told him, that he deliver'd it to Sir *Joſiah Child*, who deliver'd it to the King.—But then it was a cuſtomary Preſent.—It was what King *Charles*, and other Kings, had receiv'd.—The like had been done for ſeveral Years, as appear'd by the Company's Books.

With regard to the Sums paid to *Acton*, he ſaid, They were paid about the ſame time.—That they were paid him with the Privity of Sir *Joſiah Child*, who recommended him as a Perſon capable of doing the Company great Service, becauſe having great Acquaintance among Parliament-Men: Who theſe Parliament-Men were, he could not particulariſe.—The End aim'd at was to get an Act of Parliament—To the beſt of his Remembrance, there was a Bill at that time depending for another Company—And the King had ſent a Meſſage to the Houſe of Commons, to ſettle the *Eaſt-India* Trade.—He believ'd *Acton* paid away the ſaid Money the ſame Seſſion.—He underſtood it was laid out for promoting their Affairs in Parliament.—He could not ſay to whom it was given: Nor could any Body but *Acton* give account, who was now a diſtracted Man, and could give no Account at all.—He had once offer'd to give the Company an Account, but they had refus'd to receive it.—He underſtood, however, that it went no farther than the Houſe of Commons; and it did not appear that the Company had reap'd any Fruit from the Diſtribution.

Concerning the Money paid to *Molineaux*, which was alſo during the ſame Seſſion, he ſaid, That *Molineaux* told him it was for Lord *Rivers*: But ſince his Confinement *Molineaux* had inform'd him, That was a *wrong thing*, and that he had made uſe of it himſelf.

The Money paid to *Fitzpatrick*, was for his Intereſt in Lord *Nottingham*; and in conſequence of his undertaking to do the Company great Service, provided he might have ſuch a Sum of Money:—He believ'd *Fitzpatrick* kept the ſaid Money himſelf.—But there was a Promiſe of a farther Sum, in caſe the Act of Parliament to eſtabliſh another Company did not paſs.

The 500 Guineas paid to Mr. *Bates*, was a conditional Payment, if the *Charter* was paſs'd: And was accordingly paid on paſſing the Charter, in *October* 1693.—He, *Cooke*, had no Acquaintance with *Bates*: But he had learn'd from Sir *Baſil Firebrace*, That he

A. D. 1695. he was acquainted with ſeveral Lords, and in particular with the Marquis of *Carmarthen*, then Duke of *Leeds*.

Then as to Sir *Baſil Firebrace*, the firſt 90,000 *l.* was paid him about *November*, 1693, as he, *Cooke*, had always apprehended, for his, *Firebrace's*, own Uſe, to recompence his Loſſes in the *interloping Trade*, the Charter being paſs'd; and the other 30,000 *l.* in recompence of the Loſs incurr'd by the Company, on (x) ten ſeveral Contracts with the ſaid Sir *Baſil*, for 60,000 *l.* Stock, at 150 *per Cent.* when the Market Price of the ſaid Stock was at 100 *l.*—The Condition of theſe Contracts was, the paſſing the Charter, in which caſe, the Company was to pay the Difference.—Accordingly the Charter being paſs'd, all the ſaid 30,000 *l.* was paid at one time, that is to ſay, about *January*, 1693, in ſix ſeveral Sums, on Sir *Baſil's* Order, to *Fowls* and *Wooton*, *Allen* and *Hornby*, Goldſmiths.—But to whom the Money was afterwards diſtributed, he could never learn.—He had often preſs'd Sir *Baſil* to inform him, but he had always refus'd; and at laſt, with a Menace, That in caſe he was preſs'd any farther, he would have no more to do with the Affair.—But both the 10,000 *l.* and the 30,000 *l.* were ſubſcrib'd into the *Eaſt-India* Company; and probably thoſe who ſubſcrib'd it, might be able to give better Information.

Here he was prevail'd upon by the Committee, to produce ſome of the Contracts he had mention'd; and alſo, to confeſs, that there were ſeveral other Contracts in conſideration of a *New Charter*, to the Amount of 60,000 *l.* and others for 40,000 *l.* more, in caſe an Act ſhould, in eighteen Months, be procur'd, to confirm and enlarge the ſaid Charter, which, the ſaid Term being elaps'd, were then become void.

And, finally, as to the 90,000 *l.* he ſaid, It was laid out in the Purchaſe of Stock, according to the Paper he had deliver'd in, for the Uſe of the Company, to make good the Contracts with Sir *Baſil*, in caſe he ſhould chuſe Stock rather than Money: That he was accountable for it: That Part had been already transferr'd to the Company: That Part of it had been ſold; and that they had the Money it produc'd.

This was the Subſtance of his Confeſſion. The next Day it was ſeverally reported to each Houſe, and occaſion'd very fierce Debates in both: The Innocent were proud of an Opportunity to make a Merit of that Innocence: The Guilty durſt not draw themſelves into Suſpicion, by any Endeavour to moderate the Reſentment which A. D. 1695. that Guilt had caus'd: And even the Lords who had been nam'd, ſeem'd to be more incens'd, and to expreſs more Abhorrence of ſuch corrupt Practices than the reſt, to make the way ſo much the eaſier to their own Juſtification. Lord *Rivers* not only took care to purge himſelf by the ſtrongeſt Aſſeverations to his Peers, and obtain'd an Order for *Molineaux* to be ſent for, to juſtify him at the Bar of the Houſe, (tho' it does not appear that he caus'd him to be puniſh'd for the Aſperſion) but found means to have his Defence reported to the Houſe of Commons, together with certain Complements, ſignifying, That he had ſtill as high an Eſteem for the Houſe, as when he was a Member of it; and that he had the ſame Concern to be thought well of by them.

Againſt Lord *Nottingham*, *Cooke* had ſaid nothing poſitive; and *Fitzpatrick* being dead, all that lay upon his Lordſhip was eaſily transferr'd to him, who, it was ſaid, had equally abus'd the Company, by taking their Money, and his Lordſhip, by proſtituting his Name.

And as to the Duke of *Leeds*, who declar'd himſelf againſt the Bill of *Pains* and *Penalties*, under ſuch extraordinary Profeſſions of his being wholly *diſintereſted*, it is yet too ſoon to ſpeak of the Imputation faſten'd upon him.

But the very mention of theſe Names, and the Knowledge that *Wharton*, the *Comptroller*, preſented the Report to the Commons, is ſufficient to ſhew, that the Direction of the Affair was principally againſt the *Tories*: Beſides, the *Eaſt-India* Company was ſtill under a *Tory*, if not a *Jacobite* Direction: One of their Ships had been call'd the *Modena*, a long while after the *Revolution*: Theſe corrupt Proceedings had all taken Place, while the *Tories* had the Upper Hand in the Adminiſtration: Thoſe, who by their Endeavours to eſtabliſh a new Company, had given occaſion to them, were known *Whigs*: And in a State where Party-Intereſts were always preferr'd to the Intereſt of the whole, what Cry ſoever is rais'd, we muſt expect to ſee it made uſe of, to anſwer a Party-Purpoſe.

The Enquiry levell'd againſt the Tories.

Cooke's Confeſſion had only ſerv'd to enflame, not to ſatisfy: And as nothing material could be ſaid in extenuation of the Facts, which already appear'd, it was but reaſonable to follow the Clue, if poſſible, till it led to the Authors of them: Accordingly a Motion was made, and ſeconded, for an Order, That *Firebrace* and *Acton* ſhould attend

(x) That is to ſay, one for —— 10,000 *l.* Loſs 5000 *l.*
One of —— 3000 —— 4500
One of —— 8000 —— 4000
One of —— 7000 —— 3500
One of —— 6000 —— 3000
One of —— 5000 —— 2500
One of —— 4000 —— 2000
One of —— 1000 —— 500
One of —— 6000 —— 3000
One of —— 4000 —— 2000

£ 30,000

A. D. 1695 tend the Houſe of Commons the next Day: But before any Reſolution could be taken, the Lords, by Meſſage, deſir'd an immediate Conference; and at that Conference ſignify'd, That *Firebrace* was near at Hand, and would appear when call'd for: As alſo, That it was their Lordſhips Opinion, That all Examinations ſhould be taken by a Committee of both Houſes, as in *Cooke*'s Caſe: The Commons, upon the Report, acquieſce'd; their Committee, which was the ſame as before, immediately withdrew to join that of the Lords in the *Exchequer*-Chamber; and *Firebrace* being call'd in, reply'd to their Interrogatories, in ſubſtance as follows, *viz.* That he had receiv'd the firſt 10,000*l.* as a Gratuity for his Loſſes: That he had receiv'd the 30,000*l.* by virtue of a Contract with *Cooke*, and the Money was for Favours and Services done: That the Loſs upon the Stock was occaſion'd by the Ships not coming in: That in caſe the Ships had come in, there would have been no ſuch Loſs, and he ſhould have gain'd as much as the 30,000*l.* That both the 10,000*l.* and the 30,000*l.* were directly for himſelf, and for the Uſe of no other Perſon whatſoever. That he had paid no Part of the ſame towards procuring a Charter, nor made any Promiſe ſo to do. That he had had, indeed, ſeveral Diſcourſes with *Cooke*, about uſing his Intereſt to procure a new Charter: But then it was becauſe it was his Intereſt to obtain one, after the Contracts were made: That he believ'd *Cooke* might deſire to be inform'd how he diſpos'd of the Money, and he anſwer'd, It *was not fair*; it *was contrary to his Agreement.*—He *was not to aſk what he did with his own*, &c.

Firebrace's first Examination.

Thus far he went on with Confidence enough: But being farther aſk'd, What particular Service he did, or was to do, for procuring a new Charter? he fell into Confuſion, and ſaid, He wiſh'd he might be permitted to anſwer that Queſtion ſome other time.—He was not well.—He had not *ſlept* for two or three Nights.—He was unwilling to take too much upon himſelf.—He thought, however, he had done the Company great Service in ſoliciting, and other ways. He knew not of any Money or Stock given to any Perſon whatſoever for procuring a new Charter.

Laſtly, being again aſk'd whether the 30,000*l.* or the Value of 30,000*l.* was wholly for himſelf, and whether no Part of it was diſpos'd of to any other Perſon, his Anſwer was, That no Part of it was paid to any body but himſelf, except 500*l.* to one Mr. *Powel*, for his good Offices amongſt the Interlopers, and his Aſſiſtance in reconciling Differences.

Thus the Scent was foil'd again: And it became as neceſſary to proceed by Bill againſt *Firebrace* as *Cooke*: But ſuch a Bill might have brought out the whole Secret, which, it is reaſonable to think, was never intended.

To amuſe the Houſe, therefore, while ſome other Practice was try'd, it was reſolv'd to ſend for the Goldſmiths with whom the Money had been lodg'd by *Firebrace*, and to endeavour to ſift out of them the Secret of the Diſtribution. But tho' they attended the Committee, and produc'd the Caſh-Accounts between them and *Firebrace*, nothing appear'd that was of any Moment. A. D. 1695

As *Firebrace* had been examin'd on the 24th, their Turn was on the 28th: And what is very obſervable, when the Committee was almoſt in Deſpair, *Firebrace*, of his own Motion, for aught that appears, ſent in a Meſſage, deſiring to be call'd in again, and to be re-examin'd. *His Second Examination.*

Accordingly, being call'd in, and having *ſlept* on the Queſtions put to him the Day before, he could *now* recollect, That, in conſequence of a Treaty with Mr. *Bates*, whom *he thought able to do Service in paſſing the Charter*, he had given him two Notes for 5500 Guineas: That one of theſe Notes, which was for 2500 Guineas, was paid, after the Charter for *reſtoring* the Company was *paſs'd*, and the other, which was for 3000, after the Charter of *Regulations* was paſs'd: That he had theſe Notes from *Cooke*, and was accountable to him for them. That, as he verily believ'd, the ſaid *Cooke* did know how the ſaid Notes were to be diſpos'd of: That he had told him, the ſaid *Bates* had Acquaintance with ſeveral Lords, naming the Lord Preſident, and others: That, nevertheleſs, he could not tell whom the Money was deſign'd for, *Bates* refuſing to deal on the Terms of telling Names: That, indeed, he had introduc'd the Deponent ſeveral times to the Lord-Preſident, who ſtarting ſome Scruples in point of Law, he had his Grace's Leave to bring the Attorney-General to him, in order to remove them: That he did not remember *Bates* had ever introduc'd him to any other Lord. That one Day laſt Week, *Bates* made an Offer of returning the ſaid 5000 Guineas, ſaying, *it might make a Noiſe*. That on the *Tueſday* before 4400 Guineas being the Value of 5500*l.* was brought to the Deponent accordingly: That the other 500 Guineas were ſtill in *Bates*'s Hands. That *Cooke* at firſt made a Scruple of retaking this Money, but, on the Morning he was brought before the Committee, did conſent to it. That he, the ſaid Deponent, believ'd *Cooke* had a double Account, one made up with this Sum, the other without: That *Bates* would have paid back the whole, but *Cooke* refus'd it, ſaying, it would make the Account uneven. That the ſaid 5000 Guineas were no Part of the 40,000*l.* before-mention'd: That the ſaid 40,000*l.* was wholly his own; and that he always took care to have it particularly underſtood, That it was for his *own Uſe* and *Benefit*. That finding *great Stops* in the Buſineſs of the Charter, they apprehended it proceeded ſometimes from the Earl of *Nottingham*, ſometimes from *others*. That *Fitzpatrick* receiv'd 1000 Guineas on the ſame Terms as Others receiv'd the Sums alotted them, that is to ſay, if the Charter paſs'd. That he pretended to have great Intereſt with Lord *Nottingham*; and that he could procure Information from Lady *Darby* how the *Queen*'s Pleaſure was. That he would

A. D. 1693. try to prevail with Lord *Nottingham* for 5000 Guineas on *paſſing the* Charter, and 3000 *l.* on the Act of Parliament: But that his Lordſhip refus'd to take it. That he had heard that a Note, ſign'd by *Child* and *Cooke*, for 50,000 *l.* was lodg'd in *Tyſſon*'s Hands, for *about a Year*, to be paid in caſe the Act paſs'd: That it was refus'd, as he underſtood, by Lord *Portland*, and that *Tyſſon* had told him this *lately*.

This was all that was, thus far, material in the *Recollections* of *Firebrace*: And the ſame Day *Acton* being examin'd, he had alſo the Addreſs (diſtracted as he had been repreſented by *Cooke*) to confeſs no more than is contain'd in the following Particulars, *viz.* That he had receiv'd the Sums of 10,000 *l.* and 2000 *l.* from *Cooke*: That he had told *Cooke* he had Friends who would take Pains to do the Company Service, but they would have 10,000 *l.* That *Cooke* agreed to give the ſaid 10,000 *l.* That he, the ſaid Deponent, advanc'd the Money: That the 2000 *l.* was for his own *Pains* and *Trouble* in attending two Seſſions: That, however, in caſe the Bill for a new Company had paſs'd, he was to have had nothing. That he verily believ'd he had given *Cooke* an Acccount of the Diſtribution of the Money, or elſe it would not have been truſted to him. That he did not diſtribute it to Members, but to ſuch as had an Intereſt with Members. That a conſiderable Part of the Money had paſs'd thro' the Hands of *Craggs*, whom he (the ſaid Deponent) was concern'd with, in the cloathing the Army, and who had Acquaintance with *Colonels* in the *Houſe*, and ſome *northern Members*. That Colonel *Goldwell* (who was then dead) was the only Member he himſelf had given Money too; and that if he was allow'd a little time to peruſe his Papers, he could recollect farther.

Acton's Examination.

He then deliver'd in a Paper to the Committee, containing the Names of ſeveral Perſons, and the Sums he had diſtributed amongſt them: By which it appear'd, that the Money entruſted to *Craggs* was 4540 *l.* and the Sum given to *Goldwell*, 1000 *l.* But all the other Particulars, his own 2000 *l.* and 1300 *l.* more for his *Expences* included, amounted to no more than 5753 *l.* ſo that 707 *l.* remain'd wholly unaccounted for.

Bates was ſummon'd before the Committee the ſame Day: But tho' he had been ſeen paſſing thro' *Weſtminſter*-Hall between Five and Six in the Afternoon, he could not be found that Evening: This produc'd an Order for his being taken into Cuſtody: And being the next Day taken, and examin'd accordingly, depos'd, That *Firebrace* had apply'd to him for his Intereſt to obtain a Charter; had ſaid, the Company would be very grateful for it; but that he could not remember any particular Sum was nam'd. That he did accordingly uſe his Intereſt with the Lord-Preſident, who ſaid, He would do what Service he could, agreeable to the Opinion which he had deliver'd in public, *viz.* That he thought the Charter ought to be confirm'd, and that the Forfeiture was a Hardſhip: That the Lord-Preſident had often

Bates's Examination.

A. D. 1693. ſhew'd himſelf his Friend: That he did receive the Notes in queſtion: That he ſent a Servant to receive the Money, but could not ſay at what time. That he told the Preſident of it, and would have *paſs'd* it upon him; but he refus'd it: That, hereupon, *in regard he could not very well tell Money himſelf*, he aſk'd his Lordſhip's Leave for his Servant to *tell the Money*: That his Lordſhip giving Leave, *Monſieur Robart*, his Servant, did accordingly receive the Money: That he had not the Notes till after one Charter was paſs'd: That they were given at one time: That he gave no *Counter-Notes* for them: (But of this, on farther Examination, he did not ſeem to be poſitive) That he *thought*, when he firſt enter'd into Treaty with *Firebrace*, the Latter did ſay he ſhould have a Sum, and that he nam'd a particular Sum. That the 500 Guineas was receiv'd before *June*, and the 5000 afterwards. That the Notes were never out of his Poſſeſſion till the time that he gave them to Monſieur *Robart* to receive the Money: That the ſaid *Robart* brought him the Money: That it had remain'd in his Poſſeſſion till he return'd 4400 Guineas thereof to Sir *Baſil*: That theſe 4400 Guineas were in four Bags, of 1100 each, as brought to him by *Robart*, within a Month laſt paſt. That as to the 600 Guineas, remaining of the 5000, he had ſpent the ſame: (But this he did not perſiſt in; for being preſs'd, he ſaid, He might have ſpent *ſome* of them, but the Reſidue were in his Study) That his Reaſon for returning the 4400, was the Noiſe it made, and his Apprehenſion, That People might think he did not deſerve them. That the whole 5000 were for his *own private Uſe*; and that he might have given them to his *Footman*.

A. D. 1693.

Thus *Bates* appear'd as ſolicitous to cover his Patron, as *Firebrace* to make his own Peace, by expoſing him: It was, therefore, incumbent on thoſe who had the Management of the Latter, to bring him forward again, and to put him on ſuch farther Explanations, as would beſt anſwer the great Purpoſe they had to ſerve.

Accordingly, being again brought before the Committee, ſuch Queſtions were put to him, as led him to ſay, That *Cooke* being apprehenſive the Charter ſtuck with the Duke of *Leeds*, he, the Deponent, thereupon apply'd to *Bates*, who would not pretend to talk of his Grace, but ſaid, He muſt be told *what the Company would do*. That he, the Deponent, reply'd, He thought a Preſent might be made of 2 or 3000 *l.* That *Bates*, at their next meeting it muſt be ſuppos'd, ſaid, He had been at St. *James*'s, had ſpoke to his Friend, and more had been offer'd by the other Side. That, at another time, he ſaid, more was offer'd by one Side; and, at laſt, 5000 *l.* had been offer'd by another Hand of the ſame Side: That the Deponent acquainting *Cooke* with this Propoſal, the Latter ſaid, If it was inſiſted on, it muſt be done: That it was agreed to make an Offer of 5000 Guineas. That this being imparted to *Bates*, he ſaid, *This was nothing to him.*—

Firebrace re-examin'd.

He

A. D. 1695. *He ought not to be employ'd for nothing.* That this occaſion'd a new Application to *Cooke*, and a new Reſolution to give him 500 Guineas beſides. That after all *Bates* would undertake no farther, than that the Duke ſhould not oppoſe; as not being certain whether he had not pre-engag'd himſelf, by having ſpoke on the other Side: That the Deponent objected to this, becauſe he would not diſpoſe of the Company's Money for nothing, and it would reflect on him if nothing was done. That, hereupon it was agreed, that in caſe the Duke did act in favour of the Company, he ſhould have 2000 and 3000 Guineas, and *Bates* 500 for himſelf; and that he, the Deponent, would have delay'd the Payment of his 500 to the laſt, to induce him to be the more active in the Cauſe; but *Bates* reply'd, His Friend would have his 500 Guineas paid firſt.

Having proceeded thus far to ſhew that *Bates* was no more than a Factor between the Company and the Duke, he produc'd a Copy of his *Counter-Note* for the 3000 Guineas, in which he promis'd not to receive or *alter the Property* of *Cooke*'s Note, *till ſuch time as the Charter then depending before their Majeſties, for making Regulations, Alterations, and Additions*, &c. *ſhould paſs the great Seal of* England; and to vacate the ſaid Note, in caſe it did not paſs.

He alſo depos'd, That a like *Counter-Note* had been given for the other Note of 2500 Guineas, but that he had not taken a Copy thereof: That on the paſſing the firſt Charter, he gave *Bates* Notice, that he might call for the Money: That in two or three Days he did call for it accordingly: That the other Note was paid in a Week after the paſſing of the ſecond Charter: That from the time the Notes were given, they had free Acceſs to the Lord-Preſident, and found him eaſy and willing to give them Aſſiſtance. That *Bates*, in the Courſe of the Treaty, had been ſhy, and ſpoke only of his Friend at St. *James*'s: That theſe Words, *in caſe the Lord-Preſident did not aſſiſt the Company in paſſing the Charter*, being inſerted in the firſt Note, the Form was alter'd to the Form quoted above. That about a Week before the Money was return'd, *Bates* took an Opportunity to tell the Deponent, *it was all for himſelf*. That on the *Saturday* or *Monday* before, that is to ſay, the 20th or 22d Inſtant, *Bates* being at his own Houſe, ſaid, *He had not the Money by him, but he would fetch it; and that the Money he thought was in Silver*; but that afterwards he told this Deponent, It was only a Miſtake, and he had brought as much Gold as by computation came to the ſame Sum: And that when the Deponent told him *Cooke* would not take the whole back, *Bates* ſaid, *He could not give an Anſwer till he had ſpoke with his Friend.*

The Lord-Preſident being thus involv'd in the Guilt and Infamy of the Job, the ſame communicative Evidence was led to be almoſt as communicative, with regard to ſome other active Men of the ſame Party.

For in the next Place he proceeded to A. D. 1695. confeſs, That Sir *John Trevor*, ſince the Commencement of this Enquiry, had refunded 500 Guineas, which had been given him by *Cooke*, in the Deponent's Preſence, under Colour of an Arrear for four or five Years, (annual Perquiſite muſt be underſtood) as a Commiſſioner of the great Seal: That at another time 200 Guineas had been given to the ſaid *Trevor*, by Sir *Joſeph Herne*, as a New-Year's Gift. That as to 20,000*l.* of the 30,000*l.* before-mention'd, it was not actually paid till after *Lady*-Day of the then current Year: That he had the other 10,000*l.* ſtill remaining in *Eaſt-India* Stock. That his Purpoſe was to diſtribute the whole 30,000*l.* in this manner, *viz.* 10,000*l.* to Sir *J. Trevor*, Sir *Edward Seymour*, and Mr. *Guy*; 10,000*l.* to the Merchants-Interlopers, and 10,000*l.* to *himſelf*. That having told *Guy*, that the paſſing the Charter and Act of Parliament would be worth 10,000*l.* amongſt them, *Guy* anſwer'd, They did not deſire to meddle with the Stock, but would do any Service they could, to promote the Charter. That *Seymour* meeting him afterwards, chid him for making this Propoſal; and ſaid, if ever he did the like again, he would have no more to do with him: That upon this he intended to keep the *Third*, thus rejected by *Seymour*, for himſelf: And that *Trevor* had given him ſome Hints, That he expected to be put in Poſſeſſion of what had been promis'd him.

Having thus made all the Uſe they deſir'd to make of *Firebrace*, the next Perſon they call'd upon was Sir *Joſiah Child*, who depos'd, That, to his Remembrance, he had never diſpos'd of ten Pounds of the Company's Money: That he had, indeed, recommended *Acton* as an honeſt Man, and as one that might do Service becauſe of his Acquaintance: That he alſo recommended the making of a Preſent to his Majeſty of 50,000*l.* on condition an Act of Parliament might be paſs'd for ſettling the Company, which, as Mr. *Tyſſon* told him, the King refus'd to meddle with. That he knew nothing of the 40,000*l.* paid to *Firebrace*: That he knew there was a kind of Committee, which ſat from Day to Day to *deſtroy* the Company; and that he had told *Cooke* he look'd on Sir *Baſil* as the fitteſt Perſon to *divide* them. *Sir J. Child's Examination.*

Mr. *Atwell*, the Goldſmith, on whom the Notes given to *Bates* were drawn, then made his Appearance before the Committee; and having produc'd his Caſh-Books, Entries were found therein of 5451*l.* 6*s.* 3*d.* paid to *Bates*, *October* 9, 1693, *October* 10, 2181*l.* 5*s.* 0*d.* and *November* 16, 3275*l.* by the Order of *Cooke*.

Bates himſelf alſo, being re-examin'd, acknowledg'd, That he believ'd the Money might be paid as the ſaid Books expreſs'd: That he had not 4400 Guineas in his Houſe on the *Monday* Night before; and that the 4400 Guineas, which he paid back to *Firebrace*, were brought to him by Monſieur *Robart*, on *Tueſday* Morning at Eight o'Clock. *Bates re-examin'd.*

Tyſſon

A. D. 1695. Tyſſon's Examination.

Tyſſon was call'd next, and confeſs'd, That he did receive a Note of 50,000 *l.* from *Cooke* and *Child* to be preſented to the King, on the Condition above ſpecify'd: And that he acquainted the Lord *Portland* with it, who ſaid the King would not meddle with it.

Being aſk'd, Whether he had offer'd the ſame to Lord *Portland?* He anſwer'd in the Negative; adding, *If he had, he muſt never have ſeen his Face any more:* Which is more ſtrange than credible, conſidering in how much Haſte his Lordſhip was to be rich; what a rapacious Uſe he made of the King's Favour, and the Prevalence of Venality at this Criſis, which this very Story has render'd ſo plain and undeniable.

Craggs's Examination.

Laſtly, *Craggs* being call'd in, and examin'd, deny'd, That he had ever paid any Part of the 4540 *l.* he had receiv'd from *Acton* to Members of Parliament; and deliver'd in a Paper, containing all the Explanations which he thought fit to make; that is to ſay, That he had given one *Wallis* 1150 *l.* for his Solicitations, *&c.* That among four others Perſons, he had diſtributed 312 *l.* more, on the ſame Account: And that he had allow'd himſelf 1260 *l.* for his Expences in the Years 92, 93, 94. 350 *l.* as an Encouragement to himſelf and his Friends to ſubſcribe 7000 *l.* to the Company; and 1468 *l.* for his *own Pains* and *Solicitations*, to prevent a New, and eſtabliſh the Old Company.

On the 27th all this Matter was reported to both Houſes; where it was receiv'd as the ſeveral Parties were diſpos'd either to moderate or enflame the Charge; to diſgrace or acquit the Perſons.

Debates in the Houſe of Commons on the Report.

Among the Commons, in particular, it ſoon appear'd, That the Lord-Preſident was to be the *Scape-Goat* of his Party: It was ſaid with great Vehemence, That Arts and Practices had been us'd to ſtifle the Diſcovery: That, nevertheleſs, a more notorious Bribery had never been diſcover'd before: That it was a Blemiſh, if not a Scandal, to the Revolution itſelf, *&c.* On the other Hand, it was aſk'd, By what Law it was a Crime to take Money at Court? It was ſaid, Where there was no Law, there was no Tranſgreſſion. That before the Houſe proceeded to impeach, they ought to aſcertain the Nature of the Offence, *&c.* And upon the whole, it was reſolv'd, 1. That there was ſufficient Matter to impeach *Thomas* Duke of *Leeds*, of high Crimes and Miſdemeanors. 2. That he ſhould be impeach'd thereupon: And it was order'd, That Mr. Comptroller *Wharton* ſhould accordingly impeach him at the Lords Bar, in the Name of the Houſe, and of all the Commons of *England*.

Votes againſt the Duke of Leeds.

During this Interval, the Lord Privy-Seal *Pembroke* having alſo made his Report, the Lord-Preſident roſe up in his Place, and, having declar'd upon his *Faith and Honour*, as before, That he was not guilty of any ſuch Corruptions as were laid to his Charge; as alſo, That if the whole Truth was laid open, it would be to his Honour and Advantage; profeſs'd to lay open that whole Truth, ſo far as he was concern'd, *viz.* That *Bates* had introduc'd *Firebrace* to him: That he had ſeveral Conferences with him upon the Subject of the *Eaſt-India* Company: That, ſome time after, *Bates* inform'd him, he had receiv'd 5000 Guineas; and, in Acknowledgment of the many Favours he had receiv'd at his Hands, made an Offer of them to him: That he refuſing, *Bates* preſs'd him to accept of Half, or a Quarter: That he perſiſted not to touch a *Penny*, with this Addition, That they were *his own*; and that he with'd him good Luck with them. That this put him in Mind of what had once paſs'd between him and Mr. *Harry Saville*, for whom he had a great Reſpect, and which he thought neceſſary to be told their Lordſhips on that Occaſion; namely, That when he was Treaſurer, the Exciſe being to be farm'd, and many Perſons putting in for the Contract, *Saville*, to whom they had *all* apply'd for his Intereſt, deſir'd, That he would tell *all of them* he had ſpoke in their Favour; alledging, to obviate his Scruples, That in ſuch Caſe, whoſoever obtain'd it, would think he ow'd it to his good Offices, and would make him a ſuitable Acknowledgment. "Accordingly, my Lords, "proceeded his Grace, when the Men came, "I told them *all*, one after another, Sir, "you are very much oblig'd to Mr. *Saville*; "Sir, Mr. *Saville* has been very much your "Friend: A little after, when the Thing "was ſettled, Mr. *Saville* came and thank'd "me for what I had done, and told me, "That he had got the Preſent which he "expected; which I told him I was glad "of, and wiſh'd him good Luck with it, "as I did now to Mr. *Bates*. And thus "I was then a Shadow to Mr. *Saville*, as I "was now to Mr. *Bates*."

A. D. 1695. *And alſo before the Commons.*

His Speech in the Houſe of Lords.

The Duke was come thus far in his Speech when he receiv'd private Intimation, That the Commons were proceeding to impeach him: Upon which he broke off ſomewhat abruptly; and immediately quitting the Houſe of Peers, preſented himſelf at the Door of the other Houſe; and by the Means of one of the Members, caus'd the Houſe to be inform'd, That he deſir'd to be heard; which being comply'd with, he was admitted, with the uſual Compliments of a Chair, and Leave to be cover'd; after accepting of which he roſe, and putting off his Hat, expreſs'd himſelf to the following Effect: That he was heartily thankful to the Houſe for the Favour of giving him a Hearing: That innocent as he was, he would have attended ſooner, if he had been ſooner inform'd what the Houſe was upon: That he could have wiſh'd they had not been altogether ſo quick in their Proceeding: That the two Votes of the Houſe upon the Report of the Committee, were the Occaſion of his coming: That tho' he was not appris'd of the Particulars, finding himſelf concern'd, he was impatient to juſtify himſelf, to the End, that he might not lie under the Diſpleaſure of either or both Houſes: That it was a bold Word, but a Truth, That the Houſe would not have been ſitting at this time but for him: That he had been

formerly

A. D. 1695. formerly perſued by that Houſe for being in the *French* Intereſt, and for *Popery*; that if he might have been heard, he could then have juſtify'd himſelf: That he hop'd he had juſtify'd himſelf ſince, and that he ſhould continue to do ſo by all the Actions of his Life.—That as to the preſent Matter, it was true *Firebrace* had been introduc'd to him by the Means of *Bates*; but that even *Bates* himſelf, unleſs he was much deceiv'd in him, would not have been concern'd in an ill thing: That the Evidence was but Hear-ſay; that he hop'd they would not condemn upon Hear-ſay: That he avoided entering into Particulars, becauſe he would not take up their Time: That as well as a Treaty-part, there was alſo a Money-part: That as to the Latter, much that had been depos'd was falſe: That what was true, he had made no Secret of: That, upon his Faith and Honour, he had neither directly nor indirectly touch'd one Penny: That a great deal of Pains had been taken to hook and draw in this Matter by a *Side-wind*: That this *Firebrace* would have it thought he had Merit enough to deſerve 10,000*l.* and 30,000*l.* That the 5000 Guineas were no *Part* of that 40,000*l.* That whereas the other Witneſſes had been call'd for by the Committee, *Firebrace* came in the ſecond time, at his own Inſtance, and thereby ſhew'd himſelf, at leaſt, a *willing* Witneſs: That he had a Thread, which he hop'd to ſpin finer ſtill: That he hop'd to make it appear, that this was a Deſign laid againſt him long before the naming the Committee: That Warning had been given to him ſome time ago that this Matter would be improv'd againſt him: That *Firebrace* had been told he ſhould be excus'd, in caſe he charg'd him: That he aſk'd no Favour but their favourable Juſtice: That it would be a moſt unfortunate thing in point of Time, to be under the Diſpleaſure of the Houſe, or of the Nation: That he pray'd no ſevere Senſe might be put on what would bear a candid one: That the Houſe would re-conſider what had been done, or at leaſt preſerve him from Cruelty; and not let him lie on the Rack, and under a Blaſt, till a Parliament ſhould ſit again: That if they would proceed, it might be ſpeedily; for that he had rather want Counſel, want Time, want any thing, than lye under their Diſpleaſure, or that of the Nation: And, laſtly, he concluded with a Repetition of his former Thanks, and a farther Prayer, That if they would not re-conſider, the Matter might be brought to a Determination; and that he might have ſpeedy Juſtice.

Remarks thereon. The Duke being withdrawn, ſome bitter Remarks were made upon his Speech. It was ſaid, the Point in Queſtion was now become, Whether the Houſe would arraign the Committee of both Houſes, or go on with their Impeachment? It was ſaid, he made no Excuſe as to Facts, nor any Defence but by Recrimination: It was ſaid, The Argument he made uſe of to prove the Contrivance, namely, that the 5000 Guineas charg'd on him, was no Part of the 40,000*l.* *Firebrace* was to account for, was rather an Aggravation of the Crime: For *Cooke* had a double Account, one with and one without the 5000 Guineas; whence it follow'd, That if there was any Contrivance in the Caſe, it was not on the Side of the Committee, but on *Cooke*'s, to ſtifle the Enquiry, and conceal the Corruption. It was ſaid, The ſpeedy Juſtice of the Houſe was, indeed, to be wiſh'd and deſir'd; as alſo, That if any ſuch Contrivance appear'd, any ſuch Thread, as was mention'd by the noble Lord, the Houſe, where he was impeach'd would clear him. And, laſtly, it was ſaid, The Self-contradictions of *Bates* were of more Weight than the poſitive Evidence of *Firebrace*.

A. D. 1695.

It appears, however, that notwithſtanding the Current of the Times bore ſo hard againſt the Duke, he did not want for Friends, who had Addreſs enough to give it ſuch a Direction, as, under the Pretence of overwhelming, had a Tendency to ſave, him.

Thus while Mr. *Wharton*, attended by ſeveral of the moſt eminent of his Party, went up to the Lords with the Impeachment, ſome of them mov'd, That the Articles ſhould be propos'd forthwith; and that the Committee, already join'd with the Lords, ſhould withdraw for that Purpoſe, and make their Report on *Monday*; all which was comply'd with by the Houſe, and an Order was made accordingly: For thoſe who had more Zeal than Knowledge, did not perceive the Snare that was laid for them, were not aware that there was a material Defect in the Order, which did not authoriſe them to ſend for Perſons and Papers, as was uſual on the like Occaſions; and had no Notion, that in endeavouring to gratify his Grace with a *ſpeedy Juſtice*, they ſhould gratify him in earneſt with a *ſpeedy Deliverance*.

But either the Commitee themſelves were not involv'd in the Artifice which occaſion'd this Miſtake, or they manag'd very dextrouſly: For they complain'd that Orders ſhould be made in their Abſence; and on the *Monday* obtain'd the neceſſary Authority to ſend for Perſons and Papers, which had been omitted before; but for want of Time, it muſt be ſuppos'd did not make any material uſe of it: For the Articles were fram'd on the Evidence already recited, and charg'd him with high Crimes and Miſdemeanors, in that, being Preſident of the Council, and ſworn to give their Majeſties true and faithful Advice, he had, contrary to his Oath, Office and Duty, and in Breach of the great Truſt repos'd in him, by himſelf, his Agents or Servants, corruptly and illegally treated, contracted and agreed with certain Merchants, trading to the *Eaſt-Indies*, who had either forfeited their Charter, or apprehended they had, to procure a Charter of Confirmation, a Charter of Regulation, *&c.* for the Sum of 5500 Guineas, *&c.* *Abſtract of the Articles.*

They had, indeed, added the uſual Proviſo of ſaving to the Commons the Liberty of exhibiting any farther Accuſation or Impeachment; but without the leaſt Specification of any

A. D. 1695. any new Matter: And as to the Requiſition they concluded with, it was in theſe Words, That the ſaid Duke of *Leeds* might be put to anſwer the ſaid Crimes and Miſdemeanors, and receive ſuch Puniſhment as the ſame ſhould deſerve: And that ſuch Proceedings, Examinations, Trials and Judgments might be every one of them had and us'd, as was agreeable to Law and Juſtice.

The ſame Day that theſe Articles were reported to the Houſe, they were agreed to; they were order'd to be engroſs'd, and were ſent up to the Lords; upon which Occaſion the Duke, by way of Extenuation, was pleas'd to ſay, That he admitted *Firebrace* at the repeated Inſtances of *Bates*, and merely to befriend him againſt his own Judgment, as believing him to be an ill Man: That the Storm which was now fallen upon him, had been long gathering; that it was promoted by a Faction who had a Pique againſt him: That he had an original Letter to produce, which gave him an Account of it, ſome time before it broke out: That it appear'd to be directed only againſt him, becauſe none elſe were proſecuted: That they ſtopp'd when they came to this Part of the Affair: That *Firebrace* was treated with, only for this Purpoſe: That on the Merit of this Diſcovery, he was excus'd from proceeding any farther: That the ſaid Faction could not conceal the Satisfaction they took in it, and that the King's *Buſineſs* had been delay'd, *purpoſely*, that they might indulge it.

The Duke's Speech on their being recall'd by the Lords.

His Grace then pray'd for a Copy of the Articles, and of the Report of the Committee, both which were granted of courſe: And the next Day, having again declar'd *before* God, *and upon his Conſcience*, That he was greatly wrong'd by the Accuſation, put in the following laconic and evaſive Anſwer, *viz.*

His Anſwer.

"This Defendant, ſaving to himſelf all "Advantages of Exceptions to the ſaid Ar- "ticles, humbly ſaith, That he is not guilty "of all or any the Matters by the ſaid Ar- "ticles charg'd in *Manner* and *Form*, as the "ſame are by the ſaid Articles charg'd a- "gainſt him."

The ſame Day the ſaid Anſwer was communicated to the Houſe of Commons, by Meſſage, who directed their Committee to prepare a Reply: But this could not be done, it ſeems, with ſo much Expedition as the Caſe requir'd. It was ſaid that M. *Robart*'s Evidence was neceſſary to render their Reply complete; and he being the Servant of a Peer, and having the Privilege of that Houſe to plead for his Protection, it became a Doubt, whether the Orders of the Commons could reach him.

The next Day, *viz.* *May* the Firſt, this Difficulty was communicated to the Houſe, who, inſtead of determining upon it, by their Authority, refer'd it back to their Committee, to conſider what the proper Method was, to compel Witneſſes to come in, and to give their Evidence upon Trials by Impeachment.

A Doubt ariſe in anſwering Articles.

Thus a whole Day was loſt, when ſcarce a Minute could be ſpar'd: And to ſhew yet farther what a diſingenuous Spirit had now taken Poſſeſſion of the Legiſlature, it is to be obſerv'd in the next Place, That during this Interval, the Lords had come to a Reſolution, That it was their Opinion that the Diſcovery made by Sir *Thomas Cooke*, was not ſo full or ſatisfactory, as to entitle him to the Benefit of the Act made to indemnify him: That this Reſolution had been imparted to the Commons by Meſſage, together with a Signification of their Lordſhip's Deſire, That the Commons would concur in it: That the Commons *did* paſs a like Vote accordingly: That, hereupon, the Lords prepar'd and paſs'd a Bill for impriſoning *Cooke*, *Firebrace*, *Bates* and *Craggs*, and reſtraining them to alien their Eſtates, to which they alſo deſir'd the Concurrence of the Commons. That this Bill was ſent down by the Lords, and read the firſt time by the Commons, on the 28th of *April*: That on the 30th it was read the ſecond time; that on the firſt of *May* it was paſs'd, with Amendments, and ſent up to the Lords: And that on the 2d the Duke of *Leeds*, when the Amendments were taken into Conſideration, was pleas'd not only to complain of the *Delay* of the Houſe of Commons, alledging, That the Impeachment was only to load him with Diſgrace, and that they never intended to try him; but alſo, of the Partiality of the Faction againſt him, which he ſaid was apparent, 1ſt, Becauſe they *did not intend to enquire after others*, and, 2dly, Becauſe, in their Amendments, they had provided *Firebrace ſhould* be admitted to *Bail*, to which Favour he had no other Pretence than the Merit of being a Witneſs againſt him.

A. D. 1695.

A Bill for impriſoning Cooke, &c.

The Faction he ſpeaks of, on the other Hand, affirm, That the Duke's own Friends and Relations voted for thoſe Amendments as well as they: That when the Lords return'd the Bill, as they thought fit to do, with their Diſagreement to theſe Amendments, they were the Perſons who divided the Houſe, (tho' without Succeſs) for inſiſting upon them: And that as to the Charge of Partiality laid againſt them, it had no other Ground, than the Duke's own Importunity for ſpeedy Juſtice; ſeeing it was impoſſible for the Committee to prepare the Charge againſt him, and proſecute their Enquiry againſt others, at the ſame time.

What is yet more remarkable than all, the Sally which the Duke had ſuffer'd to eſcape in one of his Speeches, concerning the *wilful Delay* of the *King's Buſineſs*, refer'd only to the Money-Bill, (for laying certain Duties on Glaſs, *&c.*) which the Commons had then to diſpatch: And yet tho' the Delay of a Bill of Supply was the Method which had been always us'd by that Houſe to obtain Juſtice from the Crown, againſt any notorious Delinquent, or the Redreſs of any crying Grievance; and tho' it was plain there was now no other Method of anſwering the Expectations they had rais'd, ſuch Uſe was made of that miniſterial Reproach, that a finiſhing Hand was ſoon after put to the Bill; and by ſending up to the Houſe

The Money-Bill ſent up to the Lords.

of

A. D. 1695. of Lords, where the Crown is usually treated with an Excess of Complaisance, the King was enabled to close the Session when he pleas'd.

And this brings us to the last Scene of this miserable Farce; For on the 3d of *May*, when it was known to both Houses, that the King would, in a few Hours, put an End to the Session, the Prosecutors seem'd to be in more Haste than ever to overtake Justice, and the Prosecuted to manifest his Innocence.

Thus when it was mov'd in the House of Lords to pass the Money-Bill just mention'd, the Duke of *Leeds* rose up, and express'd himself to this Effect, That it griev'd him that he, who was as much as any Man for the Dispatch of the Money-Bill, and never oppos'd any, should now do it: That he hop'd the Lords would consider his Case, not only as his, but as what might be the Case of any other Lord; for that it was in the Power of a *Tinker* (supposing, it seems, that *Tinkers* might represent the People) to accuse a Peer at the End of a Session, in which case he might languish under it, without Remedy: That since they, the Commons, had delay'd the said Bill, by Mismanagement, for six Weeks, the Consequence would not be very prejudicial, if it was delay'd a Day or two longer: That, therefore, he made it his earnest Request, That if the House of Commons did not reply, the Impeachment might be discharg'd: That if it were not, he might lie under the Reproach of it all his Life: That he believ'd the Commons would do nothing in it; for tho' they had appointed a Committee to prepare the Charge against him, they had met but once, and that only for Form sake, *&c.*

The Duke of Leeds desires to have the Impeachment discharg'd.

It does not, however, appear, that the Lords were for postponing the Consideration of the Bill, for the Sake of gratifying the Duke's Impatience, under a Charge which had been enter'd against him in form but *six* Days: And, on the other Hand, the Speaker acquainted the House of Commons, That M. *Robart* was not to be found, either at the Duke of *Leeds*'s or elsewhere: That his Messenger had been inform'd by his Grace's Porter, that he had not been seen these three Days: That he believ'd he was gone into the Country, but where, he could not tell; and that the said Messenger had left with him a Copy of the Order of the House.

As this might have been foreseen, and consequently prevented, it was reasonable to think that there was almost as much Collusion in the Management of this Enquiry, as there was Corruption in the Matter enquir'd into: And, indeed, Bishop *Burnet*, who slurs over this remarkable Tranfaction in so perplex'd and indiscriminate a Manner, admits, That it was intended to hang up the Matter till another Session.

Besides, on receiving this Intelligence from the Chair, instead of passing such a Vote as might serve to justify their own Proceedings, and to render the Duke answerable for the Disappearing of his Servant, they contented themselves with agreeing to the following Paper, which was to be deliver'd to the Lords at a Conference, by *Montagu*, Chancellor of the *Exchequer*, viz.

A. D. 1695.

That the Commons would make good their Charge against the Duke of *Leeds*, and were desirous that Justice be done without any manner of Delay: But that in the Preparation of the Evidence against the Duke, their Committee met with an Obstruction: That Monsieur *Robart* who appear'd by the Depositions before the Committee of both Houses to be a material Witness, was withdrawn since the Impeachment was carried up, which had been the Reason the Commons had not yet acquainted their Lordships when they could be ready to make good the said Impeachment.

Paper deliver'd at a Conference by the Commons.

Moreover, to carry on the Feint of a Prosecution, and thereby to save Appearances, they order'd the Report of the Committee to be read; and not only affected to proceed against other Persons therein nam'd, but actually mov'd for an Impeachment against Sir *John Trevor*: And when a Motion was made to adjourn, by those, it must be suppos'd, who were either asham'd of such a Mockery, or unwilling that their Adversaries should derive any Benefit from it, over-rul'd it by a considerable Majority.

Lastly, when the Paper deliver'd to the Lords, by the Chancellor of the *Exchequer*, was reported to the House, it was mov'd and agreed, without any Debate, or any Opposition from the Duke of *Leeds*, That an Address should be made to the King, to issue a Proclamation for stopping the Ports, and seizing Monsieur *Robart*, which was accordingly done; tho', it ought not to be forgot, that the Proclamation was not publish'd till *nine* Days afterwards.

Address for a Proclamation to apprehend Robart.

His Grace, however, then rose up once more, and, after blaming the Commons for doing such an unheard of, and unprecedented thing, as to charge a Man with Crimes, before they had all the Evidence to make it good, proceeded to urge, That it was strange they should say they wanted a material Witness, and lay it upon him to produce this Witness; as if a Person were oblig'd more to produce Evidence to accuse himself, than to answer such Questions by which he accuses himself: That, in Truth, he had sent Monsieur *Robart* to see his Daughter *Leinster*, and order'd him to call at *Minns*, to see his Daughter *Plymouth*, where the Messenger of the House of Commons might have known he was gone, if he had ask'd: That his Grace, that there might be no Mistake, sent a Messenger on purpose for *Robart*: That *Robart* return'd about Two of the Clock on *Sunday* Morning: That his Footman, upon his Arrival, wak'd him, (for which he was very angry) to let him know he was come: That he told the said Footman, he would speak with *Robart* in the Morning: That accordingly enquiring for him at that time, the Footman said he was gone, having first enquir'd whether the News was true, That his Lordship was impeach'd, and *Defet* in prison, which, he believ'd, had frighted him

A. D. 1695. him away. That his Chaplain had ſince ſhewn him a (*y*) Letter from *Robart*, deſiring him to acquaint his Lord, that he was on his way home to *Switzerland* through *Holland*, from whence he would ſend a true Account of the whole Tranſaction: That he, the Duke, knew by the Manner of the Letter, by the Temper of the Man, and by a particular Knowledge he had both of him and of the Thing, that he would not be ſeen here again in haſte: "So that, my Lords, (proceeded his Grace) if this Man be inſiſted upon as a material Evidence, and that my Trial is to be delay'd till he is forth-coming, when am I likely to be try'd? I humbly move your Lordſhips, that you will come to ſome Reſolution, that, if this Matter be not immediately proceeded upon, ſo that I may be try'd *before the Ending of this* Seſſion, the *Impeachment ſhall fall.*"

Here is Grace ended; and it is remember'd, that ſome few Lords cry'd out, *well mov'd*: But ſurely that Out-cry of theirs was rather a Mark of Scorn than Approbation: For tho' the Duke, by ſending away his Servant, had depriv'd his Adverſaries of that legal Proof which was neceſſary to Conviction, enough had appear'd to prove him guilty in the Opinion of the whole World: And if any thing could be added to the Reproach which he had brought on his Character, on the high Office he poſſeſs'd, and the Government he ſerv'd, it was the ſolemn Proteſtation of Innocence he had ſet out with, and the Contumacious Demand of a ſpeedy Trial, which he knew neither could or would take place.

Even *Burnet*, who, ſpeaking of the Act of Grace, which paſs'd at the Cloſe of the Seſſion, takes care to remember, it contain'd an *Exception as to Corruption*, (which, however, is too general an Expreſſion; for all the Exceptions of that kind, are confin'd to this very Affair of the *Eaſt-India* Company) acknowledges *the whole Diſcovery was let fall*: "And, continues he, it was believ'd too many of all Sides were concern'd in it; for, by a common Conſent, it was never reviv'd."

The whole Proſecution dropt.

On the ſame Day, and almoſt in the ſame Hour, that the Duke was ſo preſſing with the Peers for a Trial before the End of the Seſſion, or a Diſmiſſion of the Impeachment, the King came to the Houſe, to put a Period to it: But before we ſpecify the Bills paſs'd that Day, or the gracious Speech from the Throne, it will be fit to take a Review of ſome other parliamentary Tranſactions, which have not as yet been mention'd, and which are nevertheleſs of Importance to a right Underſtanding of theſe Times.

Complaint of the Lancaſhire Gentlemen to Parliament.

And among the Principal of theſe ought to be reckon'd, 1. The Application of the *Lancaſhire* Gentlemen for Juſtice againſt the Witneſſes, Proſecutors, &c. who, according to their Allegations, had enter'd into a Conſpiracy againſt their Lives, Honours, and Eſtates. And, 2dly, The Efforts made by the Malcontents in the Houſe of Lords, to render the ſtationing and continuing ſo large a Part of the Fleet ſo long in the *Mediterranean*, obnoxious to the Public. A. D. 1695.

The *Lancaſhire* Gentlemen having ſo clearly and effectually baffled the King's Evidence, as even to bring over the King's Council to their Side, thought themſelves entitled to a higher kind of Juſtice than a mere Abſolution, and for that Reaſon brought their Complaints before the Houſe of Commons; where finding Friends to eſpouſe them, they perſuaded themſelves, That the Cry which prevail'd in their Favour without Doors, would have procur'd them Relief within: But in this Meaſure they rather conſulted their Paſſions than their Reaſon, and rather expos'd themſelves to a new Inſult, than put themſelves in the way of obtaining Reparation: If ſome of the King's Miniſters had ſhewn rather too vindictive a Spirit in the Proſecution of this Plot, and ſome few Individuals had ſuffer'd by their Rigour, the Majority were unwilling to have Reprizals made on the Government; and thought it more adviſable to connive at a private Injury, than to gratify the Injur'd with the Redreſs they ſought, at the Expence of their Rulers.

And from theſe, and other leſs warrantable Reaſons, it was, that, after an Examination, which laſted between *ſix Weeks* and *two Months*, the Commons not only reſolv'd, that it did *appear* to them, That there were ſufficient Grounds for the Proſecution and Trials at *Mancheſter*; but alſo that a dangerous Plot had been carry'd on againſt the King and Government.

That they might, moreover, ſet a particular Mark on Mr. *Standiſh*, of *Standiſh-Hall*, who was one of thoſe whom the Anger of the Court was more particularly levell'd at, and who had diſtinguiſh'd himſelf by taking upon him to be the principal Agent in this parliamentary Appeal, they order'd him to be taken into Cuſtody; and, upon his abſconding, addreſs'd his Majeſty to iſſue out his Proclamation to apprehend him, which was iſſued accordingly.

Laſtly, That they might brand the Cauſe as well as the Man, they order'd an Act of the pretended Parliament of *Ireland*, held in the Year 1689, for recogniſing King *James*, and alſo two Proclamations ſet forth in the Name of the ſaid Prince, to be burnt by the Hands of the common Hangman.

The Plaintiffs did not, however, put their whole Confidence in the Commons; on the contrary they alſo had recourſe to the Lords; and in the Earls of *Nottingham* and *Rocheſter* found two very able and zealous Advocates, who left no Expedient untry'd to

(*y*) The Duke had this Letter on *Wedneſday* the 18 of *May*, but took no Notice of *Robert* being gone, or that it was in his Power to be a Witneſs for or againſt him till now, which was after the Conference.

A.D. 1695. to carry that Point for them indirectly, which they knew could not poſſibly be carry'd any other way.

Thus, taking the Hint from the abandon'd Characters and flagrant Proſtitutions of *Lunt*, and the other Witneſſes, they brought in a Bill to make wilful and corrupt Perjury, in the like Caſes, Felony; which having been receiv'd, read, and amended, was dropt on the Queſtion, whether it ſhould be engroſs'd; which gave Riſe to a Proteſt, in which ſeveral Lords of both Parties join'd, for the following Reaſon, *viz.* "Becauſe it appear'd, by too many Inſtances, not only in *former* Times, but alſo *very lately*, how great Need there was for ſuch a Bill as this, to deter Men from thoſe pernicious Crimes of *Perjury* and *Subornation*."

Secondly, the Judges having been interrogated, as to their Behaviour in the Proceedings and Trials in *Lancaſhire*, and the Queſtion which was put thereon, whether they had done their Duty *according to Law*, having been reſolv'd in the Affirmative, another Proteſt was enter'd, for the two following Reaſons, *viz.* 1. "Becauſe we conceive that a Perſon, who, in open Court, did twice miſtake the Priſoner at the Bar, againſt whom he was a Witneſs, ought not to be recommended from a Judge to a Jury as a Witneſs not to be excepted againſt. 2dly, Becauſe there appear'd ſeveral hard Circumſtances in their Proceedings, and particularly the refuſing to cauſe the Witneſſes to be examin'd apart, when deſir'd by the Priſoners, which, in a Conſtitution where the Judges ought to be of Council for the Priſoners, ſeems to be contrary to the Intent of the Law, for the Security of the Innocent; and that in Conſideration, it may be of too ill Conſequence to receive Countenance in this ſupreme Court."

But, notwithſtanding theſe and many more Refinements, on putting the Queſtion whether the Government had ſufficient Cauſe to proſecute the *Lancaſhire* and *Cheſhire* Gentlemen, it was reſolv'd in the Affirmative.

And thus both Parties had ſeverally their Turns of Triumph: The Malcontents triumph'd in the Deliverance of the Accus'd; the Creatures of Power in blaſting their Appeal, which was call'd by the Latter a full Proof of the Plot; and gave out, that the Perſons concern'd had eſcap'd by the very Practices which they endeavour'd to faſten upon the Government.

Thoſe Perſons, however, did not ſink under theſe Diſcouragements; and by not doing ſo, had once more an Opportunity to wreſt the Victory out of the Hands of their Adverſaries: For at the Seſſions held at *Lancaſter* in the *Auguſt* following, *Lunt*, *Wombal* and *Wilſon* were found guilty of Perjury, and were thereupon indicted by the Crown for a Conſpiracy againſt the Lives and Liberties of the ſaid Perſons; not, indeed, for the Sake of proving the Crime, or puniſhing the Criminals, but for the Sake of making a like Example of the Witneſſes who appear'd againſt them: But the *Lancaſhire* Gentlemen being aware of this Purpoſe, and not caring to abide the Experiment, refus'd to aſſiſt in making it; and thus the whole Affair was brought to a Period. A.D. 1695.

This Examination, ſays B. *Burnet*, was brought on with much Noiſe, to give the more Strength to the Bill of *Treaſons*, or, as he ſhould have call'd it, the Bill for regulating Trials concerning Treaſons, which had been now again brought in by the Commons, and ſent up to the Lords.—His Lordſhip alſo ventures to ſay, "That the Progreſs of the ſaid Examination turn'd ſo much againſt them, who had made this Uſe of it, that it appear'd there was no juſt Occaſion given by the Trial to alter the Law."

We are not, indeed, to wonder that, contrary to what has been above and formerly advanc'd, he ſhould make ſo home an Aſſertion, when we farther recollect, that, treating of the ſaid Bill, and utterly forgetting the Hardſhips which State-Priſoners had been expos'd to, and which had been ſo liberally complain'd of in the two preceding Reigns, he farther ventures to ſay, "The Deſign of it ſeem'd to be to make Men as *ſafe* in *all treaſonable Conſpiracies* and Practices as was poſſible: Two Witneſſes were to concur to prove the ſame Fact at the ſame time: Council in Matters of Fact, and Witneſſes upon Oath, were, by it, allow'd to the Priſoners: They were to have a Copy of the Indictment, and the Pannel, in due time." But tho' the Deſign of the Bill was, according to him, injurious to Government, and theſe Particulars are inſtanc'd as ſo many Proofs of that Deſign, his Lordſhip nevertheleſs proceeds thus: "All theſe Things were in themſelves *juſt* and *reaſonable*; and if they had been mov'd by *other Men*, and at *another time*, they would have met with little Oppoſition." The latter Part of which Sentence is as untrue as the former is unreaſonable: For a good Cauſe ought not to be loſt, becauſe the Advocate for it was not in the good Graces of the Judge: And it cannot be forgot, that this very Bill had been already defeated ſeveral times.

The Public was, however, for ſome time amus'd with an Expectation of its paſſing into a Law: The Lords made the ſame Proviſion as they had contended for before, That every Peer ſhould be try'd by the whole Peerage: The Commons held this to be as unreaſonable as it would have been for every one of the People to inſiſt on being try'd by the whole People: When therefore the Bill was ſent down to them with this Amendment, they refus'd to admit it, and gave their Reaſons at a Conference: Theſe Reaſons were not ſatisfactory to the Lords, who ſignify'd as much at another Conference; and the Commons adhering to their Point, the Bill, as had been foreſeen, was loſt.

The Meaſure of ſending a fleet into the Mediterranean argu'd.

As to the Proceedings of the Lords, in relation to the *Mediterranean*-Squadron, they aroſe from a double Motive; that is to ſay, to diſgrace *Ruſſel*, and thro' him the whole Adminiſtration of our naval Affairs.

A. D. 1695. Russel's Character.

Russel, who was esteem'd the most popular Officer in the Fleet, when he was first preferr'd to the chief Command, it is said, had, by this time, lost all his Credit among the Seamen, thro' an Excess of Pride, Passion, Partiality, and Avarice: For it is in such forbidding Colours as these he is painted, even by some of his own Party, tho' Party-Principles, and Party-Merit, except the most gross and fulsome Flattery, were the most effectual Title to his Favour: Every Malcontent under his Command had his Correspondent at home; and the whole Body of the *Tories* lay in wait for every Fact and every Calumny which had a Tendency to blast his Credit, or affect his Power. It is so much the less to be wonder'd, therefore, that the same Arts which had prevail'd against *Killegrew* and *Delaval*, were now turn'd against him, with this only Difference, That, whereas they were suspected of leaning to King *James*, and of favouring his Interest, from the disinterested Dictates of Affection and Inclination, *Russel* was accus'd of having no Principle at all, or measure of Action but the Profit it produc'd; and on this extravagant Prejudice a Notion was propagated, That the Fleet was not safe in his Hands; and that if he did not sell or sacrifice them to the *French*, the whole Reason would be, because they did not come up to his Price.

M. S.

Kennet, &c.

Debate in the House of Lords on the Mediterranean Expedition under his Command.

It must not, however, be understood that the Debate took this personal Turn in the House of Lords; on the contrary, the Topics insisted upon there, were such as seem'd to regard the Interest and Safety of the Nation only. Under the Former of those Heads it was urg'd, That Nations ever so nearly and closely ally'd to each other, were liable to no farther Demands of Assistance, than were specify'd in the Treaties by which they were so ally'd: That neither by the seperate Treaties subsisting between the two Kingdoms, nor the general Confederacy, was *England* laid under any Engagement to furnish so great a Fleet either to serve or save any of the contracting Parties: That in every Article of the Land-Service we had already exceeded our Stipulations: That in order to satisfy the Cravings of our Friends, we were in a fair way to beggar our Posterity: That the Burden was already grown too heavy to be borne: That we were no longer in a Condition to make such prodigal Complements, which reflected more on our Discretion, than they did Honour to our Generosity; and that if the common Cause could no otherwise be maintain'd, the Adventure ought to be made at the common Expence; or, at least, that *Spain*, as we had done to the *Dutch*, should pay for her own Preservation. Secondly, under the Head of Safety, it was urg'd, That while so great a Part of the Navy was thus employ'd in foreign Service, and to cover a foreign Coast, our own Service was neglected, and our own Coasts were expos'd. That in the *West-Indies* our Colonies had been insulted; that our Trade had suffer'd for want of Convoys; and that if, either in case of an Engagement with the Enemy, or of such a Storm as that in which *Wheeler* was lost, the Fleet should be destroy'd, or render'd unserviceable, the Enemy might be emboldened to meditate a Descent once more, and the very Attempt might throw us into Confusion. A. D. 1695.

Whatever Truth there was in these Suggestions, (and that there was some, may be gather'd even from *Burchet*, who, not without some Mixture of Indignation, intimates, That while the *Dutch* had a Subsidy from *Spain* in ease of their Share of the Expence, certain occasional Supplies of fresh Provision, was the whole of the Consideration allow'd to us) little or no Regard was paid to them. As it was chiefly for the Sake of embarrassing the Measures of those in Power that this Vein of Opposition was open'd, all that was endeavour'd by their Adversaries, was to vindicate the Measure in dispute, so plausibly at least, as should countenance them in closing it again.

Accordingly, it was said, That in Undertakings so extensive in their Nature, and so important in their Consequences, it was impossible to be govern'd by the Letter of any Treaty whatsoever: That as the Winds veer'd, and the Sands shifted, the Pilot must steer its Course: That the several Parties of the Confederacy were no longer to be consider'd as so many seperate Powers, but in the Aggregate, as one great Body, having but one general Interest: That every one of those Parties was entituled to the Protection of the whole: That if *Spain* was to be left to the Mercy of the Enemy, the Confederacy would be instantly dissolv'd, and every Member of it would accept the best Terms he could get. That in the feeble Condition that Kingdom then was, nothing but a maritime Force, superior to that of *France*, could give it the Protection it stood in Need of: That the Event had justify'd the Experiment: That *England* herself had found her Account in it, both in Point of Honour and in Point of Interest: That the Apprehensions of our *Mediterranean* and *Turkey* Traders were, in a great Measure, at an End: That the Sight of the *English* Flag, in those Seas, had induc'd the Republic of *Venice*, the Grand Duke of *Tuscany*, and other Powers of *Italy*, to acknowledge his Majesty's Title, which they had never done before: And if, while so great a Part of the Fleet was usefully and honourably employ'd, any other Service was neglected, it would more become the Wisdom of Parliament to increase our naval Strength, than censure the Application of what Strength we had, because it would go no farther.

As there was no want of Matter to furnish out a Reply, the opposing Lords did not fail to make the most of it: But without Effect: The Sense of the House was against them: And that all *Europe* might know it was, after a solemn Enquiry into the

A. D. 1695. State of the (z) Fleet, &c. inſtead of a Remonſtrance againſt the Meaſure complain'd of, they agreed to the following Addreſs.

The Addreſs upon the Iſſue.

"We, the Lords Spiritual and Temporal in Parliament aſſembled, having reſolv'd, by the unanimous Vote of this Houſe, That the ſending ſo great a Fleet into the *Mediterranean*, and continuing it in thoſe Parts, A. D. 1695. has been to the Honour and Advantage of your Majeſty and your Kingdoms; and having ſpent ſome time upon Conſideration of the Condition of the Fleet, both at Home and Abroad, and of the great Increaſe of the Naval Force and Strength of our Neighbours,

(z) But without ſhewing any Regard to the miſerable Condition of the brave, poor Wretches who mann'd it, which about this very time was ſet forth by *Robert Creſſfield*, their faithful and zealous Advocate, in a Petition to their Lordſhips, under the following Articles.

1. Many of them are turn'd from Ship to Ship, that have Money due in three Ships, to this Day unpaid.

2. Some thouſands have been ſet off Shore ſick, and many of them either dying or continuing ſick; and ſome ſent to the Hoſpitals, and yet for not going on board their Ships again, they are made a Run.

3. Some that their Ships going away before they were well, and they not being able to get to their Ships, have gone on board of other Ships, are made Run, altho' ſtill in his Majeſty's Service.

4. Some that have been preſt away, while their own Ships have been in the Dock to mend, or otherwiſe, and carried on board of others of his Majeſty's Ships, have yet been made a Run.

5. Sometimes when Men are either a Preſſing, or on Shoar about the Ship's Buſineſs, or with the Captain's Leave, are by the Clerk of the Check made Run.

6. Sometimes when a Man hath 20 *l.* due in a Ship, and is diſcharg'd by the Captain, and hath a Ticket given him for his Pay, yet by the Clerk of the Check he is made Run, altho' he was enter'd the next Day on board another Ship.

7. It is of late, it ſeems, ſo ſeverely carry'd on againſt the poor Seamen, that if they have an R—— on the laſt Ship, they are made Run for the other Ships they were in before.

8. By that means it is not ſafe for Landlord, or Chandler, or Tradeſman to truſt the Families of the diſtreſs'd Seamen for Rent, Cloaths, or Bread, ſince if that a Seaman be honeſt, he may be turn'd over out of the firſt Ship into another Ship, and in the ſecond Ship he may fall ſick, and be ſet on Shoar, and there dye, and he made Run; as is viſible now right or wrong, to put a ℔. or an *R.* on their Names; and at Pay-day, if none were there before, if they return not to their Ship's again, and that they cannot do, if Sickneſs or Death prevents; or alſo, if their Ships be gone to the *Streights*, or to the *Weſt-Indies*, that it is impoſſible to follow them; or if they are preſt on board of other Ships, and loſe their Pay for the Former, it will be miſerable, and look like great Cruelty.

9. Another Miſery is, that the Captains of Ships make out Tickets for ſeveral of them, and keep them; and the poor Wretches that are the Seamens Wives, know not of them; and ſo are put by their Pay, at Pay-day, for the Captains, or others, having their Tickets.

10. There is no Law made to puniſh the Captains for keeping the Tickets, whereby the *Miſery* of the Seamen is great and deplorable, and like to continue, if not reliev'd.

11. When Seamen are turn'd over into other Ships, the Captain of the laſt Ship demands the Tickets for the other Ship; and ſo if the Seamen would get either Bread for their Families, or Cloaths for themſelves, on Credit of their other Pay, they have been ſometimes hindred, and ſometimes loſe the Payment at Recals alſo.

12. When the Seamen ſee that thoſe that go to *Newcaſtle* have ſix or ſeven Pounds a Voyage, and it may be it is earn'd in a Month; and others in Merchants Ships have fifty Shillings or three Pounds the Month, and their Families have a conſtant Supply; and they that ſerve the King, ſo ſerv'd by one Miſery or another, or by their Captains knavery their Tickets detain'd, then it may be ſome Seamen do, in good earneſt, run away; and under the Notion of Theſe running away, there are ſome thouſands of others made Run, or have a ℔. put to their Pay, which muſt be petition'd for, or their Pay loſt, as if they were run indeed.

13. It is in the Power of the Captain, or the Captain's Clerk, or the Clerks of the Office, or the Clerk of the Check, or the Purſers to put a ℔. or an *R.* on any poor Seaman's Pay, and that is as bad as an Execution almoſt; ſince if a Man have a ℔. or an *R.* in one Book, and ſtands clear in all the reſt, is made Run in all the reſt, ſometimes; and none that I ever heard of, is call'd in queſtion why the ℔. or *R.* was put on.

14. The poor Seamen's Wives, or Friends, it may be, know not of it until Pay-day, and then loſe their Payment; and after waiting two or three Years, are forc'd to begin again; and it may be they live in *Scotland*, or in the *North* or *Weſt* of *England*; and when they hear of it, to come up to petition, it may be the poor Wretches are,

15. Forc'd to wait ten or twelve Weeks to get a Petition anſwer'd; and, at laſt, it may be, they cannot ſend to the *Streights*, or *Weſt-Indies*, for to have Certificates from the Commanders, or to get the Tickets from their Commanders, and ſo are in danger to loſe all at laſt; and that is poor Relief, and I fear the Cries will reach to Heaven.

16. After the Seamen have had all this Affliction, and thoſe that have truſted them are many of them broken and gone away, yet there are ſome Commanders ſo unreaſonable, as to hinder thoſe that truſted them from coming on board to receive their Money at Pay-day, but ſet Centries to threaten to ſhoot thoſe who come on board to look for their own Money.

17. Some Commanders have ſet Centries to keep away thoſe from coming on board that had Cloaths to ſell for the Seamen at Pay-day, threatning to ſhoot them, or ſink their Boats, whereby the Seamen cannot ſafely be truſted before Pay-day, neither furniſh'd ſo plentifully and cheap, as they might at Pay-day, to the Diſcouragement of Trade, and hindrance of the Seamens having Choice of Goods.

18. A Tradeſman might have gotten a Clerk to receive the Money due on Bills from Seamen at Pay-day, for one Shilling in the Pound; and,

19. Now the poor Seamens Wives might have had their Huſbands Pay receiv'd by a Clerk at Pay-day, for one Shilling in the Pound, and now the Clerks are hindred from that; whereby a poor Seaman's Wife may go to *Portſmouth*, and wait a Month, ſpend forty Shillings going and coming, and give one as much more to look after, and provide for her Children in that time, to receive a Ticket's Money of five Pound, that might have been receiv'd for five Shillings by the Clerks.

20. The Seamens Families were in ſuch great Diſtreſs before, that they ſold their Pay, ſome of them, at half Loſs; and there being none appointed to hear their ſad Complaints, and to relieve them againſt ſuch as extorted their Pay at half Loſs, neither to call thoſe Captains to Account that kept their Tickets, or receiv'd their whole Pay wrongfully: Others, ſince that, have extorted their Pay at half Loſs ſince; and alſo ſome Commanders have detain'd their Tickets ſtill, altho' I am afraid the Groans and Cries of their Miſery hath cry'd in the Ears of God and Man; and it could never be ſuppos'd, that they that ſold their Pay at half Loſs, could ſerve ſo freely next time, ſeeing none regarded to relieve them.

21. Near 20,000 have dy'd in their Majeſty's Service ſince this War, as by the ſeveral Ships-Books will appear, if examin'd, by the Sword or Sickneſs; many of whom have been made Run, and ſome that have had their Runs taken off, with great Difficulty or Loſs.

Laſtly, it may be ſaid, That their Miſery exceeds the Miſery of the pooreſt of all the Poor of *England*: For whereas the Latter are paid their Earnings weekly, the Seamen are ſo ill paid, that ſometimes it is four Years before they receive their Wages.

Thus far Mr. *Creſſfield*: And as a proper Supplement to this Remonſtrance of his, it is fit to add a Paſſage, tho' a very bitter one, out of a Treatiſe of *Forbin's*, formerly quoted under the Title of *A Brief Account of ſome of the Depredations of the* Dutch *upon the* Engliſh, which nationally conſider'd, was more worthy the Attention of Parliament than all the reſt.

"The next Attempt I charge them with is ſtill more heinous, and infinately more to our Diſgrace, being not only an Invaſion upon our *Trade*, but upon the *Liberty* of our Perſons. For by an unprecedented and unparallel'd Inſolency, the like whereof no Nation did ever pretend to exercife towards, and over, the Subjects of this Kingdom, they demand and exact a Tenth Man out of every Ship of ours that goes into their Ports, for and towards the manning of their Fleet; and to juſtify themſelves in the doing hereof, they pretend to be authoriz'd by King *William's* Order. This they have practis'd for theſe two Years paſt, only they are grown more rampant, tyrannous, and oppreſſive this laſt than they were the Former. For whereas in the Year 1694, they were contented with one Man out of ten, or fifteen Guilders in lieu thereof, and for his Rantom they have, in the Year 1695, requir'd and taken a Man out of every Ship of ours, that went into their Ports, tho' the Sailors were never ſo few, or elſe they have exacted twenty-five Guilders for the excuſing and redeeming him from their Service. So that if it be but a Hoy, which is ſail'd with a Maſter, one Man, and two Boys, yet they demand one; and upon its being replied, that the Veſſel cannot be ſail'd if one be taken out, they pretend it a Condeſcention and Favour to compound at twenty-five Guilders

for

A. D. 1695. bours, conceive it to be our Duty to your Majesty and the Kingdom, humbly to represent, That the Honour and Safety of this Nation, under the Providence of *God*, chiefly depends upon your Strength at Sea. And whereas by the long Continuance of this War, the Number of your Ships must have been diminished, and those remaining greatly impaired, we think it of the highest Importance to your Majesty's Service, and the Security and Interest of your People, that you would be pleased to give such speedy and effectual Directions, for the Repair and Increase of your Royal Navy, as may enable your Majesty not only to continue a Strength in the *Mediterranean* during this War, which may be superior to that of our Enemies, but likewise to maintain such a Force here at Home, and in the *West-Indies*, as shall be a Security for our Coasts and Plantations, and a Protection of our Trade; and sufficient both for the Annoying of our Enemies, and for the protecting and convoying all such Stores and Provisions as must be sent to the Fleet in those Parts; upon the effectual and timely providing whereof, the Safety of that Part of your Majesty's Navy does so much depend."

To which his Majesty was pleas'd to return a most gracious Answer to the Effect following:

"I am very sensible how much our Safety depends upon our Strength at Sea; and therefore cannot but desire the Increase of it.

And I shall not be wanting to do what is in my Power, as to the Matters mention'd in your Address."

Another from the Commons about our Expences might be upon an equal Footing with those of our Allies.

But this Advantage obtain'd in one House, was, in some respect, ballanc'd afterwards, by an Address of a very different kind, that was presented by the Other; namely, "That his Majesty, in his great Wisdom, would be pleas'd to take care, for the future, That this Kingdom be put upon an equal Foot and Proportion with the Allies, in bearing the Charge of the present War." To which his Majesty was graciously pleas'd to answer, "In this, as in every thing else, I shall always endeavour to have a due Regard to the Interest and to the Honour of the Nation." A. D. 1695.

The ill State of the Coin, and the Growth of a fictitious Wealth, two other Points of Opposition.

The ill State of the Coin by Diminution on one Hand, and Adulteration on the other; and the Plan which had been laid for circulating a sort of fictitious Wealth, such as Exchequer-Tallies, Bank-Bills, and Government-Securities, instead of Gold and Siver, were two other Points which took up the Attention and excited the Concern of every thinking Man, who either lov'd his Country, or who made it his Study to distress the Government.

That Ministers, by means of the Bank, had a Resource at hand for all the Money which the Parliament authoris'd them to raise, on moderate Terms, as they were then call'd, did not satisfy those of the first Class, so much as the apparent Danger of such an Intercourse alarm'd and disgusted them. Loans too easily obtain'd they knew were great Incitements to Extravagance: They knew great Frauds might be committed in the Negotiation of them: They saw the Issues of Specie and Bullion, for the Support of the War, exceeded the Supplies which was furnish'd by the several Channels of Trade: The Difference, they knew, was to be drawn out of the Reservoirs which had been made in the Course of so many Years of almost uninterrupted Peace. These Reservoirs, they knew, would, in time, be exhausted, and which, if possible, shock'd them more than all; they knew that the Persons who alone could ascertain the Progress of the Consumption, and warn the Nation of the Dangers to be apprehended from it, would be most concern'd to keep the infamous Secret; and by the gradual Increase of that fictitious Wealth, would be able to do so, till every Vein of the Kingdom should be exhausted.

This was the distant Prospect of Things; and nearer hand, they saw their Specie melting before their Eyes; for what had Weight had not Firmness, or what had Firmness had

---

for his being excus'd, which is fifty Shillings of *English* Money: Nor do any Ships escape without doing the one or the other, and for which they alledge their having King *William's* Authority. And these Things they are so far from concealing, or seeking to extenuate the Injustice and Criminalness of, by the Necessity of their Condition, that they glory in it both in their *Treacle-bottles*, and in all Places of Society and Concourse, as the Badge of their Exaltation and Triumph over us, and of our Subjection to them. The Method in which this Force and Hostility over us is practis'd is this, namely, before any Ship can be clear'd at their Custom-house, the Master must go to the Lords of the Admiralty, and bring from thence a Certificate to the Custom-house, of having given a Man out of the Vessel's Crew to their Service, or of having compounded at the Value I have mention'd for his Redemption. Surely it will not be unreasonable now to ask, Whether we be in Terms of *Hostility* with the *Dutch*, or of *Alliance?* Seeing we are not treated by them in this as Friends, but as Enemies: Nay, it will be needful that we consult both our Understandings and Memories, whether *England* be not tributary to *Holland*, and when and how it came to be so? For as much as they deal not with us as with a free and independent Nation, but as with a Province which they have subdu'd, and brought into Vassalage: And if we be not Slaves, but remain yet a free People, this Hostility in them ought to be hostily repell'd by us: And in the Place of accounting them any longer our Confederates, we ought to esteem and take them for our Enemies, and every where to assault them accordingly. And for our *Belgick* King to authorise the *Dutch* to do what I have mention'd, is to assume a Power over the Liberties and Persons of the People of *England*, which no rightful King did ever pretend unto: For our Persons and Liberties being under the Custody of the Laws, no King can claim a larger Jurisdiction over them than what the Laws give him; unless he will renounce to govern by Law, and take upon him to rule Despotically: And the Prince of *Orange* may, with as good a Right, transplant all the People of *England* to the Desarts of *Arabia*, or send them to work in the Mines of *Peru* and *Mexico*, as to authorise the *Dutch* to seise upon one Man that is either a native Subject here, or under the Protection of *English* Laws, to navigate either their Ships of War, or their Vessels of Commerce and Traffick: Nor has he any more Right to deprive me of my Liberty, save when, where, and in what Cases the Laws have declar'd me to have forfeited it, than I have to break into the Prince of *Orange's* Closet at *Loo-groyen*, and to snatch from thence the Testimonials of his Reconciliation to the Church of *Rome*. But by these little spiteful *Prohibitions* of the young *Cub*, we may guess what we are to expect from the *Animal* when grown up to the full Strength and Vigour of a *Tyger*, or a *Lion*." P. 53, 54.

Lastly, tho' a Bill was, this Session, brought into the House of Commons for the Encouragement of Seamen, it was not able to make its way thro' the House: And, on the other Hand, when a Bill for the naturalization of foreign Seamen was sent down to them from the Lords, they rejected it.

A. D. 1695. had not Weight: Every Man became, in ſome Senſe or other, a Robber of the Public: For he that neither debas'd nor diminiſh'd, either hoarded or ſold what fell into his Hands undebas'd or undiminiſh'd: Every Nation in *Europe*, that we had any money'd or commercial Connections with, and more particularly our Allies and Half-Brothers the *Dutch*, drew ſome Advantage from a Calamity, which, like the Sweating Sickneſs of old, was peculiar to us: And which was of ſo nice and critical a Nature, that either to connive at its Progreſs, or to try any State-Practice, in order to put a Stop to it, ſeem'd to be equally fatal.

Thoſe alſo of the ſecond Claſs, had the like Conceptions of the Caſe, but did not propoſe to treat it the ſame way: The Former were for purifying the Habit, and reſtoring the Vigour of the Common-Wealth; the Latter were only for reading Lectures over the Patient, for the Sake of expoſing Thoſe who had quack'd her into a Condition ſo truly deplorable, and recommending their own *Noſtrums*.

Lord Rocheſter's Character.

At the Head of Theſe, *Burnet* makes no Difficulty to place the Earl of *Rocheſter*, who, having fill'd the high Office of Lord-Treaſurer with great Ability, was conſider'd as a practis'd Man in Money Matters, and was heard with a ſuitable Reſpect, whenever any Point

M. S. of that Nature was in queſtion: But the Warmth and Impatience of his Temper were of more Advantage to his Adverſaries, than his own Knowledge and Experience to himſelf and his Party: For after he had given the Debate ſuch a Direction as ſufficiently countenanc'd the high Opinion which his Friends entertain'd of his Abilities, any Practice upon his Paſſions from the other Side, which was rarely, if ever, omitted, threw him into ſuch a Tranſport, as, in a manner, depriv'd him of the Uſe of his Reaſon, and from being formidable, render'd him ridiculous.

But how inartificial ſoever he was by Nature, or how artificially ſoever he ſtudy'd to embroil the Government, even *Burnet* himſelf acknowledges, The State of our Coin gave him but too great a Handle for it.

Biſhop Burnet's Account of the Coin Affair.

"We had, ſays he, two Sorts of Coin, the one was mill'd, and could not be practiſed on; but the other was not ſo, and was ſubject to clipping: And in a Courſe of ſome Years, the old Money was every Year ſo much diminiſh'd, that it at laſt grew to be leſs than the half of the intrinſic Value. Thoſe who drove this Trade, were as much enrich'd, as the Nation ſuffer'd by it: When it came to be generally obſerv'd, the King was adviſ'd to iſſue out a Proclamation, That no Money ſhould paſs, for the future, by the *Tale*, but by the *Weight*; which would put a preſent End to clipping. But *Seymour*, being then in the Treaſury, oppos'd this: He adviſ'd the King to look on, and let that Matter have its courſe; the Parliament would, in due time, take care of it: But, in the mean while, the Badneſs of Money quickned the Circulation, while every one ſtudied to put out of his Hands all the A. D. 1695. bad Money; and this would make all People the readier to bring their Caſh into the Exchequer, and ſo a Loan was more eaſily made. The Badneſs of the Money began now to grow very viſible; it was plain that no Remedy could be provided for it, but by recoining all the Specie of *England*; and that could not be let about in the *End* of a Seſſion. The Earls of *Rocheſter* and *Nottingham* repreſented this very tragically in the *Houſe of Lords*, where it was not *poſſible* to give the *proper Remedy*: It produced only an Act, with ſtricter Clauſes and ſeverer Penalties, againſt Clippers: This had no other Effect, but that it alarm'd the Nation, and ſunk the Value of our Money in the Exchange; Guineas, which were equal in Value to twenty-one Shillings and Six-pence in Silver, roſe to thirty Shillings; that is to ſay, thirty Shillings ſunk to twenty-one Shillings and Six-pence. This public Diſgrace put on our Coin, when the Evil was not cur'd, was, in effect, a great Point carry'd, by which there was an Opportunity given to ſink the Credit of the Government, and of the public Funds; and it brought a Diſcount of above 40 *per Cent.* upon Tallies."

Animadverted upon.

Thus at the ſame time that we are given to underſtand, that the King himſelf *connivd* at the Growth of this deſperate Evil, for the Sake of completing his Loans ſo much the more eaſily, we are nevertheleſs to conclude, that both the Advice, and the Miſchiefs it occaſion'd, ſprung from the *Tories*; who were alſo unfair enough to derive Matter of Complaint from their own Works, and to increaſe the Malady, under the Pretence of eſtabliſhing a Regimen by way of Prevention.

But all the while that *Seymour* was of the Treaſury, Lord *Godolphin* was firſt Commiſſioner; and in our Times, at leaſt, it has been uſual for him that was at the Head, to preſcribe to the Board: Beſides, it is expreſsly ſaid, That he, *Seymour*, was turn'd out *for not anſwering the King's Expectations:* M. S. *Montagu*, all the while, ſerv'd under the ſame Commiſſion, had been Chancellor of the Exchequer almoſt a Year, and conſequently was liable to his Share of the Cenſure paſs'd on this iniquitous Advice: And, laſtly, the Writers on the other Side, agreeable to what has been above ſuggeſted, make no Difficulty to aſſert, That tho' the Evil had been a long time growing, it quicken'd its Progreſs every Year after the Revolution: That the Remittances for the Charge of the War, every Year carried out of the Kingdom, from a Million and a Half to two Millions of Money, either in Specie or Bullion, which was the ſame thing: That all this Wealth not only center'd in *Holland*, but was negotiated there a thouſand ways to our Prejudice: That as our Coin degenerated from bad to worſe, they either refus'd to take it at all, or took it by Weight, which generally reduc'd the Value to half its Denomination: That the heavy Part of it they firſt clipp'd as cloſe as poſſible, and then remitted it hither again, where it was

A. D. 1695. current by Tale: That the Light they melted down and debas'd into their own *Schellings*, which became the Currency of the Army, and by which they had all the Profits of the Coinage, &c. That when the Bank of *England*, in virtue of a Clauſe in their Charter for that Purpoſe, would have erected a Mint in *Flanders*, in order to have ſecur'd that Branch of Profit to themſelves, the *Dutch* not only refus'd to grant them that Privilege in any Province of theirs, but prevail'd on their Neighbours to refuſe it too. That whereas in the Beginning of the War they allow'd forty-three Schellings for a Pound Sterling, they gradually lower'd that Conſideration to twenty-eight: That a great Part of our baſe Coin was minted in *Holland*, and from thence obtruded upon us: That after having beat down the Value of Guineas Abroad to nineteen Shillings Sterling, they remitted them to *England*, where they were current for thirty: That all foreign Gold, riſing in its Value in exact Proportion to this Riſe upon Guineas, they took the Advantage to buy up our Grain and Manufactures with it, and thereby enable themſelves, at our Loſs, to foreſtall and underſell us in all the Markets of *Europe*: And, laſtly, that ſo long ago as the Year 1691, Sir *Dudley North* (who thought both Juſtice and Policy were equal Sufferers in the Conſequences of ſo immenſe an Evil) ſet forth a Book, under the Title of *Diſcourſes upon Trade, principally directed to the Caſes of Intereſt, Coinage, Clipping, and Encreaſe of Money*, in which he recommended two Remedies, *viz.* One, That above-mention'd, to change the Currency from Tale to Weight; and the Other, which was the worſt, to call in the clipp'd Money, in order to a Re-coinage, and throw the Loſs on the Public.

Beſides, it is not over truly ſaid, that the Bill againſt *Clippers*, which his Lordſhip is pleas'd to ſet ſuch a Brand upon, was not brought in by the Lords till towards the End of the Seſſion: For it was ſent down to the Commons on the 19th of *March*, and the Parliament continued to ſit till the 3d of *May*: Nor is this all; the Affair had been under the Conſideration of a Committee of the Commons from the 8th of *January*: That Committee had deliver'd in a Report, (in which, among other Things, they gave it as their Opinion, That the Silver ought to be re-coin'd, in order to put a Stop to the Clipping; and that the Laws againſt Clipping ſhould be farther enforc'd) and yet the Houſe came to no Reſolution upon it, till they receiv'd the ſaid Bill from the Lords: Upon which they proceeded to take it into Conſideration; and having ſelected a Clauſe or two, added them, by way of Amendment, to the Bill: With theſe Amend-

A. D. 1695. ments the Lords concurr'd: And thus, inſtead of being call'd a Party-Bill, it ought to be eſteem'd the beſt Expedient that could as yet be obtain'd from the Government: For the ſame Committee which recommended a Re-coinage, recommended alſo a Proviſion, *That it ſhould be penal to give more for any Silver Coin, than it ought to go for by Law*; which ſhew'd not only that they were aware of what afterwards happen'd, but alſo, That their Purpoſe was to prevent it, as far as it could be done by Law.

A Deſign againſt the Bank, which miſcarries.

The *Hiſtorian of his own Times* moreover charges the ſame obnoxious Party with a Deſign to ruin the Bank, merely becauſe of its flouriſhing Credit, and becauſe that Credit was of ſingular Service to the Government: But tho' it may, and ought to be forever admitted, That the Intentions and Practices of Oppoſitions are frequently as blameable as thoſe of the Miniſters they oppoſe, it is nevertheleſs certain, that many of the moſt ſagacious and beſt meaning Perſons in the Kingdom join'd with them in this Deſign, on the ſame laudable Principles of Jealouſy, which, for the Conſtitution Sake, had led them to oppoſe the Eſtabliſhment of that Corporation: But whatſoever the Motives of this Deſign were, it miſcarry'd in both Houſes; where the Majority acted as if they were jointly of Opinion, That it was of more Conſequence to provide for the Security of the Government, than the Security of their Birthrights, on a Suppoſition, That in providing for the Former, they alſo provided for the Latter.

Other ineffectual Attempts of both Parties.

Several other Attempts of the ſame Tendency, tho' not of the ſame Nature, are alſo plac'd to the Account of the ſame Party; ſuch as the Bill *touching free and impartial Proceedings in Parliament*; and more particularly that for veſting the forfeited Eſtates in *Ireland* in his Majeſty, to be apply'd to the Uſe of the Public: But for whatever Purpoſe theſe Attempts were made, they were either ſo feebly urg'd, or ſo powerfully oppos'd, that they fail'd of Succeſs; as did alſo two other Bills to oblige *Craggs* and *Harnage* to diſcover the Diſpoſition of certain Sums appointed for cloathing the Army, and for puniſhing the corrupt Practices of the two *Pounceforts*, before mention'd.

But tho' the Influence of the Court was, for the general, ſtrong enough to defeat the Meaſures of the Oppoſition, it was not always ſtrong enough to carry their own. Thus a flaming Bill to diſable all ſuch Perſons from voting in parliamentary Elections, who ſhould refuſe to take the Oaths, and another of a ſimilar Nature, which was ſent down from the Lords, were both loſt: And, laſtly, the ſame Fate attended another Bill to regulate Printing Preſſes; or, in other Words, to deſtroy the *Freedom of the Preſs*.

And now having ſufficiently explain'd the moſt material Tranſactions of the Seſſions, (for as to the Marquis of *Normanby*'s Concern in the Affair of the Convex Lights,

and

A. D. 1695. and the (*a*) Charge brought againſt him by his Enemies, That it was a City-Job, and that he obtain'd of the Citizens a Leaſe of certain Lands, by way of Conſideration for it, it is of too private and perſonal a Nature to merit a Place in this Work) it is time to ſhift the Scene.

In diſcourſing of the Impeachment againſt the Duke of *Leeds*, and of the Clipping-Bill, it may be remember'd, That the 3d of *May* was nam'd as the laſt of the Seſſion; and when the King came to put an End to it, the Language he was pleas'd to uſe, in parting with a Parliament which, on ſo many critical Occaſions, had gone ſuch unprecedented Lengths to ſerve and oblige him, was as follows. A. D. 1695.

"*My Lords and Gentlemen*,

I am come to give you *Thanks* for the *Supplies* provided for carrying on the War in which We are engag'd; and, at the ſame time, to conclude this *Seſſion*, which cannot be continued longer, without manifeſt Prejudice to the Ends for which theſe Supplies was granted: The Seaſon of the

King's Speech at the Cloſe of the Seſſion.

(*a*) On putting the Queſtion, Whether there appear'd any juſt Cauſe of Cenſure upon the Lord Marquis, it paſs'd in the Negative: And in the Proteſt which was enter'd by the Lords *Manchester*, *Torrington*, *Coalmandeley*, *Effex*, *Stamford*, *Aylesbury*, and *Monmouth* on this Occaſion, we find a Brief of the ſaid Charge as follows:

Diſſentient

Becauſe we humbly conceive it to be an Offence of an high and extraordinary Nature, that any Peer ſhould preſume to deliver the Opinion of this Houſe, without Doors, to Perſons whoſe Cauſe has been pleaded at this Bar, ſo as to induce them to compound their Intereſt, or oblige them to unwilling Compliances, more eſpecially in a Matter depending before us, in a Bill agreed to by the Houſe of Commons.

Which we humbly conceive to have been plainly made out againſt the Marquis of *Normanby*, by the Depoſitions of Mr. *Hobbs*, Sir *Thomas Millington*, Mr. *Nutt*, and Mr. *Lilly*.

Mr. *Hobbs* having inform'd this Houſe, upon Oath, that he was abſent and ſick, and reſolv'd to come to an Agreement with *Hutchinſon*; but that Sir *Thomas Millington* had ſometime afterwards given him this Account, that the Marquis of *Normanby* came out ſeveral times from the Houſe of Lords, aſſuring him the Bill would not paſs, unleſs an Agreement were immediately made with the ſaid *Hutchinſon*; which, with the Clamours without Doors, were the Reaſons that compell'd him, and thoſe others that ſign'd, to agree.

Sir *Thomas Millington* having declar'd, upon Oath, That he was forc'd and compell'd to ſign the aforeſaid Agreement, by frequent Intimations and Aſſurances given by the Marquis of *Normanby*, that the Bill ſhould, or would not paſs, unleſs he and his Partners did agree with *Hutchinſon*; as likewiſe by the Clamours without Doors, of thoſe concern'd for the paſſing of the Orphans Bill.

Mr. *Nutt* (agent for the Orphans) likewiſe depoſing, That he heard the Marquis of *Normanby* tell Sir *Thomas Millington*, the Bill would be loſt, unleſs the aforeſaid Agreement was concluded; both affirming, that no other Member of the Houſe of Lords, to their Knowledge, gave any ſuch Intimation or Account.

Mr. *Lilly* alſo depoſing, That all preſent were forc'd to ſign a Paper, (which he hop'd would prove no Agreement) becauſe they were compell'd to it by the Tumults at the Doors of the Houſe of Lords, being afraid of Violence from the Orphans Agents and Solicitors, in caſe they had not ſign'd it.

Which irregular Proceedings of the Marquis of *Normanby*, we conceive, fully prov'd by Witneſſes of undoubted Reputation, who acted in purſuance of the Account they gave upon Oath; which are the more remarkable, becauſe it appears that *Roman Raſſell*, Servant and Agent to the ſaid Lord, had one thirty-ſecond Part made over to him, immediately before the Hearing in the Houſe of Lords; which Share was aſſign'd to Mr. *Moore*, by Mr. *Hutchinſon*, to be made over for the promoting his Intereſt in Parliament, and was, to that Purpoſe, (as the Writing teſtifies) diſpos'd of to *Roman Raſſell*, which we conceive, by the Proofs, valuable 2000 *l.*

Which Share, Mr. *Moore* depoſes, was given to *Roman Raſſell*, and *Raſſell* confeſſes to have receiv'd for no other Conſideration (but having been Servant to many Lords) to ſolicit and apprize them of the Caſe; yet it appears, by his own Confeſſion, he knew not the Merits of the Cauſe, nor could name any other Lord whom he had apply'd to, but the Marquis his Maſter, who brought in the Petition for *Hutchinſon*, *Roman Raſſell* having acquainted him he had a Concern with him.

We likewiſe proteſt againſt the Vote in relation to the Second Part of it, which concerns the Leaſe made by the City to the Marquis of *Normanby*.

Becauſe we conceive it a Preſent avowedly given to the ſaid Marquis, for gratifying him for Services done to the City in the Houſe of Lords, and for the Expectation of like Services for the future, and by him receiv'd as ſuch; which we are humbly of Opinion is ſufficiently proved, and in ſuch manner as we apprehend is highly to the Diſhonour of this Houſe.

Firſt, This appears by the Entries in the City-Books, where it was agreed by the Committee of the City Lands, to demand an extraordinary Power of the Common-Council, to grant a Leaſe under ſuch extraordinary Conditions, as were not agreeable to their common Methods: In which Entry, the only Motive and Agreement that appears in the Books, is expreſs'd in theſe Words, *viz.*

Com' Concil' tent' 24° Die Jun. 1693.

At a Common-Council a Motion was made for gratifying a Perſon of Honour, who had been very friendly to the Intereſt of the City in the Houſe of Lords, and likely to continue ſo, with a long Term of Years in about two or three Acres of the City-Ground, lying and being in *Cauſeit-Mead*, behind *Clarendon-Houſe*.

The Queſtion being put, Whether this Court will empower the Committee for ſetting and diſpoſing the City-Lands, to grant unto the ſaid Lord an additional Term in the ſaid Ground, at and under ſuch Rents, Covenants, and Conditions, as the ſaid Committee ſhall approve of?

It was carried in the Affirmative.

And referred to the ſaid Committee accordingly.

As likewiſe the ſame is again enter'd in the Books, in the laſt Determination of the Committee for City Lands, as the only Motive to induce them to make ſuch a Grant, in theſe Words, *viz.*

It being, by ſpecial Order of this honourable Court, refer'd to us, in order to the gratifying a Perſon of Honour, who hath been very friendly to the Intereſt of the City in the Houſe of Lords, and is likely to continue ſo, *&c.* and ſigned by Sir *Robert Clayton*, and ſeveral of the Parties conſenting to this Leaſe, who were ſummon'd as Witneſſes by the Marquis of *Normanby*.

It being further made evident, (as we humbly conceive) by the Oaths of Mr. *Love*, the City Comptroller, Mr. *Meriton*, a Member of the Houſe of Commons, and Mr. *Ballow*, one of the Committee, who depoſed the Arguments made uſe of for this Leaſe, in ſeveral Meetings of the Committee, were the Services done, and like to be done the City by the Marquis of *Normanby*, particular mention being made in their Depoſitions of his Aſſiſtance in ſinging out *Colſton*'s Bill, and his helping that of the Orphans.

And we further conceive, (with great Deference to this honourable Houſe) that the Motives and Conſiderations, ſworn by ſeveral of the Committee Men, who were conſenting to ſuch Grant or Leaſe, as Inducements to them to paſs it, appear, upon Examination, to be no valuable Conſiderations.

As to the building a great Houſe of thirty or forty thouſand Pounds upon the Lands, the ſecuring their Water Pipes, the obtaining ſeveral Years Arrear of Rent, the making a Brick-Drain; which alledged Conſiderations ſeems to us of no Weight, the Marquis being under no Covenant in his Leaſe to build ſuch Houſe, the Pipes of their Water being ſecured for ſeventy Years to come, by their former Leaſe, the Arrears having been paid, not by the ſaid Marquis, but by the Tenants under the firſt Leaſe, when demanded.

And, moreover, in our humble Opinion, there is little room to doubt, but that the ſaid Leaſe was given and taken as a Gratification. Mr. *Love* giving it in upon Oath, from the Marquis of *Normanby*'s own Mouth, that he look'd upon the Leaſe as a preſent to him from the City for his Kindneſſes and Services, and that they were matters to him, not he to them.

Finally, we are the rather confirm'd of it, becauſe the Depoſitions of Mr. *Love*, Mr. *Meriton*, and Mr. *Ballow*, are ſuitable to the Entries in the City Books, which moſt of the Evidence ſummon'd for the Marquis of *Normanby* have in their Hands to, where no reaſons is made of thoſe other Matters ſworn by them to be Conſiderations inducing them to grant ſuch Leaſe.

Induced by theſe Parts of the Evidence recited, having enter'd the whole upon the Book; that nothing may be concealed which may any way tend to the Juſtification of the noble Lord concern'd, and for the Reaſons aforeſaid, we proteſt againſt this Vote, not being able to ſatisfy ourſelves, that this high Court of Honour and Juſtice were led on juſt Grounds to paſs ſome Cenſure on the Marquis of *Normanby*, upon the Evidence given to this Houſe, on the Matters of the Coventry Letter and City-Leaſe.

A. D. 1695. the Year making it so necessary for me to be *Abroad*, that it were to be wish'd our Business at Home would have allow'd me to have been there *sooner*.

I will take care to place the Administration of Affairs, during my Absence, in such Persons on whose Care and Fidelity I can entirely depend: And I doubt not, my Lords and Gentlemen, but every one of you, in your several Stations, will be assisting to them. This is what I require of you; and that you may be *more than ordinarily* vigilant in preserving the Public Peace."

But notwithstanding the Provision which had been made in the *Triennial* Act for the Dissolution of this Parliament on the 1st of *November*, it was, for the present, only prorogu'd to the 18th of *June*: And as to the Disposal of the Administration, agreeable to the Hint in his Majesty's Speech, the Archbishop of *Canterbury*, the Lord-Keeper *Somers*, the Lord Privy-Seal *Pembroke*, the Lord-Steward *Devonshire*, the Duke of *Shrewsbury*, Secretary of State, the Lord-Chamberlain *Dorset*, and the first Commissioner of the Treasury, *Godolphin*, were appointed Lords Justices of the Kingdom during his Majesty's Absence.

A Regency appointed.

The Princess of Denmark neverthel'd.

That the Princess of *Denmark* (who had almost a Claime to be associated with his Majesty in the Throne, on the Death of her Royal Sister) was not vested with this (*b*) Trust, or, at least, that her Consort was not plac'd at the Head of the List, we are not to wonder, when we consider how extremely jealous his Majesty was of the high Dignity he had acquir'd, and in how scanty a manner he suffer'd the Queen herself to share in it.

But then, neither are we to wonder that the Partisans of the Princess made use of this Incident to suggest, that the Reconciliation which had taken place on the Death of her Majesty was not over sincere.

When also we reflect, that the Duke of *Leeds* was not permitted to hold a Place amongst these Royal Delegates, it may be surmis'd, That his Character having been so recently blasted by the Peculation in a manner prov'd upon him, by the Confessions of *Firebrace* and *Bates*, the Flight of *Rebart*, and even his own Conduct, with regard to the Impeachment, his Majesty had wisely dismis'd him from his Service, and thereby purg'd himself from all Suspicion of having fully'd his own royal Hands with the Wages of Corruption. But this was far from being the Case: For tho' it was not thought expedient, while the Clamour was yet echoing thro' the Kingdom, to constitute him one of the Regents, he was nevertheless continued at the Head of the Council-Board. A. D. 1695.

As to the second principal Secretary of State, it is fit the Reader should know, that *Trenchard* was no longer the Person who held that high Office: For Death had removed him, (whether by a Course of Vexations, arising from the Miscarriage of his Plot, or in the natural way, is not specified) and Sir *William Trumball*, who had [illegible] Embassador to the Port, and Envoy in *France*, was advanc'd to act the like *Under-part* in the Secretary's Office in his room: For, as we have seen, neither was *he* admitted to be of the Royal Junto, nor was his Attendance thought necessary on his Majesty Abroad; which is so much the more extraordinary, since Bishop *Burnet*, with a View to illustrate the modest Use they made of the Authority they were cloath'd with, observes, "That they took care to keep within Bounds, and to do nothing but in Matters of Course till they had the King's Orders, to which they adher'd exactly." And it might have been Matter of doubt, whether those Orders were strictly legal, since they had neither the Sanction of the Privy-Council, nor of the Secretary's Office.

Lastly, after what manner this Board of Regency, which was then a new Expedient in Government, were to be directed by the Advices of the Earl of *Sunderland*, to whose Conduct, with regard to domestic Affairs at least, we are told, the King had, in so great a Measure, resign'd himself, or upon what Terms, or thro' what Channel that Nobleman corresponded with his Majesty, we are not furnish'd with sufficient Light to make a probable Conjecture.

On the very Day the Parliament was prorogu'd, the Regency was declar'd: But notwithstanding the Necessity urg'd by his Majesty for that Prorogation, That he might be at Liberty to go Abroad, it was nine Days longer before he set out from *Kensington*, in which Interval the Enquiry might have been perfected, and some wholesome Resolutions might have been taken upon it.

But what the Nation, with Reason, expected, the Courtiers had as much Reason to apprehend: And having got rid of the Difficulty, were little concern'd for the Reproach which the Skreen that was provided for them, brought upon the Government.

At the same time also that his Majesty labour'd under the Pressure of this ugly Affair in his *English* Parliament, he was also oblig'd to advise with his Ministers upon some Temperament for the Satisfaction of his Parliament of *Scotland*: To defer a Session there any

---

(*b*) It is so much the more remarkable, that the late Dutchess Dowager of *Marlborough*, in her Account of the Indignities offer'd to her Mistress, did not mention this, which seems to be one of the greatest of all, because the *Historian of his own Times* had long before written of it as follows.

"Yet the Princess came soon after (the Death of the Queen, that is to say) to see the King; and there was after that an Appearance of a good Correspondence between them: But it was little more than an Appearance. They liv'd still in Terms of Civility, and in formal Visits: But the King did not bring her into any Share in Business, nor did he order his Ministers to wait on her, and give her any Account of Affairs. And now, that he was to go beyond Sea, she was not set at the Head of the Council, nor was there any Care taken to oblige those who were about her. This look'd either like a Jealousy and Distrust, or a Coldness towards her, which gave all the secret Enemies of the Government a Colour of Complaint. They pretended Zeal for the Princess, tho' they came little to her; and they made it very visible, on many Occasions, that this was only a Disguise for worse Designs." Vol. II. P. 149.

A. D. 1695. any longer was impracticable, becauſe the Funds granted for the Maintenance of the Army were expir'd; and the Death of the Queen had render'd it more and more hazardous to proceed by any new Expedient that border'd upon Will and Pleaſure.

P. 156. "The *Maſſacre* of *Glencо* (ſays the *Hiſtorian* of his *own Times*) made ſtill a great Noiſe; and the King ſeem'd too *remiſs* in enquiring into it: But when it was repreſented to him, That a Seſſion of Parliament could not be manag'd without high Motions and Complaints of ſo *crying a Matter*; and that his Miniſters could not oppoſe theſe without *ſeeming* to bring the Guilt of that Blood which was ſo *perfidiouſly* ſhed, both on the King and on themſelves: To *prevent that*, he order'd a Commiſſion to be paſs'd under the Great Seal, for a *Precognition* in that Matter, which is a Practice in the Law of *Scotland* of examining into Crimes, before the Perſons concern'd are brought upon their Trial. This was look'd upon as an Artifice to cover that Tranſaction by a private Enquiry."—And we may add, That an Artifice it certainly was, both to ſoften the Report and defeat the Puniſhment; conſequently it was not calculated to prevent, but faſten the Guilt of that Blood which had been ſo *perfidiouſly* ſhed upon thoſe whoſe Duty it was to puniſh it.

But this *Precognition* was not the only Artifice made uſe of on this Occaſion: The whole People of *Scotland*, as well as the Malcontents in the *Scottiſh* Parliament, intereſted themſelves in the *Glencо* Affair; and to reconcile them to the Diſappointment that was preparing for them, it was neceſſary they ſhould have a ſuitable Gratification: And accordingly, we ſhall find, that a gilded Bubble was already prepar'd for them; and that in the Purſuit of the one, they utterly forgot the other.

A Seſſion of Parliament in Scotland.

King's Letter.

May the 9th, the Seſſion was open'd by the Marquis of *Tweedale*, in quality of King's Commiſſioner; and in the Preamble to his Majeſty's Letter, Care was taken to ſignify, That the Continuation of the War ſtill hindering him from perſuing his Reſolution of being amongſt them in *Perſon*, he had been oblig'd to call them together *once more* in his Abſence. It contain'd alſo a very ſtrong Panegyric on the Capacity, Experience, Fidelity, Zeal, and long Services of his Grace the Commiſſioner: And as to the principal Points in the ſubſequent Paragraphs, they were to this Effect.

"That his Majeſty had fully intruſted him with his Mind, and given him Powers to paſs all ſuch Laws, for the Good of that his Majeſty's antient Kingdom, as had been propoſed to his Majeſty at this time. That the Marquis was to aſk nothing of them in his Majeſty's Name, but that which the Intereſt of the Country made neceſſary to be done: That therefore his Majeſty need not to mention to them, That the Subſidies for paying the Forces were now expir'd; and that their Peace and Safety requir'd the renewing of them during the War: That his Majeſty was glad of any Appearances of a Diſpoſition to Moderation and Union about Church Matters; and hoped they would encourage and promote it, by removing the Subjects of Differences as much as they could: That he was not unmindful of their Letter to him, in the Cloſe of the laſt Seſſion: That the known Interruptions, which he had had in Buſineſs this Winter, had been a great Hinderance to him; but he was reſolv'd to do whatever he might for the Security of the Government, and the Satisfaction of his good Subjects. In the Concluſion, his Majeſty recommended to them Calmneſs and Unanimity in their Proceedings, not doubting but they would act ſuitably to the Confidence he had put in them, in calling them again in his Abſence."

A. D. 1695.

But his Grace, the Commiſſioner, was much more particular: For in his Speech he proceeded to tell them, "That his Majeſty's tender Care and Concern for their Safety and Welfare did evidently appear, in minding every thing that might contribute thereto; particularly as to the Church, that all Differences might be compos'd, it being his Majeſty's Purpoſe to maintain the Preſbyterian Government in the Church of *Scotland*, and that the Peace and Security of the Kingdom, againſt foreign Invaſion and inteſtine Commotion, be provided for: That if they found it would tend to the Advancement of Trade, that an Act ſhould be paſs'd for the Encouragement of ſuch as ſhould acquire and eſtabliſh a Plantation in *Africa* or *America*, or any *other Part* of the World, where Plantations might be lawfully acquir'd, his Majeſty was willing to declare, That he would grant to the Subjects of this Kingdom, in favour of theſe Plantations, *ſuch Rights and Privileges* as he granted in like Caſes to the Subjects of his *other Dominions*: And that the Judicatories higher and ſubaltern be ſo regulated in their Proceedings, as that Juſtice might be adminiſtered with the greateſt Diſpatch and leaſt Charge to the People: That *theſe Things* had taken up ſome Part of his Majeſty's Time and Thoughts theſe *Months* paſt, and had been *frequently* diſcourſed by him, and then put in the Method of *Inſtructions* and *Directions* for his Grace's Behaviour: That therefore it only remain'd for them to take theſe weighty Affairs into conſideration, and to conſult of the beſt Ways and Means to enable his Majeſty to perfect ſo good Deſigns, by granting him Supplies for maintaining the preſent Land-Forces, and for providing and entertaining a competent naval Force, for the Defence of the Coaſt and ſecuring of Trade: That in order thereto, his Majeſty had granted a Commiſſion of Admiralty for managing the the Affairs thereof; not omitting to take care for the other unavoidable Contingencies of the Government, wherein the Civil-Liſt came ſhort: And, laſtly, That the Diſpatch of theſe great Affairs, with Cheerfulneſs and Alacrity, would perfect a good Underſtanding, and perpetuate a Confidence between the King and them."

The Commiſſioner's Speech.

Still there remain'd another Sweetner to be adminiſter'd, which was left to the Earl

A. D. 1695. of *Annandale*, Lord-Preſident of the Parliament, who having taken Notice of the freſh Aſſurances given them of his Majeſty's firm Reſolution to maintain the Preſbyterian Government of this Church, proceeded to ſay, "That he hoped the Moderation and Calmneſs, that ſhould, at this time, appear in all their Proceedings in Church-Matters, would ſatisfy the World, *That this is the Government moſt agreeable to the Temper and Inclination of this People, and moſt ſuitable for the Intereſt and Support of their Kingdom, the Civil Government, and Peace of this Kingdom.*" And in the Cloſe of all, having touch'd on the ſad and irreparable Loſs they had ſuſtain'd of the beſt of Queens, he call'd upon them to ſhew their juſt Senſe of it, by doubling the Forwardneſs of their Endeavours to ſerve his Majeſty, in whom the whole Sovereignty was now lodg'd, *&c.*

To talk of the Effect of theſe Speeches, is to talk Nonſence: In theſe Days of ours, the Reſolutions of great Aſſemblies are not fix'd by the Powers of Eloquence, whatever was formerly the Caſe; and the Diſpoſitions they ſhew, ought to be deduc'd from ſome prior Conſideration. In ſhort, Majorities are ſecur'd (if they are to be ſecur'd at all) before Seſſions are open'd; and Speeches are fram'd for very different Purpoſes than the forming of Opinions, or the gaining Proſelytes.

When, therefore, we ſay, That the Parliament of *Scotland* immediately apply'd themſelves to do all that his Majeſty thought fit to require of them, we are to preſume, That all was ſo underſtood and agreed before hand; or that the Bell-Weathers, at leaſt, had anſwer'd for the Flock.

An Addreſs of Condolance on the Death of the Queen.

The firſt Inſtance of their Complaiſance conſiſted in an Addreſs of Condolance to his Majeſty, on the Death of the Queen, whom, they ſaid, could not be too much or too long lamented: And when the Committee for the Security of the Kingdom made their firſt Report, it was reſolv'd, thereupon, *Nem. Con.* That all Supplies, *now neceſſary*, be given to the King, for the Defence of the Nation and Support of the Government: When, alſo, the ſaid Committee farther reported, That a Grant of 1,440,000 *l. Scots*, was *neceſſary* for the Maintainance of Land-Forces, Cruiſers and Convoys, it was agreed to with the ſame Unanimity; and a ſuitable Proviſion was made for raiſing it by a general Poll-Tax, by a ſix Months Ceſs out of the Land-Rents, an additional Exciſe, and a farther Ceſs on the Land of three Months more.

All neceſſary Supplies voted.

An Enquiry into the Maſſacre at Glenco demanded.

In the mean time, however, the ſame Committee of Security mov'd the Houſe for an Enquiry into the Affair of *Glenco*; upon which Occaſion the Commiſſioner acquainted them, That the King had already given Commiſſion to ſeveral Perſons to make ſuch an Enquiry: And it being demanded that the ſaid Commiſſion ſhould be produc'd, it was produc'd and read accordingly.

This was done the ſame Day that *all neceſſary Supplies* were voted; and the next Day, but one, it being mov'd, That the Parliament ſhould deſire the Commiſſioner to A. D. 1695. tranſmit their humble Thanks to his Majeſty for his Care to vindicate the Honour of the Government, and the Juſtice of the Nation, by granting ſuch a Commiſſion, the ſame was carry'd in the Affirmative, *Nem. Con.*

By the way, the Commiſſion which was thus *unanimouſly* acknowledg'd, was directed to the Commiſſioner himſelf, in his Capacity of Chancellor, the Lord-Preſident *Annandale*, *John* Lord *Murray*, Sir *James Stuart*, King's Advocate, *Adam Cockburn*, Juſtice Clerk, two other Members of the College of Juſtice, Sir *James Ogilvy*, Solicitor, and *Andrew Drummond*, of *Maſſgins*, all of them Dependents on, or actually in the Service of the Court; and the Scope of it was to take *Precognition* by whom, and how, and by what Colour of Authority the Slaughter was committed.

It is ſaid, That Mr. Secretary *Johnſton* was the Adviſer of this Commiſſion; as alſo, That his Grace the Commiſſioner had ſecret Inſtructions not to produce it unleſs it was call'd for; and that having a latent Purpoſe to ruin *Dalrymple*, the Maſter of *Stair*, who was his Rival in Power, he, *Johnſton*, caus'd his own Creatures in the Parliament to make that Call: For as to the Honour of his Maſter, he made no Difficulty to ſacrifice it, in order to ſubdue an Enemy.

Secretary Johnſton ſaid to be the firſt Mover of it.

Gallianus Red. 4to. p. 13.

This is certain, That in the Midſt of the moſt uniform Acquieſcence to the good Pleaſure of the King, ever manifeſted by any Parliament in any Reign, a Motion was made for the Commiſſioners to exhibit an Account of their Proceedings; and that when the Queſtion had been poſt-pon'd to another Day, the ſame Perſons grew ſo impertinent, that they repeated their Motion the next Day but one; and Care was taken to certify in the *London-Gazette*, That this ſecond time it was *very much preſs'd*.

No. 3091.

The firſt Connection between him and the Parliament.

Indeed, There was a ſort of natural Alliance between *Johnſton* and the Majority of this Parliament: For as the Tenure of *Johnſton*'s Power depended, in a good degree, on his Aſcendancy over them, ſo the Continuance of the *Preſbyterian* Syſtem, which they had reſtor'd, depended almoſt as much on him: They had carry'd their Seats in the firſt Surprize of the Revolution; and in caſe of a Diſſolution, they had good Reaſon to conclude thoſe Seats would know them no more. Now *Dalrymple*, they knew, was a *Latitudinarian*, both in Politics and Religion, and being at Enmity with them, as well as their Patron, had no Expedient in reſerve ſo likely to anſwer his Ends againſt the Latter, as the Re-eſtabliſhment of Epiſcopacy: Thus it was equally the Intereſt both of the Secretary and the Parliament, to render him ſo odious on one Hand, and ſo obnoxious to Puniſhment on the other, That neither ſhould he dare to aſpire again, nor the King to employ him: And as well from the whole Courſe of the Enquiry, as from the Manner in which it was ſuſpended, it is alike manifeſt, That this was all that was intended by it.

On

A. D. 1695. On the 18th of *June* the Motion was firſt made; on the 20th it was repeated; and on the 24th the Report, conſiſting of the King's Inſtructions, *Dalrymple*'s Letters, the Depoſitions of Witneſſes, the Opinion of the Committee, *&c.* was laid before Parliament by his Grace the Commiſſioner, with a Signification, "That it had been ſent to his Majeſty the *Thurſday* before; and that he made no doubt, That in caſe they thought fit to make any *other Uſe* of it, it would be with that Deference and Submiſſion to his Majeſty, as became ſo loyal and zealous a Parliament, in *Vindication* of the *Juſtice* and *Honour* of *his Majeſty's Government*."

Of the Depoſitions it contain'd.

Of the Depoſitions, ſo much the leſs need be ſaid, becauſe they relate principally to the Fact which is already before us: But of the King's *Inſtructions*, and *Dalrymple*'s Letters, which are the Authorities which gave Riſe to it, much remains to be ſaid, becauſe they have not as yet been touch'd upon.

Narrative of the Maſſacre. State Tracts, Vol. III.

In the firſt Place, then, the Report admits, That the Lairds of *Glenco* and *Auchirtriten*, who were the Chiefs maſſacred, had agreed to the Ceſſation aſſur'd to the Clans by the Earl of *Braidalbin*: That *Glenco* did repair to Colonel *Hill*, Governor of Fort-*William*, about the End of *December*, in order to take the Oaths: That *Hill* recommended him, by Letter, as a *loſt Sheep* recover'd, to Sir *Colin Campbell*, of *Ardkinlas*, the Sheriff of *Argyle*: That in repairing to the ſaid Sheriff, he was not only retarded by bad Ways and bad Weather, but was detain'd in Cuſtody twenty-four Hours by Captain *Drummond*: That the ſaid Sheriff making a Doubt, whether he ought to adminiſter the Oath to him, becauſe the Time was elaps'd, *Glenco*, with Tears, beſought him not to take the Advantage of a Lapſe, which was the Effect of Neceſſity and Misfortune: That the ſaid Sheriff, having at laſt been prevail'd upon, did adminiſter to him the Oath; and by Letter to Colonel *Hill* not only ſignify'd his taking it, but caution'd him, the Colonel, That *Glenco*'s Friends and Followers might not ſuffer, till the King and Council's Pleaſure ſhould be known: That he alſo diſpatch'd a Certificate of what had paſs'd, together with a Copy of Colonel *Hill*'s Letter, to *Colin Campbell*, *Sheriff-Clerk* of *Argyle*, then at *Edinburgh*, and requir'd to be inform'd, by the ſaid *Sheriff-Clerk*, whether *Glenco*'s Submiſſion was allow'd: That the ſaid *Sheriff-Clerk* did make a Tender of the ſaid Certificate, *&c.* to the Clerks of the Council, who refus'd to accept it, becauſe dated after the Day appointed by the Proclamation: That the ſaid *Sheriff-Clerk* did then apply to the Lord *Aberuchil*, a Privy-Counſellor, and made it his Requeſt, That his Lordſhip would adviſe with other Privy-Counſellors thereon: That the ſaid Lord did afterwards intimate he had done ſo, and partly to the Lord *Stair*, (*Dalrymple*'s Father) whoſe Opinion ſeverally it was, That the ſaid Certificate could not be receiv'd without a Warrant from the King; and that it would be neither ſafe for the Sheriff, *Ardkinlas*, nor profitable to *Glenco*, to give in the ſaid Certificate: That hereupon the ſaid *Sheriff-Clerk*, in the Preſence of the ſaid Lord, Mr. *John Campbell*, and Mr. *David Moncrief*, Clerk of the Council, did delete or obliterate the ſaid Certificate; and being ſo obliterated, did deliver it to the ſaid *Moncrief*: And, laſtly, That it did not appear the Matter was ever brought before the Council, for the Opinion of the Council-Board, according to the Intention of the Sheriff *Ardkinlas*, and his expreſs Deſire to know their Lordſhips Pleaſure. A. D. 1695.

Of the King's Inſtructions.

We come now to the *Inſtructions* to Sir *Thomas Levingſton*, who had the chief Command of the Forces: And we find mention is made of two ſeveral Sets, bearing two ſeveral Dates, *viz.* The Firſt *January* 11, 1692, and the Second *January* 16. By the Firſt, Sir *Thomas* was authoris'd and order'd to march againſt the Rebels, who had *not* taken the Benefit of the *Indemnity*, and to DESTROY THEM BY FIRE AND SWORD: Which, ſay the *Court-Scots*, is the actual Stile of our Commiſſions, againſt *intercommun'd Rebels*: But then their Adverſaries aſſert, That no ſuch dreadful Words *of Courſe*, were ever made uſe of by any of our *native Kings*.

Narrative. State Tracts, Vol. III. P. 607.

Gall. Red. P. 13.

The Latter moreover ſuggeſt, That *Dalrymple* having communicated the firſt Inſtructions to the Duke of *Leeds*, after they were ſent, his Grace took an Opportunity to appriſe the King, That in a Country govern'd by Laws, a Commiſſion to deſtroy with *Fire* and *Sword* would ſound very harſhly; and that this Remonſtrance of his, produc'd ſome Mitigation in thoſe which follow'd.

But the Truth is, That the Inſtructions of the 11th, contain'd the following Clauſe, *viz.* "That the *Rebels* may not think themſelves deſperate, we allow you to give Terms and Quarters; but in this Manner only, That Chieftains and Heritors, or Leaders, be *Priſoners of War*, their Lives *only* ſafe, and all *other* Things *in Mercy*; they taking the Oath of Allegiance: And the Community taking the Oath of Allegiance, and rendering their Arms, and ſubmiting to the Government, are to have Quarters and Indemnity for their *Lives* and *Fortunes*, and to be protected from the Soldiers." And it is alſo true, That thoſe of the 16th, together with a Repetition of the like Indulgence, (if a Surrender on ſuch Terms can be call'd one) contain'd the following inhuman Exception.

"As for *Mac-Kane*, (or *Mackean*) of *Glenco*, and *that Tribe*, if they can be well ſeparated from the reſt, it will be a proper Vindication of public Juſtice to EXTIRPATE the Sect of *Thieves*."

Now it is admitted on all Hands, That theſe ſeveral Inſtructions were both *ſuper-ſign'd* and *counter-ſign'd* by the King himſelf; which was ſuch a Departure from the ordinary Method, as argued either, That the Secretary did not think it ſafe in ſuch an Inſtance, to perform the Duty of his Office, or that this double Signature was meant

to

A. D. 1695 to ſhew, That his Majeſty would admit of no Excuſe for Diſobedience.

And yet Biſhop *Burnet* (forgetting that in another Place he has ſoften'd this Inſtruction, from the EXTIRPATION of the GLENCO-TRIBE, to the making SOME EXAMPLES of them: And that to excuſe the King's ſigning and counter-ſigning it, he ſaid his Majeſty did it in an Hurry, without making any Enquiry about it) has dar'd to aſſert, *That the King's Orders carry'd nothing in them that was* in any Sort *blameable:* Another Writer of the ſame Stamp, yet bolder, is poſitive, That the Maſſacre did *not at all reflect on King* William's *Juſtice, who never gave, nor intended any ſuch Orders:* A Third, the Anſwerer by Authority of a Book frequently quoted in the Courſe of this Work, call'd *Great-Britain's juſt Complaint*, pronounces, That a *milder Order never was given:* And what is yet more ſurprizing than all, we ſhall find theſe abandon'd Aſſertions more than countenanc'd by the Voice of the *Scotiſh* Parliament.

Mem. of N. Britain, 1701. P. 99.

As much Pains has, however, been taken to make *Dalrymple* the Author of the Advice, as to purge the King from the Odium of it: And it muſt be own'd, that in the Courſe of his Letters to Sir *Thomas Levingſton*, and Lieutenant-Colonel *Hamilton*, he appears to have the Execution as much at Heart, as if it was a Service altogether as laudable in itſelf as acceptable to his Majeſty.

Of Secretary Dalrymple's Letters and Orders.

Two of theſe to *Hamilton* are in particular cited by the King's Commiſſioners in their Report to the Parliament, to ſhew that he had a Grudge againſt the *Macdonalds*, and that he had pre-concerted their Deſtruction with that Officer, almoſt a Month before the Indemnity expir'd: The Firſt of theſe is dated *December* 1, and treats with much Bitterneſs of their *marring the Bargain* which the Earl of *Braidalbin* was driving with the *Highlanders*, and of their *Deſpite* to him: The Second is dated the 3d of the ſame Month, and ſays, "That ſince the Government cannot oblige them, it is obliged to ruin ſome of them, in order to weaken and frighten the reſt; and that the *Macdonalds* will fall into this Net."

Again: The ſaid Commiſſioners farther obſerve, That, previous to the Inſtructions above-mention'd of the 11th and 16th of *January*, *Dalrymple* writ to *Levingſton* as follows, *viz. January* 7, "You know in general, That the Troops poſted at *Inverneſs* and *Inverlochie*, will be order'd to take in the Houſe of *Innergairie*, and to deſtroy intirely the Country of *Lochabar*, *Locheal*'s Lands, *Kippoch*'s, *Glengary*'s, and *Glenco*'s;" and then added, "I aſſure you your *Power* ſhall be *full enough*, and I hope the Soldiers will not trouble the Government with Priſoners." And, again, afterwards, "(*c*) We have an *Account*, That *Locheal*, *Macnaughton*, *Appin*, and *Glenco*, took the Benefit of the Indemnity at *Inverary*; and *Kippoch* and others at *Inverneſs*." Thoſe who remain of the Rebels, are not able to oppoſe; A. D. 1695 and their Chieftains being all Papiſts, *it is well the Vengeance falls there:* For my Part, I could have wiſh'd the *Macdonalds* had not divided; and I am ſorry that *Kippoch* and *Mackean* of *Glenco* are *ſafe*." In a Third Letter of the 11th of *January*, ſent with the firſt Inſtructions to Sir *Thomas Levingſton*, he proceeds thus, "I have no great Kindneſs to *Kippoch* nor *Glenco*; and it is well that People are in *Mercy*. Juſt now my Lord *Argyle* tells me, That *Glenco* hath not taken the Oath, *at which I rejoice*: It is a great Work of *Charity* to be *exact* in rooting out that damnable Sect, the worſt of the *Highlanders*." In a Fourth of the ſame Date with the additional Inſtructions, after ſaying, "The King does not at all incline to receive any after the Diet but on Mercy," he, nevertheleſs, adds, "*But for a juſt Example of Vengeance, I intreat the thieving Tribe of* Glenco *may be rooted out to purpoſe.*" And to confirm this, in his Letter of the ſame Date, ſent with the *Duplicate* of the firſt, and the additional Inſtructions to Colonel *Hill*, after having written, "That ſuch as render on Mercy might be ſaved;" he repeats, "I ſhall intreat you, that, for a juſt Vengeance and public Example, the Tribe of *Glenco* may be rooted out to purpoſe. The Earls of *Argyle* and *Broadalbin* have promis'd that they ſhall have no Retreat in their Bounds; the Paſſes to *Ronoch* would be ſecur'd, and the Hazard certified to the Laird of *Weems* to reſet them; in that caſe *Argyle*'s Detachment, with a Party that may be poſted in *Iſland Stalker*, muſt cut them off; and the People of *Appin* are none of the beſt."

Thus we find that nothing was wanting, on the Secretary's Side, to ſecure his Purpoſe: The ſame Expreſs who carry'd the Orders to the Commander in Chief, was alſo charg'd with the like Orders to Colonel *Hill*; and he, the Secretary, had not only maintain'd a Correſpondence with Lieutenant-Colonel *Hamilton*, as we have ſeen, but ſignified to *Levingſton*, ſo early as the 7th of *January*, That the ſaid *Hamilton* was to be the Perſon employ'd in the Execution of the *Glenco*-Men: This was made appear by *Levingſton*, on his Examination before the Commiſſioners: And in order to purge himſelf, as far as poſſible, from the Odium which his Obedience to ſuch Orders carry'd along with it, he farther depos'd, That when he receiv'd them, he was but juſt return'd from *London:* That he knew nothing of any Soldiers quarter'd in *Glenco:* That his Meaning only was to proſecute that Clan as Rebels ſtanding out, by *fair Hoſtility:* And that, agreeable to it, he had made uſe of the ſame Words and Orders written to him by the Secretary; that is to ſay, in his own Orders to Colonel *Hill*, and to Lieutenant-Colonel *Hamilton*; to the Latter of whom he ſignify'd, That it was judg'd good News, That *Glenco* had not taken the Oaths of Allegiance

Levingſton's Orders.

(*c*) Mr. *Tindal*, in his Account of this Affair, has omitted this remarkable Paſſage, as well as ſeveral others.

A. D. 1695. Allegiance within *the Time prefix'd*: And that Secretary *Stair* had, in his laſt Letter, made mention of him, the ſaid *Hamilton*, (as the Perſon to do the Job, muſt be underſtood) after which his very Words are as follow, "For, Sir, here is a *fair Occaſion* for you to ſhew that your Garriſon ſerves for *ſome Uſe*: And, ſeeing that the Orders are ſo poſitive from Court to me, not to *ſpare any of them* that have not timely come in, as you may ſee by the Orders I ſend to your Colonel, I deſire you would begin with *Glenco*, and *ſpare nothing which belongs to him*; but do not *trouble* the Government with Priſoners."

Hamilton's Colonel here mention'd is *Hill*, the Governor of *Fort-William*, to whom *Glenco* had firſt repair'd in order to take the Oath, and who had recommended him as a *loſt Sheep* to *Campbell* the Sheriff of *Argyle*, who, according to his own Depoſition, not liking the Buſineſs, and being, on the contrary, very much griev'd at it, thought himſelf nevertheleſs ſufficiently abſolv'd, by leaving the Management of it to *Hamilton*, and by penning the Orders he ſent him, in the following artful manner.

Thoſe of Hill. "Sir, you are with 400 of my Regiment, and the 400 of my Lord *Argyle*'s Regiment, under the Command of Major *Duncanſon*, to march ſtrait to *Glenco*, and there put in Execution the Orders you have receiv'd from the Commander in Chief."

But while the Orders were in this Courſe of Propagation, and the Execution was ſo long in ſuſpence, the Secretary, *Dalrymple*, diſpatches two other Letters of the ſame Date, *viz. January* 30; one to *Levingſton* and the other to *Hill*: In the Former he ſays, "I am glad that *Glenco* did not come within the Time prefix'd: I hope what is done there may be *in carneſt*, ſince the reſt are not in a Condition to draw together to help. I think to hurry (that is to drive) their Cattle, and burn their Houſes, is but to render them deſperate lawleſs Men, to rob their Neighbours; but I believe you will be ſatisfied it were a great Advantage to the Nation, that thieving Tribe were *rooted out and cut off*. It muſt be quietly done, otherwiſe they will make ſhift for both their Men and Cattle. *Argyle*'s Detachment lies in *Lotrickneel*, to aſſiſt the Garriſon to do all of a ſudden." And in the Latter thus: "Pray, when the thing concerning *Glenco* is reſolv'd, let it be ſecret and ſudden, otherwiſe the Men will ſhift you; and better not meddle with them, than not to purpoſe to *cut off* that Neſt of Robbers, who have fallen into the Mercy of the Law, now when there is *Force* and *Opportunity*, whereby the King's *Juſtice* will be as conſpicuous and uſeful, as his *Clemency* to others. I apprehend the Storm is ſo great, that for ſome time you can do but little; but ſo ſoon as poſſible I know you will be at work; for theſe falſe People will do nothing, but as they ſee you in a Condition to do with them."

Thus it appears, That the Secretary had the Damon of Cruelty ever at his Elbow; that he could not reſt till he had put his Commands in execution: And how proper *Hamilton* was to be his Agent in it, will appear from his own Letter to Major *Duncanſon*, which was as follows. A. D. 1695.

"Sir, purſuant to the Commander in Chief, and my Colonel's Orders to me, for putting in execution the Service againſt the Rebels of *Glenco*, wherein you, with a Party of *Argyle*'s Regiment, now under your Command, are to be concern'd: You are, therefore, to order your Affairs ſo, as to be at the ſeveral Poſts aſſign'd you by Seven of the Clock To-morrow Morning, being *Saturday*, and fall in Action with them; at which time I will endeavour to be with the Party from this Place, at the Place appointed them. It will be neceſſary that the Avenues, minded by Lieutenant *Campbell* on the South Side, be ſecur'd, that the *old Fox*, nor *none* of his *Cubs*, get away: The Orders are, THAT NONE BE SPAR'D, NOR THE GOVERNMENT TROUBLED WITH PRISONERS." Hamilton.

This is the laſt (*d*) written Order which the Commiſſioners thought fit to cite in their Report; tho' there was ſtill another behind, which will be brought forward in its Place: And, upon the whole, they proceeded to give it as their Opinion, 1. That it was a great Wrong, that *Glenco*'s Caſe and *Diligence*, as to his taking the Oath of Allegiance, together with the Sheriff's Certificate of his having ſo done, *Hill*'s Letter to the ſaid Sheriff, and the Sheriff's Anſwer, were not preſented to the Lords of the Council: That thoſe who adviſ'd the not preſenting thereof, were in the Wrong, and ſeem'd to have had a malicious Deſign againſt *Glenco*: That it was a farther Wrong that the ſaid Certificate was obliterated after it came to *Edinburgh*: And that being ſo obliterated, it ſhould neither have been preſented to, or taken by the Clerk of the Council, without an expreſs Warrant from the Council. 2. That it appear'd to have been known in *London*, and particularly to *Dalrymple*, in the Month of *January*, by his own Letters, that *Glenco* had taken the Oath, tho' after the Day prefix'd. 3. That there was *nothing* in the King's Inſtructions to warrant the committing the ſaid Slaughter, even as to the *Thing itſelf*, and far leſs as to *the Manner* of it; ſeeing all his Inſtructions did plainly import, That the moſt obſtinate of the Rebels might be receiv'd into Mercy, upon taking the Oaths of Allegiance, tho' the Day was long before elaps'd; and that he order'd nothing concerning *Glenco* and his Tribe, BUT, THAT IF they COULD BE ſeperated from the reſt, it WOULD BE a proper Vindication of the public Juſtice to extirpate that Sect of Thieves; which plainly intimated, That it was his Majeſty's Mind, that they COULD NOT be ſeperated from the reſt of theſe Rebels, unleſs they ſtill refus'd his Mercy, *Opinion of the Commiſſioners upon the whole.*

(*d*) And even this Mr. *Tindal* has chuſe to omit.

A. D. 1695. Mercy, by continuing in Arms and refuſing the Allegiance; tho' even in that Caſe, they were *only* to be proceeded againſt in the way of publick Juſtice, and *no other way*. 4. That the Secretary's Letters were no ways warranted by the King's Inſtructions, which they greatly *exceeded*: And, laſtly, That this was yet farther confirm'd by two more of his Letters to Colonel *Hill*, after the Maſſacre, which they cited, and in which, having ſaid, That there was much Talk at *London* that the *Glenco* Men were murder'd in their Beds, after they had taken the Oath of Allegiance, he proceeds thus: "For the laſt, I know nothing of it; I am ſure neither *you*, nor any body impower'd to treat or give Indemnity, did give *Glenco* the Oath; and to take it from any body elſe, after the Day was paſt, did import nothing at all. All that I regret is, that any of the Sort *got away*, and there is a Neceſſity to proſecute them to *the utmoſt*." And another from the *Hague*, the laſt of *April*, 1692, wherein he ſays, "For the People of *Glenco*, when you do your Duty in a thing ſo neceſſary to rid the Country of thieving, you need not trouble yourſelf to take the Pains to vindicate yourſelf, by ſhewing all your Orders, which are now put in the *Paris* Gazette. When you do right, you need fear no body: All that can be ſaid is, that, in the Execution, it was neither ſo full nor ſo fair as might have been." That his Majeſty's Inſtructions, touching the Highland Rebels, did contain a *Warrant* of *Mercy* to All, *without Exception*, who ſhould take the Oath of Allegiance, and come in upon Mercy, tho' the Day prefix'd by the Proclamation was *long before elaps'd*; and that, *therefore*, theſe Inſtructions contain'd no Warrant for the Execution of the *Glenco* Men.

But having gone thus far towards the clearing his Majeſty, they nevertheleſs voted the ſaid Execution to be a *Murder*, which gave riſe to a Diviſion of Opinions: For a Motion being made to enquire who were the Authors of it, as alſo in what manner they ſhould be proſecuted, it was twice poſtpon'd: Thoſe who thought the beſt End which could be anſwer'd by an Enquiry, namely, to exculpate the King, was already anſwer'd, were for proceeding at once to authenticate their Complement by a ſolemn Addreſs; but thoſe who had ſtill other Ends to anſwer, were for proſecuting that Enquiry, before they proceeded to addreſs: And this proving to be the Senſe of the Majority, they firſt took *Dalrymple's* Letters into Conſideration, and, agreeable to the Report of the Commiſſioners, having ſtated a Queſtion, whether they did *exceed* the King's Inſtructions, it was carry'd in the Affirmative.

A Paper ſet forth by Dalrymple's Betters.

But while the Affair was in this Situation, the Preſident inform'd the Parliament, That there was a printed Paper diſpers'd, under the Title of *Information for the Maſter of* Stair, reflecting upon the Commiſſion for enquiring into the Slaughter of the *Glenco* Men, and arraigning a Vote of Parliament; and mov'd, That an Enquiry might be made after the Author; as alſo, that both he and it might be cenſur'd. This drew an Acknowledgment from a Brother of *Dalrymple's*, a Member, That he was the Author, accompany'd with a Declaration, That he intended no Reflection on the Commiſſion, and that the Paper could not poſſibly arraign a Vote of Parliament, becauſe it was writ before the Vote was paſs'd, tho' not publiſh'd till afterwards. But if the Acknowledgment expos'd him to the Reſentment of the Houſe, the Declaration was not thought ſufficient to exempt him from the Conſequences: As to *himſelf*, he was order'd to aſk his Grace the Commiſſioner and the Parliament Pardon; and as to the Paper, it was voted *falſe* and *calumnious*, and enter'd as ſuch in the Minutes. A. D. 1695. *Cruſ. Pa.*

This little Interruption being thus got over, the Queſtions next ſtated were thoſe that follow, *viz.* 1. Whether *Livingſton* had reaſon to give ſuch Orders as were contain'd in his Letters to *Hamilton*, which was carry'd in the Affirmative, *Nem. Con.* 2. If from what appear'd to Parliament Lieutenant-Colonel *Hamilton* be free from the Murder of the *Glenco* Men, and whether there be Ground to proſecute him for the ſame? Upon which it was reſolv'd, That he was not free, and that there was Ground to proſecute him. 3. As to Major *Duncanſon*, at that time in *Flanders*, If the King ſhould be addreſs'd *either* to cauſe him to be examin'd *there* about the Orders he had receiv'd, or his Knowledge of that Matter, or that he ſhould be order'd home, to be proſecuted therefore, *as his Majeſty ſhould think fit*; which paſs'd in the Affirmative. And, 4. As to *Glenlyon*, Captain *Drummond*, Lieutenant *Lindſay*, Enſign *Lunday*, and Serjeant *Barber*, If it appear'd that the ſaid Perſons were the Actors of the Murder under *Truſt*; and that his Majeſty be addreſs'd to ſend them home, to be proſecuted for the ſame, according to Law, which alſo paſs'd in the Affirmative.

The drawing up this Addreſs was referr'd to the ſame Committee of *Security*, which hath already been ſo frequently mention'd: And the Reſidue of the *Glenco* Men having been encourag'd to petition for ſome Relief from the Diſtreſſes brought upon them by the military Execution they had been ſerv'd with, the ſaid Committee was inſtructed to recommend their Caſe accordingly.

The Matter having been already ſettled, but little Time was requiſite for molding it into form: Accordingly, on the ſecond Day after it was referr'd to the Committee, the Addreſs was reported to the Houſe: Some Amendments were offer'd with relation to *Dalrymple*, but rejected by the Majority, who were in all Reſpects, and upon all Occaſions, no more than the Echoes of the Committee.

As to the Inſtrument itſelf, having already had a Summary of the Ingredients of which it was compos'd, we need only tranſcribe from it ſuch Gloſſes and Refinements, as the ſaid Committee thought fit to beſtow upon it.

Thus

A. D. 1695 *The Address of the Parliament to the King, which was the Rise of the whole Affair.*

Thus in the Preamble we find it repreſented to his Majeſty, That they thought it their Duty, for the more ſolemn and public Vindication of the *Honour* and *Juſtice* of the Government, to enquire into the *barbarous* Slaughter committed in *Glenco*, which had made ſo much Noiſe, both in *Scotland* and his Majeſty's *other* Dominions: But that, being inform'd by his Commiſſioner, They were *prevented* by a Commiſſion under the Great Seal for the ſame Purpoſe, they had unanimouſly acquieſc'd to his Majeſty's Pleaſure, they return'd their moſt humble Acknowledgments for his Royal Care in granting the ſame: And they only deſir'd the Diſcoveries which ſhould be made, might be communicated to them, to the End, that their Zeal in the ſame Proſecution might be added to his Majeſty's: That the Vindication might be national, as the Reproach had been; but principally, That they, from whom it was moſt proper, might teſtify to the World how clear his Majeſty's Juſtice had been in the whole Matter.

The ſecond Paragraph ſets out with an Intimation, That it was not without their *repeated Inſtances* the *Commiſſioner* had communicated to them a Copy of the Report, which he had tranſmitted to his Majeſty: And having, in their way, declar'd his Majeſty's Inſtructions contain'd a *Warrant for Mercy to all without Exception*, and no *Warrant* for the *Execution*, agreeable to the Opinion of the Committee, they proceeded in theſe Words, " And here we cannot but acknowledge your Majeſty's ſignal Clemency upon this Occaſion, as well as in the whole Tract of your Government over us: For had your Majeſty, without new Offers of Mercy, given poſitive Orders for the executing the Law upon the *Highlanders*, that had already deſpis'd your repeated Indemnities, they had but met with what they juſtly deſerv'd."

In the next Place they pronounc'd, in the Words of the Committee, That the Execution of the *Glenco* Men was a *Murder*; and that, on comparing his Majeſty's Inſtructions with the Matter of *Stair*'s Letters, it appear'd the ſaid Maſter of *Stair* had *exceeded* thoſe Inſtructions, towards the Killing and Deſtruction of the ſaid Men of *Glenco*:

As, alſo, That *Leving ſton* had reaſon to give ſuch Orders for *cutting off* the *Glenco* Men, upon the Suppoſition they had rejected the Indemnity, and without making them new Offers of Mercy; being a thing in itſelf lawful, which your Majeſty might have order'd, *&c.*

That *Hill* was free and clear of the ſaid Slaughter.

That *Hamilton* (who had diſappear'd, and whom they had order'd to be ſeiz'd wherever he could be found) was *not* clear, *&c.*

That *Duncanſon* being abſent *in Flanders*, they could not extend their Enquiry to the Orders he had receiv'd from *Hamilton*: But that it was one Point of their Addreſs to refer his Examination to his Majeſty.

That the Depoſitions of the Witneſſes were clear againſt *Campbell* of *Glenlyon*, *Drummond*, &c. the *Actors* in the Slaughter.

And, upon the whole, they expreſs'd themſelves in theſe Words, *viz.* " We humbly beg, That conſidering that the Maſter of *Stair*'s *Exceſs* in his Letters againſt the *Glenco* Men has been the *original Cauſe* of this unhappy Buſineſs, and hath given occaſion, in a *great Meaſure*, to ſo extraordinary an Execution, by the warm Direction he gives about doing it by way of Surprize; and conſidering the high Station and Truſt he is in, and that he is abſent, we do, therefore, beg, That your Majeſty will give ſuch Orders about him, for *Vindication of your Government*, as you in your Royal Wiſdom ſhall *think fit*: And likewiſe conſidering, that the Actors have barbarouſly kill'd Men under *Truſt*, we humbly deſire your Majeſty will be pleas'd to ſend the Actors home, and to give Orders to your Advocate to proſecute them according to Law; there remaining nothing elſe to be done for the full Vindication of your Government, of ſo foul and ſcandalous an Aſperſion as it has lain under on this Occaſion.

A. D. 1695

We ſhall only add, That the remaining of the *Glenco* Men, who eſcap'd the Slaughter, being reduc'd to great Poverty by the Depredation and Vaſtation that was then committed upon them, and having ever ſince liv'd peaceably under your Majeſty's Protection, have now apply'd to us, that we might intercede with your Majeſty that ſome Reperation may be made to them for their Loſſes, we do humbly lay their Caſe before your Majeſty, as worthy of your Royal Charity and Compaſſion, that ſuch Orders may be given for ſupplying them in their Neceſſities, as your Majeſty ſhall *think fit*."

Some Remarks upon it.

Thus we have before us what the King's Commiſſioners were pleas'd to report, and the Parliament to repreſent, concerning this moſt iniquitous Affair: And now it remains to be conſider'd whether it contains any ſuch Vindication, as the Court-Advocates would have us underſtand it does.

And firſt, as to what is aſſerted concerning the King's Inſtructions, That they contain'd *no Warrant* for the Execution of the *Glenco* Men; but a *plain Intimation* that they *could* not *be ſeparated from the reſt*, it rather ſerves to ſhock than convince thoſe that read it: For notwithſtanding the *artful Ambiguity* of Expreſſion in that Paſſage which relates to them, the obvious Senſe of it is, That if any Pretence could be found to *extirpate that Sect of Thieves*, they ſhould be *extirpated*: For if that Paſſage had not been an *Exception* to the general Warrant of Mercy ſo ridiculouſly glory'd in, if it was his *Majeſty's Mind* that they could *not* be ſeperated from the reſt, what Neceſſity, or what Expediency was there for inſerting it at all? But the ſaid Paſſage, by Implication, condemns that very Warrant of Mercy, in preſuming, That a Sacrifice was neceſſary for the *Vindication* of *Juſtice*: It was, beſides, *preſag'd* by the Secretary, That all would not come in, and with that *Foreſight* he had previouſly appriz'd *Leving ſton*, That his *Powers ſhould be full enough*, and that *he hop'd the Soldiers would not trouble the Government*

A. D. 1695. *ment with Prisoners:* And in that Letter of his to the said Commander in Chief, in which he acknowledges, That an Account had been receiv'd of *Glenco*'s taking the Oaths at *Inverary*, with this execrable Addition, "For my Part I could have wish'd the *Macdonalds* had not *divided*, and I am sorry that *Kippoch* and *Mackean* of *Glenco* are SAFE," were some Words which seem to indicate, That his Majesty was not so much in the *Dark* as to the Case of the *Glenco* Men, or the Nature of the Instruction, as the *Historian of his own Times* would have us believe: The Words are these, *I have been with the King, who says your Instructions shall be dispatch'd on* Monday: This Letter was dated *January* 9. The Instructions were accordingly dispatch'd *Monday* the 11th; and what is not altogether unworthy Notice, tho' the Commissioners, in their Report, quoted some Passages from the said Letter, they did not think fit to meddle with *this*, possibly because of the Mention made of his Majesty: For the same Reason also (whatever was suggested in the *Report*) it may be suppos'd, the Orders from *Duncanson* to *Glenlyon* were not produc'd, which ran in the following merciless Stile, "You are hereby order'd to fall upon the Rebels, the *Macdonalds* of *Glenco*, and put (*e*) *all to the Sword under Seventy*: You are to have special Care that the old Fox, and his Sons, upon no account escape your Hands; you are to secure all the Avenues, that no Man escape: This you are to put into execution at Five o'Clock in the Morning precisely; and by that time, or very shortly after it, I'll strive to be at you with a stronger Party: If I do not come to you at Five, you are not to tarry for me, but to fall on. This is by the King's *special Command*, for the Good and Safety of the Country, that these Miscreants may be cut off *Root* and *Branch*. See that this be put in Execution without Feud or Favour, else you may expect to be treated as not true to the King and Government, nor a Man *fit* to carry a *Commission* in the *King's Service*."

Gall. Red. P. 4. 5.

Then as to the *Exceedings* charg'd upon *Dalrymple*, if the Paragraph in the *Instructions* ought to be understood as an Exception to the general Warrant of *Mercy*, it will follow, That the said Charge had more of Craft than Candour for its Foundation.

Even to *cut off Root and Branch*, is but a Paraphrase on the Word *extirpate*: And from the Blood-hound Impatience which rages thro' the whole Series of the Secretary's Letters, it would have been more rational, perhaps, to have made him answerable for the *Paragraph*, than for an *Excess* which even *Duncanson* himself could scarce be said to be guilty of.

Indeed, whoever gave the Advice, it was not altogether unnatural for a Man who had been much longer a General than a King to embrace it; and instead of extending the Sceptre, to employ the Sword.

2

But we are not to think it extraordinary, A. D. 1695. That those who made no Scruple to vote that King *James* had *forfaulted* the Crown, should now be so tender in commenting upon an Action to every way inexcusable, which had all the Sanctions (except that of the Privy-Council of *Scotland*) that the Royal Prerogative could give it, when we further reflect, That they observ'd a sort of Management even as to *Dalrymple* himself: For having voted, That the King gave *no Warrant* for the Execution, that *Dalrymple*'s Letters exceeded his Majesty's Instructions, that, nevertheless, *Leven*gston might very *well understand* those Instructions in the *restricted Sense* which the said Letters had given them, and that the said *Excess* was the *original Cause* of this *unhappy* Business, they immediately soften their Conclusion from these Premisses, by adding, That the said Secretary had, in a *great Measure*, given occasion to so extraordinary an Execution, by his *warm Directions* for doing it by way of *Surprize*; and they submitted both the Crime and Criminal to the good Pleasure of his Majesty.

Now the Words, in a *great Measure*, imply, that there wants something more to the Completion of this Barbarity, than these warm Directions; and yet, they will not allow us to look for it in the Conduct of *Leven*gston. He, they tell us, was *ignorant* of the peculiar Circumstances of the *Glenco* Men, and only gave his Sanction to the Secretary's Orders, as a Matter of Course. But it appears by *Dalrymple*'s Letters, That he could not be wholly ignorant of their Circumstances; because in that of the 9th, which preceded even the first Paper of Instructions, the Secretary informs him, That *Glenco* had taken the Oaths at *Inverary*, and how sorry he was for it: And in that of the 30th following, to the same Commander, he adds, *I am glad that* Glenco *did not come in within the time prefix'd*, which contain'd an Acknowledgment that he was come in; and if the King's Instructions contain'd a Warrant of Mercy to all, without Exception, who came in, tho' the Time prefix'd by the Proclamation was past, as they are express'd, it did, it will follow, That *Leven*gston partook of *Dalrymple*'s Crimes, and had exceeded his Instructions too.

We come now to *Hill*'s Part in this Transaction; and tho' it should be admitted, that he manag'd artfully enough, in restraining it to the single Circumstance of directing *Hamilton*, to obey the Orders he had already receiv'd from the Commander in Chief, he was far from being innocent: He was in the whole Secret of *Glenco*'s Behaviour; and as well for the Honour of the Government, as the preventing so black a Tragedy, he ought to have suspended his Obedience, till he had certify'd all he knew to the Regency of *Scotland*.

On the other Hand, tho' we find it pronounc'd, That *Hamilton* was not clear of the

(*e*) The like Words were in *Hamilton*'s Orders to *Duncanson*, tho' omitted in the *Report*.

A. D. 1695. the Murder, &c. it is plain he was no otherwise guilty than as *Dalrymple*'s Inſtrument; and if there was Ground to proſecute the one for it, there was much more to proſecute the other: But tho' it was thought convenient to make thus free with *Hamilton*'s Character, it does not appear that they had any real Deſign againſt his Perſon: For he made his Appearance before the Commiſſioners, tho' not before the Parliament, and conſequently might have been ſecur'd, if there had been any Purpoſe to make him an Example.

Then as to *Duncanſon*, *Glenlyon*, &c. who were the immediate Actors of the Murder, they had Orders upon Orders for their Juſtification; and were only anſwerable for the ſeveral Circumſtances of Perfidy and Cruelty with which they committed it.

Laſtly, tho' in the Preamble of the Parliament-Addreſs, it is ſaid, that the Enquiry was ſet on foot for the more *ſolemn* and *public Vindication* of the *Honour* and *Juſtice* of the *Government*, and tho' ſome were ſelected to bear the Guilt of the reſt, not a Man of them was ever call'd to account; but on the contrary, ſeveral of them were preferr'd, and as many of them as thought it worth their while to apply for a Pardon, obtain'd it.

So that upon the whole, we have a right to ſay, that the *Honour* and *Juſtice* of the *Government* were rather *expoſ'd* than *vindicated* by this Proceeding: And it is reaſonable to think, that both the *Report* and even the *Addreſs* itſelf, (tho' ſo frequently referr'd to by the Creatures of the Court, as an Anſwer in full to all that either has or can be alledg'd againſt it) were conſider'd by the Perſons moſt concern'd, as having a Tendency of the ſame Nature: For they were never ſuffer'd to be made public during the Life of the King: And if any Advantage could have been drawn from publiſhing them, it is out of all doubt they would have been tranſmitted to every Gazette in *Europe*.

Of a Commiſſion given to the Earl of *Braidalbin*, to *purchaſe* the Submiſſion of the *Highlanders*, mention has more than *once* been made; as alſo of a Quarrel between him and *Glenco*, which was ſaid to have been the Occaſion of breaking the Treaty, and to have produc'd the Orders for *Glenco*'s Death.

The ſame Party that was for diſgracing *Dalrymple*, were alſo for diſgracing *Braidalbin*, becauſe of his Connection with the Former. Accordingly, while the Commiſſioners were yet upon their Enquiry, they procur'd a Copy of the ſaid Treaty, and laid it before Parliament, together with certain Depoſitions of the Laird of *Glengary*, and Colonel *Hill*, amounting to a Charge of High Treaſon againſt his Lordſhip, which Depoſitions are thus explain'd by Biſhop *Burnet*, viz. That while he was ſo treating with the *Highlanders* for their Submiſſion, He, *Braidalbin*, had aſſur'd them, That he ſtill adher'd to King *James*'s Intereſt, and that he preſs'd them to come in, only to preſerve them for his Service till a more favourable Opportunity. Diſcoveries of this and the like Nature were the main of what was laid to his Charge: But the Majority were of Opinion, That it contain'd Matter of High Treaſon, and order'd him to be committed to the Caſtle of *Edinburgh*: *Burnet* alſo ſays, That he cover'd himſelf with his Pardon; and that it being prov'd theſe Diſcourſes were ſubſequent to it, he alledg'd, *he had ſecret Orders from the King to ſay any thing that would give him Credit with them, which the King*, (continued his Lordſhip) *own'd ſo far, that he order'd a new Pardon to be paſt for him.* A. D. 1695.

Lord Braidalbin charg'd with High-Treaſon.

Vol. II. P. 157.

and pardon'd.

But we are not to wonder at his Eſcape; for it is ſaid, he was as ſubtle as a Serpent, and as ſlippery as an Eel: That he had no Attachment of any kind, but to his own Intereſt; that he was not only *Jacobite* and *Williamite* by turns, but both at once; and that he play'd this double Part with ſo much Succeſs in the *Highland*-Treaty, that he receiv'd the *Thanks* of King *James* for having preſerv'd his People whom he could not ſuccour, and was rewarded by King *William*, for having reconcil'd to his Government thoſe Deſperadoes whom he found it ſo difficult to ſubdue. *His Character.* M. S.

And now having fairly and fully explan'd every material Circumſtance which had any relation to the black Affair we have been treating of, what comes next under conſideration, was the Bait hung out to the *Scots*, and which they ſo greedily faſten'd upon; namely, a Project for erecting a trading Company on ſuch an extenſive Plan, and with ſuch extenſive Privileges, as in Spite of Situation, and all other Diſadvantages, ſhould enable that People to vie in Wealth with the moſt wealthy of their Neighbours.

Such, at leaſt, were the Boaſt of the Projectors, and ſuch the Expectations it rais'd.

Paterſon (before ſpoken of, as the main Inſtrument in forming and eſtabliſhing the Bank of *England*, and afterwards of another ſimilar Deſign of making the Orphans Fund a Fund of Credit, tho' not with the ſame Succeſs) was at the Bottom of this Affair; and had engag'd not only ſeveral of thoſe *Engliſh* Merchants, who had hitherto miſcarry'd in their Endeavours, to ſet up a new *Eaſt-India* Company, to co-operate with him in it, but the *Scotiſh* Miniſters, and as many other conſiderable Perſons as were neceſſary to give it all the Countenance and Credit that was neceſſary. *Paterſon's Project to eſtabliſh a Colony at Darien.*

Of the Miniſters, Mr. Secretary *Johnſton* was, in virtue of his Office, the firſt to be conſulted, who receiv'd the Overture with more than ordinary Satisfaction; both becauſe of the *Glenco*-Affair, which was to be expiated, and becauſe of the Difficulty apprehended in prevailing with the *Scots* Parliament to grant the neceſſary Supplies for maintaining and recruiting their Forces. *Eſpous'd by the Miniſters for Purpoſes of their own.*

There was, however, a Difficulty in the way which was not eaſy to be ſurmounted: All Grants in relation to the *Eaſt-Indies*, could not but give Offence, both to the *Engliſh* and *Dutch*; and in relation to the *Weſt-Indies*, to the *Spaniards*. Now *Paterſon*'s Project had relation to Both: For his Purpoſe was to make one Settlement at *Darien*, on this Side the *Iſthmus* of *America*, and another *Difficulties attending it.*

A. D. 1695. ther over againſt it, in the *South*-Sea; by the Means of which he hop'd to have diverted a great Part of the Treaſures of both *Indies*, thro' that Channel into *Scotland*: And it is remarkable, that the *Hiſtorian of his own Times*, in his Narrative of this Tranſaction, after acknowledging, That *Paterſon* had this double Object in view; and that he deſir'd the *Weſt-Indies* might be nam'd in the Act, proceeds in theſe Words, "*Johnſton* told the King, That he heard there was a ſecret Management amongſt the Merchants for an Act in *Scotland*, under which the *Eaſt-India* Trade might be ſet up: So he propos'd and drew up an Inſtruction, impowering the Commiſſioner to paſs any Bill, promiſing Letters Patents for encouraging of Trade, yet limited ſo, that it ſhould not interfere with the Trade of *England*."

Not fully repreſented to the King.

Now, if this was all the Information the King receiv'd concerning the Undertaking he was to authoriſe, it is plain he was not fully or ſufficiently inform'd: *Paterſon* requir'd the *Weſt-Indies* to be nam'd in the Act: *Johnſton* talk'd, it ſeems, only of the *Eaſt*: It was ſcarce poſſible ſo to reſtrain a *Scotch Eaſt-India* Company as that it ſhould not interfere with the *Engliſh*: And it is reaſonable to think, that if the Name of *Darien* had been mention'd to his Majeſty, he would have been almoſt as cautious in what regarded the *Spaniards*, as in what regarded the *Engliſh* and *Dutch*.

Cautious way of proceeding in it.

But this is certain, that all imaginable Care was taken, that nothing ſhould tranſpire at *London*, by Authority at leaſt, of the Proceedings of the *Scots* Parliament in the Affair. It was, indeed, acknowledg'd in the *Gazette*, That the Preſident, *Annandale*, had made a Speech to them on the Occaſion of their Meeting; but not the leaſt Hint was ſuffer'd to eſcape of the Particulars: And in all the ſubſequent Articles from *Edinburgh*, which profeſs to treat of thoſe Proceedings, all that relates to the Eſtabliſhment of the *Darien* Company, is contain'd in theſe two Paragraphs, *viz.* 1. "Then (the 12th of *June*, that is to ſay) they read the Draught of an Act for a general Poll; and an Act was brought in and read for ſettling a Trade in the *Weſtern Plantations*." 2. "The Parliament met again Yeſterday, (the 21ſt) and paſs'd an Act for ſettling and encouraging a Trade with the *Weſtern Plantations*."

But what Managements ſoever were obſerv'd with regard to the Public in the Conduct of this Affair, ſome Writers have advanc'd ſuch Things concerning it, as, if true, muſt argue, That the King was, to the full, as deep in the Secret, as any of his Miniſters.

The Project aſcrib'd to Foreigners.

In a Pamphlet, for Example, call'd, *Some Conſiderations on the late Act of the Parliament for* Scotland, *&c.* and of which Act the whole Scope and Drift of the ſaid Pamphlet is to demonſtrate the Wiſdom, Juſtice, and Equity, it is aſſerted, P. 4, "That the Original of the Deſign of ſettling a Company of Commerce for Strangers as well as *Scotchmen*, was not from *Scotland* nor from *hence*, but altogether from *foreign Parts*." As alſo, That he had his Information from *good Hands*.

A. D. 1695. And the *Jacobite* avow'd, who writes that ſhrew'd Invective, entitled, *A Brief Account of* ſome of *the Depredations, &c. of the* Dutch *upon the* Engliſh, ſo often quoted, undertakes to unfold this Myſtery, by revealing a Secret committed to his *Diſcretion*, he ſays, P. 58. 59. not to his *Honour* or his *Conſcience*, in a private Converſation, which he does in theſe very Words, namely, "That the *Dutch* being afraid, That, either thro' the Prince of *Orange*'s Death, or thro' King *James*'s Reſtoration, theſe Nations may be awaken'd to conſider how they have firſt been deluded and miſled, and then wrong'd and injur'd by the *Hollanders*; and thereupon may be provok'd to demand Reparation, and grow enraged to purſue Revenge, they have therefore ſtudied and concerted how to *ſeparate* the Kingdoms of *England* and *Scotland* the one from the other: And have proceeded ſo far therein, as in either of the foregoing Caſes to have Allowance for it, from *William*'s *Dutch Minions* and *Confidents*, which is equivalent to the having it from himſelf. And accordingly they have treated with ſome of the *Scotch* Nation about it, whom they have not only gratified with Money to make them pliable, but have given them Aſſurance, That there ſhall be three or 400,000 *l.* ready to bribe and gain the chief and moſt leading Men of that Kingdom to comply with this Deſign, at what time it may be needful for the *Dutch* to have it put in execution." He then proceeds to ſay, That it was in Purſuance of this Project, that the *Scots* Company was eſtabliſh'd: The Privileges granted to them being ſuch as the *Engliſh* would never be induc'd to give way to, nor the *Scots* to relinquiſh: Conſequently the Intereſt of the two Kingdoms being thus irreconcilably divided, both would be ſo diſtracted at Home, and ſo weaken'd Abroad, that nothing need be apprehended from either.

How far this Account is to be depended upon, muſt be gather'd from the Reaſon and Nature of Things: And in Aid of our Conjectures, it may be proper to add, That, according to the Manuſcript-Authority occaſionally referr'd to in this Work, and which was compos'd by the Command and for the Information of a *great* Prince, the Government of *Scotland*, during this Reign, was plac'd in ſuch Hands, and underwent ſuch an Inſpection, that it was next to impoſſible that his Majeſty ſhould be kept in Ignorance of any material Tranſaction paſſing there, or any material Circumſtance relating to it.

To make this evident, it is ſaid, That the Earl of *Portland* was plac'd at the Head of that Kingdom in effect, tho' not in Name, with a Power almoſt as full and unlimited, as if he had been King himſelf; and his Miniſter in Chief, or Vice-Roy, was Mr. *Colſtairs*, formerly mention'd in the Reign of King *Charles* II. for his Concern in the Conſpiracy, ſaid to be forming at that time againſt the Government, by the Malecontents of both Nations.

What he knew concerning it, which was far from anſwering the Expectations of the Court,

A. D. 1695. Court, they tortur'd out of him: And what Bishop *Burnet* adds to his Account of that Incident, is abundantly more fit to be inserted in this Place, than to be inserted at all by him, who was as much of an Apologist for one Party, as he was an Accuser of the other.

Vol. I. P. 585. His Words are these, "But *Carstairs* had, at this time, some Secrets of great Consequence from *Holland*, transmitted to him by *Fagel*, of which they had no Suspicion; and so they ask'd him no Questions about them: Yet *Fagel* saw by that, as he himself told me, how faithful *Carstairs* was, since he could have sav'd himself from Torture, and merited highly, if he had discover'd them: And this was the Foundation of his Favour with the Prince of *Orange*, and of the great Confidence he put in him to his Death."

Being at last enlarg'd, he retir'd to *Holland*, where he recommended himself as effectually to the Favourite *Bentinck*, as before to his Master: The Consequence was, That after the Revolution, he was appointed Chaplain to the King for *Scotland*; the Revenue of one of the *Scottish* Bishopricks was assign'd him for his Maintainance; as also 500 *l. per Annum* for his Attendance on his Majesty in the Field, which he constantly paid every Campaign; and was, on all Occasions, so openly and highly favour'd by him, that he was call'd at Court by the Name of Cardinal *Carstairs*.

Indeed, so acknowledg'd was his Power, and so absolute his Ascendancy, that few *Scotsmen*, how great soever, had access to his Majesty, except introduc'd by him; and not a Measure or an Office of any kind was bestow'd or embrac'd, except by his Advice and Recommendation.

Add to all this, that the Ingredients of his Character were altogether as extraordinary as his Credit and Influence: For with the utmost seeming Frankness, he had Reserves which no body could penetrate; and when he had a Purpose, to ruin a Man, his Custom was to lay his very Suspicions to sleep, with an Overflow of Professions and Promises.

And the Direction being thus in the Hands of Persons so closely and firmly attach'd to the King, all the Posts of Consequence being also fill'd with their Creatures, it is but fair to conclude, That if the Government of *Scotland* in his Time was serv'd by Halves, no Government can ever hope to be serv'd as it ought to be.

We come now to the Act itself, which instead of being call'd an Act for settling a Trade with the *Western Plantations*, as it had been call'd in the *London-Gazette*, was said to be, An Act for a Company trading to *Africa* and the *Indies*: A Title which also partook of Ambiguity; but which was made sufficiently plain by the Act itself, as may be gather'd from the following Abstracts of the most material Articles, *viz.*

Abstract of the Act. The King, considering the late Act for encouraging foreign Trade (which receiv'd the Royal Sanction in 1693, and provided, That Merchants might raise Companies for the carrying on Trade to the *East* and *West-Indies*, the *Mediterranean*, *Africa*, &c. and should have Letters Patents for the same) did Statute, That when Societies or Companies of Merchants should be form'd upon the usual Principles of trading on a joint Stock, his Majesty, with the Advice and Consent of the Estates of Parliament, did allow and approve the same, did give them all Rights, Powers, and Privileges, that by the Laws were given to the Companies of Manufactories; and understanding that several Persons, as well Foreigners as Natives, were willing to engage themselves with great Sums of Money, in an *American*, *African*, and *Indian* Trade, if enabled and encouraged thereto, did constitute *John* Lord *Bellhaven*, *Adam Cockburn*, Lord Justice Clerk, Mr. *Francis Montgomery*, Sir *John Maxwell*, Sir *Robert Chiesly*, *John Swinton*, *George Clarke*, *Robert Blakewood*, and *James Balfour*, Merchants in *Edinburgh*, *John Corse*, Merchant in *Glasgow*, *William Paterson*, *James Foulis*, *David Nairn*, *Thomas Deans*, Esqrs. *James Chiesly*, *James Smith*, *Thomas Coutts*, *Hugh Frazer*, *Joseph Cohen d'Azevedo*, and *Walter Stewart*, Merchants of *London*, and such others as should join with them by the 1st of *August*, 1696, to be a Body-Corporate, by the Name of the *Company of* Scotland *trading to* Africa *and the* Indies, provided, That half, at least, of the Fund or capital Stock should be advanc'd by *Scottish* Men; and that no one Person advanc'd less than 100 *l.* or above 3000 *l. Sterling*.

His Majesty did moreover authorise and empower the said Company to freight their own or hired Ships, for ten Years, notwithstanding the *(Scots)* Act of Navigation from any of the Ports or Places of that Kingdom, or from any other Ports or Places in Amity, or not in Hostility with his Majesty, to any Lands, Islands, Countries, or Places in *Asia*, *Africa*, or *America*, and there to plant Colonies, hold Cities, Towns, or Forts, in or upon the Places *not inhabited*, or in or upon any other Place, by Consent of the Natives or Inhabitants thereof, and *not possess'd* by any *European* Sovereign, Potentate, Prince or State, to furnish themselves with Arms, to make use of those Arms in their own Defence; to make Reprizals for Damages, or to negotiate Treaties of Peace with the Proprietors of the Lands so planted and settled, with an exclusive Right against all Persons not of the said Company, provided that all the Ships so freighted by the said Company, should make their Returns to *Scotland*, on pain of Confiscation, except in case of Necessity.

By other Clauses in the Act it was granted, That the Company should hold their Right in Sovereignty (in consideration of yielding and paying a Hogshead of Tobacco yearly to the Crown, if requir'd) to the Colonies they should plant, and the Settlements they should make, together with all manner of Treasures, Products, and Profits thereof; as also, with the Rights of Government and Admiralty, with Licence to delegate what Rights, Powers, Properties, and Immunities, and

A. D. 1695. and exact what Customs and other Duties they should think expedient. That they might treat for, procure, and purchase such other Rights, Liberties, Privileges, Exemptions, &c. as should be thought of Consequence to their Proceedings, from any foreign Prince or State in Amity with his Majesty, for which the general Treaties of Peace and Commerce betwixt his Majesty and several Princes and States, should serve for sufficient Security. " And if (these are the Words of the Act) contrary to the said Rights, Liberties, Privileges, Exemptions, Grants or Agreements, any of the Ships, Goods, Merchandize, Persons, or other Effects whatsoever, belonging to the said Company, shall be stopt, detain'd, embezzled, or away taken, or in any sort prejudged or damnify'd, his Majesty promises to interpose his Authority to have Restitution, Reparation, and Satisfaction made for the Damage done, and that upon the public Charge, which his Majesty shall cause depurse, and lay out for that Effect."

The Act farther provided, That the Company's Effects, Ships, &c. should be free from all manner of Restraints, Impositions, Taxes, Duties, &c. (except for foreign Sugar and Tobacco) for twenty-one Years; that they might entertain Soldiers; that they should have the Disposition of all their Offices, Civil and Military, and the Command over all Persons in their Service: That all Persons concern'd should be free Denizons of the Kingdom; and that they should be put in immediate Possession of all the said Powers, Privileges, &c. by Letters Patents under the Great Seal.

Such was the Act; what it produc'd we shall see in due Time and Place; and as to the other Acts of the Session that deserve mention, they were as follow, *viz.* 1. One in favour of such of the episcopal Clergy as should enter into such Engagements to the King as were by Law requir'd, by a Provision, that they should continue in their Benefices under the King's Protection, without being subject to the Power of the Presbytery. " This, says the *Historian of his own Time*, was carry'd with *some Address*, before the Presbyterians were aware of the Consequences of it. For it was plainly what they call *Erastianism*: A Day was limited to the Clergy for taking the Oaths; and by a very *zealous* and *dextrous Management*, about (*f*) Seventy of the best of them were brought to take the Oaths to the King; and so they came within the Protection promis'd by the Act." 2. An Act for raising 9000 Men yearly, to recruit the *Scots* Regiments in the Service Abroad. And, 3. An Act for erecting a public Bank.

Other Acts of this Session.

The last of these Acts was touch'd with the Sceptre, (which was the *Scots* Manner of expressing the Royal Assent) on the 17th of *July*; and then his Grace the Commissioner having first given them Thanks for their ready and hearty Compliance with his Majesty's Demands, and recommended the Preservation of the publick Peace to their Care, adjourn'd the Parliament to the 7th of *November* following. A. D. 1695.

Of *Ireland* something still remains to be said, for the Sake, at least, of presenting such an Outline of Government at this Period, as may serve to give a satisfactory Idea of the whole: And upon this Topic it must be own'd, that Bishop *Burnet* seems to be actuated by that Spirit of Truth and Plainness, which ought to actuate an Historian: His Words are these, " In *Ireland* the three Lords Justices did not agree long together: The Lord *Capel* study'd to render himself popular, and espous'd the Interests of the *English* against the *Irish*, without any nice Regard to Justice or Equity: He was too easily set on, by those who had their own Ends in it, to do every thing that gain'd him Applause. The other two were Men of severe Tempers, and study'd to protect the *Irish* when they were oppress'd; nor did they try to make themselves otherwise popular, than by a wise and just Administration: So Lord *Capel* was highly magnify'd, and they were as much complain'd of by all the *English* in *Ireland*. Lord *Capel* did undertake to manage a Parliament so as to carry all Things, if he was made Lord-Deputy, and had Power given him to place and displace such as he should name. This was agreed to; and a Parliament was held there, after he had made several Removes."

State of Ireland.

Lord Capel, once a Patriot, undertakes to manage a Parliament there.

Now it cannot be forgot, that this very Lord *Capel* was the very *Capel* who had distinguish'd himself in the Reign of King *Charles* II. at the Head of the Exclusionists, and during that whole Course of Opposition, seem'd to be under the Direction of such a Spirit, as Kings and Courts had no Circle to hold, nor Charm to subdue: Yet here we find him represented, by a profess'd *Apologist* for the *Whigs*, as a forward Undertaker for the Cabinet in the corrupting of Parliaments; as giving a Party-Bias in all Things to the Motions of the Government; as bidding for Power with an avow'd Purpose to abuse it: And we also find a *Whiggish* Ministry represented by the same *Apologist*, as not only lending an Ear to *Capel*'s unjust Proposals, but embracing them, and displacing those two Associates of his who had acted like Men, who regarded their Consciences more than their Commissions, for the Sake of those Jobs which were to be the Price of his Promotion: Nor are we at Liberty to conclude, That the King himself was not a Party in this Concert: A Deputy of *Ireland* is always nominated in full Council by the King himself: And it is not to be suppos'd, That those who undertook for the Alteration, did not make Merit of the many good Things it was to produce.

On the 26th of *May* his Excellency received the glad Tidings by an Express from *Ireland*: And having been recogniz'd in form,

(*f*) According to the *London-Gazette*, No. 3122. above 100.

A. D. 1695. form, on the 30th he set forth a Proclamation to ascertain and authorise the Value of foreign Coin by Weight, in order to prevent Exportation: The Rise of Bullion and Specie in *England* having occasion'd the exporting such great Quantities, as created an Apprehension, That enough would not be left to carry on the Commerce of the Kingdom.

On the 17th arriv'd the Bills from Court, which his Excellency had undertaken for, accompany'd with the necessary Instructions for calling a new Parliament, and making such a new Disposition of Power, as should procure them a safe and easy Passage through the two Houses: The Former of these his Excellency immediately imparted to the Council; and a Faction appearing against them, he almost as soon proceeded to make use of the Latter: For on the 19th following, having strengthen'd his Party by the Admission of the Lord *Montrath*, Sir *John Hanmer*, and *Richard Aldworth*, Esq; to the Council-Board, he caus'd the Writs of Summons to be issued that Evening, and appointed the 27th of *August* for the Day of meeting: Of the Course of Elections in that Kingdom, there is no need to speak: If the Returns had been made by Prescription, not Choice, they could scarce have been more agreeable: The Commons, when met with general Consent, preferr'd *Rochfort*, the King's Attorney-General, to the Chair; and having presented him to the Lord-Deputy for his Approbation, his Excellency was pleas'd to open the Session with a Speech, setting forth the Obligations of that Country (or rather the Protestant Part of it) to his Majesty, who, at his own *personal Hazard*, had restor'd them to their Religion and Estates; requiring them to make him suitable Returns; intimating what those Returns ought to be; and acquainting them, That the Revenue had fallen so far short of the Establishment, that both the Civil and Military Lists were greatly in debt: That it was not without Difficulty, nor even without stopping all manner of Payments, but such as were indispensably necessary, that the Army had been hitherto subsisted: That the Accounts which would be laid before them of the Crown-Debts, would inform them what Supplies were necessary for the Discharge of these Debts, and the Support of the Government: That his Majesty had sent them a Bill for an additional Excise, and expected them to find out such other Ways and Means as would answer the Demands of the Service: That the Money they gave, they might be assur'd should be apply'd to the Uses for which it was given: That the repairing and rebuilding their Churches, was a Tribute due to *Almighty God* for their late Preservation and Deliverance, and would be one of the best Means they could think of, to preserve the *true establish'd* Religion, and to provide against future Rebellion: That they would find some of the Bills which had been *re-transmitted* from *England*, provided more effectually for their Security, than had ever been done before; "And it will be your Fault, as well as your Misfortune, (preceeded his Excellency) if you neglect to lay hold of the Opportunity now put into your Hands by our great and gracious King, of making such a lasting Settlement, that it may never more be in the Power of your Enemies to bring the like Calamity again upon you, or to put *England* to that great Expence of Blood and Treasure it hath often been at, for securing this Kingdom to the Crown of *England*."

Strengthens his Party in the Council, and calls a new Parliament.

His Speech.

A. D. 1695.

In the *Irish* Parliament Addresses of Thanks were already Matters of Course; and These were follow'd by two Resolutions, the First unanimous, That they would, to the utmost of their Power, stand by and assist his Majesty and his Government against all his Enemies, foreign and domestic: And the Second, To give his Majesty a farther Supply, as well to discharge the Debts of the Crown, as to maintain the present Establishment.

Between the two Votes they had pass'd the Bill for an additional Excise, which is the Reason the Supply in the Second is call'd a *farther* Supply: And the same Day that the Royal Assent was given to the said Bill, the other Bills alluded to in his Excellency's Speech were also pass'd into Laws, namely, An Act for taking away the Writs *de Haretico Comburendo*: An Act declaring all Attainders, and all other Acts in the late pretended Parliament, (that held by King *James*, that is to say) to be void: An Act to restrain foreign Education: An Act for the better securing the Government by disarming Papists: And an Act for the better settling Intestates Estates.

Acts pass'd.

By the 6th of *September* all this Business was dispatch'd; and on the 9th following they resolv'd, *Nem. Con.* That a Sum not exceeding 163,325*l.* be given to his Majesty. But tho' they were unanimous in the Grant, they were not so as to the Ways and Means of making it good. At last, however, they agreed on a Poll Bill, as also on certain additional Customs: And because the Product of Both was not likely to answer in full the Expectations of the Courtiers, they also agreed to continue the additional Excise till *Christmas*, 1698.

Thus far the Projects of the new Deputy had been successful enough: "But this good Temper, says the *Historian of his own Times*, was quickly lost by the Heat of *some* who had great Credit with Lord *Capel*. Complaints were made of Sir *Charles Porter*, the Lord Chancellor, who was beginning to set on foot a *Tory*-Humour in *Ireland*, whereas it was certainly the Interest of the Government to have no other Division among them but that of *English* and *Irish*, and of Protestant and Papist: Lord *Capel's* Party mov'd in the House of Commons, that *Porter* should be impeach'd: But the Grounds upon which this Motion was made, appear'd to be so frivolous, after the Chancellor was heard by the House of Commons in his own Justification, that he was voted clear from all Imputation by a Majority of two to one. This set the Lord-Deputy and the Lord-Chancellor, with all the Friends of both, at

Faction form'd.

A. D. 1695. so great a Diſtance from each other, that it *put a full Stop* for ſome time to all Buſineſs."

Theſe are the Hiſtorians own Words; and the plain *Engliſh* of them ſeems to be, That the Chancellor having been joſtled by the new Deputy out of all Confidence at Court, took Advantage of the over-violent Spirit diſcover'd by his Excellency againſt the native *Iriſh*, to ſet up for Popularity, by eſpouſing their Cauſe, and contending for more moderate Meaſures: And as to the Stop put to all Buſineſs, the Pretence aſſign'd for it, was the Deſire of both Houſes to adjourn, till the Bills tranſmitted to *England* ſhould be ſent back, with a Signification of the Royal Pleaſure thereon: It was certain both Houſes did make ſuch a Requeſt, and were permitted to adjourn accordingly, for the Time ſpecify'd by the Biſhop: As alſo, that the Acquital of the Chancellor did not ſo far impair the Credit of the Deputy with the Commons, but that they were prevail'd upon, at the End of the Seſſion, to ſend over an Addreſs of Complement to his Majeſty, for the Sake of gratifying his Subſtitute with the following Teſtimonial of his good Behaviour: "And we muſt ever acknowledge to your Majeſty the great Benefit we do and our Poſterity ſhall receive by thoſe ineſtimable Laws, given us by your Majeſty in this Seſſion of Parliament, held under your Majeſty's Deputy and our excellent Governor the Lord *Capel*, whereby not only our Religion and legal Rights are confirm'd to us, but this your Majeſty's Kingdom of *Ireland* is firmly ſecur'd to the Imperial Crown of *England*."

Complements to the Deputy at the End of the Seſſion.

And as if this was not enough to countenance his Excellency and his Creatures under their late Defeat, the Speaker of the Commons, on preſenting the Bills for continuing the Exciſe, took occaſion to expreſs himſelf in the Name of the Houſe as follows: "We are truly ſenſible of the Happineſs and Benefits we reap under his Majeſty's Government, among which (pardon me SIR) I crave Leave to enumerate that of your Excellency's being placed over us: Your Fidelity to the Crown is unqueſtionable; and we muſt own, that under your Adminiſtration, we enjoy the Rights of *Engliſh* Subjects: Our Church, as by Law eſtabliſh'd, is ſafe, our Liberties and Properties ſecure: And you, SIR, have made a conſiderable Progreſs towards the accompliſhing what was ſo honourably deſign'd by your noble Brother [the Earl of *Eſſex*] for the Preſervation and Advancement of the *Proteſtant Intereſt* in this Kingdom, of which this Age enjoys the happy Beginnings; and for which Poſterity will have Reaſon to celebrate your Memory."

But which ſoever of the Parties were moſt in the Right, or beſt deſerv'd the Favour of the Public, the Author laſt quoted takes occaſion from this Diſpute in *Ireland*, to make this general Remark on the general State of Things, and his Majeſty's Conduct in relation to it, *viz.* "Thus Factions were form'd in all the King's Dominions; and he being, for ſo much of the Year, at a great Diſtance from the Scene, there was no Pains taken to quiet theſe, and to check the Animoſities which aroſe out of them: The King ſtudy'd *only* to *ballance* them, and to keep up among the Parties a Jealouſy of one another, that ſo he might oblige them all to depend more entirely on himſelf."

A. D. 1695. *A general Remark of B. Burnet.*

And now it is time to wait upon his Majeſty to *Holland*; and from thence to that fatal Theatre, which, his Enemies would make us believe, was ſtill kept open, that he might act a principal Part in the Tragedy of *Europe*.

Foreign Affairs.

France had ſtill continued to negotiate, if not ſolicite, a Peace thro' the ſeveral Channels of *Sweden* and *Denmark*: And when appris'd thro' the Former, by the Imperial Court, That no Treaty would be open'd, unleſs with the joint Participation of every one of the confederated Powers; and that no Peace would be accepted, which did not contain an Acknowledgment of the King of *England* then reigning: M. *d'Avaux* was authoris'd to reply, in the King his Maſter's Name, That his Majeſty did not propoſe any Treaty but a general one; and that in caſe the Affair of *England* was not ſettled to the Satisfaction of the Prince of *Orange*, the whole Negotiation ſhould be void.

Declaration of France concerning Peace.

Actes & Mem. des Nég. de la Paix de Ryſwick, Tom. I.

This Declaration had been made at *Stockholm* in *January*, and conſequently time enough to have given the Operations of the Year a pacific Biaſs, in caſe the Principal of the Confederates had been ſo diſpos'd. But as *France* had been reduc'd to act chiefly on the Defenſive during the laſt Campaign, it was believ'd ſhe would ſcarce be able to defend herſelf any longer: For the People were as loud in their Complaints, as the Court were unmerciful in their Impoſitions. *Francis de Montmorency*, Duke of *Luxemburgh*, their military Saviour and Protector was now no (*g*) more; and the King had publicly declar'd, That a greater Loſs could not have befallen him. Among all the *French* Generals, there was none eſteem'd ſufficiently accompliſh'd to ſupply his Loſs; and ſo much the nearer an Equality they ſeem'd to be in point of Merit, ſo much the more difficult it was to give the Preference to any one of them.

Death of M. de Luxemburgh.

The Choice, at laſt, fell on the Marſhal Duke *de Villeroy*, for the chief Command; and M. *de Boufflers* was appointed to command a ſeperate Army, but ſo as to be ſubject to the Orders of M. *de Villeroy*. According to M. *de Fouquieres*, the King was directed in this Choice by his own Judgment only; but then he alſo declares, that his Judgment miſled him ſo egregiouſly in it, that it had like to have been the Ruin of *France*.

M. de Villeroy appointed Commander in Chief.

He

(*g*) He died of a Pluriſy at *Verſailles*, *January* 4, N. S. in the Sixty-ſeventh Year of his Age; and left behind him ſo dazzling a Character, as a Soldier and a General, that his private Vices were forgiven, and the habitual Barbarity of his public Life was forgot.

A. D. 1695. *But order'd to act in the Defensive.*

He adds, however, that his Majesty did not extend his Confidence in *Villeroy* so far, as to entrust him with a discretionary Power: On the contrary, apprehending that the Confederates would have the Superiority, and that their General in Chief would endeavour to retrieve his Character, at the Expence of his new Opponent, he restrain'd his Commission to the Defensive only; in conformity to which, a new Line was drawn from *Courtray* to *Avalghem*, between the *Lys* and the *Schelde*; and a Disposition was made to cover *Dunkirk*, *Ipres*, *Tournay*, and *Namur*, upon one of which Places it was expected the Storm would fall.

It was the 26th of *May*, N. S. that M. *de Villeroy* arriv'd at *Valenciennes*, with the final Orders of his Master for the opening of the Campaign; and on the 3d of *June* following, his Majesty of *England* took the Field: But before we trace the Progress of the War on this Side, it may not be improper to dispatch those other Branches of it, which, tho' so widely spread, and seemingly so unconnected, were nevertheless united at the Root, and were cultivated on the same Principles.

We have already seen, that as it was the greatest Endeavour of the *maritime* Powers to mediate a Peace between the Sultan and the Emperor, that his Imperial Majesty might be at liberty to turn his whole Force against *France*, so it was equally the Endeavour of *France* to keep the Breach open: And that, under so long a Series of ill Success, and with the Cry of the Populace against it, the *French* Ministers found Means to keep the *Divan*, and all the several Factions that in turn presided in it, in a Humour to reject the good Offices of the Mediators, must argue, That they were very lucky in their Negotiations, or very profuse in their Purchases.

Lord *Paget*, Embassador from *England*, arriv'd at *Adrianople* in the Beginning of *February*, full charg'd with Instructions relating to Peace: But before it was possible for him to obtain the Favour of an Audience, the Grand Signor *(Achmet)* dy'd; and *Mustapha*, his Nephew, eldest Son of *Mahomet* IV. was declar'd Emperor in his stead; who began his Reign with a Declaration, That his Purpose was to take the Field in Person; and by a course of wise Councils, and vigorous Measures, both to recover the Glory of the *Ottoman* Throne, and to be aveng'd on the Enemies of the *Ottoman* Empire. He did not, however, at first, make any material Alterations in his Ministry; but having learn'd that the Grand Vizier, and others of his Court, had shewn some Inclination to raise the Son of the late Sultan *Ibrahim* to the Throne, he remov'd them all from their Places, confiscated their Effects, and distributed his Favour, Trust, and Power entirely amongst those who were, or seem'd to be, entirely at his Devotion.

The Sultan dies, and his Successor resolves to take the Field in Person.

Thus all Hope of Peace was at an End on that Side: And that the new Sultan might be sensible how useful an Ally he had in his *Most Christian* Majesty, the *French* Ministers took sufficient Care to keep alive the Animosities which rag'd among the *Polish* Grandees, and the Factions in the *Polish* Church: For so much the less the *Tartars* had to apprehend from the *Poles*, so much the more serviceable they could be to the *Turks* in *Transilvania* or *Hungary*.

A. D. 1695.

His *Polish* Majesty did, indeed, summon a Diet; but then it was compos'd of such as seem'd more intent on cutting one another's Throats, than to provide either for the Honour or Interest of their Country: Such, indeed, was the Fury of the two Parties, that even before they could proceed to the Election of a Marshal, Sabres were drawn, Wounds were given, and all imaginable Violences committed: So that the whole Time being wasted in Broils, which by the *Polish* Constitution for the Dispatch of the public Business, the Assembly was dissolv'd in Confusion: And tho' the King persisted in his Resolution of not accepting a seperate Peace, and made a Shew of providing for the Support of the Army, by such other Expedients as were within the Grasp of his Prerogative, the *Tartars* reliev'd *Caminiec* in the very Beginning of the Year, and afterwards made an Incursion into *Poland*, as far as *Leopold*, under the Walls of which Place they attack'd the Crown-General, with an Army of 70,000 Men; which, if the *Polish* Accounts are to be depended upon, he had the Honour to repulse in thirteen several Attacks, tho' he had no more than 3000 under his Command.

Polish Diet again breaks up in Confusion.

But if the Fact was altogether equal to the Representation, it produc'd no Consequences: The *Poles* continued as much divided as before; the Year pass'd over like the last, without any Attempt to countenance a State of Hostility: And it is surmis'd, that even the King himself was in part chargeable with this shameful Inactivity: For his Queen was wholly in the Interest of *France*; she had a good deal of Power over him; the Abbe de *Polignac*, the *French* Resident at *Warsaw*, had almost as much over her: And as the *Most Christian* King was pleas'd to make the two Sons of his *Polish* Majesty Knights of the *Holy-Ghost* this Year, it can scarce be suppos'd that the Complement was not properly acknowledg'd.

This Inactivity on the Side of *Poland* was, however, in part made up by a Power which, as yet, had scarce been esteem'd of any Figure or Consequence in the System of *Europe*: For the Czar *Peter*, on the Death of his Brother becoming sole Monarch of *Russia*, and being ambitious of procuring himself a Name in Arms, and of obtaining that Consideration among the Potentates he was surrounded with, which he thought was within his Reach, laid hold on the Opportunity presented to him by the *Hungarian* War, to invade the *Crimea*; where meeting with little or no Interruption, he laid Siege to *Asoph*: And tho' he did not carry it this Year, he carried several Forts, which serv'd as Outworks to it; and found so much Employment for the *Tartars*, that they could not send such

The Russians invade the Crimea.

and besieges Asoph, &c.

A. D. 1695. Assistance to the *Turks* on the Side of *Transylvania* and *Hungary*, as the Sultan requir'd of them.

Burnet insinuates, that it was in consequence of a Treaty with his Imperial Majesty, that the Czar went upon this Expedition: But if the current Advices of the Times are to be rely'd upon, it was a Measure of his own, which he did not so much as impart to the Powers at War, till he was actually embark'd in the Execution of it.

Indeed, if such was really the Case, it can never be sufficiently wonder'd at: For no Incident so favourable to the common Cause, could have fallen out on that Side of the World; and on the other, there is scarce a Circumstance to be trac'd in the subsequent Transactions in the Year, that will warrant the Belief of any such Concert, as, in case of such a Treaty, it is natural to think must have been establish'd among the several Adventurers, who, at this Period, had the same Point in View; that is to say, of aggrandizing themselves by the Spoil of the *Turkish* Empire.

Dilatory Proceedings of the Court of Vienna.

As the *Poles* were disabled by their own Dissensions and Corruptions, the *Imperial* Ministers had more Business on their Hands than they had Means to manage, even by the Assistance of *Spain*, the Maritime Powers, and the Contributions they rais'd in *Italy*; and, as usual, lost that Time in Preparation, which should have been employ'd in Action.

One of their great Points was to induce the Elector of *Saxony* to accept the Command in *Hungary*, that for the Sake of his own Glory, he might contribute so much the more to the Service; and he did accept it accordingly; the Terms being settled by a formal Convention, in which, among other Things, it was provided, That he should be invested with the same Power and Authority as had been given to the Elector of *Bavaria*: That his Electoral Highness should repair to *Vienna*, to receive his Instructions: That his own Contingent of Troops (which was to consist of 8000 Men) should be accommodated both in the Field and in Quarters, in the same Manner as the *Imperialists*: That he should be furnish'd with the like Sums for Recruits: That he should not be oblig'd to send any Forces to the *Rhine*: And that his Imperial Majesty should endeavour to obtain of the *Maritime* Powers an Augmentation of the Subsidies they were already oblig'd by Treaty to furnish him with.

Now whether the *Maritime* Powers were not in a Humour to be practis'd upon by these Endeavours of his *Imperial* Majesty, or what other Difficulties remain'd to be surmounted, his Electoral Highness did not repair to *Vienna* till the 15th of *June*: General *Caprara*, who was to have the Command under him, did not set out for *Hungary* till the 21st of *July*: On the 25th the *Saxon* Infantry, who had been suffer'd to halt a few Days at *Vienna*, by way of Refreshment, embark'd on the *Danube* for *Hungary*, and did not reach the Camp till the 14th of *August*: The Elector himself arriv'd but four Days before: And tho' the *Brandenburghers* had join'd the Army on the First, a Body of *Danish* Auxiliaries were still upon their March, and did not come up till after the *Saxons*.

The Turks are in the Field.

The Grand Signor and Grand Vizier, by this Time, had not only taken the Field, but were in a Condition to act offensively. According to their first Motions, it was apprehended they design'd to lay Siege to *Peter-Waradin*: But while a Detachment of *Imperialists* were filling up the Retrenchments which they had made before that Place the preceding Year, Advice came, That they had thrown two Bridges over the *Danube*, between *Visovize* and *Bonzova*; and that part of their Forces had actually pass'd the River. This creating an Apprehension, That their Design was upon *Transylvania*, Orders were sent to General *Veterani*, who commanded in that Province a strong Body of Horse and Dragoons, to observe their Motions: And when it was confirm'd, That the whole *Ottoman* Army had pass'd the *Danube*, it was resolv'd at a Council of War to decamp, and hold such a Course as should enable them both to secure *Lippa*, and hold the Enemy in check, till they could join *Veterani*; who by another Express was not only appris'd both of the Enemies Motions and theirs, but directed to make his own Dispositions accordingly. But the direct Road to *Lippa* being found impracticable, by reason of Morasses, Defiles, &c. so much Time was lost in passing and re-passing the *Theysse*, that the *Ottomans* got before that Place on the 7th, and attacking it immediately with their whole Force, at four Places at once, carry'd it Sword in Hand, tho' not without considerable Loss, and put the Garrison, which consisted of 1500 Men, to the Sword.

pass the Danube.

storm Lippa.

Taking Advantage also of the Absence of the *Imperial* Army, a little Fleet of armed Barks was dispatch'd about the same time from *Belgrade* to *Titul*, which they also carry'd, demolish'd, and abandon'd.

and Titul.

On the 16th, while the Elector was still on his March towards the Enemy, he receiv'd Advice of this last Misfortune; as also, That the Sultan being inform'd of his Approach, in order to give him Battle, had alter'd his Measures: For, instead of garrisoning *Lippa*, as he had at first design'd, he caus'd it to be burn'd; and that having order'd a large Detachment to proceed towards *Transylvania*, he was on the Point of returning towards *Temeswaer*.

This gave occasion to the holding another Council; and it being esteem'd equally dangerous to leave General *Veterani* without Succour, or *Hungary* expos'd to the Attempts of the Sultan, it was resolv'd, That the two Generals, with the *Imperial* Cavalry, should continue their March towards *Transylvania*, and that the Foot, with the *Brandenburgh* and *Saxon* Cavalry, should return towards the *Danube*.

On the 20th this Measure was put in Execution; and on the 26th, when they had advanc'd as far as *Geno*, they receiv'd Intelligence, by Express, That on the 21st

A. D. 1695. the *Turks* had attack'd General *Veterani* in his Camp near *Lugos*: That tho' they were 40,000 ſtrong, and his whole Force did not exceed 6500, he had defended himſelf, and repulſed the Enemy, from Morning till Evening: That being then over-power'd, and himſelf mortally wounded, they forc'd his Camp: That his Infantry, which did not exceed 900 Men, having, nevertheleſs, made a ſort of Fortification of their Baggage, deſperately maintain'd their Ground, till they were moſt of them cut to Pieces upon the Spot: That the Horſe had, by this Means, time to rally, and having rally'd accordingly, made an orderly Retreat to *Caranſebes*: And that General *Truchſes*, on whom the Command devolv'd on the Death of *Veterani*, having ſtrengthen'd himſelf with the Garriſon of that Place, had taken Poſt near the *Iron Gate*, in order to defend that Paſs; where he remain'd expecting Orders.

and forces the Camp of General Veterani, who is ſlain.

So much the more affecting this Intelligence was, the greater the Neceſſity appear'd of proſecuting their March with all poſſible Expedition: But ſuch was the Inclemency of the Weather, and the Difficulty of the Ways, that it was the 3d of *October* before they reach'd *Deva* in *Tranſilvania*: And then they had the Satisfaction to find, That the Enemy, either ſatisfy'd with their Succeſs at *Lugos*, or afraid to run the Hazard of a ſecond Venture, inſtead of advancing farther, had caus'd *Caranſebes*, which the *Imperialiſts* had abandon'd, to be demoliſh'd, and were retir'd towards *Orſowa*.

Thus, inſtead of being forc'd to accept of a diſhonourable and deſtructive Peace, by the Superiority of his Enemies, the new Sultan had the Glory not only of holding them at Bay, but of claiming the Superiority over them, and thereby opening to his Subjects, a Proſpect of carrying on the War more advantageouſly for the future.

There appear'd alſo more of Wiſdom in his Conduct, than in that of his immediate Predeceſſors: For he had practis'd on the *Venetians*, in the Beginning of the Year, the ſame kind of Artifice which ſucceeded ſo well, a ſecond time, with the *Imperialiſts* in *Hungary*. By making a Feint to beſiege *Peter-Waradin*, he was enabled to reduce *Lippa*, and cut off *Veterani*: And by pretending to give over, or at leaſt to ſuſpend all Thoughts of recovering *Scio*, he lull'd the *Venetian* Commanders into ſuch a State of Security, that he obtain'd a ſignal Advantage over them; in manner thus: Signor *Zeno*, who commanded for the Republic in *Scio*, depending on the Advices he had receiv'd, order'd a general Careen, with an Exception to five Ships, which were thought ſufficient for the Defence of the Coaſt: But while they lay in this unprepar'd Condition, the Van of the *Ottoman* Fleet, which conſiſted of twenty Men of War, beſides Gallies, Fire-ſhips, *&c.* was deſcry'd in the Channel of *Scio*, bearing down upon them with a fair Wind, having their Fireſhips in front, ready to let looſe Deſtruction amongſt them; and no better Expedient could be thought of in the preſent Extremity, than to expoſe the five Guard-ſhips, in order to ſave the reſt: Accordingly, they ſtood out to Sea, and engag'd the whole *Turkiſh* Fleet, which ſurrounded them on all Sides; and after an obſtinate Reſiſtance, burnt two, ſunk one, and ſo ſhatter'd the other two, that it was with the utmoſt Difficulty they made their way thro' the Enemy, and recover'd the Port.

They ſurpriſe the Venetian Fleet at Scio.

A. D. 1695. *and deſtroy ſeveral Ships.*

It was owing, however, to this deſperate Effort, that the Reſidue of the Fleet was ſav'd: For the *Turks* ſuffer'd ſo much in it, and the *Venetians* made ſo good a Uſe of the Time it laſted, that they got their Fleet into fighting Order, and the next Day fell in with the Enemy near the Caſtle of *Crim?*: Another Engagement enſued, which was very bloody, tho' it laſted but two Hours; and tho' the *Venetians* clam'd the Victory, the Event ſeems to indicate, that their Title to it was not over clear: For tho' it ſhould be acknowledg'd that the *Turks* loſt a few Gallies, and ſome thouſands of Soldiers and Seamen; as alſo, that they ſent their diſabled Ships to *Smyrna*, the *Venetians*, who had juſt before the Engagement given out, That they not only hop'd to maintain all the Conqueſts they had made, but alſo to make more, reſolv'd to abandon *Scio*, and did abandon it accordingly: Pretending that it was not for fear of the Enemy, but for fear of being ſtarv'd; which appears ſtrange enough, when we reflect, That when they firſt got Poſſeſſion of the Iſland, they talk'd of nothing leſs than ſtarving *Conſtantinople*.

The Venetians abandon Scio.

It is certain General *Zeno*, together with his Command, loſt the Eſteem and Affection both of Senate and People on this Occaſion; and on his return to *Venice*, was committed to Priſon, under a Suſpicion, That the *French* had brib'd him to betray the Honour and Intereſt of his Country.

From *Scio* the Fleet, Tranſports, and Troops return'd to *Napoli-di-Romania*; and ſoon after a grand Convoy of Proviſions, Recruits and Money arriv'd there, for the Service of the Campaign. The *Turks* had given out they would make a new Attempt on *Ciclut*, in *Dalmatia*: But while General *Delfino* was preparing to give them a proper Reception, it appear'd that their true Deſign was on the *Morea*, which the Baſhaw of *Negropont* invaded with an Army of near 20,000 Men, in hope not only to penetrate as far as *Napoli-di-Romania*, but to carry that Place in the Abſence of the *Venetian* Fleet, which was ſail'd to the Gulph of *Egina*, in order to give the Enemy a Diverſion. But the new Captain-General *(Molino)* having receiv'd Intelligence of their Purpoſe, return'd time enough to reinforce General *Stenian*, who had the Command in thoſe Parts, with ſuch a Body of Troops, as enabled him to go in queſt of the Enemy, whom he came up with on the 10th of *June*, in the Neighbourhood of *Argos*, and after a warm Engagement of ſeveral Hours, oblig'd them to retire with ſo much Precipitation, that they left their Cannon, Tents, and Baggage behind them.

The Turks defeated in the Morea.

Both Sides, however, ſuffer'd ſo much, that neither made any new Attempt by Land

A. D. 1695

during the Residue of the Campaign: And tho' the two Fleets were twice engag'd, and the last time for several Hours, nothing decisive happen'd. The *Venetians* had, indeed, the Name of a Victory, but it appears to have cost them more that it was worth: For tho' it is said that the Enemy had three Ships sunk, and four disabled, the Victors, instead of persuing the Enemy, found it advisable to retire the next Day towards *Napoli-di-Romania*, and to lay up their Fleet till another Year.

Another Sea Fight, in which the Venetians *have the Advantage.*

As it was the Interest of the *Maritime* Powers to labour a Peace between the Courts of *Vienna* and *Constantinople*, that the Former might be at Leisure to turn their whole Force against *France*, so it was equally the Interest of *France* to divide *Savoy*, if possible, from the Confederates, that she might be so much the more able to take Advantage of the Weakness of *Spain* on the one hand, and the Dilatoriness and Disagreements of the *Germans* on the other. But what the *Maritime* Powers had not address enough to effect at the Port; *France*, on the Side of *Italy*, had never any Reason to despair of: For his Royal Highness had all along kept an Ear open to her Overtures; and without supposing that he was greatly influenc'd by them, or by the *Douceurs* which from time to time accompany'd them, it is utterly impossible to account for his Conduct.

A secret Intercourse between France *and* Savoy.

The Pope, and such of the Princes of *Italy* who had smarted under the Exactions of the *Imperialists*, were, at once, as eager as *France* for a Peace, and as uneasy as the Confederates, at seeing the War conducted in such a way as serv'd only to prolong it. Had the great Purpose of the Confederates, which was to make *France* itself the Stage of Action, been answer'd, they had not been liable to the Demands which they were now forc'd to comply with; and which, from the whole Course of the Duke of *Savoy*'s Proceedings, and the known Drift of his Politics, they knew nothing but a Peace could deliver them from.

Promoted by the Pope and Princes of Italy.

When, therefore, the *French* Emissaries renewed their Applications to them, to take a Part in the Quarrel which had proved so injurious to them, they constantly directed them to buy off the Duke of *Savoy*, as the most reasonable and practicable Expedient; and for themselves, they would be persuaded to undertake no farther than to use their good Offices in promoting the Bargain, and softening the Terms.

On all Sides the Management was kept a profound Secret: For the Duke, whose Intention was to make the most of his old Friends before he abandon'd them, would not hear of a Negotiation except on that Footing; as well knowing, that the Moment his Services became precarious, their Subsidies would become the same; and that the less Hold he had on them, the lower he should render his own Market.

As, therefore, Matters were not as yet ripe for an Explanation, his Business was, so to balance his Conduct during the Campaign between his Engagements and his Intentions, that he might neither defeat the one, nor forfeit the other.

Accordingly his Ministers at all the Courts of the Allies, rather enlarg'd the Expressions of their Master's Zeal and Cordiality for the common Cause than otherwise: And at all Councils of War, he himself, as well as his Generals, cover'd their Backwardness to engage in any Enterprize of Moment, with such Pleas and Refinements, as became the Subtilty of *Italian* Wit: And which, tho' they did not satisfy those to whom they were address'd, were yet of Force enough to obviate all open Cause of Complaint.

His own Project was to open the Campaign with the Siege of *Casal*, which had been long held in Blockade: And tho' it was not approv'd either in *England* or in *Holland*, (where it was foreseen, That it would be the Business of the Summer, and consequently in case the *French* did not think it worth their while to relieve it, would leave them at Liberty to make a better Use of their Forces) it was nevertheless admitted, and the necessary Provisions were made accordingly: But so slowly on the Part of his Royal Highness, under such frequent Interruptions and Procrastinations, that the Place was not formally besieg'd till the 26th of *May*, N. S. And yet, tho' the *French* had render'd it one of the strongest Places in *Europe*, and the Garrison were abundantly supply'd with all manner of Provisions, it was surrender'd by Capitulation on the 9th of *June* following; to the inexpressible Surprize of all the confederate Powers, except the Duke himself, who had proceeded on much better Grounds of Assurance, than are, in general, the Warrant of such Undertakings.

The Surrender of Casal *one of the Fruits of it.*

The Place belong'd, of right, to the Duke of *Mantua*; and while the Siege was depending, the Resident of that Prince at *Vienna* was importunate with the *Imperial* Court, that in case it was reduc'd, it might be restor'd to his Master. Over Cunning sometimes operates like Folly: The Stiffness of the Duke in confining the Operations of the Campaign to the Reduction of that Place, join'd to these Importunities of the *Mantuan* Minister, concerning the Disposal of it when it should be won, confirm'd the Suspicions which had been entertain'd of his Royal Highness during the Course of the War: But the Articles of Capitulation were of such a Nature, as might have put the Matter out of Dispute: For they were such as, in a Manner, demonstrated a Pre-concert: The Fortifications of the Town, Citadel, &c. were to be demolish'd; the Out-works at the Charge of the Allies, and all the rest by the *French*, except the Town-wall, which was left rather as a Boundary than a Means of Defence: The Garrison was to remain in the Place till the Demolition should be completed; and his Royal Highness was to have Possession of the Out-works: A Provision was made for restoring it to the Duke of *Mantua*: And, lastly, Hostages were exchang'd by way of reciprocal Security on both Sides.

Terms of Capitulation, such as confirm'd the Suspicions entertain'd of the Duke.

A. D. 1695.

Bishop *Burnet* adds, That a Truce was also agreed to, which was to last as long as the Business of dismantling lasted: And if that was the Case, it is no wonder that the two Parties, who began to understand one another so well, did their best to prolong it, till they had tir'd themselves as well as the Public with Promises and Disappointments.

In short, it was the 18th of *September* before the *French* quitted the Place; and the two Armies not only continued quiet in their Quarters all the while, but his Royal Highness was once more attack'd by his Ague, which furnish'd him with a Pretence for absenting himself from the Army, during the Residue of the Campaign.

Proceedings of the united Fleet.

As it is impossible to forget that *England* had a royal Fleet, under the Command of Admiral *Russel*, lying in the Port of *Cadiz* all the Winter long, in order to be ready for the *Mediterranean* Service, as soon as the Season of Action came on, so it is scarce conceivable, that such an expensive Measure should be entertain'd, merely for the Sake of confining the Fleet of *France* within the Harbour of *Toulon*, without any provisional Concert with the Courts of *Spain* and *Savoy*, for acting offensively against the Enemy; or for such a Correspondence of Action as might render the Attempts to be made in *Catalonia* and *Piedmont* interchangeably subservient to each other.

And yet such will appear to be the Case: For as his Royal Highness of *Savoy* thought only of amusing the Confederates by the Siege of *Casal*, so the Court of *Madrid* bestow'd their chief Attention on putting a Stop to the Progress of the *French* in *Catalonia*.

Russel made Captain-General, and furnish'd with 4500 Land Forces.

Russel, indeed, had a very extraordinary Commission bestowed upon him, namely, that of Admiral, Chief Commander, and Captain-General of all his Majesty's Ships employ'd, or to be employ'd, both in the *Narrow Seas* and *Mediterranean*; and it may be supposs'd, that this Commission was accompany'd with as extraordinary Powers: He was also furnish'd, some time after, with a Body of Land Forces, amounting to 4500 Men, which were to serve on Shore as Auxiliaries occasionally, under the Command of Brigadier General *Stewart*: And the Emperor was induc'd, no doubt, for a valuable Consideration, to suffer a Body of his Troops to be draughted from *Italy* for the Defence of *Catalonia*, to which the *Spaniards* were to join 2000 from *Naples*, and as many more from the *Milanese* as would make up the whole Detachment 7000 Men.

But the more Assistance they receiv'd, the more they requir'd. Thus instead of preparing their Fleet either to join the Allies, or to cover the Embarkation of these Troops, which was to be made from *Final*, they did not so much as careen a single Ship; and his *Catholic* Majesty, by Letter, requir'd Mr. *Russel* to provide both Transports and Convoys for the said Embarkation.

Requir'd of the King of Spain to furnish Transports,

On what Ground this Requisition was made, it is utterly impossible to explain: That there was no public Article to warrant it in any of the Treaties subsisting between the two Crowns, may be taken for granted; and therefore, that the Admiral had any Instructions to authorise his Compliance, is scarce to be suppos'd.

A. D. 1695.

The Conduct he observ'd upon it, was, however, of the middle Kind: For having given his *Catholic* Majesty to understand, That Men of War were not fit for such a Service, he recommended the hiring a sufficient Number of Transports at *Genoa*, and in such case engag'd to furnish a proper Convoy, provided he might be inform'd precisely of the Time the Troops would be in readiness to embark; and that the Secret might be kept in such a manner, as might secure them from any Interruption from the Enemy.

which he complies with in part.

The *Spanish* Ministers, however, adher'd to the main of their Point; for having undertook to embark 2000 from *Naples*, they again call'd upon the Admiral to undertake for the rest: And the Governor of *Cadiz*, thro' whose Hands the Negotiation past, having maintain'd, That *Genoa* was not the fittest Place to hire Transports, the Admiral offer'd to assist in providing Transports at *Cadiz*, and to furnish a Convoy, altho' even that would greatly obstruct his Measures.

This last Temperament was accepted: The hiring of Transports at *Cadiz* became a joint Measure; but not being perfected by the time perfix'd, they were kept in Pay, till the whole Fleet was ready to sail, which was not till the 8th of *May*; tho' Admiral *Nevil* was detach'd, in the mean while, with a strong Squadron to prevent the *French* from passing the *Streights*, in case they had thought fit to make any such Attempt.

But they had no such Thoughts: Two of their Men of War, of sixty and seventy Guns, had, in the Beginning of the Year, fallen in with a small Squadron of *English* Ships, under Captain *Killegrew*, and were both taken, after a smart Engagement, in which *Killegrew* was slain: And believing the more they ventur'd, the more they should lose: As also, That the Land-Forces from *England*, embark'd on board the Fleets, were design'd for some extraordinary Enterprize either on their Ports or the Coast, all they attended to, was to provide for its Security as well as they could, and in particular so to fortify their Harbours, as should deter the Admiral from making any Attempt upon them.

and employs R. Admiral Nevil on that Service.

The Transport Service from *Final* to *Barcelona*, was committed to Admiral *Nevil*, with a Squadron of five Third Rates *English*, three *Dutch*, and certain small Vessels: And he was also charg'd with a Letter to the Earl of *Galway*, from Mr. *Russel*, desiring his Lordship "To let him know WHETHER there was a Probability of doing any Service with the Fleet at the *French* Ports; and particularly IF with our Troops, and such Strength as the Duke of *Savoy* could add

to

A. D. 1695. to them, they and the Fleet together might not attempt even *Toulon* itself with Hopes of Success."

P. 519. This is *Burchet*'s Account of the Admiral's Letter, and then he proceeds as follows: "This Letter was communicated to his Royal Highness and the Marquis *Leganez*; whereupon a Council being call'd, it was determin'd, That not any thing could be done therein: For that they thought it reasonable to adhere to their former Resolutions to attack *Casal*."

A Proof that there was no thorough Concert among the Allies.

Here, therefore, we have a Proof, that there was no such thorough Concert among the Allies, in relation to the Service on that Side, as might have been expected, if all the Parties had been equally sincere. And as it appears by an *(b)* original Letter from Lord *Galway* to Rear Admiral *Nevil*, dated *June* 14, and inclosing this Resolution of the Council, to be forwarded to Mr. *Russel*, that the said Resolution was taken twelve Days before the Trenches were open'd in form; as in the Opinion of the best Judges, there was then no apparent Likelihood of their carrying the Place; as the mere Continuance of the Blockade was alone sufficient to render the Possession of it in a manner useless to the *French*; and as M. *Catinat* was not in a Condition to give the Allies any material Interruption, the Refusal of the Admiral's Offer ought not only to be plac'd to the Duke's Account, but as an Instance of the Perfidy, which he had already began to practise.

The French greatly alarm'd.

It is certain the *French* hardly ever manifested more Terror than upon this Occasion: For several of their Parties having been worsted in *Catalonia*, the *Spaniards* having blockaded both *Ostalric* and *Castel-Follit*, and M. *de Noailles* having been recall'd on account of the ill Condition of the War under his Conduct, it was fully believ'd, that the Embarkation from *Final* was an offensive Measure; that a Descent was intended; and that too many Precautions could not be taken for the Security of *Marseilles*, and even *Toulon* itself.

What these Precautions were, not only the *Gazettes* of those Times, but the *Dutch* Historians, with much Ostentation set forth; as if it was Matter of sufficient Glory to the Allies to make *France* confess, That she did not think herself invulnerable.

But how plainly soever this Confession was made, or what Signs soever appear'd of an universal Pannic, as often as the united Fleet approach'd the Enemy's Coast, they only approach'd it, without making the least Attempt to countenance their doing so.

But no Attempt made.

It is true we are told by *Burchet*, That Rear-Admiral *Mitchel*, and the *Dutch* Vice-Admiral *Evertzen*, accompany'd by Brigadier *Stewart*, and Sir *Martin Beckman*, the Engineer, were order'd with a sufficient Squadron to look into *Marseilles*, but were prevented by a great Storm, which rose the next Day, and drove the whole Fleet fifty Leagues to the Southward: And that afterwards it was resolv'd at a Council of War, to proceed either to that Place or *Toulon*, in order to make an Attempt either on one or other of those Places, in case the Duke of *Savoy* would be induced to co-operate; which it was suppos'd reasonable to think he would, since *Casal* was now taken.

A. D. 1695.

But this Resolution was never follow'd; for the Viceroy of *Catalonia* having requir'd the Captain-General to proceed to *Blanes*, with all or Part of his Fleet, he did so; having first sent home the *Turky* Fleet, together with their Convoy, under the Command of Sir *John Munden*, and so many other Ships (which, upon a Survey, were judg'd incapable of lasting another Winter, if continued at *Cadiz*) as reduc'd the united Fleet to forty-four Ships of the Line: For of the *Dutch* Quota, several Ships which had been detain'd as Convoy for 3000 Men to be sent from *Flanders* for the Service in *Catalonia*, were not as yet come into the *Mediterranean*.

About the End of *June* the Forces from *Final*, under the Convoy of Admiral *Nevil*, were landed at *Barcelona*; as also a Part of those from *Naples*: On the 29th of *July*, the Captain-General himself, with the Residue of his Fleet, came into the same Port: And the *French*, now under the Command of the Duke *de Vendosme*, fearing to be overpower'd, demolish'd *Ostalric* and *Castle-Follit*, and retir'd to *Palamos*.

As therefore all Thoughts of returning to the Coast of *Provence* were at an End, it was propos'd, with the Assistance of the Troops from on board the Fleet, to force the Enemy, if possible, to a Battle, and to reduce *Palamos*: And Mr. *Russel* gave his Consent, with a Proviso, That the Effort was made within six or seven Days, which was the longest time he could allow the said Troops to be on Shore, for fear the Enemy should come out of *Toulon*, and fall upon them with their whole Strength, which was now superior to his.

The Admiral sends a Remonstrance to the Court of Spain.

At the same time, however, he dispatch'd a sort of Remonstrance to the Court of *Spain*, complaining of their Non-compliance with the Promises made to him at *Cadiz*, of sending their Men of War and Gallies to his Assistance, agreeable to the Treaty between the two Crowns; and signifying, That he thought the King his Master had been very ill us'd: That the Affairs committed to his Charge, had been very much obstructed by their dilatory Proceedings; and that, in case no considerable Enterprize could be immediately undertaken and perform'd, he should be oblig'd to take such Measures as were most agreeable to the Interest of his Master; or, in other Words, to leave their Affairs to their own Management.

What Answer he receiv'd, has not been explain'd: But whatever it was, the Admiral

2

(b) Now in my Hands, by the Favour of the Rear Admiral's Daughter, together with his other Papers.

A. D. 1695. ral landed his Forces on the 9th of *Auguſt*, and the whole Army advanc'd towards the Enemy: The next Day they came in ſight, the *Engliſh* having the Van, and took Poſſeſſion of the Ground aſſign'd them near *Palamos*, without Interruption, tho' they had a Defile to paſs, and the Enemy abounded in Horſe: It was then their Buſineſs to encamp, which, we are told, they did, as well as any Body of Men could do, who had not any one thing neceſſary for it: For they had no Tents; and if they had not furniſh'd themſelves with Spades, Pickaxes, &c. from on board, could not have cover'd themſelves with an Entrenchment: This took up the firſt Night; and the next Day the Enemy not only appear'd in Battalia, but, as the Deſerters gave out, intended to come to Action; which, to the *Spaniards*, who knew how little while they were to have the Aſſiſtance of their Auxiliaries, ought to have been eſteem'd no bad News. But they, it ſeems, were for reducing the Town without hazarding an Action; and in the mean time treated thoſe Auxiliaries, as if they ſet no Value on them, nor expected any Service from them: It was the Fourth Day before the Enemy ſuffer'd them to take any Reſt; and during the whole time of their being aſhore, they were without Bread, which the *Spaniards* had undertaken to furniſh them with: This gave the Soldiers a Diſguſt to the Service; and it is probable they were not over ſolicitous to conceal it, ſeeing the Officers were as much neglected and as much diſguſted as themſelves.

The Engliſh and Dutch Auxiliaries diſguſted.

The Admiral's Meſſage to the Spaniſh Viceroy.

Brigadier *Stewart*, in the mean time, ſent Advice of all that paſs'd to the Admiral; who ſeeing no Probability of ſuch an Iſſue from the Adventure, under ſuch Conduct, as would juſtify the perſuing it any farther, gave the Viceroy to underſtand, That, according to his Opinion, the Purpoſe of the Enemy in offering Battle, was only to prevent the Siege: That, therefore, if his Army was not numerous enough both to face the Enemy and attack the Place, the moſt adviſable thing he could do, would be to march back to his former Poſt; and that in ſuch caſe, he would endeavour to lay the Town in Aſhes.

How this Opinion of the Admiral was reliſh'd by the Viceroy, is another of thoſe Things which *Burchet* does not think fit to ſpecify: But in all Probability, the *Spaniards* had ſome Cauſe of Complaint as well as we: For it was known to both thoſe Commanders, that the Forces from *Flanders*, before mention'd, were then upon the Coaſt, under the Convoy of five *Dutch* Men of War: And if any Expedient could have been found to have reconcil'd their ſeveral Views, till thoſe Forces arriv'd, which they actually did on the 23d, *Palamos* might have been attack'd, and the Siege cover'd at the ſame time, according to the Admiral's own Suggeſtion.

The Place bombarded.

The Fact, however, was, That the Viceroy withdrew his Army from before the Place: The Bomb-Veſſels were ſet to work: Above 1500 Bombs were thrown into the Town and Caſtle: Both were greatly damag'd: And with the ſole Merit of having ruin'd, not recover'd, one of the *Spaniſh* Towns, the Admiral ſet ſail once more, on the 27th, for the Coaſt of *Provence*; having receiv'd Advice, That the *French* Fleet, conſiſting of ſixty ſail, were on the Point of putting to Sea in queſt of him. But *Provence*, it ſeems, was to him unapproachable: For ſcarce was he come in ſight of it, before he encounter'd ſuch violent Storms, accompany'd with Rain, Thunder, and Lightning, (theſe are *Burchet*'s Words) as render'd a Continuance there very hazardous; ſo that the Admiral judg'd it adviſable to retire down the *Streights*, (without any farther Concern for what might happen to the Coaſt of *Spain*, from a *French* Fleet of Sixty Ships) and, arriving in *Cadiz*-Bay towards the latter End of *September*, transferr'd the Command of Eight Third Rates, and as many Fourths, together with a ſuitable Number of Frigates, Bomb-Veſſels, &c. to Sir *David Mitchel*, Rear Admiral of the Red, with general Orders to employ them in ſuch manner, as he judg'd might be moſt for the Service, till the Arrival of Sir *George Rooke*, who was to ſucceed to the Command, and who was expected in that Port with a freſh Squadron from *England*.

A. D. 1695.

The Admiral ſets ſail for the Coaſt of Provence.

But meeting bad Weather returns to Cadiz.

Thus ended the Adventures of Admiral *Ruſſel*, as an Auxiliary to *Spain*, with the high Title of Captain-General and Commander in Chief: And as no mention is made by *Burchet* of any Complements or Acknowledgments paid him by the *Spaniſh* Court at his Departure, but, on the contrary, that the Governor of *Cadiz* refus'd to admit the ſick Seamen into his Hoſpital, without an expreſs Order from his Court, we muſt conclude, That both his *Catholic* Majeſty and his Miniſters were as diſſatisfy'd with him, as he with them.

The *Dutch* alſo left ſeven Ships, from ſeventy four to fifty Guns, to co-operate with *Mitchel*: And about the Beginning of *November*, the Remainder of the united Fleet arriv'd in *England*.

and from thence to England.

But the Glory of inſulting the *French* Coaſts on the *Mediterranean* Side, and confining the *French* Fleet within the Harbour of *Toulon*, which was all we had to balance the extraordinary Expence of our Undertakings on the Behalf of *Spain*, was not the whole of our Marine Syſtem for this Year. On the contrary, it being ſuppos'd, that this Glory of ours would be conſiderably augmented if we alſo renew'd our Attempts on their Ports in the *Britiſh* Channel, it was reſolv'd to begin with St. *Malo's*, tho' it was foreſeen that the Attempt would not be attended with any extraordinary Succeſs.

A new Deſign on the French Ports in the Channel.

Accordingly, the Command of this Undertaking, as in the Year before, was given to Lord *Berkley* of *Stratton*: But when he came to carry it into Execution, he was inform'd by the *Dutch* Admiral *Allemonde*, That tho' he had Orders to act under his Command, and to co-operate in whatever ſhould be thought reaſonable by a Council of War, yet thoſe Orders were accompany'd with a

A. D. 1695. Proviſo from the King himſelf, That they began with *Dunkirk* firſt.

This was a new Proof that the *Dutch* Intereſt was always uppermoſt, and occaſion'd a new Demur: For his Lordſhip was not at firſt ſtrong enough for the Enterprize in queſtion without their Aſſiſtance; and when ſufficiently reinforc'd by order of the Lords Juſtices, he propos'd, That the *Dutch* might be at Liberty to act by themſelves againſt *Dunkirk*, while he acted againſt St. *Malo*'s, the *Dutch* Admiral refus'd the Expedient, and declar'd againſt acting at all without the Concurrence of the *Engliſh*.

However, it being repreſented at a Council of War, that there was no hope of ſucceeding at *Dunkirk* till the Machines and other Preparations carrying on by Mr. *Meeſters* (the *Dutch* Engineer, ſo famous for his Non-performances the Year before) were ready, which as yet they were not, *Allemonde* was induc'd to give up his Majeſty's Proviſo, and to ſuffer St. *Malo*'s to undergo the firſt Viſitation.

St. Malo's bombarded. On the 4th of *July*, about Ten in the Morning, they came before the Place, and the following Diſpoſition was made for the Attack, *viz.* Five Bomb-Veſſels were order'd to batter the Fort on *Quince* Rock, and four others Fort *d'Ambour*; between which two Places is the Channel of the Town; which the nine remaining were, at the ſame time, to batter, under the Cover of ſeveral Frigates and other ſmall Veſſels, and attended by all the Boats which could be ſpar'd, to tow off ſuch as ſhould be diſabled: Two *Dutch* Ships were appointed to cruiſe in the Offing, and the reſt of the Fleet were ſtation'd as Convenience and Probability of Uſefulneſs directed.

About Noon the Signal was given for beginning the Attack, which was continued againſt *Quince*-Fort till Eight in the Evening; with good Succeſs ſays the *London-Gazette*, with no great Succeſs ſays *Burchet*. No. 3096.

At Four the next Morning the Bomb-Veſſels being again let looſe againſt the two Forts above ſpecify'd, Captain *Benbow*, with the Frigates, *&c.* ſtood into the Channel, and came to anchor within half a League of the Town, having the nine Bomb-Veſſels between him and it. In two Hours the Bombardment began, in the Preſence of Lord *Berkley*, and the Admirals *Allemonde* and *Shovel*, (who came up in their Boats to examine the Diſpoſition, and encourage the Seamen) and was continued with great Vigour and Reſolution till Seven in the Evening; in which time the Aſſailants having conſum'd the whole Stock of Bombs and Carcaſſes, (which they had been ſupply'd with from the Store-ſhips) and which amounted to about nine Hundred, having ſet fire to Fort-*Quince*, by the means of two Fire-ſhips which were driven upon it, as alſo to the Town, which continued burning for ſeveral Hours; and having received conſiderable Damage themſelves, the Signal was given for a Retreat, which was perform'd, without any other Loſs than that of one Bomb-Veſſel, which being too much ſhatter'd to be brought off, was ſunk to prevent her falling into the Hands of the Enemy. A. D. 1695.

The next Day, being the 6th, Colonel *Richards* and Captain *Benbow* were order'd to make the like Attempt upon *Granville*, a conſiderable Town in the Neighbourhood: And on the 8th it was perform'd, much more effectually, without the Loſs of a Man.

On the 9th the Fleet ſet ſail, as if with a Purpoſe to pay the ſame Complement to *Havre-de-Grace*; but in the Evening alter'd their Courſe, and bore away for *Portſmouth*, in order to refit the Bomb-Veſſels, and make all ready for their Viſit to *Dunkirk*.

In nine Days time this was done, and the Fleet once more at Sea: On the 19th they came to anchor in the *Downs*, and having taken on board 400 Land Soldiers, ſet ſail again for the *French* Coaſt on the 23d. That they ſail'd no ſooner, as *Burchet* ſuggeſts, was the Fault of *Meeſters* and his Pilots, who did not attend the Service ſo ſoon as they ought to have done: The ſaid *Meeſters* is alſo reproach'd by the ſame Author, for having retir'd to the *Downs* inſtead of repairing to *Graveling*, which was the Place of Rendezvous, in caſe of Seperation by ſtreſs of Weather, or other Accident; and alſo for ſtanding in need of *poſitive Orders* to join the Squadron, before he *took Courage* to do ſo.

On *Meeſters* and his Preparations, in ſhort, the King, as it was ſuppos'd, had grounded his Hopes of Succeſs, not on the Conduct of his Officers, or the Valour of his Men: And this ſuppos'd Partiality, together with the Averſion conceiv'd by both the Latter for an Attempt which they held to be impracticable, not only render'd the Service odious, but probably contributed to its ill Succeſs.

A fruitleſs Attempt on Dunkirk. On the firſt of *Auguſt* however, the Experiment was made agreeable to the Plan agreed upon at the Council of War; That is to ſay, the Bomb-Veſſels were firſt ſent in, under the Protection of the Frigates; the Latter to keep off the Enemies half Gallies, Boats, *&c.* which were very numerous, and the Former to play upon the *Ris-Bank*, and the Forts adjacent: Theſe were follow'd by certain other Frigates with the *Dutch* Pilots on board, who had two Fire-ſhips, and as many Machines or Infernals under their Conduct; all of which were deſign'd to be laid along-ſide the ſaid Forts, together with four *Dutch* Men of War of fifty Guns each: Mention is alſo made of as many more Fire-ſhips and Machines that were to be ſent on the Back of the *Brake*, and of four *Smoke-ſhips* that were to blind the Enemy, while the Fire-ſhips and Machines laid them along-ſide: But all this Diſpoſition, formidable as it may be thought, ſignify'd little or nothing. The Bomb-Veſſels play'd their Parts till Five o'Clock, during which time, it is ſaid, ſeveral of their Shells fell into the *Ris-Bank*, and upon the *Pier-Heads*, and three of the *French* Gallies were ſunk: And as to the *Smoke-ſhips*, one of them ran a-ground, and the Other were ſet on fire in their Approach: And the Iſſue of all is thus ſumm'd up in the

A. D. 1695. the *London-Gazette*: "But the Enemy having secur'd the *Ris-Bank* and wooden Forts with Piles, Booms, Chains, and floating Pontoons mounted with Cannon, the Machine-Vessels could not come near enough to have any Effect."

That this Disappointment occasion'd great Heats and Animosities among the Parties, is pretty evident from the subsequent Conduct of *Meesters*, who withdrew from the Squadron with his Machines that Night; and when sent for to assist in another Attempt upon *Calais*, declin'd the Service: It is besides acknowledg'd, That Lord *Berkley* afterwards exhibited a Complaint against him before the Council; and that he recriminated upon the Sea-Officers: As also, that the Matter was more than once taken into Examination. But which Party soever was in fault, the Nation had not Interest enough to obtain Justice against either; and consequently became liable to be worse serv'd than ever.

Another at Calais.

However, tho' *Meesters* refus'd to co-operate, Lord *Berkley* proceeded with his Squadron to *Calais*, before which Place he came the 16th: But here, it seems, as well as at *Dunkirk*, the Enemy, who expected the Visit, had made extraordinary Preparations for his Reception: For they had erected a new wooden Fort at the Entrance of the *Pier-Heads*, mounted with fourteen Pieces of heavy Cannon, and several other Batteries to the West, suitably provided, which render'd the Approach both difficult and dangerous. With this wooden Fort therefore, it was resolv'd to open their Process; and for the more Security, in the Night: But so much time was lost in making the necessary Preparations to fill up two Well-Boats with Combustibles for that Service, that it was Eleven o'Clock in the Morning before the Attempt was made; and then it was thought advisable for Colonel *Richards* to commence the Bombardment of the Town at the same time: Of these Well-Boats however, which occasion'd this Delay, and the wooden Fort they were to assail, we hear no more: And all that is remember'd of the Action amounts to no more than this, That in two Hours after the Bombardment began, the Town was on fire in several Places: That the Enemies half Gallies, and other armed Vessels coming out in order to annoy the Bomb-ships, were driven back in Confusion by the Brigantines, &c. which Lord *Berkley* sent to oppose them: That about Two o'Clock one of our Bombs set fire to their Magazines on the *Ris-Bank*, which occasion'd so great a Disorder, that they gave over firing: That our Bombs continued playing three Hours longer: That about 000 Shells were discharg'd into the Place: That our Bombardiers behav'd extremely well: And that our Loss was very small.

A Squadron sent to co-operate with the Spaniards in Hispaniola.

Lastly, to complete the Efforts of the Year, and that while we were insulting the Coasts of *France* on all Sides, they might not insult our Plantations, as they had done the preceding Year, a Squadron of Ships compos'd of one Third Rate, three Fourths, one Fifth, and two Fire-ships, together with twelve Transports, having on board 1200 Men, and spare Arms for as many more, were sent, in the Beginning of the Year, to the *West-Indies*: The Command of the Squadron was given to Captain *Robert Wilmot*, and of the Land Forces to Colonel *Luke Lillingston*. But the Secret of the Voyage was entrusted to neither of them: For the Commodore had express Orders not to open his Instructions, till he came in the Latitude of 40 Degrees; and then he was to open them in the Presence of *Lillingston*. A. D. 1695.

Instructions to the Commodore.

The general Purport of these Instructions were, That they should repair to *Jamaica*, and there concert with the Governor of that Island the most effectual ways of proceeding against the Enemy at *Petit Guavas*, and their other Settlements in *Hispaniola*, according to the best Informations they could get, and with such additional Strength as the said Governor could furnish them with; and that in case they should carry the Place, they should endeavour to keep possession of it if possible.

That He, the Commodore, should give Notice of his Arrival to the Commander in Chief for the Crown of *Spain* in *Hispaniola*, and desire his Assistance to destroy the Enemy, both on that and the adjacent Islands: And that in case the Preparations there, were in a sufficient Forwardness for an Attempt, he was to proceed against the Enemy, before he proceeded to *Jamaica*.

That after he had done his utmost to annoy the Enemy, and for the Security of *Hispaniola*, he was to remain thereabout no longer than two or three Months, unless for some special Service: But that in his return home, if the Season of the Year was not too far advanc'd, he was to call at the *French* Settlements in *Newfoundland*, and endeavour to destroy their Fisheries both there and at the *Bank*.

And that, since the Success of the Expedition very much depended on the good Agreement between him and the Commander of the Land Forces, he was, by all means, to prevent any unnecessary Scruples or Difficulties on that account.

Of the Expedition itself, two Accounts are extant, one given by *Burchet* in his naval History, and the other by *Lillingston*, which was occasion'd by the Former.

According to *Burchet* the Miscarriage of it was owing chiefly to the Dilatoriness and *insignificant Scruples* of the President of St. *Domingo*, and the Unruliness of the *English* Soldiers. According to *Lillingston*, (who represents the said President as a Man of Honour and Punctuality) it was owing to the Perfidy, Rapine, and Villany of the Commodore: And this he endeavours to prove by a Variety of Instances, which tho' publish'd immediately after the first Publication of *Burchet*'s Book, remain unconfuted to this Day.

Wilmot, for example, stands charg'd by the Colonel with having open'd his Instructions in an unwarrantable manner; with *His ill Conduct.*

having

A.D. 1695. having made an expreſs Propoſal to the Colonel, to ſerve themſelves inſtead of the Public; with having acted agreeable to that Propoſal, tho' diſcountenanc'd in it by the Colonel; with having plunder'd Fort *Francis*, which had been abandon'd by the Enemy, on the Approach of the Land Forces, before the ſaid Forces could come up; with having done the ſame at *Port de Paix*, tho' the Land Forces were firſt in Poſſeſſion of it; and with having ſo diſguſted the *Spaniards* by theſe and the like piratical Exploits; and ſo diſabled our own Men, by expoſing them to unneceſſary Hardſhips, that neither of them were inclin'd to perſue ſo unprofitable an Adventure, in ſuch *(i)* Partnerſhip any farther.

Thus, inſtead of making the Reduction of *Petit Guaxas*, the great Object of his Attention, he never attended to it at all, till it was too late to attempt it: And upon the whole Matter, the deſtroying the two Places already mention'd, together with all the Settlements they cover'd, and committing as much Spoil and Waſte as 200,000*l.* ſterling would ſcarce repair, were all the Fruits of an Expedition, which, if it had been conducted as wiſely as it was projected, might not only have been a means of transferring the *French* Settlements of *Hiſpaniola* to us, but of preventing the Eſtabliſhment and Extenſion of that Commerce, which is already become ſo dangerous a Rival to our own.

That he did not repair to *Jamaica*, and augment his Forces with the Strength of that Government, before he proceeded to *Hiſpaniola*, is ſaid to be owing to a Letter from the *Spaniſh* Governor which he met with at *Savona*, inviting him to come on that Coaſt, and aſſuring him of his Aſſiſtance againſt the Enemy: And the Enemy themſelves have fallen with ſome Severity, and perhaps Juſtice, on the *Jamaica* People, for not concurring as Volunteers in the Enterprize, or at leaſt for not improving this Opportunity to make a Diverſion with their whole Force elſewhere.

But however faulty their own Conduct was, they were very free in cenſuring that of the Commodore, and gave him but an indifferent Reception when he arriv'd amongſt them in his Return from *Hiſpaniola*; in which they were more directed by their Paſſions than their Policy: For it was but the 23d of *July* when he arriv'd; and conſequently there was time enough before them for ſome new Attempt, if there had been a proper Diſpoſition to make uſe of it. But Councils of War ſerv'd only to widen the Breach between the Sea and Land Officers, and to demonſtrate the Impracticability of any Meaſure under ſuch a Direction: And as to the Commodore, he was more intent in finding a Market for the Plunder he had made, and in contriving like a Merchant how to double his Profits by the Returns to be made to *England*, than the Service of his Country, or the Duty of his Office. All which important Buſineſs being diſpatch'd, on the Beginning of *September* he ſet ſail for *England*, without beſtowing a Thought, for aught that appears, on that other Part of his Inſtructions, which requir'd him to viſit the *French* Settlements in *Newfoundland* by the way. But the Wealth he was ſo infamouſly determin'd to acquire, he did not live to enjoy: For an epidemical Diſeaſe (perhaps the Scurvy in its laſt malignant ſtage) having taken poſſeſſion of his *(k)* Ships, he was one of the firſt who was ſwept off by it: And ſuch Numbers follow'd him, that, according to *Burchet*, it was almoſt a Miracle the Ships got home. One of them, the *Winchelſea*, a Fourth Rate, was actually loſt on the Sholes of Cape *Florida*, it is ſaid, for want of Hands to trim her Sails. The reſt were driven by Streſs of Weather into *Virginia*; and in their way to *England* were again diſpers'd: It was *December* before the firſt of them arriv'd; and every one of them in ſucceſſion confirm'd the Particulars of their own calamitous Story. A.D. *He dies on his Return.*

But ſuch was either the lax or encumber'd Condition of the Government, that no Enquiry was made into the Cauſe of the Miſcarriage, tho' Colonel *Lilingſton* made no Secret of what he knew concerning it; tho' the Murmurs of the Colonies, and all Thoſe concern'd in the Commerce of them, were too loud to be ſtifled; and tho' the Commodore left a Booty of 160001. behind him in his Ship, which it coſt his Family a long and expenſive Law-Suit to recover out of the Hands of him who ſucceeded to the Command of her. *No Enquiry made into his Conduct.*

Laſtly; as if to complete the Mortification of the Year, with reſpect to our naval Affairs, while we were making a Parade of our Superiority in the *Channel* and the *Mediterranean*, the Enemy let looſe all the Privateers they could man upon our Commerce; and tho' many of them were taken by our Cruizers, many more of them ſucceeded to the Height of their Expectations. It is in particular acknowledg'd by *Burnet*, that many of our *Barbadoes* Ships fell into their Hands; as alſo, no leſs than five of our *Eaſt-India* Ships; that is to ſay, two, 150 Leagues out at Sea, and three others near *Galway*, on the Coaſt of *Ireland*. "These five Ships, continues the Biſhop, were valued at a Million; ſo here was great occaſion of Diſcontent in the City of *London*. They complain'd, that neither the Admiralty nor the Government took the Care that was neceſſary for preſerving the Wealth of the Nation. A *French* Man of War, at the ſame time, fell upon our Factory on the Coaſt of *Guinea*: He took the ſmall Fort we had there and deſtroy'd it. Theſe Misfortunes were very ſenſible to the Nation, and did much abate the Joy which ſo *glorious a Campaign* would otherwiſe have rais'd; and much Matter was laid in for ill Humour to work upon." *Several of our Barbadoes and East-India Ships taken by the Enemy.*

But

(i) The *Spaniards* furniſh'd 1700 Men, and three Men of War.

(k) The *Dunkirk*, the *Winchelſea*, the *Experiment*, and the *Terrible* and *Firedrake* Fireſhips.

A. D. 1695. But tho' these Misfortunes did really happen to our Trade, and the Profits arising to *France* by them, more than countervail'd the Mischiefs done to their Ports by our Bombardments, it would be highly unjustifiable to lay the whole Blame to the Charge of the Government: For they had, this Year, been more than ordinarily careful of our Navigation: And, over and above the Convoys and Cruizers destin'd for particular Services, had appointed Admiral *Hopson*, with one Squadron, to scour the Channel; and the Marquis of *Carmarthen* with a second, to ply off of *Scilly*, for the Security of our Homeward-bound Ships. But he mistaking a Fleet of Merchant-men for the *French* Navy, withdrew to *Milford*-Haven, and so left the Sea open to the Enemy.

If, therefore, the Government was in any respect blameable, it was for a Defect of Discipline: For tho' they did afterwards justify themselves, by producing the Instructions given to the Marquis, and proving the Fault he had committed, they did not make him such an Example as was necessary to appease the Resentments of the Sufferers, and to exact a more punctual Obedience for the time to come.

Campaign on the Rhine.

Such was the Conduct of our naval Affairs: Such the Success: And what lies next before us, is to dispatch what remains to be said of the Course and Issue of the Campaign.

On the *Rhine*, both Parties were backward enough with their Preparations: But, as usual, the *Germans* the most: Prince *Lewis* of *Baden* was a long while indispos'd with the Gout, or affected to be so, that he might not be importun'd to enter on the Duties of a General, without an Army: For the Court of *Saxony*, by Agreement, was to furnish no Troops for that Service: That of *Sweden*, having undertook to mediate a Peace, was deaf to the repeated Instances of the *Imperial* and *Dutch* Ministers, for the 6000 Men which his *Swedish* Majesty was to furnish as a Party in the grand Alliance; as also for his Contingent as a Prince of the Empire: And as to the Troops of the *Palatinate*, *Lunenburgh*, *Hesse*, and *Munster*, which could not excuse themselves from repairing to the general Rendezvous, their several Commanders most precisely obey'd the Orders they had receiv'd from their Principals, not to harrass their Troops by over hasty Marches, or to expose them unnecessarily, by their taking the Field too soon.

On the other hand, the Marshal de *Lorges* had also his Mortifications; for he was sunk both in his Health and Credit: The appointing the Marshal de *Joyeuse* to be his Collegue, was a Proof, that his Abilities were no longer as highly rated as they had formerly been: And the narrow Limits of his Commission shew'd, that little Stress was laid on his Services.

The French pass the Rhine at Philipsburgh.

However, that he might draw some Advantage from the unprepar'd Condition of the Enemy, or, at least, excite such Apprehensions on that Side, as might deter the *German* Princes from being too forward in parting with their Troops for the Service in *Flanders*, he took the Field in the Beginning of *June*, and, having review'd his Army on the Third, march'd to *Philipsburgh* on the Morrow; pass'd the *Rhine* on the two following Days; and took post at *Bruchsal*; from whence he sent out his Parties on all Sides, to waste the Country almost as far as *Hailbron*, which they perform'd with great Success; the *Germans* being in no Condition to give them any material Interruption.

A. D. 1695.

On the other Hand, it was the 11th of *June* before the Prince of *Baden* join'd his Army, which was strongly posted near *Stoppach*; the Margrave of *Bareith*, who, till his Arrival, had the Command, having secur'd all the Passes, and taken all the other Precautions that were necessary against the Approach of a superior Enemy: To dispatch Express after Express, in order to quicken the Advance of the Troops that were marching to join him, was all, therefore, that remain'd to be done: But whatever was the Speed of his Expresses, the Troops were either so far behind, or advane'd so much at their Leisure, that he was forc'd to continue behind his Works till the 4th of *July*: But then having receiv'd Advice, that they were within two or three Marches of him, he order'd his Army to decamp early the next Morning; and on the 8th the Junction was happily made near *Wiselock*.

It was, nevertheless, the 20th before it was thought advisable to proceed against the Enemy: For as the Latter had not ventur'd to attack the *Germans* in their Camp, and on the contrary apprehended, that the *Germans*, when they were strong enough, would not fail to attack them, so they had fortify'd their Camp also, and remain'd on the Defensive, as the *Germans* had done before.

At last, however, all the Forage within their Reach being consum'd, it became necessary to dislodge, which they did accordingly on the 19th at Night, as silently as possible; and as soon as the Prince of *Baden* had Intelligence of it, which was in a few Hours afterwards, he resolv'd to follow them: Accordingly, having given Orders to decamp, he went out with a Party of Horse to observe what Course the Enemy took, and in what Order they march'd; and on his Return, made the best Disposition that the Ground would admit, for a March, in order to give them Battle. At *Walhorf* he receiv'd other Intelligence, That the Enemy were drawn up in Battle, in the Plain of *Hockenum*, behind a Wood which lay before him: And in conformity thereto, he drew up his Foot in two Lines, and placing the Horse in the Rear, advanc'd to the Wood, with the same Purpose as before: But they, who had their Scouts abroad as well as he, and who were too wise either to run the Risque of an Action with a River behind them, or to pass it with an Enemy so near them, broke down the Bridges which they had laid over it at *Ketch*, and order'd their Boats to *Manheim*, towards which Place they also continued their March, not without some Precipitation.

A. D. 1695. And now it appear'd, That the Prince of *Baden* was altogether ſo intent on coming to an Engagement, as they to make their Eſcape: For, on the Receipt of this laſt Advice, he ſuffer'd his Troops to halt in order to refreſh themſelves; and being farther inform'd, that they had taken Poſt near a Rivulet call'd *Swekinger*, gave out, that he would proſecute his March by Dawn of Day; whereas they took Advantage of the Night once more, and having reach'd *Manheim* the next Day, had time enough to entrench, and thereby to ſecure their Paſſage, which they perform'd on the 23d, without any Interruption.

And repaſs it at Manheim.

And thus, it may be ſaid, ended the Campaign on that Side: For immediately after, the *French* ſent off a large Detachment to *Flanders*; Prince *Lewis* did the ſame; and nothing on either ſide was afterwards attempted, ſignificant enough even to make an Article in the *Gazette*.

The Campaign in Flanders.

And now we are at laſt at liberty to enter that Theatre where the Tragedy of War was perform'd with the moſt Splendor and Majeſty, and where the Event, according to Biſhop *Burnet*, was crown'd with the moſt Glory.

But of this, it muſt be own'd the military Critics are the beſt, if not the only Judges: And of thoſe, perhaps, it will be moſt reaſonable to follow M. de *Feuquieres*; who could not have ſtronger Prejudices againſt King *William*, than he had againſt the Marſhal de *Villeroy*, on whom, as we have ſeen, the chief Command devolv'd, on the Death of the Duke of *Luxemburgh*.

Tom. I.

Now, according to him, the Conduct of the Campaign at the opening, was as follows.

The French *King reſolves to keep on the Defenſive.*

As the moſt *Chriſtian* King, ſays he, in ſubſtance, was determin'd to ſuſtain the Defenſive this Year in *Flanders*, and was aware that the King of *England* would be as active as poſſible, his Majeſty's Vigilance was equally extended to *Dunkirk* on the Sea, *Namur* at the Confluence of the *Sambre* and the *Meus*, *Tournay* on the *Scheld*, and *Ypres* near the *Lys*; the two firſt of which Places compos'd the Right and Left, and the two laſt the Center of that Country which his Armies were to protect.

That ſuch a Diſpoſition, therefore, might be made as would beſt anſwer the whole of his Purpoſe, he order'd M. de *Boufflers* to aſſemble his Forces near *Mons*, that he might be ready to cover *Namur*, into which Place he was directed to throw himſelf, with a large Body of Dragoons, in caſe of a Siege: And M. de *Villeroy* was to poſt himſelf between the *Scheld* and the *Lys*, in order to cover *Tournay*, *Ypres*, and *Dunkirk*. M. de *Montal* was alſo poſted with a Body of Troops, conſiſting of thirty-ſix Battalions and twenty Squadrons, at the Abbey of *Loo*, between *Dunkirk* and the Fort of *Knocque*, as well for the Succour of thoſe Places as of *Ypres*: And M. de *Crequi* was charg'd in particular with the Defence of *Tournay*.

As this Diſpoſition ſufficiently declar'd his moſt *Chriſtian* Majeſty's Purpoſe to remain on the Defenſive, (*f*) King *William* reſolv'd to perſue an oppoſite Conduct; and by availing himſelf of his prefent Superiority, to ſnatch ſome Advantage. A. D.

K. William reſolves to lay Siege to Namur.

Namur was the Place which he reſolv'd to attack: But then to conceal this Reſolution, he had recourſe to ſeveral Feints and Refinements, which were abundantly more fortunate than diſcrete: For in the firſt Place he ſupply'd the Elector of *Bavaria* with an Army which aſſembled on the Upper *Dender*, and poſted themſelves ſoon after between the *Scheld* and the *Lys*: And this Motion oblig'd M. de *Boufflers* to advance and cover the Lines of *Courtray*; as alſo to appoint a Body of Horſe to obſerve M. de *Overkirke*, who was poſted on the great Cauſey near *Ekrus*. Secondly, The King himſelf advanc'd with his main Army to *Becelaer*, on the *Heule*: And, Thirdly, He detach'd the Duke of *Wirtemberg* with twenty-two Battalions and ſome Squadrons, to inveſt Fort *Knocque*. His Purpoſe was, by theſe ſeveral Motions, ſo to amuſe the *French*, that they might entertain equal Apprehenſions of all; and that by a ſuitable Diviſion of their Forces, he might find an Opportunity to carry his own Point ſo much the eaſier.

His Feints to amuſe the Enemy.

But while he was thus intent on circumventing them, he was not aware how much he expos'd himſelf. By the Motion which M. de *Boufflers* had made to guard the Lines at *Courtray*, the whole *French* Army, which were in poſſeſſion of almoſt all the Country from the *Scheld* to Fort *Knocque*, might have been re-united in ſix Hours, and would have had it in their Choice either to overpower the King at *Becelaer*, where he was encamp'd very diſadvantageouſly, or the Elector of *Bavaria* before the Lines of *Courtray*, from whence he had not any Communication with his Majeſty: Beſides which, M. de *Montal* might have forc'd the Duke of *Wirtemberg* in his Camp before Fort *Knocque*, even without putting either M. de *Villeroy* or M. de *Boufflers* to the Trouble of ſuſtaining him: And in caſe either of theſe Enterprizes had ſucceeded, the Armies on both Sides would have been reduc'd to an Equality, the Deſign upon *Namur* could not have been proſecuted, and, inſtead of continuing any longer on the Defenſive, the *French* would have been enabled to hold the Allies in check during the Reſidue of the Campaign.

Dangerous to himſelf.

But either M. de *Villeroy* did not diſcern theſe Advantages, or, which is more likely, for fear of a Miſcarriage, deliberated till the Opportunity was loſt: It muſt not however be forgot, that it is obſerv'd, the King remain'd in this expos'd Condition for eight Days together, which he durſt not have done for one, if M. de *Luxemburgh* had ſtill been his Oppoſer.

But not diſcover'd by the Enemy.

During this Interval, however, the Elector of *Bavaria* reduc'd a Windmill, which ſtood on

(*f*) His Majeſty landed at *Orange-polder* May 24. N. S. and took the Field *June* 6.

A. D. 1695.

a rising Ground without the Enemy's Lines; and the Duke of *Wirtemberg* made himself Master of a Redoubt, and lodg'd himself in the Entrenchment of a little Bridge, upon the Canal over-against Fort *Knocque*: But as no Attempt was made to dislodge M. de *Montal*, who had an open Communication with the Place, it was manifest, that no Stress was laid on that Enterprize. The *French* also, on their Side, employ'd a Detachment to surprize the Bread-Waggons, *&c.* which were on their way to the Army from *Ghent*: But Intelligence having been receiv'd of their Purpose, the Earl of *Essex* was sent with a Party to reinforce the Convoy; and the Earl of *Portland*, with another, had orders to beat up the Enemy, which he did in the Night, at a Village call'd *Moorsale*; and being greatly superior to them, found it no very difficult matter to put them to the Rout.

Disposition for the Siege of Namur.

At length the Preparations against *Namur* being complete, and the Opportunity favourable, his Majesty call'd upon the Elector of *Bavaria* to take his Part in the Enterprize, directed the Duke of *Wirtemberg* to retire from before *Knocque*, and made all the necessary Dispositions for investing the Place, for covering the Siege, and for forming an Army of Observation to protect the maritime Part of *Flanders*.

The *French* immediately took the Alarm; and as the first Motions were towards *Charleroy*, M. de *Harcourt* pass'd the *Maes* near *Dinant*, with a Body of Dragoons, and threw himself into that Place: But when it was known that the Earl of *Athlone*, who had the Direction of those Motions, had pass'd the *Sambre* at *Chasselet* below *Charleroy*, and continued his March down towards *Namur*, their Concern center'd on the Latter only; and M. de *Boufflers*, at the Head of seven Regiments of Dragoons, and Major-General *Megrigny* (after M. *Vavban*, esteem'd the best Engineer of *France*) at the Head of a large Corps of Engineers, Miners, Gunners, Bombardiers, *&c.* posted with all possible Expedition to re-inforce the Garrison of the Place.

M. de Boufflers *throws himself into the Place.*

Nor could a Commander of less Activity have succeeded in that Service: It was the 1st of *July* when he cross'd the *Sambre* at *Solre*: About Ten that Night he arriv'd at *Philipville*: At Two the next Morning he set out again; and, having cross'd the *Maes* at *Dinant*, and halted about a League from thence to bait his Horses, recover'd *Namur*-Bridge at Six in the Evening; by which time Lord *Athlone*, Count *Tilly*, Baron *Heyden*, and other general Officers, with more than half the Horse of the Army, had invested two Thirds of the Place; and another large Detachment was coming up to complete the Inclosure, and were only retarded by the vast Circuit they were oblig'd to take, and the difficult Ground they had to pass.

As to the Condition of the Place, it was computed, That the Garrison now consisted of 15000 Men, completely furnish'd with all the Stores and Provisions they could possibly have occasion for: And as no Art, no Cost, no Labour had been spar'd to augment the natural Strength of the Place, to complete all that *Coborne* had left unfinish'd, and to supply whatever had escap'd his Notice, it was believ'd the Town could scarce be carry'd: And as to the Castle, so confident were the Holders it was impregnable, That they caus'd the following Inscription to be engrav'd over one of the Gates, *Reddi quidem, sed vinci non potest.* It may be restor'd, but can never be reduc'd.

Boyer.

The Place invested.

On the 3d of *July* the King took up his Quarters at the Village of *Flawen*: And, according to M. de *Feuquiere*'s Account of his Disposition, the Elector of *Bavaria* form'd the Siege with the Infantry of his own Army, together with that of several *German* Princes, and a Body of Cavalry: The King with all his Forces, and the Cavalry that M. *d'Overkirke* had commanded on the grand Causey before *Namur* was invested, form'd a cautionary Army without the *Mehaigne*, and in a Condition to pass it, in order to sustain the Siege whenever it should be found necessary: And the Prince of *Vaudemont*, with above (*m*) sixty Battalions, and about fifty Squadrons, encamp'd near *Dynes*, between the *Lys* and the *Mandel*, to cover such Places in *Flanders* as were most expos'd to the Enemy.

Errors committed by M. de Villeroy.

The same Author also observes, that M. de *Boufflers*, having remitted all the Forces under his Command, except the Regiments of Dragoons which followed him into *Namur*, to M. de *Villeroy*, the Army of the Latter became sufficiently numerous to attempt the Relief of *Namur*, with a very great superiority, (to the cautionary Army under the King must be understood) without any Apprehensions of the Prince of *Vaudemont*, and the Forces under his Command: But the Latter having posted himself very inconsiderately within three Leagues of the *French* Camp, and, on the coming up of the Duke of *Wirtemberg* from Fort *Knocque*, who had orders to join him, and to co-operate in the same Service, having detach'd thirty-two Battalions to reinforce the main Army, M. de *Villeroy* thought it more adviseable to leave the Besiegers unmolested, and to fall on this seperate Corps in their Camp, which seem'd destin'd as a Sacrifice to his Power, if not to his Glory.

But tho' M. de *Feuquieres* indirectly censures the Marshal for not making an Attempt to raise the Siege, he acknowledges, That his Motions to amuse the Prince of *Vaudemont* were very judicious, and his March towards his Camp so well concerted, that the *French* Army were, at Five in the Morning,

(*m*) According to the Accounts from P. *Vaudemont*'s Camp, but thirty-two Battalions, and forty-eight Squadrons. See *London-Gazette*, No. 3096.

A. D. 1695. ing, within two Muſket-ſhots of the Prince's Left, before he had any Suſpicion of their Advance.

The Motions he alludes to were theſe: On the 12th of *July* the Head of the *French* Army, conſiſting of about 12000 Horſe, paſs'd the *Lys* at *Courtray* and *Harlebeck*, and in the Courſe of their March ſeem'd to incline towards *Cordes*, which the Prince being advis'd of, the Concluſion he made, was, That they intended to relieve *Namur*; and that the King might be prepar'd to give them a proper Reception, he forwarded the ſame Advice to his Majeſty, who thereupon did actually ſend out ſome Squadrons of Horſe to obſerve their Motions, and furniſh him with Intelligence accordingly. But

and the Prince of Vaudemont.

then that the Prince ſhould be ſo little aware of the Poſſibility of a Feint, as to be wholly unprepar'd in caſe it ſhould happen, is ſcarce excuſable: Becauſe, on the 13th in the Morning, he was inform'd the Marſhal himſelf, with the reſt of his Army, which had been re-inforc'd from all the neighbouring Garriſons, had paſs'd the *Lys* over five Bridges: As alſo, That M. de *Montal*, with the Forces under his Command, was on the March to join the ſaid Marſhal, whoſe Army would then conſiſt of about ninety Battalions of Foot, and one Hundred and fifty Squadrons of Horſe; which was ſuch a Superiority as he had every thing to apprehend from, and as he could not take too many Precautions againſt.

It is nevertheleſs acknowledg'd, in effect, That it was Eleven o'Clock in the Morning before he was appriz'd of M. de *Villeroy*'s true Purpoſe: For it was not till then that he gave the Signal to his Troops to put themſelves in order of Battle: And the only Excuſe aſſign'd for this Delay, is the Uncertainty he was in concerning it; and his Apprehenſion, that, in caſe he made too precipitate a Motion, to prevent the Relief of *Namur*, he ſhould leave the *Maritime* Towns of *Flanders* expos'd: And that in caſe he chang'd his Situation, to cover them ſo much the more effectually, the Enemy might have gain'd two Marches upon him, in their way to the Beſiegers.

For what follow'd on the unſuſpected Advance of the *French* Army to that of the Prince, M. de *Feuquieres* farther obſerves, That between the Left of the Latter, and the Infantry of the Former, a Rivulet took its Courſe, which was not above two Yards broad, and which might have been inſtantly bridg'd over with the Doors of the neighbouring Houſes: That, conſequently, if that or the like Expedient had been made uſe of, the ſaid Infantry might have forc'd the Prince's Camp, before his Soldiers would have had time to open their Eyes: That, nevertheleſs, the Marſhal thought this Brook ſuch an Impediment, that he order'd the whole Army to file off to the Left, in order to paſs the *Mandel* at *Iſenghen*, a League and a half higher; declaring, at the ſame time, That he was determin'd not to advance in a Column againſt a Camp in flank: And that in this Interval, the Prince having taken the Alarm, decamp'd with all poſſible Expedition, and had leiſure, if he had improv'd it properly, to remove entirely out of the Reach of Danger. But, as the ſame Author farther obſerves, one would have thought the two Generals were emulous to ſurpaſs each other in the Art of Blundering: For the Prince halted, as ſoon as he had attain'd the Height of *Aerſele*, and took poſt there, having the Village of *Entergben* or *Wenterghen* in front, his Left to the *Mandel*, and his Right entirely uncover'd: And as to the Marſhal, having paſs'd the *Mandel*, he advanc'd with all the Cavalry of his Right, and the Brigade of *French* Guards, and left the Infantry, together with the reſt of his Cavalry, behind, with orders to reduce (*n*) three or four little Caſtles which cover'd the Front of the Camp the Enemy had abandon'd, and which they had not as yet evacuated.

A. D. 1695

This little Piece of Service was ſoon perform'd, tho' not without the Help of Cannon: And then the whole Army waited in a Column, as they had march'd, in Expectation of orders to advance, till Two o'Clock; whence it follow'd, that they did not arrive in ſight of the Enemy till Ten in the Evening, who were ſo poſted, that it was very difficult to charge them in front: But then, continues the Marquis, the Cavalry of our Right, and a Body of Infantry, might eaſily have paſs'd the *Mandel*, to attack the Left Flank of the Enemy, while the reſt of the Army, marching to the Left, might have fac'd the Enemy's Right within the Diſtance of two Muſket-ſhot. Every Circumſtance ariſing from the Preſumption of the Enemy, ſeem'd conducive to the Glory of the Marſhal; or, at leaſt, to furniſh him with an Opportunity of atoning for his paſs'd Miſconduct: But he was as blind as Fortune herſelf, who ſo undeſervedly beſtow'd this Opportunity upon him: And when the Enemy were a ſecond time in his Power, reſolv'd a ſecond time to defer the Attack till the next Day, in Oppoſition to all the Inſtances that could be made to the contrary, by all the Officers about him.

The Prince, in the mean time, who had every thing to apprehend from the Marſhal's Superiority, kept his Troops under Arms all Night, caus'd Entrenchments to be thrown up both in Front and Flank, and in that Poſture reſolv'd to expect the Onſet.

The Morning came; and the Marſhal put his Troops in motion: But, inſtead of diſpoſing them for an immediate Action, he had directed M. de *Montal* to wheel about by the way of *Thielt*, towards *Curegen*, in order to throw himſelf between the Allies and *Weinik*, and waited for the Effect, that

while

(*n*) According to our Accounts only two, *viz.* thoſe of *Inglemunſter* and *Malenbeck*.

A.D. 1695. while he, M. de *Montal*, fell on their Rear, the reſt of his Army might force the Entrenchments with ſo much the more Eaſe, both in Front and Flank; and that the Prince by the ſame meaſures, might find his Retreat cut off to *Ghent*.

The ſame Retreat of the Latter.

But no ſooner did his Highneſs obſerve the Van-guard of that Body beginning to ſhew itſelf on his Right Flank, and that every other Motion of the Enemy had a Tendency to ſurround, than he wiſely alter'd his Reſolution from Fighting to Retreating, and made his Diſpoſition accordingly.

He had the Day before ſent off his heavy Baggage to *Deynſe*, in the way to *Ghent*; and now he directed his Cannon to take the ſame Rout. He then order'd his Infantry to file off in two Columns thro' the Entrenchment, with their Pikes and Colours trailing; and at the ſame time caus'd the Right Flank of the ſaid Entrenchment to be lin'd with Horſe, that the Motion of the Former might be imperceptible to the Enemy: Nor was it perceiv'd till the Horſe quitted their Poſt; which they were not permitted to do, till the Foot were ſo far advanc'd, and ſo thoroughly form'd, with each Column a ſufficient Body of Horſe to bring up their Rear, that they had little to apprehend from a Perſuit: He alſo directed M. d'*Overkirke*, with the Right Wing of the Horſe, intermix'd with ſome Battalions of *Collier*'s Brigade of Foot, to face about and form a Line, as if to oppoſe M. de *Montal*, in caſe he made any Attempt on his Rear; but with orders to march thro' *Wiink* to *Nivel*, at the Inſtant that the Foot quitted the Entrenchment, and took the Road to *Winterghen*: As all theſe Orders were communicated with the utmoſt Exactneſs, ſo they were obey'd with the utmoſt Regularity: The *French* with Amazement ſaw a whole Army vaniſh, as it were, from before their Eyes at once: And the Prince himſelf, together with the Duke of *Wirtemberg*, who remain'd in the Camp till the laſt, at the Head of the Line of Horſe which ſuſtain'd the Right Flank, had the Pleaſure to be Eye-witneſſes of the Confuſion it caus'd.

Some feeble Attempts, indeed, they made to retrieve the Advantage they had loſt, by falling in with certain Squadrons of Dragoons on thoſe Parties which brought up the Rear; but the only one which had any Succeſs, ow'd it to a Stratagem: For having put green Boughs in their Hats, which was the Diſtinction of the Confederate Troops in the Day of Battle, and ſpeaking both *Engliſh* and *French*, they were miſtaken for Friends, and had thereby an Opportunity of cutting off about 400 Men, before ſuch a Stand could be made as oblig'd them to give over their Enterprize. A.D. 1695.

The Conduct of the Prince was, however, eſteem'd ſo excellent on ſo trying an Occaſion, that this little Miſadventure left no Stain nor Blemiſh upon it: And there was ſo general a Diſpoſition to do it Juſtice, that even the Recollection of his Imprudence in expoſing himſelf and his Army to ſuch an Extremity, ſerv'd only to draw down the heavier (e) Cenſure on M. de *Villeroy*, who was not qualify'd to draw any Advantage from it. The King, as we have formerly had occaſion to obſerve, was not over liberal in his Acknowledgments of Military Merit: And yet even he could not forbear expreſſing his Senſe of the Prince's Service, in more explicit and lively Terms than were natural to him, as appears by his Letter to that Commander, which is ſtill extant; and in which, after acknowledging he was much oblig'd to him, he adds, *For in this Retreat you have manifeſted more of the General conſummate in the Art of War, than if you had won a Battle.*

Exact unuſual Acknowledgments from the King.

Towards the Cloſe of the Evening the Prince reach'd *Deynſe*; and having left a Garriſon in that Town, proceeded on to the Plain of *Oyendonck*, where he deſign'd to have taken Poſt: But recollecting, tho' late, a Maxim of that great General *Charles* IV. Duke of *Lorrain*, his Father, *That when an Army is retreating, it muſt be ſure to retreat out of the Enemy's Reach*, he alter'd his Mind; and after his Troops had taken ſome little Repoſe, continued his March all Night, with ſuch Diligence, that by Nine in the Morning the whole Army reach'd *Mary-Kirk*, under the Walls of *Ghent*; from whence he detach'd twelve Battalions and twelve Pieces of Cannon, under the Command of Lieutenant-General *Bellaſiſe*, and the Marquis de *Miremont*, Major-General, to ſecure *Newport* and the Canal of *Paſquendale*, which they effected by the Aſſiſtance of the Duke of *Wirtemberg*, who was appointed with thirty-eight Squadrons of Horſe and Dragoons, to ſuſtain them: For M. de *Montal*, who thought to have found but a ſmall Garriſon in that Place, being convinc'd of his Miſtake on his coming before it, and ſeeing the whole Country laid under Water by the opening of the Sluices, which was fatal to ſome of his Troops, did not think it adviſable to make any Attempt.

Boyer.

M. de Montal *diſappointed in his Deſign upon* Newport.

From *Newport*, however, he proceeded to *Dixmuyde*, which being ſtrongly garriſon'd,

(e) Biſhop *Burnet*'s Account of this Affair, imperfect as it is in other reſpects, containing a Circumſtance in favour of the Marſhal, which is to be met with no where elſe, I have thought fit to inſert it as follows.

"Prince *Vaudemont* manag'd his Army with ſuch Skill and Conduct, that as he cover'd all the Places, on which he thought the *French* had an Eye, ſo he march'd with that Caution, that tho' *Villeroy* had above double his Strength, yet he could not force him to an Engagement, nor gain any Advantage over him. The military Men that ſerv'd under him, magnify'd his Conduct highly, and compar'd it to any thing that *Turenne*, or the greateſt Generals of the Age had done. Once it was thought he could not get off; but he march'd under the Cannon of *Ghent* without any Loſs. In this *Villeroy*'s Conduct was blam'd, but without Cauſe: for he had not overſeen his Advantage, but had order'd the Duke of *Mayne*, the *French* King's beloved Son, to make a Motion with the Horſe which he commanded; and, probably, if that had been ſpeedily executed, it might have had ill Effects on the Prince of *Vaudemont*. But the Duke de *Mayne* deſpis'd *Villeroy*, and made no Haſte to obey his Order: ſo the Advantage was loſt, and the King of *France* put him under a ſlight Diſgrace for it." Vol. II. P. 151.

A. D. 1695 fon'd, tho' ſlightly fortify'd, it was expected might have held out a Fortnight: But Major-General *Ellenbergher*, who commanded in it, tho' a Soldier of Fortune, who had rais'd himſelf by his diſtinguiſh'd Bravery, not being at all ſkill'd in the Aſſault and Defence of Towns, and judging it impoſſible for a Body of 4 or 5000 Men to hold out againſt a Royal Army, beat a Parley on the third Day of the Siege, tho' the Enemy had not approach'd the Glacis, nor had thrown above thirty Bombs into it, and together with the Place ſurrender'd himſelf, his Officers and (*p*) Garriſon, Priſoners of War.

But carries Dixmuyde,

He had, nevertheleſs, the Precaution to ſtipulate for the Benefit of the Cartel, ſettled at the Beginning of the War: As alſo, that the Gariſon ſhould not be remov'd out of the Countries conquer'd ſince the Year 1672: And to provide for the Security and ſafe Conduct of the Baggage to *Newport*.

and Deynſe; *which are both diſmantled.*

The Place M. de *Villeroy* order'd to be immediately diſmantled; and while this was doing, M. de *Montal* had Orders to reduce *Deynſe*, which was even a leſs difficult Taſk than the Former: For the Governor, *O Farrel*, ſurrender'd at Diſcretion, without firing a Gun: After which the like Orders were given with regard to the Works of that Place, as had been given before, with regard to thoſe of *Dixmuyde*: And if the *London-Gazette* deſerves Credit in Articles of this Nature, not only the Houſes of the Inhabitants, but even the Convents and Churches would have been laid in Ruins, if they had not been redeem'd with a Sum of Money.

No. 3102.

That they refus'd to ranſom the (*q*) Gariſon, according to the Demand of the Prince of *Vaudemont*, and the Terms of the Cartel above ſpecify'd, is admitted on all Hands: And as they acted perfidiouſly in that Reſpect, ſo advantage was taken of it by the Confederates, to lay abundantly more to their Charge than they were realy guilty of.

It was ſaid, for example, That by the Dint of ill Uſage, they had oblig'd the Soldiers to enter into their Service: That ſuch as refus'd, they had ſent into *Catalonia*, and other remote Services: And that they had obtain'd the two Towns by bribing the Governors.

But the Event ſhew'd, That all theſe latter Particulars were untrue: And even Biſhop *Burnet* ſpeaking of the Trial of theſe unhappy Gentlemen, and the Sentence paſs'd upon them, admits, That their ill Behaviour was owing not to Corruption, but to Cowardice and want of Senſe.

Indeed, in this very act of Juſtice he is not altogether as juſt as he ought to be: For *Ellenbergher*, in the Courſe of twenty-one Campaigns, had acted with as much Reſolution as any Man he had either ſerv'd with, or againſt: And as to the Defects of his Underſtanding, the Blame deſervedly fell on thoſe who gave him a Truſt which he was not qualify'd to diſcharge: Then as to *O Farrel*, he demonſtrated that, in the Condition it was, the Place was untenable: That if the Works had been perfect, 5000 Men would have been neceſſary to defend them, whereas he had but 950: And that if the *French* had known how ſmall his Strength was, they would have granted him no Conditions at all.

A. D. 16[illegible]

Ellenbergher was, however, beheaded, according to the Sentence of the Court-Martial; and at the Place of Execution declar'd, he was condemn'd to Death for *other* Reaſons than his Behaviour at *Dixmuyde*; and wiſh'd that his Death might be a means to divert all Diſorders and Misfortunes from his Majeſty's Army.

The command-ing Officers puniſh'd.

Several of the Officers under him were condem'd to be caſhier'd; as was alſo *O Farrel*: And what *Ellenbergher* meant by the Words *other Reaſons*, we may ſafely underſtand to be, for the ſake of *Example*; ſeeing that the *Hiſtorian*-Biſhop laſt quoted, without any Diſcrimination, ſpeaks of the Officers try'd on this Occaſion as follows: "They were rais'd in the Army by ill Methods, and maintain'd themſelves by worſe: Corruption had broke into the Army, and Oppreſſion and Injuſtice were much complain'd of: The King did not approve theſe Practices; but he did not enquire after them, nor puniſh them with a due Severity: Nor did he make Difference enough between thoſe who ſerv'd well, ſold nothing, and us'd their Subalterns kindly, and thoſe who ſet every thing to ſale, and oppreſs'd all that were under them: And when Things of that kind go unpuniſh'd, they will ſoon make a great Progreſs."

The Trenches open'd before Namur.

In this Interval, the Trenches before *Namur* were open'd, and the Siege was carry'd on under the Direction of M. *Coborne*, with all imaginable Succeſs. The King had given it as his Opinion, that the Attack on the Town ſhould be made againſt St. *Nicholas* Gate, and the Diſpoſitions had been made accordingly: On the 12th of *July* the Batteries began to play: And between that and the 18th the Beſieg'd made two or three ſlight Sallies, with deſign to retard the Approaches of the Aſſailants: But, finding it neceſſary to act with more Vigour, if they hop'd for more Succeſs, on the 18th 1200 Horſe and four Squadrons of Dragoons paſs'd the *Maeſe*, attack'd the Trenches on the Right of the Bridge, and, having carry'd a Redoubt that was not finiſh'd, fell on the Beſiegers poſted in that Quarter, both in front and flank, and drove them from their Works: But the Latter being re-inforc'd by a ſtrong Party of *Brandenburgh* Horſe, the *French* were repulſed in their turn; and tho' they made good their Retreat, paid rather too dearly for their Experiment: For tho' the Loſs was in a manner equal on both Sides, the leſs Number was the moſt impair'd by it: Beſides,

1

(*p*) Which conſiſted of eight Battalions, viz. two of *Engliſh*, two of *Germans*, two of *Spaniards*, and two of *Danes*, in all 4046 Men, beſides Officers, which were 250.

(*q*) Computed by Biſhop *Burnet* at about 7000, but it is with amounting to no more than 5546.

A. D. 1695. Beſides, the King, as if incens'd at the Bravade, and reſolv'd not to wait a Moment for his Revenge, gave Orders to five Battalions of Foot-Guards, *Engliſh*, *Scots*, and *Dutch*, that were of courſe to relieve the Trenches, under the Command of General *Ramſey* and Lord *Cutts*, ſupported by the Troops which were ſo reliev'd, and which conſiſted of ſix *Engliſh* Battalions, commanded by Brigadier-General *Fitz-Patrick*, to ſtorm the advanc'd Works and Traverſes of the Enemy, on the Hill near the *Bruſſels*-Gate: Accordingly, while eight *Dutch* Regiments and ſeveral thouſand Pioneers kept the Enemy in play on the Left, the Attack was began by theſe ſeveral Corps, about an Hour before Sun-ſet, with great Intrepidity; and was ſuſtain'd as intrepidly by the Enemy: At length, however, the Odds of Numbers got the better of Situation: For, after an obſtinate Struggle, which laſted about two Hours, in the Preſence both of the (*r*) King and the Elector of *Bavaria*; and which was fatal to Numbers of brave Men on both ſides, the *French* were oblig'd to abandon the Forts on the Hill, and a large Retrenchment which led to the Town, being the moſt conſiderable of their Out-works on that ſide, and were perſued to their Glacis: On the Ground thus taken from the Enemy, two Batteries were immediately rais'd: And, not to give a Journal inſtead of a Hiſtory, by the 27th the Approaches were ſo far advanc'd on both Sides the River, and the ſeveral Batteries had play'd with ſuch Succeſs, that the King reſolv'd to ſtorm the firſt Counterſcarp without any farther Delay: Accordingly, by way of Prelude, all the Cannon and Mortars were kept roaring, without Interruption, till Five o'Clock in the Evening, and then the *Engliſh* began the Attack, under the Conduct of Major-General *Ramſey*, and Brigadier *George Hamilton*, with ſo manifeſt a Reſolution either to die or conquer, that notwithſtanding the Enemy ſprung three or four Mines fill'd with Bombs on the Glacis, which at firſt threw them into ſome Diſorder, and they were three ſeveral times repuls'd, they return'd to the Charge as often, drove the Enemy from their Poſts, and made themſelves Maſters of the ſaid Counterſcarp. The *Dutch*, however, it muſt be obſerv'd, had Orders to ſecond them; and while This paſs'd on the Right, They advanc'd along the *Maeſe*, and having taken the Enemy in Flank, came in time enough, to A. D. 1695. ſecure the Advantage which the *Engliſh* had thus hardily obtain'd: For, while the Workmen were endeavouring to make a Lodgment with Wool-ſacks, Gabions, and Faſcines, their Materials took Fire, and the Latter remain'd expos'd to the Shot of the Enemy from the Counter-guard and Demy-Baſtion of St. *Roch*, which annoy'd them greatly: But no ſooner had their Friends, by the Help of their Grenadoes, thus forc'd the Breach of the ſaid Counter-guard, and, notwithſtanding all the Efforts of the Enemy, lodg'd themſelves upon it, than They alſo had leiſure to complete their Lodgment; and thereby remain'd Maſters of all the firſt Counterſcarp from the *Maeſe* to the Sluice of the Town-moat.

A conſiderable Out-work ſtorm'd.

The Beſiegers carry the firſt Counterſcarp.

The King was all the while in the Trenches, within reach of the Enemy's Shot; and it is particularly remember'd, That among thoſe who ſuffer'd for partaking the Honour of being near his Perſon, at ſo dangerous a Criſis, was Mr. *Godfrey*, Deputy-Governor of the Bank, who had viſited the Camp, in order to furniſh, or to regulate, the neceſſary Remittances for the Army; and who was kill'd by a Cannon-Ball in his Majeſty's Preſence (*s*).

Mr. Godfrey kill'd in the King's Preſence.

The ſame Day, and at the ſame time, the Elector of *Bavaria* forc'd an advanc'd Poſt between the *Sambre* and the Caſtle Hill, in which the Enemy had about 400 Men, repuls'd four Squadrons of Horſe and Dragoons, that ſally'd out of the Caſtle to ſuſtain them, threw a Bridge over the *Sambre*, with very little Loſs, and reduc'd the Abbey of *Salſines*; which being a Poſt that greatly favour'd the Attack of the Lines rais'd by M. *Vauban* round the new Works of the Caſtle, the Beſiegers took care to entrench themſelves in, the next Day.

The Elector of Bavaria throws a Bridge over the Sambre.

The ſame Day, alſo, the *French* were drove from their Poſts next the *Iron*-Gate; as alſo from their Line of Communication near the Suburb of *Jambe*, which put it out of their Power to make any more Sallies from that Quarter. The next Undertaking was to drain the Town-moat, which was done by undermining and blowing up the Dam which kept it full: And on the 29th it was reſolv'd at a Council of War, That the Troops under the Command of his Electoral Highneſs ſhould attack the Lines abovemention'd, which extended from the *Sambre* to

---

(*r*) Who is ſaid to have laid his Hand often on the Elector's Shoulder, during the Conteſt, and to have exclaim'd in a Tort of Rapture, *See my brave* Engliſh! *See my brave* Engliſh!

(*s*) Tradition alſo adds, That a ſhort Parley had juſt before paſs'd between them, to the following Effect.

King. As you are no Adventurer in the Trade of War, Mr. *Godfrey*, I think you ſhould not expoſe yourſelf to the Hazards of it.

Mr. *God.* Not being more expos'd than your Majeſty, ſhould I be excuſable if I ſhew'd more Concern?

King. Yes; I am in my Duty, and therefore have a more reaſonable Claim to Preſervation.

As to the particular Buſineſs which made it neceſſary for the Depoty-Governor of the Bank to attend the Camp in Perſon, we have it no where explain'd: But, probably, the following Paſſage, which is taken from the *Brief Account of ſome of the* Dutch *Encroachments and Depredations*, may help us to ſome rational Conjectures concerning it, *viz.* "And it (the Profit of the Exchange, that is to ſay) was likewiſe the grand Motive why they refus'd to lend the 200,000 *l.* to the ſaid Bank, which they would have borrow'd of them the laſt Summer, towards the paying our Army's; and for which they offer'd Five *per Cent.* Intereſt, and not only to give their own Obligations for the Security of the ſaid Principal and Intereſt, and which they ſhould be aſſignable from one Perſon to another, as thoſe of the States of *Holland* are; but that King *William* himſelf ſhould, then' a Mortgage of his Revenue and hereditary Lands to the States, become Surety for the Payment of the ſaid Sum, and the Intereſt of it. Which tho' it would have been not only very profitable, but highly reputable to the *Dutch*, and diſgraceful to King *William*, and the Kingdom of *England*, yet upon the Score and Motive of their making a much larger Profit, than that would have amounted unto on the Remittion of Money from hence thither, by bills of Exchange, they laugh'd at the Overture, and ſcornfully rejected the Propoſal." P. 37, 38.

A. D. 1695. *and attack the new Lines of the Caſtle.*

to the *Maeſe*: The Diſpoſition for this Attack was made the ſame Evening: And as ſoon as it was dark, the Corps order'd on this deſperate Service, advanc'd as near the Enemy's Entrenchments as, without being diſcover'd, they poſſibly could; and there reſted on their Arms till Day-break: At which time the Signals being given from the Camp, they again put themſelves in Motion, and began the Attack at three ſeveral Places at the ſame Inſtant: That is to ſay; The Elector in Perſon, aſſiſted by the *Spaniſh* and *Bavarian* Generals, as alſo by M. *Coborne*, attack'd the Retrenchments towards *Salſines* in flank; Major-General *Swerin* the Line in front; and General *Fleming*, and the other *Brandenburgh* Commanders, in flank on the *Maeſe* Side.

But, notwithſtanding the Diſpoſition was good, the Conduct of the Officers irreproachable, and the Behaviour of the Troops firm and reſolute, ſuch were the Difficulties they had to ſurmount, and the Dangers they were to incur, that even M. *Coborne* himſelf could ſcarce anſwer for the Event: They had a ſteep Hill to climb: The Enemy had planted eight or nine Pieces of Cannon at convenient Places, a good way beyond their Works: All Thoſe of their Fortifications were alſo extremely well pointed, and not ill ſerv'd: They had the Advantage of a Line of Communication, defended by one Redoubt and two Trenches: And, laſtly, they had Men enough to occupy all their Poſts, and Officers and Engineers of ſufficient Valour and Experience to direct and animate them in the Diſcharge of their Duty.

Such was the Proſpect the Aſſailants had from below: And as to the Beſieg'd above, tho' they did not pretend to ſay they could not be forc'd, they ſaid the Experiment would coſt the Confederates at leaſt 5000 Men.

And yet, with all theſe Diſcouragements before them, the Officer led, the Soldier follow'd with equal Fortitude and Perſeverance; and when they came to the Onſet, had ſtill ſuch a Reſerve of Spirit and Vigour, that the Beſieg'd, beginning to think, that nothing was impoſſible to ſuch Deſperadoes, ſhrunk by degrees from their Lines, and the Victors not only turn'd their own Cannon upon them, but, contrary to their Orders, perſued them as far as the Counterſcarp of *Coborn*-Fort, which they alſo attack'd and carry'd, but were not able to maintain: For the Enemy having ſeveral Pieces of Cannon laden with Cartouches, miſerably ſlaughter'd above 200 of thoſe, who, by this time, had forgot what Fear was; and 900 Men who had lain on their Bellies till that dreadful Diſcharge was over, ſuddenly riſing up, and attacking the Reſidue, they were forc'd to quit their new Acquiſition as ſoon as they had made it.

which are forc'd.

However, the Beſiegers continued Maſters of all the Out-works on the Caſtle ſide, from the *Sambre* to the *Maeſe*, which had been cut thro' the Rock with ſuch immenſe Labour and Expence, and which was all They propos'd to carry by this Attack.

The ſame Day alſo a Mine having been ſprung on the Town-ſide, which threw a good Part of the Dam into the Moat, whereby the Water was lower'd above two Foot, his Majeſty order'd the Miners to complete that Work as faſt as poſſible; and directed the neceſſary Preparations for ſtorming the Half-Moon, the cover'd Way, and the Demi-Baſtion at St. *Nicholas* Gate: Accordingly, all the Batteries, both of Cannons and Mortars, were ply'd inceſſantly for two Days together: And the Breach being eſteem'd practicable, on the Second of *Auguſt*, towards Evening, the Lord *Cutts*, with 200 *Engliſh* Grenadiers, and Brigadier *Dedem*, with as many *Dutch*, ſupported by the Battalions in the Trenches, were commanded on that Service, which they undertook with the ſame Bravery which had animated almoſt every Attack during the Siege: For tho' they were repuls'd no leſs than three times, and after they had once reach'd the Baſtion were driven back to the Second Counterſcarp, they nevertheleſs maintain'd their Lodgment there; and ſuch was the Slaughter made amongſt the Enemy, who now lay open on all Sides to the Fire of the Beſiegers, from their Cannon, Mortars, ſmall Arms, and Grenadoes; and ſuch the Apprehenſions of M. de *Boufflers* and M. de *Guiſcard* of a general Aſſault, which they ſaw the Confederates were now preparing for, that the next Day they hung out a white Flag, deſir'd to parley, and offer'd to capitulate for the Surrender of the Town: Which being agreed to, Hoſtages were immediately exchang'd; and the next Day the Conditions were ſign'd by the Elector of *Bavaria*, on the Behalf of the Confederates, and by M. de *Guiſcard*, Governor of the Place.

A. D. 169

Preparations made for a general Aſſault.

The Town capitulates.

The Gariſon had Permiſſion to retire into the Caſtle; but were allow'd no more than *two Days* to make their Retreat, inſtead of *ſix* demanded by M. de *Guiſcard*: Such of their ſick and wounded, as were not in a Condition to be remov'd, had alſo Permiſſion to ſtay in the Town till they were recover'd: An Article which provided, That the Horſes and Equipages of the Officers ſhould be conducted to *Dinant*, without being ſtopt or ſearch'd, on any Pretence whatſoever, was rejected wholly; and as to what concern'd the Proſecution of Hoſtilities from the Town and Caſtle againſt each other, no mention was made on either Side.

For the reſt, the Beſiegers were immediately put in poſſeſſion of one of the Gates: On the 6th, about Noon, the Gariſon withdrew into the Caſtle, and broke down the Bridge behind them: The Number of their Sick and wounded was 1430, of whom 1[illegible] were Officers: Their Dragoons were reduced to about one Third of their original Number; and their whole remaining Strength was computed at 6 or 7000 Men.

The Gariſon withdraws into the Caſtle.

On the 7th, towards the Evening, the Batteries were open'd againſt the Caſtle; and notwithſtanding the heavy and continual Rains which fell, all imaginable Meaſures were taken for proſecuting the Siege without Delay.

But while theſe Things were in agitation, M. de *Villeroy* paſs'd the *Lys* at *Wacken*, and croſs'd

A.D. 1695. croſs'd the Lines to the *Schelde*, which he alſo paſs'd, by the Help of four Bridges, at *Eſcanaffe*, and advanc'd to *Ninove*: The Prince of *Vaudemont*, on the other Hand, no ſooner receiv'd Advice of the Marſhal's Motion, than he alſo decamp'd from *Ghent*, and paſſing the Canal at *Vilvoerd*, and the Burnt Bridge, took Poſt at *Dighen*.

The *French* on their March had given out, That they were going to raiſe the Siege: But when it was underſtood, that they were attended by a long Train of Waggons, laden with Bombs and other Engines of Deſtruction; and that they were advanc'd to *Enghien*, the Prince diſcover'd, that their Deſign was upon *Bruſſels*, which could no otherwiſe be prevented, than by the Aſſiſtance of a very conſiderable Re-inforcement from the Army, and by taking Poſt in the Plain of *Gigot* and St. *Pee*: But the King, on Advice of the Marſhal's Motion, had already detach'd the Earl of *Athlone* and Count *Naſſau*, with thirty Battalions and forty Squadrons, to poſt themſelves between *Waterlo* and *Genap*, in order to oppoſe the Enemy's Paſſage at *Braine le Chateau*, and follow'd them in Perſon with twenty Squadrons more: So that nothing remain'd for the Prince to do, but to encamp his Infantry on the Eminence near *Bruſſels*, between *Montzey* and the Counterſcarp of *Ixel*: By which means the Communication was open between his Forces and thoſe of *Waterlo*; and he had it in his Power to throw ſeveral Battalions into the Out-works before the Gates of *Flanders* and *Anderleck*; and alſo to extend his Horſe and Dragoons along the Canal, to hinder the Enemy from paſſing it.

He comes before Bruſſels.

But all theſe Precautions were not ſufficient to defeat M. de *Villeroy*'s Purpoſe: For having brought up his Army in ſight of *Bruſſels*, and taken his Quarters at *Anderleck*, he ſent a Letter to the Prince of *Bergbem*, Governor of that City, ſignifying,

His Letter to the Governor.

"That the Prince of *Orange* having ſent his Fleet upon the Coaſt of *France*, to bombard and ruin the Sea-ports, without any Proſpect of Advantage to himſelf, the King his Maſter thought he could no otherwiſe put a Stop to ſuch Diſorders, than by making Repriſals: That for this Reaſon he had ſent his Commands to him to bombard *Bruſſels*; and at the ſame time to declare, That it was with Reluctance his Majeſty was conſtrain'd to make uſe of this Expedient: As alſo, That as ſoon as he ſhould be aſſur'd his Sea-ports ſhould no more be bombarded, he would bombard the Towns of his Enemies no more, with an Exception to ſuch Places as ſhould be beſieg'd, which ſhould be liable to the ſame Treatment as before: That his Majeſty's Concern on this Occaſion was ſo much the greater, becauſe the Electoreſs of *Bavaria* had her Reſidence there: That if the Governor would let him know in what Quarter her Electoral Highneſs had her Abode, he would take care that his Batteries ſhould not be directed that way, agreeable to his Maſter's Commands: And that he ſhould ſtay for his Anſwer till Five in the Afternoon; after which time he ſhould obey the Orders he had receiv'd, without Delay." A.D. 1695.

By this time the Elector himſelf, who, on Advice of the Enemy's Deſign, had poſted from the Camp, was arriv'd; and M. de *Villeroy*'s Letter having been imparted to him, the Anſwer he return'd was to this Effect, "That the Reaſon aſſign'd by the King of *France* for his Orders to the Marſhal, to bombard *Bruſſels*, did ſolely regard the King of *England*, who was before the Caſtle of *Namur*: That his Electoral Highneſs would acquaint him with it, and procure an Anſwer in twenty-four Hours, if that would be agreeable: And that as to the Conſideration which his *Moſt Chriſtian* Majeſty had ſhewn to the Electoreſs, her Abode was at the Royal Palace."

He bombards the Place.

But the Marſhal having no Power to accept of this Expedient, and the real Purpoſe of the Bombardment being to create a Miſunderſtanding between the King and his Allies, in caſe he refus'd to quit the Siege of *Namur*, in order to cover the Place, or at leaſt to oblige the Laſter to interpoſe with his Majeſty to ſpare the *French* Ports for the time to come, he proceeded to raiſe his Batteries: And as ſoon as they were completed, began to fire upon the City, with twenty-five Mortar-pieces, and eighteen Pieces of Cannon, loaded with red-hot Balls. Between Six and Seven in the Evening this Scene of Deſtruction was open'd; and the Proceſs was continued with very little Intermiſſion, till the 15th in the Afternoon; in which time it was computed they diſcharg'd about 2000 Bombs into the Place, beſides Shot: Above 1500 Houſes, ſix Churches and Convents, and many other public Buildings, were laid in Ruins: For the Wind blowing ſtrongly from the Enemy, during the greateſt Part of the time, the Flames were communicated on all Sides, and probably would have conſum'd the whole City, if Numbers of Houſes had not been blow'd up, in order to prevent the Contagion. Nor was this the only Circumſtance which help'd to increaſe the Horror and Confuſion of the miſerable Inhabitants: For they, having maintain'd, from the Beginning of the War, a continual Commerce with *France*, thought themſelves exempt from any ſuch Viſitation; and for that Reaſon had remov'd none of their Effects: So that the Loſs in Goods and Merchandizes, was thought to equal, if not ſurpaſs, the viſible Deſolation of Buildings, *&c.*

The Prince of *Vaudemont*, who had fortified his Camp on a Hill, oppoſite to that occupy'd by the Enemy, had the Mortification to be an Eye-witneſs of the Tragedy which he was too weak either to prevent or avenge: And as to the Electoreſs, ſo little Confidence did ſhe place in the Marſhal's Complement, and ſo thoroughly was ſhe terrify'd with the Roarings of his Artillery, and the Deſtruction it caus'd, that ſhe miſcarry'd upon it: And according to Biſhop *Burnet*, of a Son, which, however, is a Circumſtance that is verify'd by no other Author.

A. D. 1695. *The French Army comes in sight of the Confederates.*

And now the Marſhal, having diſcharg'd his (*t*) Commiſſion on *Bruſſels*, and receiv'd Advice, That the Detachment from the *Rhine* was within a few Days March of him, he decamp'd from before this City, and return'd to *Enghien*, where he continued till the 20th, and then advanc'd to *Soignies*, having been re-inforc'd in his way by the Troops employ'd in raſing *Dixmuyde* and *Deynſe*, and all that could be ſpar'd out of all the Gariſons round about.

In all the Motions he made, he was narrowly obſerv'd by the Price of *Vaudemont*, who having join'd the Earl of *Athlone* at *Waterlo*, advanc'd firſt to *Genap* and then to *Mazey*, a ſtrong Camp within two little Leagues of the main Army, where he was join'd by the *Heſſians* and *Lunenburghers*, under the Command of the Landgrave of *Heſſe*, from the *Rhine*.

His Majeſty had return'd to the Siege of the Caſtle on the 12th: The ſame Night the Trenches were open'd: The next and the following Days the Beſiegers continued their Approaches with all poſſible Diligence; and the Beſieg'd omitted nothing that could contribute to their Defence: But ſo terrible was the Fire of the Former, and ſo great the Deſtruction it made among the Latter, that M. de *Bouffiers* finding it impoſſible to ſuſtain it long, and dreading a Capitulation almoſt as much, form'd a deſperate Deſign to break thro' the Confederate Camp with his Cavalry: But his Majeſty having receiv'd Intimation of it, caus'd ſuch ſtrong Guards to be plac'd at all the fordable Places both of the *Sambre* and the *Maeſe*, that the Marſhal did not think fit to make the Attempt: That his Stay might, however, be made as honourable to himſelf and as fatal to the Enemy as poſſible, on the 18th, towards Midnight, he caus'd a Sally to be made by 200 Dragoons mounted and 500 Grenadiers, in hope to ſcour the Trenches, and ruin the Works of the Beſiegers: But it fail'd of the deſir'd Effect: For part of the Dragoons, who began the Charge, were immediately repuls'd by the *Bavarians*; and the reſt who had oblig'd an advanc'd Guard of forty *Engliſh* to retire, not being properly ſupported by the Grenadiers, were driven by the *Spaniſh* and *Bavarian* Horſe back to the very Palliſadoes of the Caſtle.

A. D. 1695.

As yet Hoſtilities had not been commenc'd between the Town and the Caſtle; but on the 21ſt, as many Batteries were open'd againſt the Latter, on all Sides, as employ'd no leſs than 166 Pieces of Cannon, and 60 Mortars: And as if the Beſiegers had deſign'd to level the Walls like thoſe of *Jericho*, with one Blaſt, the dreadful Buſineſs of the Day was open'd with one general Diſcharge from all theſe Batteries at the ſame Inſtant, with ſuch an Effect, that not only the whole Circumference of the Caſtle, but the very Hill it ſtood on, ſeem'd to reel with the Shock, and to be loſt in the Cloud of Smoke and Duſt that follow'd it: Scarce could the Beſiegers themſelves ſuſtain the Horrors of their own Experiment; and as to the Beſieg'd, their Conſternation and Confuſion were inexpreſſible: Thoſe that eſcap'd could ſcarce believe they had eſcap'd, nor could prevail on themſelves to be thankful for their Preſervation: Every Object round about them wore a Face of Ruin; for burſting Bombs, fractur'd Battlements, dying Men, and Horſes ſtaking themſelves on the Paliſadoes, or plunging headlong into the Ditches, in a Fit of ungovernable Phrenzy, were the only Objects they were ſurrounded with: The ſame Experiment they knew would be repeated: The ſame Agonies they knew it would occaſion: Danger in a thouſand Shapes appear'd every where: Safety no where: And even to the Receſſes under Ground, which had been provided againſt ſuch a Storm as this, and in which the Marſhal himſelf, and his prime Officers, found it ſometimes neceſſary to take Refuge, both Deſpair and Deſpondency follow'd.

Such and ſo deſperate was the State of Things when M. de *Villeroy*, having firſt ſent off his heavy Baggage to *Mons*, and taken ſuch other Meaſures as are uſually the Prelude to an Engagement, came in ſight of the Caſtle with his Army; and by way of Signal of his Approach, and Encouragement to the Beſieg'd made a Diſcharge of ninety Pieces of Cannon, which was anſwer'd at Night by a great Light from the moſt elevated Part of the Caſtle. The 26th he took Poſt near the Army of the Allies, having *Flerus* on his Right, and *Sombref* on his Left: The next Day he was join'd by the Detach-

ment

(*t*) The *French* Court thinking it convenient to ſet forth a ſort of Manifeſto in the *Paris-Gazette* on this Occaſion, the *London-Gazette* was authoriz'd to return the following Anſwer.

The *Paris-Gazette*, of the 20th of this Month, concludes with a long Article about the bombarding of *Bruſſels*, and would perſuade the World that the *French* King always diſlik'd ſuch Hoſtilities, and offer'd now to forbear them, upon Condition the Allies would promiſe the like on their ſide; but omits, what is very remarkable, that the Marſhal de *Villeroy*, who ſent that Meſſage to the Governor of *Bruſſels*, would not ſtay till an Anſwer could be had from his Majeſty, but began to fire ſo ſoon as his Batteries could be got ready, and thereby ſhew'd that he had no other Deſign in what he propos'd, than to delude ignorant People. One would have thought, that before the *French* had complain'd of the Allies having bombarded the Maritime Places of *France*, and pretended to ſo much Unwillingneſs to make Reprifals in the ſame kind, they would let us have forgot the Deſtruction of the City of *Genoa* in a time of Peace, and upon no other Provocation than their being diſſatisfy'd with the Conduct of that Republic; and the many Cruelties and horrible Deſolations which their Troops have made in the *Palatinate*, *Piedmont*, and other Places, to a Degree that the moſt barbarous Nations would be aſham'd of. But they are in Poſſeſſion of doing and publiſhing whatever may be for their Purpoſe, without thinking themſelves oblig'd by any Rule of Juſtice or Sincerity: As, among other Things, appears by the many ſhameful Falſities as are weekly printed by public Authority, to amuſe and keep up the Hearts of the People; and particularly by the Account which the *Gazette* of the 13th gives, That eight Men of War of Admiral *Rooke*'s Fleet were ſunk, and fifteen unmaſted by the Storm that drove them to *Sardinia*: And it deſerves to be likewiſe taken Notice of, That while they boaſt to have bombarded *Bruſſels*, in the Sight of the Confederate Army, who would not venture a Battle, for which the Marſhal de *Villeroy* fought in an Occaſion, they do not remember how lately the *French* Army cover'd themſelves behind their Lines to avoid one, when they had an equal Force to deal with: But 'tis a Sign their Affairs are in an ill Condition, when they need ſuch Methods to ſupport them." No 3107.

A. D. 1695. ment from the *Rhine*, and the other Forces under the Command of the Marquis de *Harcourt*: So that the whole of his Army was now ſuppos'd to amount to near 100,000 Men: And it was the univerſal Expectation, That he would have forc'd the Allies to a Battle.

The King, on the firſt Advice of his Approach, left the Direction of the Siege to the Elector of *Bavaria* and the Duke of *Holſtein-Ploen* and repair'd to the Army, which was, at the ſame time, yet farther re-inforc'd with ten Battalions and twenty-two Squadrons.

On the 28th the Marſhal remov'd to *Gembloux*; and the next Day actually drew out his Forces, and advanc'd in Battalia as near the Allies as the Ground would give him Leave. His Majeſty, on the other Hand, quitted his Lines alſo, as if to accept the Challenge, and continued on Horſe-back from Four in the Morning till Eight at Night, in making his Diſpoſitions, and expecting the Approach of the Enemy; which was all that belong'd to him, unleſs his Superiority had been ſuch as might have commanded a Victory.

But tho' on the other Hand, it was incumbent on the Marſhal to begin the Attack, as being come to the Reſcue of a Place of great Importance, which was on the Point of falling into the Hands of the Enemy, either he was ſo cramp'd by his Orders, or he found the Taſk ſo difficult, that he not only forbore the Experiment, but decamp'd in the Night, as ſilent as poſſible, and coaſting along the *Mehaigne*, extended his Right to *Perwys*, and his Left to *Boneffe*.

The Allies alſo, on their Side, who had remain'd under Arms, by expreſs Order, all Night, in the Morning ſtretch'd on towards *Oſtein* and *Long-Champ*, to obſerve them: And M. de la *Foreſt*, who commanded a Body of Reſerve in the Plain of *Boneffe*, had Orders to re-join the Army, which it was high time for him to do, ſeveral Squadrons of the *French* Houſhold Troops having paſs'd the *Mehaigne*, in order to cut off his Communication with it: As it was, he could not wholly avoid the Inſult: But the Dragoons of *Dopſt*, being advantageouſly poſted at a Defile, to cover their Retreat, the Enemy did not think it adviſable to proſecute their Attempt any farther, but, facing about ſomewhat abruptly, repaſs'd the *Mehaigne*, and left the Allies to proſecute the Siege without further Moleſtation.

But avoids an Engagement.

On the very Day of this Retreat, it had been reſolv'd to make a general Aſſault; 3000 Grenadiers had been detach'd from the Army, to co-operate in it; and almoſt from Day-break till Eleven o'Clock, all the Batteries had been kept roaring without Remiſſion, to widen the ſeveral Breaches already made, and to render the Effort that was to be made, ſo much the more practicable.

But when the Diſpoſition for that dreadful Service was thoroughly form'd, and all the Commanding Officers were at the Head of their ſeveral Attacks, a Signal was made for a Parley by the Elector's Command; upon which the Cannon being ſilenc'd on both Sides, the Count de *Horn*, accompany'd by the Earl of *Portland*, were ſent to ſummon the Beſieg'd: And on the Side of the Latter, the Count de *Laumont* and Meſſ. de *Grammont* and St. *Hermine*, appear'd on the neareſt Baſtion to receive their Propoſals; which were to this Effect, "That the Marſhal de *Villeroy*, after continuing three Days in ſight of the Confederate Army, having thought fit to retire without coming to an Engagement, and conſequently all their Expectations of Relief being at an End, his Electoral Highneſs, for the ſake of preſerving the Lives of ſo many brave Men, as would otherwiſe be ſacrific'd, had ſent the Count de *Guiſcard* an Offer of honorable Terms, in caſe he conſented to ſurrender the Caſtle, and came to a Reſolution in a Quarter of an Hour, which was all the time of Deliberation he was allow'd."

The Caſtle ſummon'd.

The Count promis'd a ſpeedy Anſwer; and a Pauſe enſued, which was altogether as ſolemn and awful, as the Matter in debate was momentous: But twice the time prefix'd being elaps'd, the Count grew impatient, and preſs'd M. de *Grammont* to ſend a ſecond Meſſenger for an immediate Anſwer: A ſecond Meſſenger was accordingly ſent; but with no better Succeſs: For another Quarter of an Hour was conſum'd, and ſeveral Officers came down to view the Breach; which put an End to the Parley: For the Earl of *Portland* would wait no longer: And no ſooner were they return'd to the Elector's Quarters, than the Signal was ſtruck, the Batteries were ply'd with more Fury than ever, till near Two o'Clock: And then the ſeveral Parties iſſued ſeverally out of the Trenches to the general Aſſault, not only with an Ardor ſuitable to the Dangers they were to face, and the Difficulties they were to conquer; but with ſuch a Spirit of Emulation, as if the only thing they fear'd was to be ſurpaſs'd by one another.

But in vain.

A general Aſſault.

The Number of Troops employ'd on this Occaſion, amounted in the whole to 10,000, and were divided into four different Attacks: Lord *Cutts*, at the Head of the *Engliſh*, was commanded to lodge himſelf in the Breach of *Terra-Nova*-Fort; Count *Rivera*, at the Head of the *Spaniards* and *Bavarians*, had Orders to force two ſmall Breaches in the Angle of the Platform of Fort *Coborne*; Major-General la *Cave*, with the *Dutch*, and Major-General *Sweerin*, with the *Brandenburghers*, were appointed to ſtorm the *Caſette*, or *Devil's-Houſe*, by two different Approaches; and Count *Marſilly*, with 500 Men, as a ſort of Corps de *Reſerve*, was poſted in the Bottom, between Fort *Coborne* and *Terra-Nova*, to find the Enemy Employment, in caſe they ſhould make a Sally on that Side.

According to the Plan, all theſe different Attacks were to have been made at the ſame Inſtant; in hope that the Enemy, find themſelves equally preſs'd in ſo many Places at once, would have been thrown into Confuſion, and thereby would have been diſabled

A. D. 1695. abled from making any material Reſiſtance: But neither Time nor Manner were obſerv'd as they ought to have been: For Lord *Cutts*, at the Head of 300 Grenadiers, and ſome *Engliſh* Volunteers of Diſtinction, tho' he had 7 or 800 Paces to march to the Breach he was appointed to attack, puſh'd on with ſo much Impetuoſity and Raſhneſs, that the (*u*) Battalions appointed to ſuſtain him, were ſcarce got out of their Lines when he had mounted the Breach: Which was ſo much the more to be regretted, becauſe the Enemy, by reaſon of the great Diſtance of the Trenches from that Quarter, did not expect to be attack'd there, nor were prepar'd to make any Oppoſition: But when they diſcover'd how ſmall the Number of theſe Deſperadoes was, how remote the Battalions were appointed to ſupport them; and that the *Spaniards* and *Bavarians* had alſo made ſuch a Miſtake in the Conduct of their Attack, as left them nothing to apprehend from their Efforts, for a conſiderable time at leaſt, They drew together no leſs than 2000 of their beſt Foot and Dragoons in the Space between the two Forts, and falling on the *Engliſh* both in Flank and Rear, not only oblig'd them to retreat with Precipitation, but, following them thro' the Breach, routed Count *Marſilly* and his Party, and took him Priſoner. By this time, however, three of the other Battalions came up, and after having exchang'd no leſs than ſix Diſcharges, oblig'd the Enemy to retreat in their turn, but in ſo good Order, and after having done ſo much Execution, that the Aſſailants were not neither in a Condition to follow them, or to renew their Attempt on that Side.

The Engliſh *repuls'd.*

As to the Miſtake committed by the Count de *Rivera* and his Detachment, it conſiſted in this, That inſtead of marching to the Left of the Platform, he wander'd to the Right, towards the cover'd way, before the great Breach, which was well ſecur'd with ſtrong Paliſadoes, and thoſe again were ſo well lin'd with Muſqueteers, that for two Hours together, during all which time the Fire on both Sides were one of the moſt dreadful that ever had been ſeen, the Aſſailants were able to make no conſiderable Impreſſion, but, on the contrary, ſuffer'd extremely; the Count de *Rivera*, their Leader, being kill'd, as alſo moſt of his Officers, and numbers of the beſt and braveſt of his Troops.

At laſt, however, by the mere Dint of Reſolution and Perſeverance, they made a Shift to gain the outermoſt Retrenchment of the Point of *Coborne*-Fort, next the *Sambre:* But tho' they maintain'd their Poſt with the ſame Spirit with which they acquir'd it, they found it impoſſible to advance any farther: And while the Conteſt was prolong'd on both Sides, as if with a Purpoſe to deſtroy, not with a Hope to ſubdue one, another, Lord *Cutts*, having had a Wound, which he receiv'd in his Head, dreſs'd, return'd to the Aſſault, and thought it more adviſable to

Aſſiſt the Bavarians.

ſuſtain the *Bavarians* than to renew the Attack, in which he had miſcarry'd before. A. D. 1695.

Accordingly, having drawn out a Party of 200 ſuch Men, as, for the Sake of the Rewards promis'd by his Lordſhip, were daring and deſperate enough to follow *Curtius* himſelf into the very Gulph of Perdition, and found them a ſuitable Leader, one Lieutenant *Cockle*, he order'd them to attack the Face of the *Saillant-Angle* Sword in Hand, to force the Paliſadoes, and having enter'd the Cover'd-way, to make a Lodgment there: He alſo order'd *Mackay*'s Regiment to ſuſtain them; and that they might alſo be induc'd to behave as gallantly as ever Men behav'd, he oblig'd their ſeveral Enſigns to march at their Head, and to plant their Colours on the Paliſadoes: He then rally'd the other Regiments, and completed his whole Diſpoſition as well as the preſent Exigence would allow: But while this was doing, *Cockle*, at the Head of his Deſperadoes, had perform'd all he undertook: The Paliſadoes bent like Reeds before them: The Defendants reel'd, as if with the ſame Motion; and, after a ſlight Reſiſtance, abandon'd the Cover'd-way, together with one of their Batteries, the Cannon of which *Cockle*, as ſoon as he had made his Lodgment, turn'd upon them.

The *Bavarians*, on the other Hand, feeling the Benefit of ſo ſeaſonable a Diverſion, renew'd their Efforts with ſuch Vigour, that they repuls'd the Enemy and ſecur'd their Poſt; which after ſo long and obſtinate a Struggle, was all they were able to do.

As theſe were the Attacks moſt apprehended by the Defendants, ſo they had here diſpos'd their beſt Troops, and hither they directed their principal Attention: Whence it follow'd, that M. la *Cave* met with little Reſiſtance in his Attempt on the other Cover'd way, and made his Lodgment without any conſiderable Loſs. *and thereby facilitate M. la* Cave's *Attack.*

How far Major-General *Swerin*'s Attack on the Out-works of the *Caſotte* was facilitated by the ſame Conſiderations, has not been ſpecify'd: But it is acknowledg'd on all Hands, That none of the Commanders employ'd in this Service, ſurpaſs'd him in Conduct, or equal'd him in Succeſs: For having advanc'd with his Diviſion towards the Cover'd-way and Retrenchment between the *Caſotte* and the *Maeſe*, he drove the Enemy from their Poſts, ſecur'd all the Avenues, and made a very good Lodgment all along the ſaid Cover'd-way and Retrenchment, of about 300 Paces long, which he likewiſe extended to the Left, turning in towards the *Coborne* about 140 Paces more, in order to join it to that of M. la *Cave*, which reach'd to the Ravelin of the ſaid Fort. Boyer. *The Out-works of the* Caſotte *cover'd by the* Brandenburghers.

Thus, altho' for want of a due Correſpondence among the ſeveral Attacks, or thro' the Failure or Miſunderſtanding of the ſeveral Signals, the Aſſailants miſcarry'd in their great Deſign of taking the Caſtle, and all its prodigious

2

(*u*) Of *Coulthorp*, *Buchan*, *Hamilton*, and *Mackay*.

A. D. 1695. prodigious Outworks, by one general Storm. They had, nevertheleſs, this Conſolation, That a Lodgment of almoſt an *Engliſh* Mile in extent, was to the full as great an Acquiſition, as ever had been made at any Aſſault before.

A moſt Lodgment made.

Indeed, if it was conſiderable in the Poſſeſſion, it was alſo dear in the Purchaſe: For the Beſiegers own'd it coſt them near 2000 Lives, of which ſome were of Note: For beſides the Count de *Rivera*, already mention'd, were the Colonels *Coultborp*, *Marſilly*, *Lindroſt*, and *d'Heckeren*, Lieutenant Colonel *Fabricius*, and Captain *Mitchel*, of the *Engliſh* Guards: And among the wounded (beſides Lord *Cutts* and all his Voluntiers, *viz.* the Colonels *Windſor*, *Stanhope*, and *Evans*, and one Mr. *Thompſon*) were reckon'd, the Prince of *Holſtein-Norburgh*, Brigadier-General; the Prince of *Heſſe-Homburgh*, M. *Eppingen*, M. *Zinzenburgh*, M. *Caunitz*, M. *Horne*, Count *Dona*, M. *Zurelburgh*, M. *Melun*, Count de *Denhoff*, and M. *Hamilton*, all Colonels; and a long Liſt of Lieutenant-Colonels, Majors, Captains, &c. over and above.—But in the Trade of War, Lives are only put on the ſame Footing with Money in the ordinary Concerns of Life: And if they are laid out for their full Value, the Hero expects to be complemented for his Conduct, inſtead of being blam'd for his Extravagance.

It is, however, allow'd, tho' not in the *London-Gazette*, that the Elector of *Bavaria* partook of all the Dangers of the Attack in common with his Men: That by ſhewing himſelf fearleſs, he taught others not to fear: That by a liberal Diſtribution of his Gold among the Brave, he transform'd Avarice itſelf into Valour: That he was on Horſe-back during the whole time: That many Perſons were kill'd and wounded round about him; and that in all Reſpects his Behaviour was ſuch as became a great Prince, and an accompliſh'd General.

The next Day was wholly ſpent by the Beſiegers in perfecting the Lodgments they had made the Day before, and in making the neceſſary Preparations for another general Aſſault; which from Circumſtances one may gather, they were not however over forward to begin. For the Defendants having, on the Morrow, demanded a Truce for the Burial of their Dead, it was readily granted; and, at the ſame time, the whole Proceſs was in a manner at a ſtand, in Expectation of the King and Prince of *Vaudemont*, who were Both on their way from the Army in his Majeſty's Coach, in order to aſſiſt at a Council of War, in ſettling the Plan of the next Attack.

A Truce granted for the Burial of the Dead.

On the other Hand, if the Beſiegers had their Reaſons to be ſomewhat more cautious in their next Effort, the Beſieg'd were not willing to bear the Brunt of it: For when the Time of the Truce was almoſt expir'd, the Count de *Guiſcard* appear'd on the Breach, and deſir'd a Parley with the Elector of *Bavaria*, who immediately accepted the Invitation: The Count made an Offer of ſurrendering Fort *Coborne*, which his Electoral Highneſs refus'd, by ſaying, That if he deſir'd to capitulate, it muſt be for the whole. M. de *Guiſcard* reply'd, That the Marſhal de *Boufflers* commanded in the Caſtle: That he would acquaint him with what had paſs'd; and that he hop'd the Truce would be prolong'd till he ſhould return an Anſwer: To this the Elector agreed; as the Marſhal alſo did, to treat for the whole. On his Majeſty's Arrival in the Lines, Hoſtages were exchang'd, and the Marſhal ſent his Propoſitions: But having demanded, by way of Preliminary, That he might be allow'd ten Days to expect Relief, it was peremptorily refus'd; and thus the Event of the Treaty became once more as dubious as ever.

A. D. 1695

A Parley began.

The Beſieg'd demand a Reſpite for ten Days, which is refus'd.

But the Preſſures of a Siege will not admit of thoſe Refinements which are practis'd in Courts: When, therefore, the Marſhal was made ſenſible, that there was no Medium between an immediate Surrender and the Hazard of a Storm, he made the Former his Choice, and accepted ſuch Terms as among Soldiers are eſteem'd the moſt honourable: Theſe were ſettled the ſame Night, and ſign'd the next Morning by the Marſhal himſelf; M. de *Guiſcard* very prudently excuſing himſelf from that Ceremonial, becauſe he only commanded in the Out-works, and not in the Caſtle, during the Siege: What follow'd was the immediate Surrender of Fort *Coborne*, the *Caſotte*, &c. to the Beſiegers; and a Declaration of their good Succeſs to the *French* Army, by a triple Diſcharge of all the Artillery, and three Salvoes in a running Fire along the Lines; which M. de *Villeroy* had no ſooner heard, than he decamp'd from *Gemblours*, where he had poſted himſelf all this time, and paſs'd the *Sambre*, near *Charleroy*, with ſome Precipitation.

and capitulate on honourable Terms.

M. de Villeroy decamps.

On the other Hand, the King, on Advice of this Motion, order'd ſeveral Brigades towards *Salſines*, and alſo a Bridge to be laid over the *Sambre*, that he might be in a Condition to oppoſe the Enemy, in caſe they ſhould make any Attempt between the *Sambre* and the *Maeſe*, whilſt the *French* remain'd in poſſeſſion of *Terra-Nova*-Fort. But the Marſhal was now in Deſpair, it ſeems, of ſnatching any new Advantage from the Confederates to qualify the Diſgraces of the Year; and thinking it the whole of his Duty to be on his Guard againſt any new Misfortune, threw a Reinforcement of 2000 Men into *Dinant*, and proceeded with the reſt of his Army towards the Lines near *Mons*.

The 5th of *September*, being the Day propos'd by the Capitulation for evacuating the Caſtle, the ſeveral Corps of Horſe and Foot that were encamp'd between the *Sambre* and the *Maeſe*, were commanded to make a Lane on both Sides, from the Breach in *Terra-Nova*-Fort, through which it was agreed the Garriſon ſhould march out, to the *Maeſe*, being their ſhorteſt way to *Givet*, whither they were to be conducted: Which was no ſooner perform'd, than the Garriſon, or rather the Remains of it, (for they were diminiſh'd to 5538 Men) began

The Caſtle evacuated.

A. D. 1695 began their March: The Marſhal's Body-Guards and Domeſtics having the Van, and then the Marſhal appearing himſelf, accompany'd by M. de *Gaiſcard*, and attended by about eighty or ninety Dragoons.

The King (in a Coach, incognito, becauſe not acknowledg'd in his Royal Capacity by the Enemy) the Elector of *Bavaria*, the Landgrave of *Heſſe*, and all the principal Officers of the Army on Horſe-back, attended to ſee them paſs, within 200 Paces of the Breach, and were ſaluted by the Marſhal and the Count, after the military manner, with their Swords.

But this Ceremonial was ſcarce over, before M. *Dykvelt*, one of the States Field-Deputies, made up to the Marſhal, and deſir'd him to withdraw with him out of the Lines, becauſe he had ſomething of Conſequence to impart to him: The Marſhal, with ſome Emotion, reply'd, That having no ſuſpected Perſons about him, he might ſay what he pleas'd to him where they were: M. *Dykvelt* then drawing nearer, told him, He was the King of *England*'s Priſoner, and that as ſuch he was to return to the Town. The Marſhal appear'd like one thunder-ſtruck, and dropt ſome broken Expreſſions that diſcover'd as much Rage as Confuſion: Some of his Officers appear'd alſo as much tranſported as he, and talk'd, at leaſt, as if they were ready to die in his Defence: But this was Madneſs: Thoſe who had not been able to defend themſelves behind the Ramparts of *Namur*, could not but know they were at Mercy now: Beſides, at this Inſtant Brigadier-General de *l'Etang*, at the Head of a Party of Horſe-Guards, coming up, demanded his Sword; and the Diſpoſition on all Sides convinc'd him, that Reſiſtance was impracticable. Inſtead, therefore, of a ridiculous Appeal to the Sword, he had Recourſe to Argument; he demanded the Benefit of a Capitulation, ſign'd by the Elector of *Bavaria*, in which he was comprehended by Name, and which he had, in no Reſpect, violated: Said, He had not deſerv'd ſuch Treatment; and that the King his Maſter would not fail to avenge it. M. de *l'Etang* anſwer'd like a Soldier, That his Buſineſs was to obey Orders, not to weigh Conſequences. But M. *Dykvelt* gave him to underſtand, That the Breach of Articles he complain'd of, was no more than a Reprizal: That his Maſter had himſelf ſet the Example, by detaining the Garriſons of *Dixmeyde* and *Deynſe*, who, as Priſoners of War, were entitled to their Liberty upon Ranſom, which had been offer'd and refus'd: That one Infraction authoris'd another: That his *Britannic* Majeſty would have been juſtify'd, if he had detain'd the whole Garriſon: That he did not, however, think fit to carry a Precedent to its full Extent which he did not approve; but, on the contrary, choſe to ſignify his high Opinion of the Marſhal, by chuſing to detain him as a ſufficient Security for thoſe Garriſons which conſiſted of no leſs than 6000 Men: And that he had his Majeſty's Orders to offer him his Liberty, if he would paſs his Word for the Reſtitution of the ſaid Garriſons, or to re-ſurrender himſelf as a Priſoner in a Fortnight."

M. Bouffliers *arreſted by way of Reprizal for the Garriſons of* Dixmeyde *and* Deynſe.

A. D. 16

The Marſhal did not, however, think fit to accept of his Liberty on ſuch Terms, nor could be reconcil'd to his Confinement by ſuch a Compliment. "I cannot, ſaid he, undertake for what is not in my Power to execute:—If I was at the Head of 50,000 Men, I would not be arreſted.—But as it is, I muſt ſubmit."

And thus ended the Controverſy: The Marſhal gave up his Sword, and ſubmitted to be re-conducted to *Namur*, while the Garriſon proceeded to *Givet*.

His Confinement, however, was not long, and Care was taken to render it as ſupportable as poſſible, by all the Reſpects and Civilities that could be ſhewn him: For he was ſcarce lodg'd in the Town before the Earl of *Portland* paid him a Viſit, and, after making him ſome Complements, renew'd the Offer which had been made him before by M. *Dykvelt*; but receiv'd much the ſame Anſwer. He ſaid, He did not know what Reaſons his Maſter had for detaining thoſe Garriſons, and therefore could not engage for any thing concerning them: By way of Expedient, however, he conſented to ſend the Captain of his Guards expreſs to his Court, to ſignify the State of his Caſe, and on what Terms he might have his Diſcharge: And during that Interval he was conducted to *Maeſtricht*; that the Mortification of ſeeing himſelf a Priſoner where he had ſo lately been Maſter, might be the ſooner forgot. But, indeed, he had ſcarce time to feel his Impriſonment at all: For ſuch Expedition did the Officer make in his Journey, and ſo readily did the *Moſt Chriſtian* King comply with thoſe Terms, that on the 13th following, the Confederate-Army being then at *Limbeck*, the Elector of *Bavaria* repair'd thither from *Bruſſels*, and gave his Majeſty to underſtand, That the Marſhal had let him know, His Maſter would releaſe the Garriſon, provided he was releas'd firſt: And he was releas'd accordingly, on paſſing his Word, That the ſaid Garriſons ſhould be ſent back, as ſoon as his Majeſty had Advice of his being arriv'd at *Dinant*. But King *Lewis* did not think the Conceſſion he ſo inſtantly made for the Recovery of the Marſhal's Liberty, a ſufficient Acknowledgment of his Merits and Services: On the contrary, he receiv'd him at his Return to Court, as if he had added a City to his Dominions: He embrac'd him in his Arms; he declar'd himſelf fully ſatisfy'd with his Conduct, in the moſt gracious Expreſſions he could uſe: He created him a Duke and Peer, and gave him 200,000 Livres towards the Purchaſe of a Ducal Eſtate: M. de *Gaiſcard*, M. de *Megrigni*, and every other Officer who had diſtinguiſh'd himſelf in the ſame Service, partook of the ſame Generoſity and Goodneſs; which were ſo truely worthy of a great King, and a thorough Politician, that they can never be too much applauded.

But treated with great Reſpect and Civility.

and diſcharg'd in Exchange for the ſaid Garriſons.

The generous Reception he met with from the King his Maſter.

With the Reduction of *Namur* ended this *glorious* Campaign: For the Confederates

A. D. 1695. were too much haraſs'd with the ſevere Duty they had undergone, to think of following M. de *Villeroy*, in order to force him to an Engagement. All, therefore, that remain'd for his *Britannic* Majeſty to do, before he left the Field, was to diſpatch Expreſſes to his Allies, with Advice of the great Exploit which had been perform'd, and Complements on the Share of Glory which their ſeveral Troops had acquir'd in it; to take a Review of his Army, in order to know the Total of his Loſs, and of the Recruits that were neceſſary; and to make ſuch a Diſpoſition of Winter-Quarters, as ſhould be moſt conducive to the Service, whether offenſive or defenſive, and moſt favourable to a general Rendezvous at the opening of the next Campaign: And all this being done, he left the Army at *Limbeck* on the 14th; and having paſs'd thro' *Breda*, and ſtay'd two Nights at *Dicren*, came to *Loo* on the 20th, where he was complemented by all the foreign Miniſters and Perſons of Diſtinction from the *Hague*, as if he had been another *Alexander*: And, indeed, by the Thankſgivings and Rejoicings made among the Confederates in general, (*w*) on the re-taking this ſingle Town, it was reaſonable to conclude, that a mortal Wound had been given to the Power of *France*.

King William *leaves the Army.*

Has an Interview at the Hague *with the Elector of* Brandenburgh.

On the 7th of *October* his Majeſty repair'd to the *Hague*, and was receiv'd in all Reſpects as a Conqueror: Here he had an Interview with the Elector of *Brandenburgh*, who arriv'd the next Day, and was entertain'd by the States with great Magnificence: The general State of Things; the Probability of obtaining a good Peace; or the Expediency of continuing a vigorous War; the Quotas to be furniſh'd by the ſeveral Powers; the Conditions of Service; the time of opening the Campaign; and the manner in which the whole was to be conducted, were probably the great Points diſcuſs'd in the Hours of Buſineſs, as well by them as their Miniſters. A. D. 1695.

And theſe having been ſettled, or at leaſt forwarded as much as the Nature of them would permit; and the States having, in the ſame Interval, agreed to the State of the War for the enſuing Year, his Majeſty, on the 19th, embark'd for *England*, arriv'd at *Margate* on the Morrow, lay at *Canterbury* that Night, and the next reach'd *Kenſington*; having been receiv'd in his Paſſage thorough *London*, with all that Uproar of Acclamation which oſtentatious Actions generally exact from an undiſcerning Multitude, utterly incapable of finding out their true Value, by comparing their Coſt with their intrinſic Worth.

A new Parliament ſumm'd.

On the very Night of his Arrival he held a Council: And, according to Biſhop *Burnet*, it was Matter of Debate, "Whether a new Parliament ſhould be ſummoned, or the old one be brought together again, which by the Law that was lately paſs'd, might ſit till *Lady-day*. The happy State the Nation was in, (proceeds his Lordſhip) put all Men, except the Merchants, in a good Temper: None could be ſure we ſhould be in ſo good a State next Year; ſo that now, probably, Elections would fall on Men, who were well affected to the Government: A Parliament, that ſaw itſelf in its laſt Seſſion, might affect to be froward: The Members, by ſuch a Behaviour, hoping to recommend themſelves to the next Election: Beſides, if the ſame Parliament had been continued, probably the (*x*) Enquiries into Corruption would have been carried on, which might divert them from more preſſing Affairs, and kindle greater Heats; all which might be more decently dropt by a new Parliament, than ſuffer'd to lie aſleep by the old one. Theſe Conſiderations prevail'd, tho' it was ſtill believ'd, that the King's own Inclinations led him to have continued the Parliament yet one Seſſion longer;

(*w*) The Article inſerted in the *London Gazette* on this Occaſion, (and which was accompany'd with a Proclamation for a ſolemn Thankſgiving) was as follows.

Whitehall, Aug. 30. On *Thurſday* laſt arriv'd here one of the King's Meſſengers, being diſpatch'd from his Majeſty's Camp on the 22d of this Month, with the good News of the Surrender of the Caſtle of *Namur*: For the Particulars whereof, the Public is referr'd to the Relation already printed, which contains all we have yet receiv'd.

The Lords Juſtices and Council, being met the ſame Day, appointed a general Thankſgiving to be obſerv'd all the Kingdom over: The great Guns were fir'd from the Tower; and at Night there were Bonfires and Illuminations in the Cities of *London* and *Weſtminſter*, with ringing of Bells, and other Demonſtrations of a general Joy, for the Preſervation of his Majeſty's Perſon from the many Dangers to which he has been expos'd, and for the glorious Succeſs of his Majeſty's Arms, in reducing a Place of ſuch Strength, which had in it a Garriſon conſiſting (according to the *Paris-Gazette*) of twenty one Battalions of Foot, ſeven Regiments of Dragoons, and one of Horſe, with a Marſhal of *France* at the Head of them, and in ſight of an Army of 120,000 Men, drawn together from the *Rhine*, their Sea-Coaſts, and other Parts; who inſtead of relieving it, contented themſelves with making ſome Motions towards the *Mahaigne*, and with being Witneſſes of the extraordinary Bravery and Courage of the Forces of the Allies, and particularly of the *Engliſh* and *Scots*, which appear'd in the laſt, as well as all the other Attacks during the Siege, to a Degree that cannot be expreſs'd as it ought, or ſufficiently commended.

'Tis probable the *French* will now be willing it ſhould be forgot with what Vanity and Boaſting they fill'd all their publick Relations, when they became Maſters of this Town ſome Years ago, ſeeing they could not defend it, after having fortify'd it with ſo many new and very ſtrong Outworks, and fill'd it with ſuch a Number of Troops, and ſuch vaſt Magazines, (part whereof was deſign'd for attacking the City of *Liege*) that they look'd upon the Place, eſpecially with the Aſſiſtance of ſuch a powerful Army, to be impregnable.

(*x*) The ſame Conſideration is alſo urg'd by *Boyer*, but in ſuch a manner, as ſhews that he was not over attentive to the Facts he pronounces ſo hardily upon: His Words are theſe.

"His Majeſty no ſooner arriv'd at *Kenſington*, but he call'd a Council, wherein he propos'd the diſſolving the preſent Parliament; which after a ſmall Debate being reſolv'd upon, a Proclamation was order'd to be publiſh'd for that Purpoſe; and for declaring a ſpeedy calling another, to be holden at *Weſtminſter* the 22d Day of *November* next. One of the chief Reaſons which induc'd him to diſſolve it, was the Proſecution of the Duke of *Leeds*, which in the whole Courſe of it had made his Majeſty very uneaſy, and which had more Spleen than Juſtice in it; it being certain, that if any Bribes enter'd his Houſe, they never were accepted by him; and that the only Aim of his Grace's Enemies, was to keep him out of the Patent wherein he was nam'd to be one of the Lords Juſtices. Now, as on the one Hand, his Majeſty could never have forgiv'd a Miniſter, to whom he not only ow'd his March with the late Queen, but who had likewiſe been the chief Wheel on which the Revolution turn'd, ſo, on the other Hand, there was no eaſier way to put a Stop to an Impeachment, which was ſtill impending, than the calling a new Parliament." Life of K. *William*, Vol III. p. 106.

A. D. 1695. longer; for he reckon'd he was ſure of the major Vote in it. Thus this Parliament was brought to a Concluſion, and a new one was ſummon'd."

It is, however, obſervable, that in the Proclamation no mention was made of the *Triennial* Bill, or of the Reaſons aſſign'd in the Preamble for paſſing it, *viz.* "That according to the antient Laws and Statutes of this Kingdom, frequent Parliaments ought to be held; and that frequent and *new* Parliaments tended very much to the happy Union and good Agreement of the King and People." But, on the contrary, the Reaſons therein aſſign'd were, "That the King's good Subjects might perceive the Confidence he had in their Affections; and how deſirous he was to meet his People, and have their Advice in Parliament."

The King indul'd to bid for Popularity.

All Parties, as uſual on the like Occaſions, made their Court to the People at each other's Expence: And thoſe in Power even prevail'd on the King to make ſome Advances towards Popularity, by a Royal Progreſs Northward; and by *conſtraining himſelf to a little more Openneſs and Affability than was natural to him*: Theſe are the Words of his own *Apologiſt*; and he alſo adds, *But his cold and dry way* had *too deep a Root not to return too oft upon him*: His Majeſty alſo, in the ſecond Stage of his Journey, condeſcended to pay a Complement to the Earl of *Sunderland*, by repairing from *New-market* to that Nobleman's Houſe at *Althorp*, which partook more of Gratitude than Policy: For as the firſt Mover of all the violent Proceedings in the Reign of the late King, no Man could be more obnoxious to the Nation as a Miniſter than his Lordſhip; and as the Betrayer of that King, no Miniſter could be more obnoxious as a Man. He was, moreover, ſo unlucky as to give ſome Diſguſt to one Univerſity, and to be diſguſted by the other: For the Vice-Chancellor, and Heads of *Cambridge*, having paid him a ſhort Complement at *New-market* on his happy Succeſs *Abroad*, and his ſafe return, gave him no Invitation to viſit them: And when he croſs'd the Country to viſit *Oxford*, where a magnificent Entertainment was provided for him, he refus'd either to eat or drink, becauſe the Duke of *Ormond* had receiv'd an anonymous Letter, which had been dropt in the Streets the Day before, intimating a Purpoſe to poiſon him.

Burnet. Vol. II. P. 160.

All Thoſe who were attach'd to the Princeſs of *Denmark*, were alſo diſpleas'd, that neither her Highneſs, nor the Prince her Conſort, were ſuffer'd to accompany his Majeſty in this Royal Parade; and found themſelves ſo much the more diſpos'd to complain of it, becauſe the Princeſs, having writ a very obliging Letter to the King on the Reduction of *Namur*, it had only ſerv'd to give *him an Opportunity* (ſays the Dutcheſs of *Marlborough*) *of ſhewing his brutal Diſregard for the Writer: For he never return'd any Anſwer to it, nor ſo much as a civil Meſſage.*

P. 114.

A. D. 1695.

During the whole time of Election, the Preſs was as fruitful as the Mud of *Nilus* was feign'd to be; every Day produc'd ſome Effort, either to raiſe or lay the Spirit of Oppoſition: And of Theſe the moſt remarkable is the Tract *(y)* ſaid to be written by the Marquis of *Halifax*, under the Title of, *Some Cautions offer'd to the Conſideration of Thoſe who are to chuſe Members.* Theſe Cautions are in Number twenty: But Thoſe which ſeem to have ariſen more peculiarly from the Criſis, and which alſo ſeem to be worth Attention at any Criſis, were the laſt ſix; *viz.* The 14th, againſt *practiſing Lawyers*; as having two Duties to attend, which were often inconſiſtent, and ſometimes irreconcileable with each other; as being us'd to argue on both Sides the Queſtion, indifferently for the ſame Conſideration; and as having an Eye to Preferment as well as Gain in all their Doings: The 15th, againſt *violent Party Men*; as being no longer free Agents; as having Liberty only for their Motto, but being in reality greater *Slaves* than any body deſir'd to make them; as having, even in times of Peace, and in Oppoſition to the original Contract and the Bill of Rights, ſubjected themſelves to the Dominion of a ſort of martial Law, by which, he that quitted his Colours, became liable to be treated as a Deſerter; as having neither Reaſon nor Reſolution of their own; as labouring under a political *Hebetè*; as having the Public always in their Mouths, and Self always at Heart: As reſembling more a Corporation of Merchant-Adventurers, than the Delegates of the People, to manage the Common Stock for the Common Intereſt, *&c.*: The 16th, againſt the *Pretenders* to *exorbitant Merit* in the late *Revolution*; as having no other Merit to recommend them; as bringing in longer Bills than ought to be allow'd, and making larger Claims than the Nation could pay: The 17th, againſt *military Officers*; as being out of their Element in the Senate-Houſe; as being diſqualify'd by their very Habits and Accoutrements (which were ſuch as might authoriſe the peaceable Part of the Aſſembly to ſwear, they went in fear of their Lives) from appearing there; as being no longer their own Men, and conſequently unfit to protect the Liberty of Others; and as ſerving two Maſters, whoſe Commands might be oppoſite, and irreconcileable, if not ruinous to each other: The 18th and 19th, againſt *Penſioners* and *Placemen*; as being Dependants on the Crown, not free Repreſentatives of the People; as being more liable to vote according to their own Intereſt, than according to the Intereſt of their Country: As not having the Aſpect of Freemen, if they had the Virtue to be ſo; and as ſtanding according to Equity, preſcrib'd by the *Self-denying* Bill which had paſs'd

Cautions to the Electors concerning the Choice of Members.

A. D. 1696.

I

(y) According to Biſhop *Burnet* that Nobleman dy'd in the *April* before; in which caſe it muſt be ſuppos'd, this Piece was prepar'd by him againſt a Diſſolution.

A. D. 1695. pass'd the House of Commons, tho' it had not the good Fortune to pass into a Law: And the 20th, against such as, for Reasons best known to themselves, had thought fit to oppose the *Triennial* Bill.

Lastly: Having done with his Cautions, he comes to a Close in these Words, "In the mean time, having told my Opinion who ought not to be chosen, if I should be ask'd, Who ought to be? My Answer must be, Chuse *Englishmen*. And when I have said that, to deal honestly, I will not undertake, that they are easy to be found."

As to the Operation of this, and the like Papers; and all the other similar Operations put in practice on similar Occasions, we must have recourse to *Burnet*, who says, "The *Jacobites* were so decry'd, that few of them were elected: But many of the *Sourer* Sort of *Whigs*, who were much alienated from the King, were chosen: Generally they were Men of Estates; but many were young, hot, and without Experience."

Burnet's Character of the Sourer Sort of Whigs.

Thus we are to understand, that the same *Sourness* which constituted *Whigism*, and all its Merit, in the Reign of *Charles* II. (when all the Expedients the Crown could offer to preserve the Succession in its natural Course, were scornfully rejected) became Matter of Reproach in the Reign of *William* III. As if all its Operations were to have their full Force only for his Sake, and were afterwards to be discontinued for ever.

But the whole Nation, it seems, had not as yet lost sight of the Purposes, which the Revolution was to have answer'd to them and their Posterity: And as their *Deliverer* was in Possession of all he could hope from the Adventure, those who had still the free Use of their Understanding, thought it but reasonable to elect such Representatives as were most likely to represent their Claims, and to insist on the Equity of their being answer'd.

Foley chosen Speaker.

The Day appointed for the Meeting was the 22d of *November*: And the Commons having again made choice of Mr. *Foley* for their Speaker, he was the next Day presented by the House to the King upon his Throne, for his Approbation: After which his Majesty made the following most gracious Speech to both Houses.

The King's Speech.

"*My Lords and Gentlemen,*

It is with great Satisfaction that I meet you here this Day, being assur'd of a good Disposition in my Parliament, when I have had such full Proofs of the Affection of my People, by their Behaviour during my Absence, and at my Return.

I was engag'd in the present War by the Advice of my first Parliament; who thought it necessary for the Defence of our Religion, and for the Preservation of the Liberties of *Europe*: The last Parliament, with great Cheerfulness, did assist me to carry it on: And I cannot doubt, but that your Concern for the common Safety will oblige you to be unanimously zealous in the Prosecution of it. And I am glad that the Advantages which we have had this Year, give us a reasonable Ground of hoping for farther Success hereafter.

Upon this Occasion, I cannot but take Notice of the Courage and Bravery the *English* Troops have shewn this last Summer, which, I may say, has answer'd their highest Character in any Age: And it will not be deny'd, That without the Concurrence of the Valour and Power of *England*, it were impossible to put a Stop to the Ambition and Greatness of *France*. A. D. 1695.

Gentlemen of the House of Commons,

I think it a great Misfortune, that from the Beginning of my Reign, I have been forc'd to ask so many and such large Aids of my People; and yet I am confident you will agree with me in Opinion, That there will be at least as great Supplies requisite for carrying on the War by Sea and Land this Year, as was granted in the last Session; the rather, because our Enemies are augmenting their Troops, and the Necessity of increasing our Shipping does plainly appear.

The Funds which have been given, have prov'd very deficient.

The Condition of the Civil List is such, that it will not be possible for me to subsist, unless that Matter be taken into your Care.

And Compassion obliges me to mention the miserable Circumstances of the *French* Protestants, who suffer for their Religion.

And therefore, Gentlemen, I most earnestly recommend to you, to provide a Supply suitable to these several Occasions.

I must likewise take Notice of a great Difficulty we lie under at this time, by reason of the ill State of the Coin; the Redress of which, may perhaps prove a farther Charge to the Nation But this is a Matter of so general Concern, and of so very great Importance, that I have thought fit to leave it entirely to the Consideration of my Parliament.

I did recommend to the last Parliament, the forming some good Bill for the Encouragement and Increase of Seamen; I hope you will not let this Session pass without doing somewhat in it; and that you will consider of such Laws as may be proper for the Advancement of Trade; and will have a particular Regard to that of the *East-Indies*, lest it should be lost to the Nation: And while the War makes it necessary to have an Army Abroad, I could wish some way might be thought of to raise the necessary Recruits, without giving Occasion of Complaint.

My Desire to meet my People in a new Parliament, has made the Opening of this Session very late; which, I hope, you will have such Regard to, as to make all possible Dispatch of the great Business before you; and will call to mind, That by the long Continuance of the last Session, we did not only lose Advantages which we might have had at the Beginning of the Campaign, but gave the Enemy such an Opportunity, as might have prov'd very fatal to us. And I am the more concern'd to press this, because of the great Preparations which the *French* make to be early in the Field this Year.

My Lords.

I have had such Experience of your good Affections; and I have such an entire Satisfaction

A. D. 1695. faction in the Choice which my People have made of you, *Gentlemen of the House of Commons*, that I promise myself a happy Conclusion of this Session, unless you suffer yourselves to be misled into Heats and Divisions; which being the only Hope our Enemies have now left, I make no doubt but you will entirely disappoint, by your Prudence and Love to your Country."

Now it is fit to observe in this Place, first, That the *miscellaneous Invective* against the King, his Ministers and Measures, occasionally quoted in the Course of this Work, under the Title of, *A Brief Account of* some *of the Encroachments and Depredations of the* Dutch *upon the* English, *&c.* was calculated as well to expose the Contents of this Speech, as to defeat the Purposes of the Session, and increase the Discontent of the Nation: And, Secondly, That this was not the only Effort of that Kind: For there was scarce a sore Place in the Government, which had not been prob'd and laid open by some Malevolent Pen; and that with all the Aggravations usually practis'd, when Facts are put to the Torture, in order to stretch them beyond their natural Sizes: False Lists and Calculations, for Example, of our Losses at Sea, (which, indeed, had been very great, and fell very heavily on our Commerce) were set forth: The Ships lost by our Merchants alone were computed at 4000; their Cargoes were said to be ineftimable: It was also said, That these Losses had been conniv'd at purposely, that the *Dutch* might run away with our Trade: That the Act *of Navigation*, and all the other Statutes enacted for the Encrease of Shipping, and the Enlargement of our home Manufactures, where, in Effect, no longer in force as to them: That every Coffee-house Table was cover'd with Advertisements of *Dutch* Commodities to be publicly sold, which were, by the Laws, prohibited: That the States, for the sake of covering and protecting their Navigation, had neither furnish'd their Quota to the combin'd Fleet, nor suffer the Ships they did furnish to act for the common Service in the Manner it requir'd: That their Wants and Deficiencies were many times supply'd out of our Stores and Provisions: (and, indeed, this Suggestion is sufficiently authoris'd even by *Burchet* himself) That instead of acting only in conformity to the Signals of the Commander in Chief, or the Resolutions of a Council of War, as in a joint Adventure they ought to have done, they detach'd their Ships of War to act as Guard-ships and Convoys to their own Trade, by their own seperate Authority: And that for resenting this Conduct of theirs, as became him, Admiral *Russel* had been coldly receiv'd at his Return, from his *Mediterranean* Expedition.

Subjects of popular Clamour.

Admiral Russel's cold reception.

But tho' it should be acknowledg'd, That such Aggravations are in general unfair, and that they argue more of Malice than Concern for Truth in those who made them, it is nevertheless true, That unfair Practices on one Side, warrant the like Practices on the other: And it is notorious the Arts of Defamation were never carry'd to a greater Length by any Set of Men whatsoever, than by Those who complain'd of them most, when they had got Possession of the Government. A. D. 1695.

We must not, however, pass over what has been dropt concerning the Reception which *Russel* met with at his Return: For if the Fact should be admitted, it is highly probable his Behaviour to the *Dutch* in that one Instance, was not the only Cause of his Majesty's Displeasure.

From what pass'd between him, the Admiral, and the *Spaniards* during that whole Service, it is very obvious, That the Latter had some secret Cause of Dissatisfaction with our Court, which render'd the very Efforts we made in their Favour disagreeable to them; and which created a Backwardness in making such Acknowledgments and Returns, as otherwise they could not have excus'd themselves from: But wherein it consisted, neither *Burchet* nor any of our other Historians explane; so that Conjecture was left to supply the Place of Information: And that the Admiral did not do all that was requir'd of him by his *Catholic Majesty*, that the *Dutch* insisted on being over paid for their Share in the Adventure, or that in the Direction of the Campaign, a sufficient Degree of Complaisance for the Interest of *Spain*, was not manifested either in *Italy* or *Flanders*, might have been confider'd jointly or seperately, as the Root of the Misunderstanding.

A Misunderstanding between the Courts of London and Madrid.

But in Admiral *Nevil's* Papers, there is one, which, under the Title of M. *Schonenburgh's* Case, helps to clear up this Mystery.

This *Schonenburgh*, a *Jew* by Birth, publicly known as such at *Amsterdam* by the Name of *Belmont*, and, by being born at *Antwerp*, a natural Subject of the King of *Spain*, had, so long ago as the Year 1678 or 79, been sent to *Madrid*, in quality of Agent to the Prince of *Orange*, to solicite the Payment of such Sums, as for Subsidies and Services were due from that Court to his Highness. Every body knows how obnoxious the *Jews* are in *Spain*: And it is easy to conceive, that neither the Family, nor the Religion, nor the Clames of the Prince his Master, could lessen the Prejudices which M. *Schonenburgh* had to struggle with on that Account.

Schonenburgh, *the Dutch Envoy, the Occasion of it.*

By the Dint of Importunity, however, and the Favour of the Times, which help'd to make his Highness of Consequence to the Court of *Spain*, he succeeded in his Suit: But by his Officiousness in prying into the Conduct of the *Spanish* Ministers, and his arrogant Expostulations on the Discoveries he happen'd to make, tho' in such Points as no way regarded his Mission, and his open Complaints of their ill Conduct, their Non-performance of their Engagements to their Allies, and the general weak and encumber'd Condition of their Affairs, he render'd himself out of measure odious to them all.

Notwithstanding which, on the Death of the *Dutch* Envoy, he was appointed to succeed him; and on the Strength of his additional Character, became more busy, more arrogant,

A.D. 1695. arrogant, and of courſe more obnoxious than ever.

All his Papers and Memorials were now preface'd with the Name of the King his Maſter, as well as of his Lords and Maſters the *States-General*; and all his Demands and Importunities back'd with their joint Authority. In particular, the *Catholic* Court having urg'd the Neceſſities of the War, as a ſufficient Reaſon for levying a heavy Indulto on the Effects of the Merchants, return'd by the laſt Fleet from the *Weſt-Indies*, he had remonſtrated ſo ſtrongly on that Head, and in Terms ſo diſagreeable to the *Spaniſh* Miniſters, that they thought fit to remonſtrate in as ſtrong Terms againſt him and his Conduct; and probably inſiſted on his being recall'd. But tho' it was thought proper, upon this, to proſecute the Affair of the *Indulto* no farther, *Schonenburgh* was continued, and continued to act in the ſame manner as before: So that his Enemies had no other Reſort, but ſome ſuch perſonal Miſcarriage as ſhould authoriſe them to rid themſelves of his Company, whether his Maſter would or not.

And it was not long before his Indiſcretion or Avarice, or both, furniſh'd them with the Opportunity they waited for.

There were two Brothers, Merchants of *Holland*, ſettled at *Bilboa* and St. *Sebaſtians*, their Names *Moll*, who, having ſhipp'd off all the Wool, Iron, and other Commodities which their Credit would reach, One of them follow'd the Goods to *Holland*, and the Other took Sanctuary in a Convent, till he could find means to convey himſelf to *Madrid*, where he repair'd to the Houſe of *Schonenburgh*, and under the Character of his Secretary, which in a few Days was beſtow'd on him, clam'd an Exemption from all Proceſs, and ſet his Creditors at Defiance. They, however, remonſtrated their Caſe to the Preſident of *Caſtile*, who is the ſupreme Judge of *Spain*, and by his Warrant *Moll* was arreſted and thrown into Priſon, in *July*.

Schonenburgh, on the other Hand, inſtead of leaving him to the Laws, inſiſted on the Validity of his Protection, put in Memorial after Memorial, made the Diſpute as public as poſſible, endeavour'd to embark all the foreign Miniſters reſident at *Madrid* in the Quarrel; and when the Court, agreeable to their own Maxim, That the Servants of ſuch Miniſters were not entitled to the Privilege of their Maſters, for Debts contracted, and Crimes committed before they were ſuch, continued immoveable, preſented a Paper to the Conſtable of *Caſtile*, in which he not only labours his Point with all the Arguments he could muſter, and ennumerates ſeveral Inſtances in which the Courtiers themſelves had departed from their own Rules, but calls the Detention of his Servant a Violation of the Immunities of public Miniſters, and a Breach both of the Articles of the Peace and of the Laws of Nations; which was ſo much the more heinous, becauſe the King his *Maſter* was at that very Inſtant expoſing his Life for the common Cauſe; a Life that was of more Conſequence to all *Europe*, than the Victories of many Years could be; and a Meaſure ſo much the more unadvis'd, becauſe of the diſagreeable Conſequences it might produce; ſeeing no Arguments could make him believe that the *King* his *Maſter* could be brought to tolerate, for any Conſideration, a Treſpaſs that touch'd his Honour in the moſt delicate Part, or to forbear ſuch Meaſures as, in the preſent Juncture, both Gratitude and good Policy ought to prevent. A.D. 1695

This Paper was dated *Auguſt* 15: And a ſufficient Time having been taken, to impart the whole Proceeding to the King in *Flanders*, to the Regency in *London*, and to the *States-General*, without Effect, about the latter End of *September* M. *Schonenburgh* receiv'd a Command from his *Catholic* Majeſty, to appear no more at his Court, or to exerciſe the Functions of Envoy or Agent; for that no farther Notice would be taken of him in thoſe Capacities: On the other Hand, he, reſolving to take no Notice of this Command, and inſiſting to act as formerly, till he ſhould have Letters of Revocation from his Principals, he was on the 8th of *October* arreſted in his Houſe, and carry'd to a Place three Leagues out of *Madrid*, where he was left, with peremptory Orders to return thither no more. *He is order'd to appear no more at Court; and diſobeying, is arreſted and carry'd out of Madrid.*

What follow'd was more ſuitable to the Rage of ſo turbulent a Man as *Schonenburgh*, than to the Obligations of a common Cauſe, and the Danger of a Diſunion: For ſo well heard, and ſo much countenanc'd were his Complaints, that the *Spaniſh* Miniſter reſident at *London*, was forbid to preſent any Memorial, or make his Appearance at the Court of his *Britannic* Majeſty, till Satisfaction was given him, with reſpect to the Violence which had been offer'd to the Perſon of *his Embaſſador*. *King* William *forbids the* Spaniſh *Miniſter from appearing at his Court, till his own has Satisfaction.*

Now, as it was the common Sentiment of all the Miniſters, who had any Remains of the *Engliſhman* left in their Compoſition, That this whole Affair was purely and ſimply a *Dutch* Concern, in which the Crown of *England* ought no otherwiſe to interpoſe, than as a common Friend and Ally, it is highly probable, That Admiral *Ruſſel*, at his Arrival, not only confirm'd them in this Sentiment, but gave it ſuch additional Authority, from the whole Current of his Obſervations, during his Intercourſe with the Court of *Spain*, as help'd to lay ſome Reſtraint on the Violence of the King's Indignation, and conſequently to draw it towards himſelf.

But however this may be, the Affair made ſo much Noiſe, that the Malcontents got hold of it: And it not only makes one Article in the *Invective* laſt quoted, but very probably help'd to create that Reſentment in the Breaſt of his *Catholic* Majeſty, and to form that Part in his Court againſt the Confederates, which afterwards concurr'd to make ſuch an Alteration in the Syſtem of *Europe*, as operates in the moſt fatal Manner, to this Day.

But to reſume the Courſe of our parliamentary Affairs, which this important Memoir has interrupted: The King's Speech being

A. D. 1695. being reported to the Commons, according to form, an Addreſs of Thanks and Congratulation was agreed upon in the following Terms.

The Commons Addreſs.

"*May it pleaſe your Majeſty,*

We your Majeſty's moſt dutiful and loyal Subjects, the Commons of *England* in Parliament aſſembled, reflecting upon the great Calamities from which we were deliver'd, and the many Benefits we daily receive, by the Protection and Influence of your Majeſty's Government, do (with all Thankfulneſs to Almighty *God*) congratulate the glorious (*x*) Succeſs of your Majeſty's Arms Abroad, the Preſervation of your ſacred Perſon from the many Hazards to which you have expos'd yourſelf, and the Bleſſing of your being return'd to us again in ſafety.

We beg Leave, at the ſame time, humbly to repreſent to your Majeſty our grateful Senſe of your Majeſty's Favour, in having given ſuch Demonſtration to the World and to us, that you repoſe an intire Truſt and Confidence in the Affections of your People, for which we know no way of making any Return ſo ſuitable, as by giving your Majeſty this Aſſurance, That we (and thoſe your moſt faithful Commons whom we repreſent) are reſolv'd to defend and ſupport your Majeſty and your Government againſt all your Enemies, both at Home and Abroad: And that we will effectually aſſiſt your Majeſty in the Proſecution of this preſent War, in which you are engag'd, for the Safety of *England* and the Liberties of *Europe*."

On the 29th, and not before, this Addreſs was preſented by the whole Houſe: And it is not altogether unworthy of Obſervation, That his Majeſty, in his Anſwer, puts in as broad a Claime to the *divine Right* of Kingſhip, as any of his Predeceſſors had ever done before him; and thereby countenances the famous Sermon of Dr. *Lloyd*, Biſhop of St. *Aſaph* firſt, and then of *Litchfield*, call'd, *God's way of diſpoſing Kingdoms*, which had been ſo often and ſo ſeverely (*a*) cenſur'd: Theſe were his Words. A. D. 1695.

"*Gentlemen,*

I heartily thank you for the Marks you give me of your Affection: Our Intereſts are inſeparable, and there is nothing I wiſh ſo much as the Happineſs of this Country, where *God* has plac'd me."

The Lords alſo made the like Offering at the Foot-ſtool of the Throne, which met with the like gracious Reception: And that the Proceedings of Parliament might wear ſuch a Face of Serioufneſs and Solemnity as became them, his Majeſty, at the Inſtance of the Houſe of Commons, not of the Bench of Biſhops, was pleas'd to appoint a Day of Faſting and Humiliation, for imploring the Bleſſing of *Almighty God* upon its Conſultations.

After which, and the ordinary Forms of appointing their ſeveral Committees, when the *Courtiers* thought only of proceeding to the Conſideration of the Speech, and the great *Buſineſs* of the Supply, their Antagoniſts got the Start of them, and brought in the Bill for *regulating Trials in Caſes of Treaſon, and Miſpriſion of Treaſon*, which had ſo often miſcarry'd before; no doubt, recollecting that Maxim of *Coke's*, which had not as yet loſt all its Authority, *viz.* That ſeldom or ever any good Bill or good Motion, which had once been enter'd in the Journals of the Houſe, tho' it miſcarry'd at firſt, was wholy loſt to the Nation: Or, perhaps, that Uſage of Parliaments, which is as old as Parliaments

Proceedings of the Bill for regulating Trials.

(*x*) Mr. *Boyer*, and after him Mr. *Tindal*, in *Boyer*'s own Words, which he copies for two or three Pages together, is pleas'd to ſay, That the King, whom he calls the *wiſeſt Politician*, and moſt *accompliſh'd General*, by the Reduction of *Namur*, had ſtruck a Damp upon his Enemies Abroad, and diſcompos'd the Aſſurance of the Malcontents at Home. But the Malcontents, diſcompos'd as they were, had nevertheleſs the Aſſurance to diſcourſe of the Recovery of that Place in the following Words.

"And as they (the *Dutch*) make a large Gain by the Spoils, Loſſes, and Devaſtations, which their Confederates ſuffer and undergo, ſo they make no leſs Profit by their Victories and Succeſſes, even to the Preclufion of their Allies, and eſpecially the *Engliſh*, from all Advantage and Benefit by them: For as *Namur* is the only Conqueſt ſince the Commencement of this War in *Flanders*, that has been obtain'd over the *French*, ſo it is but a Recovery of what the Confederates had loſt during the preſent War, and not a new Acquiſition: And as it has coſt infinitely more in Men and Treaſure, than it and all the Dependencies upon it are worth; ſo theſe three Kingdoms, who contributed moſt to the taking of it, and had more of the Blood of their Men ſpilt, and more of their Treaſure and Ammunition expended and waſted in the winning of that City, than any one of all the Confederates, have reapt nothing by it but the enlarging the Barrier of the *Dutch*, and the putting a ſtrong and well fortify'd City into their Power and Poſſeſſion, to make them more inſolent unto and encroaching upon, their Allies. And when I conſider the Cuſtoms of the *Spartans*, who had an Order, That when any of their Generals compaſs'd his Deſigns by Policy and Treaty, he ſhould ſacrifice an Ox; but when by Force and Bloodſhed, only a Cock, I think that our many late Bonefires and Illuminations, and eſpecially our prodigal and fooliſh Expences in St *James*'s Square, [meaning the Fire-works perform'd there] were ridiculous as well as waſteful Conſumptions: For as the diſtinct Values of thoſe Oblations of the *Lacedemonians*, do ſhew us (according to the Judgment of *Plutarch*) how much they preferr'd the Succeſſes of calm and ſober Councils, before thoſe of Force and Strength, ſo there was more Cauſe for Lamentations for the many and brave Men that had been loſt before the Town and Caſtle of *Namur*, e'er they fell into our Hands, (and which, in all probability, will, with leſs Coſt, be ſpeedily ſnatch'd from us again) than of vain, childiſh, and expenſive Triumphs for the gaining them. But to omit this, that which I am to repreſent and diſplay is, That the City and Caſtle, which were gain'd at the Price and Coſt of ſo much *Engliſh* Blood and Treaſure, are now conſign'd over to the *Dutch*, and ſtand mortgaged to them for the Repayment of what they have laid out and diſburſed in this War; which ſeeing there is no Likelihood that ever the *Spaniards* will be in a Condition to reimburſe them, that Town is conſequently become a Part as well as an Enlargement of their Territories, and is the Addition of an Eighth Province to the former Seven. Yea, out of Kindneſs to the *Dutch*, and Diſaffections to us, our *Belgick* Prince is ſo frugal of their Treaſure, and ſo prodigal of that of this Kingdom, that much of the Charges neceſſary for repairing the Fortifications of *Namur* is borne by us, and our Money remitted and tranſported to defray them: Which is ſuch a Bubbling of this Kingdom, that thoſe moſt engag'd in King *William*'s Intereſt, cannot avoid reſenting it with Indignation." *Encroachments and Depredations*, P. 39, 40.

(*a*) In particular *S. Johnſon*, who had ſuffer'd ſo ſeverely in the Cauſe of Liberty, in a Paper of his addreſs'd to the Houſe of Commons, having mention'd that Paragraph in the Prince of *Orange*'s Declaration which diſcovers the *wicked Deſign* imputed to him of conquering the Nation, makes uſe of the following Words by way of Comment upon it. "Conquering and enſlaving the Nation, which are equivalent Words, and both put together in the Declaration, was ſo wicked a Deſign, that his Majeſty was not capable of intending it, and diſclaims it with Abhorrence. How then come his Prieſts to tell him, and the whole Nation beſides, That this is *God's way of diſpoſing Kingdoms*, and that in this *divine* way he came by his Kingdom, and holds it by that Tenure?" *Johnſon*'s Works, P. 267.

A. D 1695 liaments themſelves, of graſting popular Demands on Subſidy Stocks.

But whether National or Party Motives, a Purpoſe to diſtreſs the Government, or ſcreen themſelves, occaſion'd the Revival of this Bill, it is pretty plain, That the Reviſers of it (who were a Mixture of thoſe *Whigs* ſtigmatis'd for their *Scurneſs* by Biſhop *Burnet*, and thoſe *Tories* who, by this time, began to place the Sum of Patriotiſm in that Oppoſition which they had formerly condemn'd as diſloyal and ſeditious, and more deſerving of Puniſhment than Imitation) determin'd to make it the Price of the Supply, as far as in them lay: While, on the other Hand, the Courtiers, utterly forgetting how much they had ſuffer'd for want of ſuch a Law, when the Rod of Oppreſſion hung over them, or elſe deſirous of making their Enemies ſuffer as much, whenever Opportunity ſhould ſerve, either openly oppos'd it, as having a Tendency to make Men as ſafe as poſſible in all treaſonable Conſpiracies, according to Biſhop *Burnet*'s Suggeſtion formerly quoted, or ſpecioufly argued, That the Security of the Subject was beſt provided for, when the beſt Proviſion was made for the Security of the Government: And that, therefore, the Law ought to continue on its antient Footing, at leaſt, till the War ſhould be brought to a Period.

But neither the Refinements of the Latter, nor the hardy Aſſertions of the Former, had the Effect deſir'd: (*b*) Thoſe who had brought it in, were reſolv'd to carry it thro' if poſſible; and were ſo countenanc'd by the Popularity of it, that the Courtiers, who did not care to make a falſe Step at the very Entrance of a new Parliament, thought fit to give it way, in hope that the Privilege claim'd by the Peers of being try'd by the *whole Peerage*, would create a new Conteſt between the two Houſes, and again be fatal to it.

But tho' the Peers did accordingly add this favourite Clauſe, and the Bill, after a long Delay, was return'd to the Commons with an Amendment, which till now had been held ſo unreaſonable, no ſuch Conteſt follow'd: On the contrary, they thought it adviſable to complement their Lordſhips with more than they were entitled to, on the common Level of Subjects, rather than leave themſelves and their Poſterity any longer expos'd to thoſe Severities which brought the Laws themſelves into Diſgrace, by eſtabliſhing a Belief, That they were equally calculated to entangle the Innocent and puniſh the Guilty.

Which paſſes both Houſes.

The firſt Difficulties which retarded the Progreſs of this Bill, were, however, no ſooner removed, than a Supply was voted, that is to ſay, on the 2d of *December*: And as the Eſtimates were deliver'd in, the general Committee proceeded to take them into Examination, and to deliberate on Ways and Means of making ſuch Proviſions as ſhould be ſuitable to the Service. It is true, the Malcontents alledge, That none of the Papers laid before the Houſe in relation thereto, did contain ſuch Informations as the Houſe had a Right to inſiſt on, or as were conſiſtent with that Integrity or Ingenuity that a Government ought never to depart from: That the ſubſidiary Treaties, for Example, communicated to them, did not agree with the ratify'd Originals, but were purpoſely ſophiſticated, in order to conceal ſuch Facts, and cover ſuch Frauds, as would not be admitted, and could not be excus'd: That not one of the *Eſtimates* was true and genuine: That the ſame might be ſaid of the Accounts of the *Quotas* to be furniſh'd by the Confederates: That on the *Dutch* Roll there were ſeveral *Dutch* Regiments that were on the *Engliſh* Eſtabliſhment, and paid with *Engliſh* Money: That as *England* rais'd above a Moiety of the whole Expence of the War, ſo not above a Moiety of what ſhe rais'd, was expended on her own Subjects: And that there was not one Regiment either of *Engliſh* or *Scots* in *Flanders*, into which his Majeſty, by his own abſolute Authority, and in Contempt of the Laws, had not introduc'd *Aliens*, both as *Commiſſion* and *Non-Commiſſion*-Officers.

Papers, &c. laid before the Houſe, ſaid not to be genuine.

A. D 1695.

But the ſtronger theſe Allegations are, the more requiſite it is to produce ſufficient Vouchers in ſupport of them; and, it is true, That in the Year 1692, the ſaid Eſtimates, upon Examination, were found ſo erroneous, that, inſtead of 1,805,671*l.* 15*s.* *demanded* for the *effective Pay* of the Army, but 1,453,549*l.* 12*s.* 3*d.* was *granted*: Beſides, the Lords did this Seſſion addreſs the Throne for a Liſt of all the Officers in *Engliſh* Pay, with a preciſe Account of what Country each Individual was, which ſeem'd to indicate a Jealouſy, That ſome Irregularities had been put in practice: And it alſo appears, that the Commons had their Scruples too: For tho' Biſhop *Burnet* (who admits, That *the Demand of the Supply was ſtill very high, and that there was a great Arrear of Deficiency*) contents himſelf with ſaying, *All was readily granted, and lodg'd on Funds that ſeem'd to be very probable*, the Matter of Fact is, That (in lieu of 2,765,148*l.* 14*s.* demanded) they gave but 2,500,000*l.* for the Navy, beſides 16,972*l.* for two Regiments of Marines; and but 2,007,881*l.* for the Army, (which was to conſiſt of 87,440 Men, Horſe and Foot) and for the Staff, Ordnance, Forage, and Contingencies of all Sorts, 500,000*l.* which, on the three laſt Articles, was 184,859*l.* 7*s.* 11*d.* *leſs* than what was *demanded*.

Sums voted for the current Service.

By what Methods theſe great Sums were to be rais'd, we ſhall ſee hereafter: What lies

Proceeding on the ill State of the Coin.

(*b*) Among whom was the Lord *Aſhley*, Grand-Son of the great Earl of *Shaftſbury*, at preſent famous for his moral Tracts entitled, *Characteriſtics*; who being return'd a Member for *Poole* in *Dorſetſhire*, and attempting to utter a premeditated Speech in favour of that Clauſe in the Bill, which allow'd the Priſoner the Benefit of Counſel, fell into ſuch a Diſorder, that he was not able to proceed: But having at length recover'd his Spirits, and together with them the Command of his Faculties, he drew ſuch an Argument from his own Confuſion, as more advantag'd his Cauſe than all the Powers of Eloquence could have done: For, ſaid he, "If I, who had no perſonal Concern in the Queſtion, was to over power'd with my own Apprehenſions that I could not find Words or Voice to expreſs myſelf, what muſt be the Caſe of one whoſe Life depended on his own Abilities to defend it?"

A. D. 1695.

lies next before us is, the Proceſs on the ill State of the Coin, which, by a Continuance of the ſame ill Practices, was become an inſupportable Grievance, and what equally affected both the Government and the Nation.

It had been touch'd upon in the former Seſſion, but then it had been only touch'd upon: And tho' Numbers of Tracts had been ſet forth upon the Subject by Mr. *Locke*, Mr. *Lowndes*, and ſeveral other ingenious Men of almoſt all Profeſſions, it ſtill remain'd a Doubt with ſome Perſons, Whether an Attempt to remedy the Diſeaſe would not deſtroy the Patient: On the other Hand, thoſe who were all of one Mind, as to the Neceſſity of making ſuch an Attempt, found it extremely hard to reconcile their different Opinions, as to the manner in which it ſhould be made.

In ſhort, Selfiſhneſs of every kind, Pride, Caprice, Rapine, Avarice, Diſcontent and Diſaffection, never appear'd more viſibly or in more forbidding Shapes than upon this Occaſion. The Robber of the Public was againſt any Applications of any kind, for fear of loſing his Occupation: The Grumbler was equally afraid of loſing one of his favourite Topics of Complaint: All that the *Jacobite* deſir'd, was to ſee the Nation thrown into Convulſions; and whether it was done by ſuffering the Canker to continue gnawing, or by an unſkilful Attempt to remove it, he was indifferent: And to ſuppoſe that even the moſt zealous Undertakers for it had no Views of their own in a Project ſo intricate in itſelf, and ſo dubious in its Operations, would be ſcarce warranted by the Manners of the Times.

Mr. *Montagu*, Chancellor of the *Exchequer*, had the Honour to get the Start, if not to ſtand the Foremoſt of theſe Undertakers; and it will be no Dimunition of that Honour to inform Poſterity, That he had the immortal *Newton* for his Adviſer in it.

But to proceed: The Lords took up the Matter firſt, and prepar'd an Addreſs to the Throne for a Proclamation to put a Stop to the Currency of clipp'd Crowns and Half-Crowns, which they communicated to the Commons, and deſir'd their Concurrence thereto: But the Latter probably being induc'd to believe, that this was a miniſterial Artifice to obtrude the Court-Plan upon them, under the Sanction of the Lords, made it their Choice to proceed by Methods of their own.

Accordingly a Committee of the whole Houſe was appointed to deliberate on the State of the Nation with reſpect to the Currency: And That being the ſame to the Body-politic as the Blood is to the natural Body, being alſo in the ſame State with the Blood in a Fever, when the Globules adhere to the Sides of the Veſſels, and only the Serum precipitates the Circulation, it muſt be ſuppos'd, That thoſe who apprehended the moſt Danger from the Criſis, and were moſt deſirous of applying proper Remedies, open'd the Debate with the faireſt and fulleſt State that could be given of the Caſe, accompany'd with ſuch Inferences as were moſt favourable to the Practice they came beſt prepar'd to try.

By a Variety of Experiments it appear'd that the Silver Coins, on a Medium, were diminiſh'd more than a Third, or, according to ſome, near half in half; and it was obvious, that in a ſhort Courſe of Time all the broad Money which remain'd, would undergo the like Diminution: On the other Hand, in exact Proportion as the Intrinſic of our Silver ſunk beneath its nominal Value, Gold roſe as much above it; and it was hard to ſay from which of the two Evils the Nation ſuffer'd moſt.

On theſe or ſuch like Premiſes, therefore, the firſt Queſtion ſtated was, Whether it was neceſſary or expedient to re-coin the Silver Money? The Courtiers undertook for the Affirmative; and when they happen'd to be moſt in the Right, met with as much Oppoſition, as when they were moſt in the Wrong.

Arguments for and againſt the Re-coinage.

Their Antagoniſts maintain'd, That this was no fit Conjuncture for a Re-coinage: That the Nation was engag'd in a burdenſom and doubtful War, by which the Kingdom had already greatly ſuffer'd, and of which it grew every Day more ſenſible: That, therefore, the People, on whoſe good Affection the Government ſo much depended, ſhould not be provoked by freſh Grievances, greater than any they had yet felt, as thoſe would certainly be, that muſt ariſe from the calling in the Silver Coin: That if this was done, however Things might be manag'd and accommodated at Home, it were impoſſible to maintain either the Commerce or the War Abroad; for neither the Merchant could pay his Bills of Exchange, nor the Soldier receive his Subſiſtence: That this was to lay the Ax to the Root, and to dig up the very Foundations of the Government: That if this Deſign was proſecuted, Trade muſt ſtand ſtill, for want of mutual Payments, whence ſuch Diſorder and Confuſion would certainly follow, as would diſcourage and diſhearten the People in the higheſt Meaſure, if not drive them to a perfect Deſpair, as Deſpair would to the moſt terrible Extremities: That therefore the Re-coining the Money at this time, was by no means to be attempted without hazarding All.

On the contrary, it was alledg'd by the *Courtiers*, That the Miſchief would be fatal, if a preſent Remedy was not found out and apply'd: That by Reaſon of the ill State of the Coin, the Exchange abroad was infinitely to the Nation's Prejudice: That the Supplies that were rais'd to maintain the Army, would never anſwer the End, being ſo much diminiſh'd and devour'd by the ſaid unequal Exchange, and exorbitant Premiums, before they reach'd the Camp: That this was the unhappy Cauſe that the Guineas advanc'd to thirty Shillings, and foreign Gold in Proportion: That, therefore, to the Nation's great Loſs, not only the *Dutch*, but, indeed, all *Europe* ſent that Commodity to this Market; and would continue to do ſo, till the Nation ſhould be impoveriſh'd and

A French Louis d'Or was at this time worth 24s.

A. D. 1695. undone by the over-plenty of Gold: That we must exchange for their Gold our Goods or our Silver, till at laſt we ſhould have only Guineas to trade withal; which no body could think our Neighbours would be ſo kind to receive back at the Value they were at here: That therefore this Diſeaſe would every Day take deeper Root, infect the very Vitals of the Nation, and if not remedied, would ſoon become incurable: That, on the contrary, our Enemies would be mightily intimidated by ſo great an Attempt, and would ſooner be induc'd to agree to honourable Terms of Peace, in caſe they ſaw us able to ſurmount the Difficulties we were involv'd in, by the Retrieving the ill State of the Coin, on which their Hopes of the Nation's ſpeedy Ruin ſo much depended: And that it would create a ſuitable Eſteem Abroad of the Greatneſs and Wiſdom of the Parliament of *England*, which was able to conquer ſuch an obſtinate and what was held ſuch an inſuperable Evil in ſuch a Juncture of Affairs.

This is the Sketch left us of the Arguments on both Sides: But we are not to preſume that the Debate on this Head was brought to a Cloſe without a Variety of Anſwers, Replies, and Rejoinders. Men are never more apt to be obſtinate than when they ſubſtitute Paſſion in the Place of Reaſon and Argument: And ſo much the higher the Malcontents had rais'd their Expectations, ſo much the more impatient they grew under the Proſpect of a Diſappointment. At length, however, the Majority were of Opinion, That the preſent Inconvenience would be the leaſt Evil; and on that Principle it was reſolv'd to put an inſtant Stop to the preſent pernicious Currency, and to proceed with all poſſible Expedition to a new Coinage.

As alſo for and againſt raiſing the Standard.

This Step being made, the next was to conſider whether the ſeveral Denominations of the New Money, ſhould have the ſame Weight and Fineneſs as the Old; or whether the eſtabliſh'd Standard ſhould be rais'd? And this Queſtion produc'd many Debates: Thoſe who, on the Authority of Mr. *Lowndes*, were for raiſing the Standard alledg'd, That the Price of an Ounce of Silver Bullion was advanc'd to ſix Shillings and three-pence; and therefore the Standard ought to be rais'd to an Equality: That the raiſing the Standard would prevent the Exportation of the Coin, which of late had been much practis'd to the great Prejudice of this Kingdom: That it would prevent its being melted down; and that thereby People would be much encourag'd to bring in their Plate and Bullion into the Mint.

The *Court-Party*, who were for preſerving the old Standard, urg'd, after Mr. *Locke*, That the Worth of Money was relative, and to be rated by the Meaſure of ſuch Goods, Labour, Advice, Skill, or other Aſſiſtances as could be purchaſed from another by our parting with it: That among People that liv'd under different Municipal Laws, it was intrinſic, and conſiſted in its Weight and Fineneſs: That common Conſent had given it this Value, for the common Conveniency of ſupplying one another's Words: That the Weight and Fineneſs was the only Worth that other Nations regarded in our Coin, as we in theirs; A. D. 1695. all Money being between Subjects of different Governments, of no greater Value, excepting the Workmanſhip, than ſo many Pieces of uncoin'd Bullion: That, therefore, ſhould our Standard be alter'd, we ſhould ſtill be upon the ſame Foot with our Neighbours: For if we were to pay them for their Goods, or exchange our Money with theirs, whatever Denomination we gave our Money, they would in their Change ever reduce it to an Equality with theirs, and proportion the Quantity and Goodneſs of their Commodities, to the Weight and Fineneſs of the Money they were to receive for them; ſo that, in Reſpect of our Foreign Commerce, there was no Reaſon to alter our Standard. At Home, they ſaid, That if the Standard was raiſed, great Confuſions would attend it; the Landlord would be defrauded of a great Part of his Rents, and the Creditor of his Debts: That the Seaman and the Soldier would be wrong'd in their Pay, and many the like Injuries and Inconveniencies would happen: That it was no Anſwer to ſay, they might buy as much Goods and Conveniencies of Life with this Coin, rais'd above its Standard, as they could before; becauſe, by Degrees, the Seller would infallibly raiſe the Price of his Goods, in Proportion to the new rais'd Standard; and that of this there was an Inſtance before them, all Commodities being greatly rais'd *in* their Price, while Guineas were paid for Thirty Shillings: That whereas it was alledg'd, That the Price of Bullion was riſen to ſix Shillings and three Pence, and therefore the Standard of the Silver Coin ought to be rais'd likewiſe: It was reply'd, That it was a thing impoſſible that the Price of Silver could riſe and fall in reſpect of itſelf; that it was an unchangeable Truth, than which no mathematical Demonſtration could be clearer, that an Ounce of Silver would ever be worth another Ounce of the ſame Fineneſs, and no more; allowing ſome inconſiderable Diſparity upon the Account of the Coin, if one Ounce be in Money, and the other Ounce in Bullion. That 'twas true, indeed, that the People commonly gave ſix Shillings and three Pence for an Ounce of Bullion; but that they gave only clipt Pieces, that had no more than the Sound of Shillings and Pence, but were by no means the Things themſelves; that is, they were not the Standard-Shillings of due Weight and Fineneſs, and were no more ſo in the juſt Senſe of the Word, than an Ell is an Ell, when the Third Part of it is cut off: That the Caſe was ſo plain, that when they demanded of thoſe that affirm'd an Ounce of Bullion was worth ſix Shillings and three Pence, whether they meant ſix *mill'd* Shillings and three Pence, they knew not what to reply; for this Alteration of the Value of Bullion, was meerly in Relation to diminiſh'd Money: And to make it yet more evident, they urg'd, it was then Matter of Fact, that after the Rate of five Shillings and two Pence of new *mill'd* Money *per* Ounce, they could buy as much Bullion as they pleas'd; whilſt thoſe who bought it with clipt

A. D. 1695. clipt Pieces, paid six Shillings and three Pence. That whereas it was urg'd, That the raising the Standard would prevent the Exportation of Money, it was answer'd, That there was no other way possible to keep our Money at Home, than by Out-trading our Neighbours; that is, by sending them more Commodities, or of greater Value than those we receiv'd from them: For if upon the Balance we were found in their Debt, there was no way left but to pay it in Coin or Bullion. And that, therefore, what nominal Value soever we gave our Coin, we should be oblig'd to send it Abroad, if our Exports would not pay our Debts at the Rates, and according to the Standard of foreign Markets: And that as to all the other Arguments for raising the Standard, they would fall to the Ground, in case these two, on which the rest were built, had no reasonable Foundation.

A Recoinage voted.

And these were the Arguments that prevail'd: For upon the Issue it appear'd to be the Sense of the Committee, That the clipp'd Money should be re-coin'd, according to the establish'd Standard of the Mint, both as to Weight and Fineness: And that the Loss upon such clipp'd Money to the Revenue, should be borne by the Public.

Other Resolution in relation to the clipp'd Money.

In consideration also of the Inconveniencies which were likely to be the Result of this Measure, by an Interruption of Payments and of Commerce, and that the Operation might not be so sudden and violent as to produce a total Stagnation, the Committee farther resolv'd, 1. That a Day be appointed, after which no clipp'd Crowns or Half-Crowns, as also any Money clipp'd within the Ring whatsoever, should be allow'd in payment or to pass, except only to the Collectors of his Majesty's Revenues and Taxes, or upon Loans or Payments into the *Exchequer*. 2. That a Day be appointed after which no clipp'd Money, of any sort, should pass in any Payment whatsoever. 3. That a Day be appointed for all Persons to bring in their clipp'd Money, to be recoin'd into mill'd Money, after which no Recompence should be made for the same. A. D. 1695.

Address for a Proclamation thereon.

On the (c) 10th of *December* these Resolutions were reported to the House, and agreed to: On the 14th the Form of an Address to his Majesty to issue a Royal Proclamation, agreeable to the said Resolutions, was also reported by Mr. *Montagu*, and agreed to: On the 17th, the same Gentleman inform'd the House, That his Majesty would issue the Proclamation desir'd with all convenient Speed: And on the 19th it was issued accordingly. But such was the Effect, that what with the Fears of some, and the ill Practices of others, all Payments were for some

(c) The same Day the House having taken into consideration, That the maintaining an Army Abroad occasion'd the Exportation of the Coin, which could not be prevented but by supplying the said Army with Necessaries out of this Kingdom, order'd an Address to this Effect, "That his Majesty would be pleas'd to procure, that all Commodities and Provisions that should be transported from *England* for the Use of the Forces in his Majesty's Pay Abroad, might be exempted from any Duty or Excise throughout the *Spanish* and united *Netherlands*." To which the King answer'd, "That what the Commons desir'd, had been done in a great Measure for several Years; and that he would see what could be farther done in it." But in the *Interstice* against the *Dutch*, this Matter is treated as follows.

"And the tyrannous Projects and Designs which King *William* hath contrived and harboureth in relation to these Kingdoms, as well as our own Madness and Folly in concurring and co-operating to promote them, are equally manifest, and both of them apparently evident by this; namely, That even upon the Supposition that it was needful and just to begin, continue and uphold this War: Yet much of that Money which hath been sent Abroad from hence, to subsist and pay our Troops, might, tho' a very small Care, and friendly Conduct of the Prince of *Orange* in our Behalf, and tho' the least Measure of Discretion, Wisdom, Justice, Equity and Compassion of those Assemblies stiled our Parliaments to the Kingdom, have been preserv'd in the Nation, and have remained to circulate among ourselves for the Support and Increase of our Manufacture, and for the Protection and Enlargement of our Trade and Navigation: And the Ways, Means, and Methods in and by which it might have been done, are both so various and plain, That had there not been a Conjunction of Malice in King *William*, and of Treachery in our Senators towards *England*, it would not have escap'd the being undertaken, pursued, and effected long ago: For why might not we with as much Ease, and with more Justice, have carried all the Provisions from hence for the subsisting the Confederate Army, or at least our own Troops, and those of other Nations under our Pay, as that *the Dutch* should have the Privilege of furnishing it, and to be encourag'd, as well as suffer'd, to go away with the Gain? Nor can any other Reason be assign'd of the Conduct we have been under in this Matter, but that *William* intends to bring us first to Beggary, and then into Thraldom; and that too many amongst ourselves are, thro' Folly and Knavery, willing both to assist and justify him in the effecting of it. Had we not Ships enough (I am sure we had before we lost so many thousands of them, as we have done since the Revolution, and the Commencement of this War, which was the unhappy Off-spring of it) to have carried over to *Flanders* our Grain, Butter and Cheese, Iron, Bread, and all Things else that are necessary unto, or consumable by an Army, but that the buying of all those here, and the transporting them thither, should, in a manner, be given up and entirely consign'd into the Hands of the *Dutch*? Whence we are justly become the Derision and Contempt of the World, that being stor'd and furnish'd (without purchasing of other Nations) with all the Productions either of Art or Nature that an Army can need or use, and the *Dutch* having scarce any thing of their own Growth, and little of their own Manufactures, to answer the Occasions and Exigences of so vast a military Body; yet that they should engross to themselves the supplying them with all they want, and we not only tamely connive at it, but like People who have lost their Senses, and forfeited their Understandings, as well as abandon'd the Care of their Country, do approve it. With what Facility might it have been disputed and provided for, at our first Entrance into the Confederacy, or retriev'd and recover'd to us since, upon renewing of our Alliances with those whom we are become engag'd to assist in this War, that all those Supplies necessary for Troops which *England* could afford, should be apply'd to that End; and that as they should be transported by none but ourselves, so they should be expended and laid out not only upon our own Troops, towards the saving the Remission of Money, but taken off from us, and accepted by our Allies in lieu of those vast Sums we have disbursed upon them: Nor will ever *England* vindicate itself from the Dishonour and Ignominy brought upon it, in that, during all this time wherein we have been waiting our Men and Treasure to defend the *Dutch* Barrier, and protect the Provinces of others, and to make Conquests for them, we should never have contracted for a Port, where we might unload what we pleas'd towards the premis'd Use and Ends, without being liable to the Payment of Customs, or any other Duties of that kind which use to be exacted; which the present House of Commons seems to be sensible of by their Vote of *December* 10. But tho' the said Vote doth sufficiently intimate their Sense of King *William*'s Infidelity, as to the Trust reposed in him under the Quality and Stile of King of *England*, and his Treachery to this Nation, in not having contracted and stipulated with those Allies for the forementioned Privilege and Immunity; yet the Treaties between him and these Confederates being already consented and ratify'd, without the Mention or Specification of any such Freedom and Advantage to be allow'd us; all the Effect and Operation which this Vote of the House of Commons can have, is to proclaim them to be pragmatical, weak and insolent, in assuming a Power and Authority over the Rights of foreign Princes and States; and that contrary unto, as well as without Regard to Articles, adjusted between King *William* and those States in the fresh Alliances which have been lately renewed, made and ratified. Nor can any thing now, after the aforesaid Vote, preserve the House of Commons from the

A. D. 1695. some time at a Stand, and the whole Community wore a Face of Confuſion. The [*Account of the Proceedings of the Commons in Relation to the Recoinage.*] Enemies of the Recoinage gave out, That this was owing to the ſhortneſs of the Time aſſign'd in the Proclamation for the Continuance of the old Currency; and made Mr. *Montagu*, in particular, anſwerable for it; ſuggeſting, That it had been done by his Advice againſt the Opinion of the major Part of the Council: But the Advocates for that Miniſter maintain, notwithſtanding, That the Advice was good, and for the Honour of him who gave it; It being evident, ſay they, That the more ſpeedily the clipp'd Money was call'd in, the ſooner good Money would be current, without Danger of Diminution: And had the Meaſure been permitted to operate, according to its natural Courſe, no doubt the whole Effect would have been much ſooner obtain'd, and the Shock would have been ſcarce perceptible.

Confuſion it caus'd.

[*Reflections on a ſcandalous Libel.*]

But the Truth of the Caſe ſeems to have been this: From the time that the Coinage was taken into Conſideration, only the lighteſt and baſeſt Species had been current; and theſe the People had been forward enough to part with for Cuſtoms, Exciſes, and other public Demands: But when theſe Demands were ſatisfy'd, and that Vein of Circulation began to be exhauſted, either out of a Diſtruſt of the Government, (which to thoſe who recollected the Bankers Affair in the Reign of *Charles* II. was but too natural) or elſe in conſequence of wicked Combinations, they lock'd up all the reſt, and by an almoſt national Selfiſhneſs brought the Nation into the utmoſt Danger.

The Malcontents, in the mean while, were not backward to aggravate the Ferment, by all the Artifices in their Power; and it muſt be own'd, that without uncommon Firmneſs, and uncommon Addreſs, it would not have been poſſible for the Miniſters to have got the Better of the Prejudices and Clamours of their Opponents; which however they were not able to do at once, without departing, in ſome Things, from their own better Reaſon and Judgment.

Miniſters forc'd to depart from many Points.

Thus after the Houſe had receiv'd, conſider'd, amended, and paſs'd a Bill which the Chancellor of the *Exchequer* had brought in for regulating the Coinage, and ſent it up to the Lords, and the Houſe had come to a Reſolution to raiſe 1,200,000 *l.* for making good the Loſs on the clipp'd Money by a Duty on Glaſs-windows, the Apprehenſions of the Public were thought worthy the Attention of the Legiſlature; and the Force of Reaſon and Argument having been vainly try'd for ſeveral Days together, to bring the Majority to their Opinion, they were forc'd to give way to the following Reſolutions, 1. That the Recompence for ſupplying the Deficiency of clipp'd Money ſhould extend to all clipp'd Money which was Silver, altho' of a coarſer Alloy than the Standard. 2. That the Collectors and Receivers of his Majeſty's Aids and Revenues, be enjoin'd to receive all ſuch Monies. 3. That a Reward of five Pounds *per Cent.* be given to all ſuch Perſons as ſhould bring in either mill'd or broad unclipp'd Money, to be apply'd in Exchange of the clipp'd Money throughout the Kingdom. 4. That a Reward alſo of three Pence *per* Ounce be given to all Perſons who ſhould bring in wrought Plate to the Mint to be recoin'd. 5. That for the ſooner bringing in the clipp'd Money to be recoin'd, any Perſons might pay in their whole next Year's Tax of four Shillings in the Pound in the ſaid clipp'd Money, at one convenient time to be appointed for that Purpoſe. 6. That Commiſſioners be appointed in every County to pay and diſtribute the mill'd and broad unclipp'd Money, and the new coin'd Money, and to receive the clipp'd Money. A. D. 1695-5.

On the 9th of *January* theſe Reſolutions were report.d; and the ſame Day a Committee was appointed to prepare and bring in a Bill agreeable thereto. 1695-6.

On the 21ſt this Bill was read a ſecond time, and committed to a Committee of the whole Houſe: The Malcontents ſeem'd to have got the Direction into their own Hands: And the Miniſters, in hope to gain time, or make a Diverſion, were forc'd to move, That it might be an Inſtruction to the ſaid Committee to conſider the Price of Guineas, which alſo paſs'd in the Negative.

Now, therefore, if ever, all the Arts of Government were allowable, to moderate that Violence which, in the wrong Place, threaten'd to bear down all before it: Theſe they had recourſe to; and by the Aſſiſtance of them, made a Shift to poſtpone the Committee for ſeveral Days. And here it is fit to remember, that the Lords having taken the Coinage Bill into conſideration, thought fit to make two remarkable Amendments to it, *viz.* 1. That the Deficiencies of *all* clipp'd or diminiſh'd Money might be aſcertain'd in order to the making them good at the public Charge. And, 2. That after the 2d of *February* until the End of the next Seſſion, it ſhould be lawful to export any coin'd Money, without paying any Cuſtoms or Duties for the ſame, on making due Entries thereof, as of other Merchandizes.

Have no Reſource but to ſuſpend the Committee.

Amendments made by the Lords to the Coinage Bill.

With theſe Amendments the Bill was return'd to the Commons, who refus'd to admit them: And to avoid the Formality of giving Reaſons, as alſo the Cavils which Conferences might produce, dropt the Bill, and brought in another without the ſaid Clauſes, which they paſs'd and ſent up to the Lords; where they were again propos'd by thoſe who

not admitted by the Commons.

---

the Deriſion, Scorn and Contempt of Mankind, but their declaring thoſe Alliances to have been contracted and confirmed to the Prejudice of *England*, and therefore not to be ſupported by any Taxes to be levy'd upon the Subjects of this Kingdom: And that the ſaid Houſe will grant no Money towards the Confederacy, till ſuch other Agreements are made and enter'd into between this Crown and thoſe neighbouring States which may correſpond with, and come up to the Opinion of the ſaid Houſe, as they have declar'd it in the foreſaid Vote; and by the Printing thereof they have publiſh'd it to the World, as the unanimous Opinion and Judgment of the Repreſentative Body of the whole Commons of *England*. *Encroachments and Depredations*, p. 41, 42, 43.

A. D. 1695-6. who had carry'd them before: But without Effect: For the Question being put on each Head, both were severally over-rul'd; on which occasion the Lords *Rochester*, *Marlborough*, *Kingston*, and *Clifford*, and the Bishop of *London* enter'd their Dissent to the first for the following Reason.

Two Protests entered.

"Because we conceive, that tho' in the Bill for new regulating the Coin of this Kingdom, the Commons have taken Care to make good the Deficiencies of such clipp'd Monies only, as were to be paid to the King on the Account of his Majesty's Revenues or Taxes, it was agreeable to common Equity and Honesty, that Provision should be made to supply the Deficiencies of all other clipp'd Money whatsoever that were to pass in Payments among the Subjects of this Kingdom; and therefore we could not consent to the leaving out this Clause that had been added to the Bill by the Lords, which had so impartially taken care of the Benefit and Advantage of his Subject in general, so much for the Honour and Justice of the House of Peers." And to the Latter, the Lords *Rochester* and *Marlborough* only for this. "Because we conceive it inconsistent with the Rules of common Prudence, when the Bill for new regulating the Coin of this Kingdom provides, That all the clipp'd Money should be re-coin'd up to the old Standard of the Mint, there should not be a Liberty granted by Law to export the Coin of this Kingdom, whilst the Occasion lasts of supporting so great an Expence for the Armies Abroad; and so long as the Exportation of Bullion is permitted, and that of Coin prohibited, it seems to us undeniable, that the Coin must be melted down again into Bullion, which, we conceive, will be more prejudicial to the Nation, and not so easy to be drawn back by a Balance of Trade, as if that Wealth were preserv'd in the Coin of this Kingdom."

Bills pass'd.

On the 21st of *January* this Bill receiv'd the Royal Assent; as did also another for enlarging the Time for purchasing Annuities, and for continuing the Duties formerly charg'd on low Wines, without any other Appropriation than a general one, for the carrying on the War against *France*: And as both these might be call'd Court Laws, so they were balanc'd by two others, which profess'd to regard only the Safety and Interest of the Subject: The first was the Bill of *Trials*, in

Preamble to the Bill of Trials.

the Preamble of which it is declar'd, "That nothing is more just and reasonable than that Persons prosecuted for High-Treason, and Misprision of Treason, whereby the Liberties, Lives, Honour, Estate, Blood and Posterity of the Subjects might be lost and destroy'd, should be justly and equally try'd; and that Persons accus'd as Offenders therein, should not be debarr'd of *all* [for *any*, it must be understood] just and equal Means for Defence of their Innocency in such Cases." And the Second was call'd, An Act for preventing *Charge* and *Expence* in Elections of Members to serve in Parliament; but was

And to prevent mercenary Elections.

apparently levell'd against *undue Means* of procuring Elections: For the Preamble runs in these emphatical Words, Whereas grievous Complaints are made, *and manifestly appear to be true*, in the Kingdom, of undue Elections of Members to Parliament by excessive and exorbitant Expences, contrary to the Laws, and in Violation of the Freedom due to the Election of Representatives for the Commons of *England* in Parliament, to the great Scandal of the Kingdom, dishonourable and, may be, destructive to the Constitution of Parliaments, Be it enacted, *&c.* And by the enacting Clauses it is provided, That the giving, or promising to give, directly or indirectly, any Present, Reward, or Entertainment, as a Consideration for any Man's Vote, such Person should be held incapable to sit, and his Return void. A. D. 1695-4.

At this Crisis also another notable Affair, which personally affected the King (and which for that Reason, we must suppose, is not so much as mention'd by Bishop *Burnet*) was brought before the House of Commons, and met with such a Reception, both within Doors and without, as shew'd the Popularity he had boasted of in his Speech, to be not over-deeply founded.

A Grant of the Revenues of Wales to Lord Portland.

The Earl of *Portland*, his Majesty's Favourite, had obtain'd a Grant of the Lordships of *Denbigh*, *Bromfield*, *Yale*, &c. in the County of *Denbigh*, to him and his Heirs for ever: And his Majesty, before he went last abroad, had order'd the Lords of his Treasury to make out a Warrant accordingly.

Of this Grant the Gentlemen of *Denbighshire* had receiv'd early Intelligence; and while the Warrant was yet depending, resolv'd to oppose it, thorough all the Offices, with all the Vigour in their Power.

Oppos'd by several Welsh Gentlemen.

The Names of these Gentlemen were, Sir *Thomas Grosvenor*, Sir *Richard Middleton*, Sir *John Conway*, Sir *Robert Cotton*, Sir *William Williams*, Sir *Roger Pulleston*, *Edward Vaughan*, *Edward Brereton*, and *Robert Price*: And as to the Effect of this Opposition, it was, perhaps, as great as they could reasonably expect, in a Case of so much Delicacy,

Indeed, the Lords of the Treasury thought fit to pass the Docket to the Privy-Seal, a Month before they granted the Petitioners a Hearing; and even then they took care to have Mr. Secretary *Trumbal* present, for fear it might be thought they were any way wanting in their Observance of his Majesty's Royal Will and Pleasure, or any way officious in disappointing his Favourite's Purpose.

Lord *Godolphin* also ask'd the Petitioners, Whether Queen *Elizabeth* had not made the like Grant to *Robert* Earl of *Leicester*? By which Question he meant to insinuate, That there was a Precedent in point to authorise the very Thing they complain'd of: But Sir *Robert Cotton* making answer, That her Grant was limited to the Lordship of *Denbigh* only: That the Subjects of those Parts were so aggriev'd by it, that they had recourse to Arms; among whom were several of his own Family, who were hang'd for stepping beside the Laws and undertaking to right themselves: That notwithstanding this severe Example, the Earl was glad to compound the Quarrel, and resign his Grant, *&c.* His Lordship acknowledg'd, "They had offer'd many

A. D. 1695-6. ny weighty Reaſons, and ſaid, he would not fail to repreſent them to his Majeſty."

The Lord Privy-Seal *(Pembroke)* having alſo given them a candid and patient Hearing, made them the like Promiſe; and, as it is preſum'd, was as good as his Word: For the Affair was afterwards ſuffer'd to lye dormant: But not being recall'd in form, the Petitioners were induc'd to make their Appeal by a like Petition to Parliament, which was introduc'd by Mr. *Price*, with a Speech, afterwards (*d*) printed, that was equally *bold and bitter*: For having premis'd, That the Petitioners were not actuated by their own Intereſt, but the Honour of the Crown, and the Welfare of the Nation, he proceeded to ſay, "That if he could conceive that theſe could be maintain'd by a poor landleſs Crown, and a miſerable neceſſitous People, he ſhould conclude the King was well adviſ'd in granting away all the Revenues of the Crown; and that both his Government and his People would be ſafeſt when they had little or nothing left; and that, as on the contrary, the Seperation of the Revenues from the Crown had, in all Ages, been the Means of rendering the Crown precarious, the Petitioners, with a dutiful Deference to his Majeſty, had, in order to prevent it, made this neceſſary Repreſentation to the Wiſdom of Parliament."

Their Petition brought into a Parliament.

A bold and bitter Speech thereon.

He then proceeded to open the Caſe; ſaid, The whole Grant comprehended not only the three Lordſhips, but alſo a farther Extent of Land to the Value of near 3000*l.* a Year: That the Amount of the Whole was at leaſt 100,000*l.* That the reſerv'd Rent was but 6*s.* and 8*d.* a Year: That part of this Revenue having been granted away in the Fourth of Queen *Elizabeth*, and that Grant having created great Diſturbances, the Tenants, on one Hand, gave large Compoſitions for a Reſumption, and the Queen, on the other, confirm'd their Rights.

That theſe Lands and Lordſhips having been ſettled by King *James* on Prince *Charles*, and the Heirs apparent of the Kings of *England*, other Grants were again made by him to ſome of his Servants, which were again redeem'd by another Compoſition of 10,000*l.*

That there is a great Duty lies upon the Freeholders of theſe Lordſhips upon the Creation of a Prince of *Wales*; they pay the Prince 800*l.* for Mizes, which is ſuch a Duty, Service, or Tenure, that is not to be ſevered from the Prince of *Wales*: And how this Tenure could be made reconcileable to this noble Lord's Grant, would be a great Difficulty: That if they are to pay theſe Mizes to this noble Lord upon this Grant, then he was qualify'd as a Prince of *Wales*, for the Duty was never paid to any other: But if it was to be paid to the Prince of *Wales*, and likewiſe to this noble Lord, then they are doubly charg'd; but if it was to be paid to the Prince of *Wales*, when he has no Royalty left in that Dominion, and not to be paid to this noble Lord, (who by this Grant was to have the whole Lordſhip) it created a Repugnancy in the Tenure of their Eſtates. A. D. 1695-6.

But I ſuppoſe, added he, this Grant of the Principality is a Forerunner of the Honour too; and then I ſhall fancy we are returning to OUR *Original Contract*: For, as Story tells us, that we were firſt brought to entertain a Prince of *Wales*, by recommending him to us as one that did not underſtand the *Engliſh* Tongue; and our Fore-fathers thence inferr'd, that he muſt be our Countryman, and no Foreigner, and one that underſtood the *Brittiſh* Language: How we were deceiv'd herein, is palpable: I ſuppoſe this Lord doth not underſtand our Language, nor is it to be ſuppos'd that he will come among us to learn it, nor ſhall we be fond of learning his: But ſince, added he, I have minded you of our *Welſh* original Contract, which is of ſo long ſtanding, I would not have you forget another Contract made not above ſeven or eight Years ſince, which is the Foundation of our preſent Government; I mean the Bill of *Rights* and *Liberties*, and ſettling the Succeſſion of the Crown, which is ſo much forgot in Diſcourſe and Practice, that I have not heard it nam'd in Parliament, but once the laſt Parliament, and I find it is as much forgot in the Adminiſtration: I would gladly know from thoſe that are better vers'd in prerogative Learning than myſelf, whether his Majeſty can, by the Bill of Rights, (without the Conſent of Parliament) alienate or give away the Inheritance or abſolute Fee of the Crown Lands? If he can, I would likewiſe know to what Purpoſe was the Crown ſettled for Life, with a Remainder in Succeſſion; if the Tenant for Life of the Crown, can give away the Revenue of the Crown, which is incident to the Crown? Or can the King have a larger Eſtate in the Revenues, than he has in the Crown to which it belongs? Far be it from me to ſpeak or think any thing in Derogation of his Majeſty's Honour or Care over us: It cannot be expected that he ſhould know our Laws, who is a Stranger to us, and we to him, any more than we know his Counſels, which I wiſh we did; I mean thoſe new immediate Adviſers and Miniſters, thro' whoſe Hands this Grant did paſs, by adviſing the King to grant what by Law he could not: Theſe Miniſters are guilty of the higheſt Violation of the Laws and Liberties of *England*, and ſtrike at the very Foundation of the Succeſſion, and tear up the Bill of Rights by the Root: It was their Province and Duty to have acquainted the King of his Power and Intereſt, That the antient Revenue of the Crown is ſacred and unalienable in time of War, and the Peoples Neceſſities. By the old Law it is part of the Coronation Oath of the Kings of *England*, not to alien the antient Patrimony of the Crown without Conſent of Parliament: But as to thoſe Oaths of Office, moſt

(*d*) Under the Title of *Gloria Cambriæ*: Or, *The Speech of a bold* Briton *againſt a* Dutch *Prince of* Wales.

A.D. 1695-6. most Kings have Court-Caſuiſts enough about them to inform them, that they have a Prerogative to diſpenſe with thoſe Oaths, eſpecially when their Intereſt (as it generally does) goes along with their Council. It has been the peculiar Care of Parliaments in all Ages, to keep an even Balance betwixt King and People; and therefore when the Crown was too liberal in its Bounties, the Parliaments uſually reſum'd thoſe Grants, which was very frequent: For from the Reign of *Henry* III. of *England*, to the Sixth of *Henry* VIII. there was one or more Bills of Reſumption of all that was granted from the Prince of *Wales* in all that Principality; yet thoſe Acts were not look'd upon by thoſe Kings (of whom ſome of them were both good and great) as any leſſening or diminution of their Prerogatives; it being conſider'd, that Kings have their Failings as well as other Men, being cloath'd with frail Nature, and apt to yield to the Importunities of their Favourites and Flatterers; therefore it becomes neceſſary, that the great Council of the Nation ſhould interpoſe for the Intereſt of the King and People: The Commons of *England* always entertain'd an honourable Jealouſy of their Prince, when they perceiv'd their Expences at Home and Abroad, their Gifts and Boons to their Favourites to be too large or exorbitant, and have therefore, by their Petitions and dutiful Applications to the Crown, advis'd the Kings of *England* to retrench their Expences, and not to alien and give away the Revenues of the Crown, leſt they ſhould become burthenſome to the People and chargeable to the Common-wealth, and that they would live upon their own Revenue. Theſe were their juſt and equal Ways in elder Times, to repair the languiſhing State of the Crown: And as we are an Iſland, and ſubject to Invaſion, ſo the Parliament of *England* were very watchful, that other Countries ſhould not outdo them in Trade and naval Strength: That Foreigners ſhould have no more Footing, or Strength, or Settlement in *England*, than was conducing to carry on the Trade and Commerce of the Nation; and whenever Princes entertain'd Foreigners as their Council or chief Advicers, the People of *England* were reſtleſs and uneaſy until they were remov'd out of the King's Council; nay, out of the Kingdom: And Inſtances are many in Hiſtory and Parliament Rolls, that great Men and Favourites, being Foreigners, were baniſh'd the Land, for procuring to themſelves ſo large a Proportion of the Royal Revenue, eſpecially in Times of War and the People's Neceſſities. [*Here he introduc'd a great Variety of Inſtances.*]

I muſt needs confeſs that my Thoughts are troubled with ſtrange Apprehenſions of our deplorable State: We are in a Confederacy in War, and ſome of thoſe Confederates our Enemies in Trade, tho' planted amongſt us; ſome of the King's Council, ſome in the Army, and the common Traders have poſſeſs'd themſelves of the Out-ſkirts of this great City: We find ſome or other of them Naturaliſ'd, and others made *Denizens*: Every Parliament we find Endeavours for a general Naturaliſation, and that warmly ſolicited from Court: We ſee our good Coin all gone, and our Confederates openly coining baſe Money of *Dutch* Alloy for us: We ſee moſt Places of Power and Profit given to Foreigners: We ſee our Confederates in Conjunction with the *Scotch*, to ruin our *Engliſh* Trade: We ſee the Revenues of the Crown daily given away to one or other, who make Sale of them, and tranſmit their Eſtates elſewhere: We do not find any of them buy Lands or Eſtates amongſt us; but what they can get from us, they ſecure in their own Country: How can we hope for happy Days in *England*, when this great Lord, and other Foreigners, (tho' naturaliſ'd) are in the *Engliſh*, as alſo in the *Dutch*, Councils? If theſe Strangers, tho' now Confederates, ſhould be of different Intereſts, as moſt plainly they are in point of Trade, to which Intereſt is it to be ſuppos'd thoſe great foreign Counſellors and Favourites would adhere? So that I foreſee, that when we are reduc'd to extreme Poverty, (as now we are very near it) we are to be ſupplanted by our Neighbours, and become a Colony to the *Dutch*. I ſhall make no ſevere Remarks on this great Man, for his Greatneſs makes us little, and will make the Crown both poor and precarious: And when *God* ſhall pleaſe to ſend us a Prince of *Wales*, he may have ſuch a Preſent of a Crown made him, as a Pope made to King *John*, who was ſurnam'd *Sans Terre*, and was by his Father, King *Henry* II. made Lord of *Ireland*; which Grant was confirm'd by the Pope, who ſent him a Crown of Peacock's Feathers in Deriſion of his Power, and the Poverty of his Revenue. I would have us to conſider, that we are *Engliſhmen*, and muſt, like good Patriots, ſtand by our Country, and not ſuffer it to become tributary to Strangers. We have rejoyc'd that we have beat out of this Kingdom Popery and Slavery, and do now, with as great Joy, entertain Socinianiſm and Poverty; and yet we ſee our Properties daily given away, and our Liberties muſt ſoon follow.

A.D. 1695.

Thus I have repreſented to you the Nature of this mighty Grant to this noble Lord, the ill Conſequences that muſt attend the Public, and more particularly this County by paſſing it: The Remedies that our Forefathers took to cure thoſe Ills, are well known.

I deſire more Redreſs than Puniſhment; therefore I ſhall neither move for an Impeachment againſt this noble Lord, nor the Baniſhment of him; but ſhall beg he may have no Power over us, nor we any Dependance upon him; and ſo conclude with this Motion, That an Addreſs be made to his Majeſty to ſtop the Grant that is paſſing to the Earl of *Portland*, of the Lordſhips of *Denbeigh*, *Bromfield* and *Yale*, and other Lands in the Principality of *Wales*; and that the ſame be not granted but by Conſent of Parliament.

This was the Subſtance of the Speech; and what Palliatives ſoever were apply'd in Anſwer to it, the Houſe unanimouſly agreed

A. D. 1695 6. *An unanimous Address to stop the Grant.*

to the Prayer of the Petition, and the Motion founded thereon: And in their Addreſs, after a ſuitable Preamble, humbly laid before his Majeſty, "That the ſaid Manors, with the large and extenſive Regalities, Powers, and Juriſdictions to the ſame belonging, are of great Concern to your Majeſty and the Crown of this Realm: And that the ſame have been uſually annex'd to the Principality of *Wales*, and ſettled on the Princes of *Wales* for their Support: And that a great Number of your Majeſty's Subjects in thoſe Parts, hold their Eſtates by royal Tenure, under great and valuable Compoſitions, Rents, Royal Payments, and Services to the Crown and Princes of *Wales*; and have, by ſuch Tenure, great Dependance on your Majeſty and the Crown of *England*, and have enjoy'd great Privileges and Advantages with their Eſtates under ſuch Tenure.

We, therefore, moſt humbly beſeech your Majeſty, to put a Stop to the paſſing this Grant to the Earl of *Portland*, of the ſaid Manors and Lands; and that the ſame may not be diſpos'd from the Crown but by Conſent of Parliament: For that ſuch Grant is in Diminution of the Honour and Intereſt of the Crown, by placing in a Subject ſuch large and extenſive Royalties, Powers, and Juriſdictions, which ought only to be in the Crown, and will ſever that Dependance, which ſo great a Number of your Majeſty's Subjects in thoſe Parts have on your Majeſty and the Crown, by reaſon of their Tenure, and may be to their great Oppreſſion in thoſe Rights which they have purchas'd, and hitherto enjoy'd with their Eſtates, and alſo an Occaſion of great Vexation to many of your Majeſty's Subjects, who have long had the abſolute Inheritance of ſeveral Lands (comprehended in the ſaid Grant to the Earl of *Portland*) by antient Grants from the Crown."

How the King was affected by this Addreſs, and the Speech which gave Riſe to it, may be eaſily gather'd from the Elements he was made of: And tho' his Anſwer has a Shew of Temper, the Purport of it manifeſtly is, That he would enrich his Favourite in ſpite of their Teeth.

His Words were theſe.

King's Anſwer.

"*Gentlemen*,

I have a Kindneſs for my Lord *Portland*, which he has deſerv'd of me by long and faithful Services: But I ſhould not have given him theſe Lands, if I had imagin'd the Houſe of Commons could have been concern'd: I will therefore recal the Grant, and find ſome (*e*) other way of ſhewing my Favour to him.

And now we are again at Liberty to reſume the grand Affair of the Coin, which was no farther ſettled by the Bill above ſpecify'd, except as to the Recoinage, Weight, Standard, *&c.* than this, That till the fourth Day of *May* next enſuing, all the Receivers of the Revenue were authoris'd to take clipp'd or debas'd Monies in Payment of Taxes: That till the 24th of *June*, the Tellers of the *Exchequer* were, in like manner, authoris'd to take the ſame for Loans on the Funds aſſign'd for his Majeſty, unleſs in caſe of a ſpecial Proviſo to the contrary: That after the 10th of *February* it ſhould be current in no other Payment: That all hammer'd Money that was unclipp'd, was ſtill to be current, if ſtruck thro' about the Middle with a ſolid Punch, that ſhould make a Hole, without diminiſhing the Silver: And that Six-pences of any ſort were ſtill to be current as before.

A. D. 1695 6. *The Affair of the Recoinage reſum'd.*

Much, therefore, remain'd to be done; and both Parties were equally in Pain for the Iſſue: The Malcontents, in particular, who ſeem'd to have the Tide with them, and who were, therefore, the more impatient of the Interruption they had met with, made their court to the People; or, as their Antagoniſts gave out, to the *Clippers*; by moving, on the 4th of *February*, for an Inſtruction to the general Committee, (when they ſhould ſit again, muſt be underſtood) to conſider of a farther Encouragement to be given for bringing in Plate to be coin'd, and broad Money, in order to be exchang'd for clipp'd Money: And, again, on the 6th, for another Inſtruction to prepare a Clauſe, for prohibiting the Uſe of Plate in public Houſes, under a Condition, that the Money coin'd out of it, ſhould alſo be exchang'd for clipp'd Money.

The Courtiers, on the other Hand, (who had reſpited the Progreſs of the Committee, only for the ſake of renewing their Attack on the Guineas, on a Footing of Popularity as well as Reaſon) ſpirited up a Party of Merchants and Traders to preſent a Petition to the Houſe, praying, That the Difficulties and Loſſes in their Trade and Payments, by the enhanc'd Price of Guineas, might be taken into Conſideration.

This was receiv'd on the 8th; and produc'd an Order for a Bill to be brought in, for taking off the Obligation and Encouragement of coining Guineas for a certain time, which was become ſo gainful a Trade by the exorbitant Advance upon their Value, that one Refiner alone had, in a very ſhort Courſe of Time, coin'd no leſs than 100,000.

A Bill to take off the Obligations, &c. of coining Guineas.

Nor was this all; for on the 12th, the Courtiers found themſelves once more ſtrong enough to carry a Vote, That the Houſe would

(*e*) Which accordingly was done; and the *May* after, the following Grant was made to the ſaid Earl, in Recompence for the Revenues of the Principality of *Wales*, viz. Of the Manor of *Grantham*, in the County of *Lincoln*; Honour of *Penrith*, in the County of *Cumberland*; Manor of *Dracklow* and *Rudneth*, in the County of *Cheſter*; Manor of *Terrington*, in the County of *Norfolk*; Manors of *Partington*, *Briſtelcomb*, *Honſey*, *Thoring*, *Burroſſy*, and *Lewes* in the County of *York*; all Parcel of the antient Revenue of the Crown of *England*; and of the Manor of *Pevenſey* in the County of *Suſſex*; Parcel of the Duchy of *Lancaſter*, and of all the Lands, Tenements, and Hereditaments thereunto belonging, to have and to hold the ſame to the ſaid Earl and his Heirs; as alſo of his Majeſty's Manor of *Eaſt Greenwich*, in the County of *Kent*, under the Rent of 4*l.* 15*s.* 4*d.* payable at *Lady-Day* Yearly: And ſuch Clauſes, Powers and Proviſo's are inſerted, as were directed by Warrant under his Majeſty's Royal Sign Manuel. There was likewiſe granted to the ſaid Earl of *Portland*, all the little Remainder of the Fee-Farm-Rents, worth to be ſold, 24,000*l.* as alſo of mere Bounty, 25,000*l.*

A. D. 1695-6. would, the next Day, resolve itself into a Committee to consider the Price of Guineas: And from thence had good Reason to conclude, That they should have the best of the Debate.

But tho' they had thus far recover'd a Majority, they knew it was not to be altogether rely'd upon, unless the Strength of their Arguments should authorise a Division in their Favour: It appears, however, by what has been transmitted to us of the Controversy, that Reason was wholly on their Side, and Clamour only on the other: For the Substance of what the Latter alledg'd consisted in this, That the People were already uneasy and displeas'd at the Apprehensions they had entertain'd of a Purpose to lower the Guineas: That all those Individuals, on whose Hands the Guineas should be left, would be great Losers, which would raise great Complaints, and, perhaps, great Disturbances in the Nation; and that, therefore, it ought to be seriously consider'd, whether, at such a Juncture, it would be prudent to impose any additional Grievance on the People, already such grievous Sufferers by the Expences, Losses, and other Calamities of the War.

The Courtiers, on the other Hand, set out with a suitable Regard for these Considerations, admitted, that the Necessities of the Times ought to pass for Arguments in favour of the Currency of Guineas, at an advanc'd Rate, but not at so unreasonable an Advance, nor for any longer time, than was requisite for the Mints to issue the new Coin, and thereby to restore the Circulation of Silver: That, nevertheless, there was a pressing Necessity to lower them immediately somewhat nearer the Standard, that the extravagant Profits which dextrous Men had in their Power to make, by passing their clipp'd Money thro' the Mint, and laying out the new Coin in foreign Gold, might not deprive the Public of the new Coin as fast as it was issued: And that, upon the whole, the Mischiefs to be apprehended from the Continuance of so great an Evil, as Experience had shewn such a Disproportion between the intrinsic Value of Silver and Gold, to be, would infinitely over-balance Those in the other Scale.

But how unanswerable soever their Arguments were; and tho' they consented to admit of what they call'd a very moderate Temperament, *viz.* That Guineas should still pass in Payments at 24*s.* each, such was the Obstinacy of their Antagonists, and so dubious many of their Friends, that all they could obtain upon the Issue was, That Guineas should not pass in any Payment, above the Rate of 28*s.* each.

Guineas lower'd to 28s.

Nor could they obtain even this, without the utmost Difficulty: Once the Committee was broke up, and the Speaker resum'd the Chair: And when the Committee was re-obtain'd, and the Question came to be put, Mr. *Palmer*, the Chairman, (who had been of the Country Party, but apostatis'd for so valuable a Consideration as a *Teller's* Place for his Son) was reprimanded by his old Friends, for not putting it fairly, with more Noise and more Bitterness than was consistent with the Decorum, which one would think *Gentlemen*-Senators could never depart from. A. D. 1695-6.

But tho' the Courtiers found it thus difficult to carry so small an Advantage, when their Opponents would have insisted on a Law to force the Acceptance of Guineas at 28*s.* they met with a total Defeat: And thus the Affair hung till the 26th, when the Court having obtain'd additional Strength, by an unforeseen Incident, (to be explain'd in its Place) which might have been fatal to it, made a Shift to carry another Vote, after another long and perplex'd Debate, That Guineas should not pass in Payment at a higher Rate than 26*s.* But then it was under an Assurance, That they would not insist on any farther Reduction: An Assurance that prov'd to be no more than an Artifice, to qualify the Ferment of the Day: And by a Course of the like Artifices, they gradually prevail'd with the House, to drop all the Clauses which related to the Exchanging with the People broad or mill'd Money for clipp'd Money, and to alter the Title of the Bill, conformable to the Contents. For whereas it was at first call'd, *A Bill to encourage the bringing in of mill'd, broad, or unclipp'd Monies, to be exchang'd by Commissioners in the several Ports of this Realm, with the common People for their clipp'd Money; and for the encouraging Persons to bring Plate into the Mint to be coin'd:* All the Former Part of the Title was left out on the 10th of *March*; and from that time it took its Denomination from the Latter only, with this Addition, *And for the farther remedying the ill State of the Coin of this Kingdom.*

And again to 26s.

All the Clauses for exchanging clipp'd Money dropt.

Nor was this all: For on the 19th Lord *Conningesby* prefer'd a Clause for lowering the Currency of Guineas to 22*s.* grounded on this Proposition, That the uncertain Value of coin'd Gold had been highly prejudicial both to the Trade and Landed Interest of the Kingdom. The Sense of the Majority seem'd to be for accepting it; and all the Favour the Malcontents could obtain, was to post-pone the Consideration of it till the next Day, when they inveigh'd so fiercely against the Courtiers for departing from the Assurance they had given on that Head before, and rais'd such a Spirit of Resentment against them on that Account, that the Clause was rejected: But notwithstanding this Defeat, at the Third reading of the Bill, Lord *Conningesby* produc'd his Clause again; the same Arguments, Clamours and Abuses were ply'd with the same Vehemence as before; but not with the same Success: For after a Debate, which lasted many Hours, the Clause was admitted by a Majority of 205 against 174: And the (e) Bill finally pass'd, to the infinite

Guineas reduc'd to 22s. and the Bill passed.

(e) The principal enacting Clauses, besides that in relation to Guineas, were, To prohibit the Use of Plate in public Houses, on penalty of forfeiting double the Value: To prohibit the Exportation of Bullion, except upon Oath, That it was foreign Bullion: And to prohibit the Currency of clipp'd Money, after the 4th of *May*, on penalty of forfeiting double the Value.

A. D. 1695-6. infinite Mortification of thoſe who had been at once ſo unexpectedly and ſo completely diſappointed by it, and who reſolv'd to make their Appeal, when Time ſhould ſerve, to the People, in hope, by their Means, of being fully aveng'd.

And now, inſtead of following this Bill to the Lords, where it was ſure to meet with a warm but ineffectual Oppoſition, it is time to touch upon another popular Out-cry, which the Malcontents had artfully rais'd, and in which they were join'd by the general Voice of the People.

Proceedings on the Scots African Company.

His Majeſty, it may be remember'd, in his Speech from the Throne, had call'd upon the Commons to ſhew a particular Regard to the *Eaſt-India* Trade, *leſt it ſhould be loſt to the Nation:* And for fear this Shew of Tenderneſs ſhould have ſome *Weight* with the Public, the Malcontents had given out, That it was affected merely; that the main Purpoſe of it was to ſilence the Complaints of the *Eaſt-India* Company, for the Loſs of their Ships on the Coaſt of *Ireland*, which were the richeſt that had ever been freighted from thoſe Parts to *England*; and the Fall both of their Stock and Credit upon it; as alſo to prevent any Enquiry into the Occaſion of it: For that, in caſe of ſuch Enquiry, it would be found the true Source of the Misfortune, was the Treachery of the *Dutch* Miniſters, who were in the Secret of all our Councils; and of their Creatures, who made a Trade of betraying them. And as a Proof that the Trade of *England* had, in Truth, no Share of his (the King's) Regard, they reſolv'd to bring forward the late Tranſaction in *Scotland*, in relation to the Eſtabliſhment of an *African* and *India* Company there, which was underſtood to be incompatible with any ſuch Profeſſions.

Dutch Encroachments and Depredations, p. 17.

Burnet, Vol. II. p. 163.

The oppoſing Lords began with it firſt, and ſet forth the Miſchiefs to be apprehended from it, in ſuch ſtrong and lively Colours, that the Courtiers, who had not as yet acquir'd the Confidence to juſtify or ſtifle every Government-Job of every kind, were not only forc'd to give way to what was call'd an Addreſs, but was, in Truth, a Remonſtrance againſt it, but to a Reſolution, that the Commons ſhould be invited to concur with them in it.

Accordingly, the Commons having been invited to a Conference, the ſaid Addreſs was imparted to them; and on the Report, approv'd by the Houſe, who alſo put in for their Share of Popularity in the Proſecution of ſo popular a Subject, by appointing a Committee to examine, What Methods had been taken to obtain the *Scots* Act for erecting the ſaid Company? Who were the Subſcribers to it? And who were the Promoters and Adviſers of it?

A joint Addreſs of the Lords and Commons againſt it.

As to the Addreſs, it ſet forth in the Name of both Houſes, "That having taken into their Conſideration the State of the Trade of this Kingdom, they found that, beſides many other Diſadvantages and Difficulties it now lay under, an Act of Parliament, that had lately receiv'd his Majeſty's Royal Aſſent in his Kingdom of *Scotland*, for erecting a Company trading to *Africa* and the *Indies*, was like to bring many great Prejudices and Miſchiefs to all his Majeſty's Subjects, that were concern'd in the Wealth or Trade of this Nation: That the ſaid Act did provide, That all Ships, Merchandize, and other Effects whatſoever, belonging to that Company, ſhould be free from all manner of Reſtraints or Prohibitions, and of all Cuſtoms, Taxes, Seſſes, Supplies, or other Duties impos'd, or to be impos'd by Act of Parliament, or otherwiſe, for the Space of twenty-one Years: And further, that the ſaid Company, whoſe Members, Officers, Servants, or others belonging thereto, ſhould be free both in their Perſons, Eſtates, and Goods employ'd in the ſaid Stock and Trade, from all manner of Taxes, Seſſes, Supplies, Exciſes, quartering of Soldiers tranſient or local, or levying of Soldiers, or other Impoſitions whatſoever, during the Space of twenty-one Years. That by Reaſon of the great Advantages granted to the *Scotch-Eaſt-India* Company, and the Duties and Difficulties that lay upon that Trade in *England*, a great Part of the Stock and Shipping of this Nation would be carried thither; and by this Means *Scotland* might be made a free Port for all *Eaſt-India* Commodities; and conſequently thoſe ſeveral Places in *Europe*, which were ſupply'd from *England*, would be furniſh'd from *Scotland*, much cheaper than could be done by the *Engliſh*; and therefore this Nation would loſe the Benefit of ſupplying foreign Parts with thoſe Commodities, which had always been a great Article in the Balance of their foreign Trade. Moreover, that the ſaid Commodities would unavoidably be brought by the *Scotch* into *England*, by Stealth, both by Sea and Land, to the vaſt Prejudice of the *Engliſh* Trade and Navigation, and to the great Detriment of his Majeſty in his Cuſtoms: And that when that Nation ſhould have ſettled themſelves in Plantations in *America*, the *Engliſh* Commerce in Tobacco, Sugar, Cotton, Wool, Skins, Maſts, &c. would be utterly loſt; becauſe the Privileges of that Nation, granted to them by this Act, were ſuch, That that Kingdom muſt be the Magazine for all Commodities, and the *Engliſh* Plantations, and the Traffic there, loſt to this Nation, and the Exportation of their own Manufactures yearly decreaſed: That beſides theſe, and many other Obſtructions that this Act would unavoidably bring to the general Trade of this Nation, another Clauſe in the ſaid Act, whereby his Majeſty promiſed to interpoſe his Authority to have Reſtitution, Reparation, and Satisfaction made, for any Damage that might be done to any one of the Ships, Goods, Merchandize, Perſons, or other Effects whatſoever belonging to the ſaid Company, and that upon the Public Charge, did ſeem to engage his Majeſty to employ the Shipping and Strength at Sea of this Nation, to ſupport this new Company, to the great Detriment even of this Kingdom."

A. D. 1695-6.

Such was this remarkable Paper; and as it was thus ſtrong both in Matter and Manner, ſo to give it the more Weight and Significancy, it was preſented to his Majeſty by

A. D. 1693-6. by both Houſes: And inſtead of enflaming the *Matter* by vindicating it, or taking Shelter under the Obligations which lay upon him as King of *Scotland*, his Majeſty was pleas'd to ſignify by way of Anſwer, "That he had been ill ſerv'd in *Scotland*; but that he hop'd ſome Remedies might be found to prevent the Inconveniences which might ariſe from the Act."

The King's Anſwer.

The Commons did not, however, give over their Perſuit: On the contrary, having been quicken'd by a Petition from the *Eaſt-India* Company, and having receiv'd the Report of their own Committee, together with a Copy of an Oath *de Fideli*, taken by the Directors of the *Scots* Company, as alſo of the Journal of the ſaid Directors, they took the whole Matter into Conſideration, and, on the 26th of *January*, came to the following Reſolution: "That the Directors of the Company of *Scotland*, trading to *Africa* and the *Indies*, adminiſtring and taking here in this Kingdom, an Oath *de Fideli*; and under Colour of a *Scotch* Act of Parliament, ſtiling themſelves a Company, and acting as ſuch, and raiſing Monies in this Kingdom, for carrying on the ſaid Company, were guilty of a high Crime and Miſdemeanor; and that the ſaid Directors [Here their Names were inſerted] be impeach'd of the ſaid high Crimes and Miſdemeanors."

Reſolution to impeach the Directors.

A Committee was alſo appointed to draw up Articles in form againſt the ſaid Directors: But while they were thus employ'd, a new Incident happen'd, which ſhew'd plainly enough, that the Endeavours on one Side were counter-work'd by Thoſe of the other.

One *Roderick Mackenzy* had hitherto furniſh'd the Houſe of Commons with the moſt material Points of Evidence, which they had founded their Impeachment upon; but now, when he was call'd upon to aſſiſt in making good that Impeachment, by bringing his Evidence home to the Perſons of the Directors, he not only endeavour'd to retract ſome of the Particulars which he had advanc'd before, but being alſo order'd into Cuſtody thereupon, found means to make his Eſcape.

It is true, the Houſe apply'd by Addreſs to his Majeſty, for a Proclamation to apprehend him, and ſuch a Proclamation was iſſued accordingly: But then it being feebly worded, and unſupported with any Promiſe of Reward, it had no effect, and conſequently the Proſecution fell to the Ground.

Burnet's *Reflections on this Affair.*

Biſhop *Burnet*, who ſums up this whole Proceſs in theſe few Words, "Great Complaints were made in both Houſes of the Act for the *Scots Eaſt-India* Company, and *Addreſſes* were made to the King ſetting forth the Inconveniences that were like to ariſe from thence to *England*;" with the Addition of his Majeſty's Anſwer, proceeds to qualify all, as he thinks, by ſaying, That ſoon after his Majeſty turn'd out both the Secretaries of State (for *Scotland*) and the Marquis of *Tweedale*; as alſo, That great Changes were made in the whole Miniſtry of that Kingdom, both high and low: But then he undoes all again, by adding, "No Enquiry was made, nor Proceeding order'd concerning the Buſineſs of *Glenco*: So that furniſh'd the *Libellers* with *Colours* in aſperſing the King, as if he muſt have been willing to ſuffer it to be executed, ſince he ſeem'd ſo unwilling to let it be puniſh'd." As alſo, "But when it was underſtood in *Scotland*, that the King had *diſown'd* the Act for the *Eaſt-India* Company, from which it was expected, that great Riches ſhould flow into that Kingdom, it is not eaſy to conceive, how great and how general an Indignation was ſpread over the whole Kingdom. The *Jacobites* ſaw what a Game it was like to prove in their Hands; they play'd it with great Skill, and to the Advantage of their Cauſe, in a Courſe of many Years."

A. D. 1695-6.

And, indeed, it was ſcarce poſſible to have furniſhed them with a better: For the *Scots* had as much Reaſon to complain of the King's ſacrificing them to his *Engliſh* Subjects, as the *Engliſh* of his gratifying the *Scots* with ſuch great Exemptions and Privileges, when They were every Year more and more oppreſs'd with the two-fold Burden of the War, and the Taxes neceſſary for its Support. It was no Wonder, therefore, that the *Jacobite*-Emiſſaries in each Kingdom, found Matter enough to enflame the Diſcontents of Both; and as each was before divided within itſelf, to work up ſuch a reciprocal Reſentment, as ſhould bid fair to embroil them with each other.

The ſame Prelate alſo admits, That the Loſſes of the Merchants gave great Advantages to thoſe who complain'd of the Adminiſtration: And after a ſlight Attempt to ſhew with what Malignity and Injuſtice thoſe Complaints were manag'd, proceeds to ſay, "That in the End, when all the Errors with Relation to the Protection of our Trade, were ſet out and much aggravated, a Motion was made to create by Act of Parliament, a Council of Trade,"

An Attempt to ſet up a Council of Trade by parliamentary Authority.

But this Trait is not ſufficient to explane the Fact. The Complaints and Petitions of the ſuffering Merchants were, at this time of Day, thought one of thoſe Points which moſt deſerv'd the Attention of the Legiſlature: And agreeable to this Sentiment, the Houſe reſolv'd itſelf into a general Committee, to conſider the State of the Nation in Relation to Trade, which took up much of their Time, and produc'd a Variety of Reſolutions, which ſeem'd, at leaſt, to have the Welfare of the Community for their Foundation.

It was from a full Conviction of the Neglects and Omiſſions of the Government, that this Notion of a Council of Trade had its Riſe: And it was for fear of a Continuance of the ſame Miſmanagement, that it was to be put under a parliamentary Direction.

But, unhappily, thoſe who recommended this Expedient, proceeded on ſuch Principles, as had a natural Tendency to render it unſucceſsful: For it was reſolv'd, 1. That a Council of Trade ſhould be eſtabliſh'd by Act of Parliament, with Powers for the more effectual Preſervation of the Trade of this

A. D. 1695-6. this Kingdom. 2. That the Commiſſioners conſtituting the ſaid Council be nominated by Parliament. 3. That none of the ſaid Commiſſioners ſhould be of the Houſe. 4. That the ſaid Commiſſioners ſhould take an Oath, acknowledging King *William* to be *rightful* and *lawful* King of this Realm; that the late King *James* had no Right or Title to the Crown; and that no *other* Perſon *had* any Right or Title to the Crown, otherwiſe than according to the Act of Settlement, made in the firſt Year of his Majeſty's Reign, &c.

Now, if the Undertakers for this Eſtabliſhment were not artfully led, which is not improbable, to raiſe it on this impolitic Baſis, it muſt be ſuppos'd, That they hop'd to reconcile the Court to the Former of theſe Clauſes, by the Means of the Latter: But no gilding could make ſuch a Doſe go down: The King was as much a Bigot to the Prerogative, as the moſt bigotted of his Predeceſſors: And thoſe who were diſſatisfy'd with the Plan, on account of the ſpecific Acknowledgment requir'd in it, that King *William* was *rightful* and *lawful* King, or what *follows* it, could ſafely oppoſe one Part of it under the Umbrage of another; and did it ſo effectually, that they procur'd that Clauſe to be rejected.

Burnet's Account of it. Biſhop *Burnet* ſtates it as an Attempt to change our Conſtitution in a very eſſential Point: "The executive Part of the Government, ſays he, was wholly in the King: So that the appointing any Council, by Act of Parliament, began a Precedent of their breaking in upon the Execution of the Law, in which it could not be eaſy to ſee how far they might be carried: It was, indeed, offer'd, That this Council ſhould be much limited as to its Powers; yet many apprehended, that if the Parliament named the Perſons, how low ſoever their Powers might be at firſt, they would be enlarged every Seſſion; and from being a Council to look into Matters of Trade, they would be next impower'd to appoint Convoys and Cruizers: This, in time, might draw in the whole Admiralty, and that Part of the Revenue or Supply that was appropriated to the Navy; ſo that a King would ſoon grow to be a Duke of *Venice*: And, indeed, thoſe who ſet this on moſt zealouſly, did not deny that they deſign'd to graft many Things upon it.

The King was ſo ſenſible of the ill Effects this would have, that he order'd his Miniſters to oppoſe it as much as poſſibly they could: The Earl of *Sunderland*, to the Wonder of many, declar'd for it, as all that depended on him promoted it: He was afraid of the Violence of the *Republican Party*, and would not venture on provoking them: The Miniſters were much offended with him, for taking this Method to recommend himſelf at their Coſt: The King himſelf took it ill, and *he* told *me*, if he went on, driving it as he did, that he muſt break with him: He imputed it to his Fear; for the unhappy Steps he had made in King *James*'s Time, gave his Enemies ſo many Handles and Colours for attacking him, that he would venture on nothing that might provoke them. A. D. 1695-6. Here was a Debate, plainly in a Point of Prerogative, how far the Government ſhould continue on its antient Bottom of Monarchy, as to the executive Part; or how far it ſhould turn to a Common-wealth: And yet, by an odd Reverſe, the *Whigs*, who were now moſt employ'd, argued for the Prerogative, while the *Tories* ſeem'd zealous for public Liberty: So powerfully does Intereſt biaſs Men of all Forms!"

Of the *fourer Sort* of *Whigs*, and their being a Part of the national Compoſition, in this very Parliament, we have heard from this Hiſtorian-Prelate before: But of a *Republican Party*, we have ſcarce heard a Syllable ever ſince the Diſſolution of the *Convention*-Parliament: And if they were numerous enough to deſerve the Name of a Party, it is certain they were leſs numerous than even the *Papiſts* themſelves: Beſides, the King, tho' advanc'd to the Throne by their Aſſiſtance, and in part on a *Republican* Footing, had more Charity even for the *Jacobites* than for them: And as they were thus odious at Court, as they were equally odious to each Party, and their Principles were not ſo much as known to the People, ſo it is utterly inconceivable, that the Earl of *Sunderland*, who had been ever in the very Boſom of his Majeſty, ſhould ſee Cauſe to be afraid of them. *Jacobites diverted upon.*

Again: If it ſhould be admitted, that a Handful of them had Seats in the Houſe of Commons at this time, it is certain they had not the Lead there; and none but ſuch as were of the firſt Claſs in point of Ability and Authority, could have carry'd this Matter ſuch a Length as it was carry'd: In which Caſe we may farther aſk, How it is poſſible to ſuppoſe, That ſuch Perſons ſhould be ſo indiſcrete as to ſuffer their own Secret to eſcape, by any Inſinuation of any kind, That they *deſign'd to graft many Things* upon this Expedient of a *Council of Trade*.

Then, as to what his Lordſhip has been pleas'd to ſuggeſt concerning the Conſequences to be apprehended from this Bill, namely, That it would in *Time* draw in all the Powers of the Admiralty, &c. and that the King would ſoon grow to be a Duke of *Venice*, Experience has ſhewn, that *Republican* Plants are ſo far from being quick of Growth in our Climate, that they will ſcarce be induc'd to take Root in the Soil: And the Parliament had many Times before appointed Commiſſioners to take and ſettle Accounts, diſband Armies, and diſpoſe of public Monies, which are all Parts of the Executive Power, without any Detriment to the Prerogative, or Change in the Conſtitution.

Laſtly: In the Reign of King *Charles* II. the whole Body of the *Whigs* could lay the parliamentary Ax to the Root of the Succeſſion, without any fear of being mark'd with the Brand of *Republicaniſm*: And, therefore, it ſeems ſo much the more ſtrange, that an Advocate for thoſe very *Whigs* ſhould maintain, That, in the Reign of King *William* III. (a parliamentary King!) when a Jealouſy, not altogether unreaſonable, obtain'd, That our national Commerce was not

A. D. 1695-6. under a national Direction, an Attempt to place it under such a Direction, was Anti-monarchical and unconstitutional.

But of what Nature or Tendency soever the Bill was, according to the Prelate last quoted, it was going on, and probably would have pass'd both Houses, if the Discovery of a Conspiracy (which was the Incident above alluded to) had not turn'd Mens Thoughts quite another way: "So that all angry Motions, continues his Lordship, were let fall, and the Session came to a very happy Conclusion, with greater Advantages to the King, than could have been otherwise expected."

A Plot discover'd.

What this Conspiracy was, by whom it was contrived and conducted, how the Discovery was made, and after what Manner it was prosecuted, is what we have next to explane: But by way of Preparative, it is necessary to premise, there are no less than three Narratives of the whole Transaction, *viz.* One call'd, An *Impartial Account*, which contains little more than the several Articles of Intelligence which were communicated to the Public, in their natural Order: A Second, (which has been often cited already in the Course of the *Lancashire* Affair) call'd, The *History of the late Conspiracy against the King and the Nation, with a particular Account of the* Lancashire *Plot, &c. extracted out of the original Informations of the Witnesses and other authentic Papers.* And a Third call'd, A *true and impartial History of the Conspiracy against the Person and Government of King* William III. *of glorious Memory, in the Year* 1695.

Three several Narratives of it extant.

The two first are anonymous; but the last was the Work of Sir *Richard Blackmore*, M. D. whose Name stands in the Title-Page, and who declares in his Preface, That he was engag'd in it by the Lord-Keeper *Somers:* That, in order to make himself Master of his Subject, he was admitted to several Conferences with his Lordship, as also with the Duke of *Shrewsbury* and the Earl of *Portland:* That he was furnish'd with authentic Copies of the several Depositions and other Papers, from the Secretary's Office: That it was perus'd and amended by the Lord-Keeper and the Duke: That having undergone a second Correction by his Grace, it was ready for the Press: And that finally, upon what Views and *Reasons* of *(f) State*, he could not pretend to determine, his Grace thought fit to delay the Publication of it so long, that the Negotiations for a Treaty of Peace with *France* intervening, it was then judg'd improper to let it go abroad.

In all these several Tracts, and in all our Histories, which are, indeed, little more, than Transcripts from one another, there is an Agreement, that one Captain *Fisher* was the *first* Discoverer. On the 10th of *February*, says the Author of *the History of the late Conspiracy*, he waited on the Earl of *Portland*, and inform'd him of the intended Enterprize, without specifying Time, Manner, or Circumstances, which were not as yet settled; and at his Departure promis'd to be more particular, as soon as he had gain'd more particular Information. A. D. 1695-6.

Capt. Fisher the first Discoverer.

Blackmore's Account is much the same with this: Only he places the Discovery on the 10th instead of the 11th; and adds, that he mention'd the Names of several of the Conspirators: But neither of them specify what the Amount of this his first Information was: And to supply that Defect, as well as it can be supply'd, we must have recourse to a subsequent Deposition of *Fisher*'s before Mr. Secretary *Trumbal*, which contains the following Particulars, *viz.* That on or about the 3d of the same *February*, he was introduc'd to Sir *George Barclay* by one *Johnson*, alias *Harrison*, a Monk, at a public House in *Bow-street*, who said to the said Sir *George*, *This is the Gentleman I was to bring to you; you may trust him and speak freely to him.* That hereupon Sir *George* ask'd him, Whether he would be engag'd to be one of those that should *seize* the Prince of *Orange?* That he answering in the Affirmative, Sir *George* put him on giving his Opinion, where and how it should be done; and then propos'd his own, which was to fall upon the Guards, Sword in Hand, at *Hyde-park* Gate, as he came from *Kensington* to Chapel at St. *James*'s: That on the 5th Sir *George* and he again discours'd about *seizing* the King in *Kensington*-House, in the Night, by scaling the Garden-Wall with Ladders; as also about setting the House on fire, in case they could not find the King; and at the same time seizing the Field-pieces and Guards about *Whitehall:* That on the 7th or 8th he discours'd with Major *Lowick* at the same public House, on the same Design: That on the 9th Sir *George* sent him to take a View of the *Tower*, and the Strength of the Guards on Duty there, in order to the seizing it for King *James:* And that on the making his Report, it was thought convenient to desist from that Enterprize, and to prosecute the Former, which in the Course of the Deposition is more circumstantially explan'd; but in a Method so irregular and disorderly, as is extremely remarkable: For whereas this was all that he had to communicate at his first Visit to the Earl of *Portland*, and his second was on the 13th, the very Words of the next Section of his Deposition was as follows. "Hereupon, after *several* other Meetings between the Deponent, the said Sir *George Barclay*, and the said *Johnson*, alias *Harrison*, and one other Person, whom this Deponent knoweth not, (and yet he names *Lowick* in the Passage, which stands *last* in his Deposition, tho' in order of Time it should have been plac'd as it stands above) it was at last concluded, on or about the 13th

His Deposition.

(*f*) If the Reader will be at the Trouble to compare Sir *Richard*'s Work with That immediately preceding it, he would probably see cause to conclude, That Reasons of State had no Share in his Grace's Determination.—But whatever his Reasons were, in the Year 1725, Sir *Richard* publish'd his Book, that the Discontented of those Times (as we understand from his Preface) might beware of diminishing the Honour of the King, and speaking reproachfully of his Person and Government.

A. D. 1695-6. 13th Inſtant of *February*, to execute the ſaid Deſign of *ſeizing* the Prince of *Orange*; and, in *caſe* of Oppoſition from the Guards, to kill him; and in order to this, Spies were ſent to *Kenſington*, who waited there all Night." Now both *the true* and *impartial Hiſtorian*, *Blackmore*, and *the Hiſtorian* anonymous agree in this, That he made a full Diſcovery of the Time, Place, and Manner of executing the Deſign at this Viſit: And yet he names but three Perſons, of whom himſelf was one; and as to Place and Manner, he mentions neither, till afterwards, when he proceeds thus. " But the Prince of *Orange* not going abroad as he us'd to do, on the Day following, being the 15th Inſtant, the Deſign aforeſaid was put off for ſome Days: And on the *Monday* following (the 17th that is to ſay) they met again at the Sign of the *Cock* in *Bow-Street*, to diſcourſe of the ſaid Deſign; but that Meeting ſoon ended, and they appointed to meet next Day at the Sign of the *King's Head* in *Holbourn*, where the Deponent only meeting the ſaid *Johnſon*, alias *Harriſon*, they two went to the old *Griffin*, not far off, to which Place the ſaid *Johnſon*, alias *Harriſon*, brought the ſaid Sir *George Barclay*, who coming in ſaid, *Captain* Fiſher *what muſt we do now?* The Deponent anſwering, *What you will.* Then Sir *George Barclay* ſaid, *What do you think of* ſeizing *the Prince of* Orange *between* Brentford *and* Turnham-Green, *as he ſhall come* next *from hunting in the Evening*; or, *perhaps, we may have an Opportunity of* ſeizing *him at Mr.* Lattin's *Houſe in* Richmond, *when he would be very weakly guarded*; *for we reſolve to fall upon him Sword in Hand, and for that Purpoſe ſtrong puſhing Swords will be better than cutting Swords: And if we fail theſe ways, we reſolve to do it on* Sunday *next, as he, the ſaid Prince of* Orange, *ſhall be coming to St.* James's, *by ſhooting one of the leading Horſes, ſo as to* ſtop *the Coach in* Hyde-Park-Gate. Whereupon the ſaid *Johnſon*, alias *Harriſon*, ſaid, *And ſhoot alſo one of the Wheel Horſes, and then they are both ſtopt:* And then the ſaid Sir *George Barclay*, alias *Bartlet*, ſaid, *This would be no Rebellion or Aſſaſſination; for he was no King.*"

After all this comes the Account of the general Deſign, as follows, " Which ſaid Deſign of *ſeizing* the Perſon of the Prince of *Orange* was to be follow'd with a general Inſurrection in *England* and *Scotland*, and by an Invaſion from *France*; the Ships being ready, and the Men to embark with King *James* at the Head of them, as the ſaid Sir *George Barclay* and the ſaid *Harriſon inform'd* this Deponent: and the ſaid *Johnſon told* him, this Deponent, That King *James* had ſent Orders for executing the Deſign aforeſaid; and that the ſaid Sir *George Barclay* had brought over the ſaid Orders from King *James* with him, he being then lately come from *France*. And this Deponent farther ſaith, That he has been credibly *inform'd*, that one Major *Lowick*, alias *Jackſon*, *George Porter*, Captain *Chernock*, Captain *Stowe*, Captain *Valbank*, Captain *James Courtnay*, *Thomas Barttam*, and *Sherburn*, and ſeveral others whom this Deponent knoweth not, to the Number of forty or more, were engag'd in the ſaid Deſign of *ſeizing* and *aſſaſſinating* his Majeſty, whom they call'd the Prince of *Orange*, in the Manner aforeſaid, together with the ſaid Sir *George Barclay*, and the ſaid *Johnſon*, whom this Deponent knoweth to be guilty of this Conſpiracy, in the Manner before declar'd." A. D. 1695-6.

Laſtly, in yet another ſubſequent Part of his Depoſition (after having declar'd, that *Saturday* the 15th had been appointed for the Attempt) he proceeds thus, " And this Deponent farther ſaith, That in order to the carrying on the ſaid Deſign, he was to provide five Horſes and Arms to be in readineſs for himſelf and four others, whereof *Henry Fitzpatrick* was one, and then to meet the ſaid Sir *George Barclay*, Major *Lowick*, and two others, whoſe Names this Deponent knoweth not. The Deponent farther ſaith, That the firſt Horſmen who ſhould be ready to execute this Deſign, were to be lodged at the King of *Bohemia* [meaning the *Sign* ſo call'd] near *Turnham-Green*; and the reſt, as they came, to be in other Inns thereabouts, the greateſt Number in one Inn not to be above ſeven or eight, and there to be ready till the King ſhould return in the Evening."

Thus it does not appear, that there had been any Rendezvous or Muſter of this Troop, or that he had actually procur'd the Horſes and Arms he had undertaken for; tho' he limits the Number of Horſes to be five, the Party he was to be of, viz. himſelf, *Fitzpatrick*, *Barclay*, *Lowick*, and the two others unnam'd made ſix: And tho' he deſcended to theſe Particulars in his Depoſition of the 25th, neither in his firſt or ſecond Viſit to the Earl of *Portland* could he be prevail'd upon to ſpecify any Names at all, which induc'd his Majeſty to believe, that the whole was a Forgery, and to reſolve to go to *Richmond* on the 15th as uſual.

Thus on the 14th, *Fiſher*'s two Informations had produc'd no Effect: But Lord *Portland*, going late that Evening to his Lodgings at *Whitehall*, to give Audience to a Perſon he had appointed to meet him there, on a private Affair, found an unknown Perſon waiting in his Anti-chamber, who deſired to ſpeak with him about a Matter of the higheſt Importance, which could not be deferr'd till another Time; and being left alone with him, accoſted him in theſe Words, *My Lord, perſwade the King to ſtay at home To-morrow; for if he go abroad to hunt, he will be aſſaſſinated.* Pendergraſs comes in. *Hiſt. of the Conſp.* p. 155.

He then proceeded to give a particular Account of the Conſpiracy, it is ſaid, with almoſt the ſame Circumſtances which had been already recounted by *Fiſher*: But this we muſt take on the Credit of the *Hiſtorian*; for among the Depoſitions preſerv'd by *Blackmore*, there is none in the Name of *Pendergraſs*, who was this ſecond Diſcoverer, to furniſh out a Compariſon with the Former.

To

A.D. 1695 6. To his Informations concerning the Conſpiracy, whatſoever they were, he added, That he was an *Iriſhman* and a *Catholic*: That Captain *Porter* had ſent for him out of the Country, without acquainting him with the Buſineſs: That when it was propos'd to him, he was ſtruck with Horror at it, and immediately reſolv'd to diſcover it: That his Religion was accus'd of authoriſing and encouraging ſuch Actions; but that he, for his Part, abhorr'd ſuch Principles, tho' in all other Reſpects he was a true Catholic.

Here our *Hiſtorian* throws in the following Remark, which ſerves to exemplify both the Policy and Moderation of the King. "Thus his Majeſty, ſays he, began to receive the juſt Reward of his Clemency and Moderation; for he is, and always has been, equally remarkable for his ſtedfaſt adhering to his own Religion, and his Indulgency to thoſe of another Perſuaſion. When he accepted of the Crown of *Scotland*, he declar'd, That he would not be a Proſecutor; and all his Actions are ſo many illuſtrious Teſtimonies of the Sincerity of that Declaration: Never any *Papiſt* that was willing to live in Peace, ſtood in Need of an Interceſſor with him: He protected them in *Ireland* againſt the angry Councils of ſome over-zealous Proteſtants: He favour'd them as much as he could, without injuring the reſt of his Subjects; and treated them, upon all Occaſions, with an Indulgency that ſurpriz'd thoſe who are not acquainted with the native Goodneſs of his Temper. 'Tis true, this may, perhaps, be reckon'd, in ſome Meaſure, an Effect of his Complaiſance to the Family of *Auſtria*, with whom he has entertain'd a long and intimate Friendſhip, which has been endear'd by reciprocal good Offices; and is confirm'd and made neceſſary to them both, by the Intereſt of their mutual Preſervation. But tho' the *Papiſts* were depriv'd of ſuch powerful Interceſſions, his Virtue alone would ſupply this Defect, and ſufficiently recommend them to his Favour and Protection. And we have reaſon to believe, that GOD is *pleas'd* with his Mildneſs and Clemency to the *Roman*-Catholics in general, and to the *Iriſh* in particular, *ſince* by a wonderful Providence he made an *Iriſh Papiſt* the Inſtrument of ſaving his Life."

Thus ends this extraordinary Tranſition: And for the reſt of *Pendergraſs*'s Information, as ſumm'd up by theſe two Authors, it conſiſted only of this, That if he had not been afraid of being ſeen and taken Notice of by the two *orderly Men*, whom the Conſpirators kept on Duty at *Kenſington*, he would have made his Diſcovery to the King in Perſon: And that ſince the Nature of the Buſineſs required all poſſible Diſpatch, he had, in the next Place, thought it moſt adviſable to impart it to his Lordſhip, as the Perſon whoſe Zeal and Fidelity were fitteſt to be rely'd on.

But neither would he be prevail'd upon to diſcover the Names of the Conſpirators, tho' we are told no Means were left unattempted to perſuade him to do ſo: And to all the Arguments of that Nature urg'd by his Lordſhip, his conſtant Reply was, That *no Conſideration* ſhould induce him to betray thoſe to whom he had been formerly oblig'd. A.D. 1695 6.

So much Time, it ſeems, was taken up in this Conference, that Lord *Portland* could not reach *Kenſington* before the King was retir'd; and all the neceſſary Orders had been given for his *Richmond*-Party the next Day. His Favourite, however, had acceſs to him at all Hours; and having communicated all that had paſs'd between him and *Pendergraſs*, prevail'd with him, tho' not without much Difficulty, as we are told, to alter his Reſolution of Hunting on the Morrow.

Thus far the two Hiſtorians, employ'd to recite this Tranſaction by Authority, agree pretty well; but in the next Stage they differ in an Eſſential: For whereas *Blackmore* is poſitive, That one *de la Rue* was the next Diſcoverer who came in, the Other ſuggeſts, that a third Perſon, whom he does not name, ſtept in between *Pendergraſs* and *de la Rue*, and gave ſuch Information to Mr. Secretary *Trumbal*, as *convinc'd him of the Reality of the Plot*, though he, the ſaid Informer, *could not acquaint him with the Circumſtances of it*: The ſame Author adds, That the Secretary having already receiv'd Advices, That the *French* were bringing together a great Number of Tranſport-ſhips, and making all the neceſſary Preparations for ſome extraordinary Deſign, which, it was believ'd, was againſt *England*, and comparing theſe Advices with the Information before him of a Plot againſt his Majeſty's Perſon, found *they confirm'd* each *other*, *tho' he could hardly look upon either of them as probable, when he conſider'd them ſingly*.

Of the Deſign from abroad, we ſhall be farther inform'd preſently; and as to *de la Rue*, he made his firſt Application (for what Reaſon is not ſpecified) to Brigadier *Lewſon*, and was by him referr'd to Sir *William Trumbal*, who did not take his Depoſition in form till the 26th of *February*. Both our *Hiſtorians*, however, maintain, as doth alſo the *Hiſtorian of his own Times*, that all theſe ſeveral Stories of *de la Rue*, *Pendergraſs*, and *Fiſher*, did exactly, or in all *material Particulars*, agree: And that we may judge whether they did or not, as well as we can, without the Help of *Pendergraſs*'s Depoſition, which, as before obſerv'd, was never made public, an Abſtract of *de la Rue*'s will be abſolutely neceſſary.

He began then with a Diſcourſe of certain Meetings which had been held between Sir *William Perkyns*, *Porter*, *Charnock*, *Goodman*, and *Stow*, in the Year 1694-5, to contrive how to carry the King's Perſon *alive* to King *James* in *France*, which, as *Porter* had told him, they had offer'd that Prince to do, if he would ſend them a Commiſſion for it, which was expected a long time; and that their Deſign was, if they could not carry him away alive, to *kill* him, and pretend it was done by a *Random-ſhot* in firing at the Guards: As *Porter* alſo *told* him, the ſaid Commiſſion not coming, they reſolv'd De la Rue's Depoſition.

A. D. 1695-6. to do it without, being provided with Horſes and Men, but all came to nothing for want of a Veſſel to carry them off: And all this he delivers upon *Hear-ſay*, except, That he was three or four times in company with *Perkins*, *Porter*, and *Stow*, when the ſaid Deſign was *talk'd* of.

He then proceeds to the Particulars of *another* wicked Deſign againſt his Majeſty's ſacred Perſon, which, ſays he, was to have been put in Execution on the 15th of *February*, at the King's Return from Hunting, by forty-five or forty-ſix Perſons, moſt of them Officers under King *James*, if it had not been *prevented* by ſome Impediments and Oppoſitions in their Cabals, *&c.*

By the way this *Et Cætera*, (however ſtrange it may appear that an *Et Cætera* ſhould be ſworn to) is in the Depoſition: And in the next Paragraph we find, that the ſame Execution, which was *prevented* by the Diſagreement of thoſe concern'd, was alſo *prevented* by the King's not going to *Richmond*.

He then ſpeaks of *Barclay*, *Charnock*, and *Parker*, (ſtill on *Hear-ſay* from the Latter) as the principal Conſpirators: Says, *Barclay* was the Commander in Chief, having brought over from *France* a Commiſſion from King *James*, which, as they told him, the Deponent, was to attack the Prince of *Orange*'s Perſon in his Winter-Quarters; which Commiſſion was interpreted by a Council of War, held at St. *Germains*, to take off the King by what Means they could. He farther ſays, It was for that End he came to *England*, with one *Rookwood*, a Brigadier of King *James*'s Guards, a Sub-Brig, and ſixteen choſen Men out of the two Troops: That he was recommended to *Porter* and *Charnock* as fit Perſons to conſult and adviſe with, They having laid a Scheme, and contriv'd the Matter laſt Year: That he was ſeveral Times invited to accompany them in viewing the Roads, in order to pitch upon the fitteſt Place to attack the King's Perſon and Guards, but always evaded it: That the Place at laſt agreed upon, was *Porter*'s old Place, at the End of the Lane coming into *Turnham-Green*: The Time of Night, when the King ſhould be on his Return: And that *Barclay*, with Eight more, (of which Number was *Pendergraſs*) was to attack the King's Coach, and aſſaſſinate every Body in it; as alſo in the other Coach, together with the Officer of the Guards, and the two Troopers in the Van-Guard; while *Charnock* and *Porter*, with their ſeveral Parties, which were to be poſted on each Side of the Lane, attack'd the Party of Guards which brought up the King's Rear.

This is the Amount of his Depoſition, as far as relates to the Deſign, down to *Saturday* the 15th. And that there ſhould be ſo *regular a Diſpoſition* made, notwithſtanding the *Impediments* and *Obſtacles* in their *Cabals*, which *prevented* the Execution of their Purpoſe that Day, is not more extraordinary than the ſeeming *Irregularities* and *Improvidencies* which he diſcourſes of afterward.

For with reſpect to the Execution of the A. D. 1695-6. ſame Purpoſe, on the next *Saturday*, *viz.* the 22d, it appears by the ſubſequent Part of his Depoſition, That *Porter* did not ſend to him till *Friday* Night, to conſult and prepare every thing for the Morrow: That not meeting each other that Night, theſe Conſultations and Preparations could not be carry'd on till the Morrow at Eight o'Clock, when he repair'd to *Porter*'s Lodgings, and was told by him, That all Parties were ready to march in the Afternoon, in caſe the King went abroad, which they ſhould ſoon know from their orderly Men at *Kenſington*, who were *Durant* and *Chambers*.

To theſe Lodgings of *Porter*'s, came alſo *Cranburn*, *Pendergraſs*, *Keys*, and *King*, the Latter with a Meſſage from *Barclay* to *Porter*, who, on his Part, ſent *Cranburn*, as his Quarter-Maſter, with a Liſt of his Men to *Charnock*, with a Requiſition of Horſes and Arms to be made ready for them; which verifies what has been ſaid above, concerning the unprepar'd Condition they were in for ſo deſperate an Enterprize, almoſt at the Moment of Execution.

Cranburn, at his Return, brought News from *Chambers*, That the King was to go on his Hunting-Party that Morning, between Ten and Eleven o'Clock, which it is ſaid *Porter* communicated to the Company with a great deal of Joy.

He farther depos'd, that, on comparing *Charnock*'s Liſt of Men which *Cranburn* had brought back, at the Foot of *Porter*'s, he obſerv'd that Both did not exceed eighteen; of which complaining to the Latter, he urg'd in his Excuſe, that he had been diſappointed of five or ſix; but withal ſignified, That *Barclay*'s Party would make up the Number forty, (which *King* ſaid, was enough of all Conſcience to do the Buſineſs) and aſk'd the Deponent, *de la Rue*, whether he could not ſupply him with ſome more.

This furniſh'd *de la Rue* with a Pretence for abſenting himſelf to go in queſt of Recruits; which it ſeems they agreed to: A public Houſe, in *Spring-Gardens*, was appointed for their next Place of Rendezvous; where they were to dine: They met accordingly, *de la Rue* bringing with him a new Man, who, for aught that appears, was admitted by the Company without any Difficulty.

Of their next Meaſure we muſt ſuppoſe, they had not time to diſcourſe: For by what follows in the Depoſition, we learn, That about Eleven or Twelve o'Clock they had Notice from *Chambers*, That the King did not go: That *Keys* alſo came in with a Confirmation of this News, with an Addition, That the Guards were return'd foaming, together with the King's Coaches; as alſo, That the People wonder'd the King ſhould diſpenſe with his uſual Diverſion for two *Saturdays* together; upon which the Company fell into a Conſternation, and talk'd of Treachery; but ſtaid nevertheleſs to drink Confuſion to the King before they diſpers'd.

As to the reſt of the Depoſition, it conſiſted of diſjointed *Hear-ſays*, which in order

A. D. 1695-6. of Time ſhould have been ſpecified before: As, That *Porter* had *told* him, that Sir *William Perkins* had acquainted him [*Porter*] he had a Commiſſion to raiſe a Regiment of Horſe; that he had bought thirty Horſes already; and that he was to aſſiſt the Party which was to aſſaſſinate the King with ſome of them: That the ſaid *Porter* had alſo told him, King *James* was at the Head of a good Party of Men upon the Coaſt of *France*, ready to embark for *England*; and that the Duke of *Berwick* had been here, but was gone back again: That *King* had given him the ſame Information as to the Duke; and that, talking with *Charnock*, about the 18th or 19th, concerning the Affair in Hand, he found him very cloſe; his Anſwer being, That the Zeal of Thoſe engag'd in it was become ſo cool, it had been communicated to ſo many, ſo much Time had been loſt, and from the King's late Behaviour it was ſo reaſonable to think, it had taken Air, that he believ'd it was given over: But then he added, with Frankneſs enough, That he might rely on it, the great Affair, meaning the Deſcent, would take Place very ſoon.

Laſtly: He (the Deponent) gave in a Liſt of Fourteen of the Names, which he had read in *Porter*'s and *Charnock*'s Liſts; and depos'd, not only that *Pendergraſs* was to be one of the Eight appointed to attack the Coach, but that *Porter* had told the ſaid *Pendergraſs* aloud, He had a ſpecial Piece for him, which would carry eight Balls: And *King* at the ſame time ſaying, He hop'd he would not fear breaking the Windows; *Pendergraſs* reply'd, *No*; *I'll have a Finger in him.*

Thus it appears that *Pendergraſs*, the Man of ſuch Delicacy of Sentiment, who, according to Biſhop *Burnet*, hated a baſe Action, would have no Reward for his Diſcovery, had no other Motive for making it but the Point of Honour, and who nam'd the Perſon that was *fix'd on to ſhoot the* King, was himſelf the Perſon, and conſequently one of the moſt deſperate Undertakers in it.

F. 167.

But in giving this Abſtract of *de la Rue*'s Depoſition, we have paſs'd over ſome material Circumſtances, which in point of Time were previous to it, and which are thus ſet forth by the *firſt* of our two *Court-Hiſtorians*.

Hiſtory of the late Conſpiracy.

"The King, convinc'd by ſo many concurring Informations, and perceiving that all the Accounts he had receiv'd, agreed exactly with one another, began to believe the Truth of the Diſcovery. He order'd the Earl of *Portland*, and Sir *William Trumbal*, to make a more particular Enquiry into the Progreſs and Circumſtances of the Deſign; the Former as having receiv'd the firſt Advice of the Conſpiracy againſt his Perſon, and the Latter as having been firſt acquainted with the Plot againſt the Nation.

"Twas a very difficult Taſk to manage ſo nice an Enquiry; for tho' they had four Witneſſes, they could not produce one *legal* Evidence. They could not ſtifle the Informations they had receiv'd, without expoſing his Majeſty's Life to the brutiſh Fury of Aſſaſſins, who would ſoon find another way to execute their deteſtable Project: Nor could they publiſh a Diſcovery which they could not prove, without running the Hazard of being charg'd with the firſt Invention of it: And beſides, the divulging of theſe Advices, would have encourag'd the Conſpirators to carry on their Deſign, and, perhaps, made them haſten the Execution of it, leſt they ſhould at laſt be entirely diſcover'd, and receive the juſt Reward of their Crimes. A. D. 1695-6.

In the mean time the King reſolv'd to expoſe his Life to all the Dangers that threaten'd it, if it could not be ſecur'd without violating the uſual Forms of Juſtice: So that we were like to periſh by thoſe very Laws that were contriv'd and eſtabliſh'd for our Preſervation, if the Earl of *Portland* had not found out an Expedient to ward off the Blow, without having recourſe to any indirect or unwarrantable Stratagem: He conſider'd, that *Pendergraſs* and *de la Rue* might be perſwaded to diſcover the whole Myſtery, if the King himſelf ſhould ſpeak to them; and that even, tho' they ſhould refuſe to yield to his Majeſty's Solicitations, the Information they were willing to give, might ſerve to convict the Conſpirators, if it were deliver'd in the Preſence of *unexceptionable Witneſſes*, who might depoſe it at their Trials.

The King in Perſon examines Pendergraſs *and de la Rue.*

The King himſelf could not be an Evidence; and therefore it was neceſſary that there ſhould be at leaſt two Witneſſes preſent, when he diſcours'd with them. He ſpoke to *Pendergraſs* and *de la Rue* ſeparately; to the firſt, before the Earl of *Portland* and the Lord *Cutts*; and to the ſecond, in the Preſence of the ſame Earl and Brigadier *Leviſon*. After he had aſſur'd them, That he *eſteem'd* their *Perſons*, and was *extremely pleas'd with their Proceedings*, he told them, That he own'd himſelf oblig'd to them for the Care they took to preſerve his Life; but deſir'd them to conſider, That the Service they had done him, by diſcovering the Conſpiracy, could be of no Uſe to him, ſo long as they conceal'd the Names of the Conſpirators: That he could neither puniſh, nor ſo much as convict the Criminals: That the People would never be perſwaded to believe that ſeveral Perſons had diſcover'd a Conſpiracy, which they either could not, or would not, juſtify: That, on the contrary, they would imagine that he had invented a ſham Plot to deſtroy his Enemies, which would render him odious to all the World: That ſo general and imperfect a Diſcovery, would expoſe his Honour, without ſecuring his Life, &c. Theſe Arguments produc'd the deſir'd Effect, and conquer'd the Obſtinacy of the Diſcoverers: They could not reſiſt the *awful Eloquence* of an injur'd Monarch, and were at laſt prevail'd with to make an Atonement for their Guilt, by diſcovering their Fellow-Criminals." *and probably were then to appear as Witneſſes.*

It was *Friday* the 21ſt, when theſe Practices were try'd on *Pendergraſs* and *de la Rue*, with the Effect ye have ſeen: And on the *Tueſday* before, according to the

A. D. 1695-6. *King James comes to Calais, in order to make a Defcent with a French Army on England.*

London-Gazette, (*g*) (No. 3162) King *James* had ſet out in a Poſt-Chaiſe from St. *Germains*, on his way to *Calais*, whither Orders were alſo ſent from the *French* Court to embark the Troops which were quarter'd along the Coaſt, under the Conduct of M. de *Boufflers*, and make all the neceſſary Diſpoſitions for ſetting Sail at a Moment's Warning; on what Service, we are told, was ſo little a Secret, that it was publicly diſcours'd of in *Paris*: And Biſhop *Burnet* is expreſs, That King *Lewis* had order'd his Deſign of invading *England*, to be communicated to all the (*b*) Courts in which he had Miniſters: "And continues his Lordſhip, with equal Candour and Policy, They ſpoke of it with ſuch an Air of Aſſurance, as gave violent Preſumptions, That the King of *France* knew of the Conſpiracy againſt the King's Perſon, and depended upon it; for, indeed, without *That*, the Deſign was impracticable, conſidering how great a Fleet was at *Spithead*: Nor could any Man of common Senſe have entertain'd a Thought of it, but with a View of the Confuſion, into which the intended Aſſaſſination muſt have caſt us."

Various Advices of the French Preparations.

However this may be, the Motions of the *French* Troops, and the aſſembling of Ships in all the Ports along the Coaſt, gave the Alarm to the States, the Elector of *Bavaria*, and the Duke of *Wirtembergh*, who had the Command of the King's Forces Abroad; and all of them ſent Advices over to *England* of their Apprehenſions: But the Latter did more than ſend Advice; for he ſtopp'd all the Veſſels in the Harbour and Canal of *Oſtend* and *Bruges*, and took all the neceſſary Meaſures for throwing over ſuch a Body of Forces, as might be ſufficient to withſtand the Efforts of the Enemy, in caſe they ſet Foot on Shore.

On the 22d the Duke of *Wirtembergh*'s Advices were receiv'd; and as they agreed with the Intelligence which Mr. Secretary *Trumbal* had receiv'd before, and the Depoſitions of the Conſpirators, it was thought adviſable to communicate the Diſcovery which had been made to the Cabinet, the Privy-Councils, the City and Parliament: And in the mean time Mr. *Ruſſel* was directed to conſult firſt with the Admiralty all the Meaſures neceſſary for collecting a ſtrong Fleet, with the utmoſt Expedition, and then to put thoſe Meaſures in Execution, as Commander in Chief.

Mr. Ruſſel order'd to collect a Fleet for the Defence of the Coaſt with all poſſible Diſpatch.

The ſame Day the Meſſengers of State, eſcorted by Lord *Cutts*, and ſome Parties of the Guards, were commanded to uſe all poſſible Diligence in apprehending the Conſpirators; The Guards were doubled at all the ſeveral Poſts: The Lord Mayor of *London* was ſent for to Court, and charg'd to raiſe the Trained Bands for the Defence of the City; and a Proclamation was prepar'd, containing ſuch Orders and Inſtructions, as were fit to be obſerv'd, at ſuch a Conjuncture, by the whole Kingdom. A. D. 1695-6

[Burchet.]

Theſe were the Proceedings of *Saturday* and *Sunday* the 22d and 23d; and on *Monday* his Majeſty, in a Speech not over-accurately drawn up, thus expreſs'd himſelf to both Houſes of Parliament.

"*My Lords and Gentlemen*,

I am come hither this Day upon an extraordinary Occaſion, which might have prov'd fatal, if it had not been diſappointed by the ſingular Mercy and Goodneſs of *God*, and may now, by the Continuance of the ſame Providence, and our own prudent Endeavours, be ſo improv'd, as to become a ſufficient Warning to us, to provide for our Security againſt the pernicious Practices and Attempts of our Enemies. *King's Speech on the Diſcovery of the Plot.*

I have receiv'd ſeveral concurring Informations of a Deſign to aſſaſſinate me; and that our Enemies at the ſame time are very forward in their Preparations for a ſudden Invaſion of this Kingdom, and have therefore thought it neceſſary to loſe no Time in acquainting my Parliament with theſe Things, in which the Safety of the Kingdom and the public Welfare are ſo nearly concern'd, that I aſſure myſelf nothing will be omitted on your Part, which may be thought proper for our preſent or future Security.

I have not been wanting to give the neceſſary Orders for the Fleet; and I hope we have ſuch a Strength of Ships, and in ſuch a Readineſs, as will be ſufficient to diſappoint the Intentions of our Enemies.

I have alſo diſpatch'd Orders for bringing home ſuch a Number of our Troops, as may ſecure us from any Attempt.

Some of the Conſpirators againſt my Perſon are already in Cuſtody, and Care is taken to apprehend ſo many of the reſt as are diſcover'd; and ſuch other Orders are given, as the preſent Exigence of Affairs does abſolutely require at this Time for the Public Safety.

My Lords and Gentlemen,

Having now acquainted you with the Danger which hath threatned us, I cannot doubt of your Readineſs and Zeal to do every thing which you ſhall judge proper for our common Safety: And I perſwade myſelf we muſt be all ſenſible how neceſſary it is in our preſent Circumſtances, that all poſſible Diſpatch ſhould be given to the Buſineſſes before you."

What Particulars were thought neceſſary to be added, by way of Supplement, to this Declaration from the Throne, were ſupply'd in

(*g*) According to the ſame *Gazette*, the *French* King took Leave of him the Night before: And being come to St. *Denys*, he ſign'd an Inſtrument or Deed in the Preſence of a Public Notary, which was afterwards diſpatch'd to the *French* Court, and by which it was ſaid he oblig'd himſelf to repay the Expences they had been at on his Account.—It is alſo ſaid, he met the Duke of *Berwick* on the Road.—But this ſeems to be very crude Intelligence.

(*b*) In particular that of *Savoy*, with whom he was then privately treating, by the Canal of the Duke of *Orleans*; and to that of *Sweden*, by his Ambaſſador reſiding there, who had expreſs Information, "That his Maſter's Troops were marching to the Coaſts, and ready to embark, as ſoon as the News of an Inſurrection in the Kingdom ſhould confirm the Advices he had ſo often receiv'd, *viz.* That the Nation was in general diſſatisfy'd with the Prince of *Orange*'s Government."

A. D. 1695-6. in each Houſe by a Cabinet-Miniſter, who ſeverally enlarg'd on the Conformity and Credibility of the Evidence, and from thence inferr'd the Reality of the Plot, and the Neceſſity of taking all poſſible Precautions againſt the malevolent Purpoſes of the common Enemy.

An Addreſs ſuitable to the Occaſion was immediately voted in each Houſe, and as the ſame Sentiments prevail'd in both, the Form which was agreed to by one, was adopted in the other.

But tho' no Oppoſition could be decently made to ſuch an Addreſs, on ſuch an Occaſion, thoſe particular Expreſſions in it, which declar'd a Reſolution, in caſe his Majeſty ſhould come to any violent Death, to revenge it upon all *his Enemies*, and *their Adherents*, were objected to as unchriſtian, and not over conſiſtent with ſuch a Regard to a Government by Laws, as became the Character of Law-Makers. The principal Objec- [Burnet.] tors, we are told, were *Seymour* and *Finch*, among the Commons, and the Earl of *Nottingham* among the Lords. But ſuch Gloſſes were ſet on the Matter, and ſo exaſperated was the Spirit of the Times, that all Objections were over-rul'd, and the Clauſe was confirm'd in all its Strength: Another more exceptionable Paſſage, which preſum'd, That the Fate of theſe Kingdoms depended on the ſlender Thread of his Majeſty's Life, was admitted without any Exception at all; and both Houſes in a Body, with their two Speakers, waited upon his Majeſty at *Kenſington* with it, between the Hours of Seven and Eight in the Evening of the ſame Day.

The ſaid Addreſs was conceiv'd in the following Terms.

Addreſs of both Houſes. "We your Majeſty's moſt loyal and dutiful Subjects, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, having taken into our ſerious Conſideration what your Majeſty hath been pleaſed to communicate to us this Day, think it our Duty, in the firſt Place, to give your Majeſty moſt humble Thanks, for having acquainted your Parliament with the great Danger your ſacred Perſon hath been ſo nearly expos'd to, and the Deſign of an Invaſion from our Enemies Abroad: We heartily congratulate your Majeſty's happy Preſervation, and thankfully acknowledge the ſignal Providence of *God* in it; and at the ſame time declare our Deteſtation and Abhorrence of ſo villanous and barbarous a Deſign. And ſince the Safety and Welfare of your Majeſty's Dominions do ſo *entirely depend* upon your Life, we moſt humbly beſeech your Majeſty to take more than ordinary Care of your Royal Perſon: And we take this Occaſion to aſſure your Majeſty of our utmoſt Aſſiſtance to defend your Perſon and ſupport your Government, againſt the late King *James*, and all other your Enemies, both at Home and Abroad; hereby declaring to all the World, That, in caſe your Majeſty ſhall come to any violent Death, (which *God* forbid) we will *revenge* the ſame upon all *your Enemies*, and *their Adherents*: And as an Inſtance of our Zeal for your Majeſty's Service, we will give all poſſible Dis- A. D. 1695-6. patch to the public Buſineſs: And we make it our *Deſire* to your Majeſty, to ſeize and ſecure all Perſons, Horſes and Arms, that your Majeſty may think fit to apprehend upon this Occaſion."

To which his Majeſty reply'd as follows.

"*My Lords and Gentlemen*,

I thank you heartily for this kind Addreſs; on my Part you may be aſſur'd that I will do all that is within my Power for the Preſervation of this Kingdom, to which I have ſo many Obligations: I will readily venture my Life for preſerving it, and recommend myſelf to the Continuance of your Loyalty and good Affections."

Nor were theſe the only Tranſactions of this remarkable Day: For the Commons order'd in a Bill to authoriſe his Majeſty to ſeize and detain all ſuſpected Perſons, according to the *Deſire* of the Addreſs; as alſo a Second, by which the Parliament in Being at the Death of the King, ſhould not be diſſolv'd thereby, but ſhould continue (under the Reſtriction of the Triennial Act) till the Succeſſor ſhould diſſolve the ſame: They alſo directed an Addreſs to be prepar'd for baniſhing *Papiſts*, by Proclamation, out of the Cities of *London* and *Weſtminſter*; and, laſtly, they drew up the Form of an Aſſociation, which was order'd to lye on the Table to be ſign'd by the Members of the Houſe, in the following Terms.

An Aſſociation propos'd. "Whereas there has been a horrid and deteſtable Conſpiracy, formed and carried on by Papiſts, and other wicked and traiterous Perſons, for aſſaſſinating his Majeſty's Royal Perſon, in order to encourage an Invaſion from *France*, to ſubvert our Religion, Laws, and Liberty, We whoſe Names are hereunto ſubſcrib'd, do heartily, ſincerely, and ſolemnly profeſs, teſtify, and declare, That his preſent Majeſty, King *William*, is *rightful* and *lawful* King of theſe Realms: And we do mutally promiſe and engage to ſtand by and aſſiſt each other, to the utmoſt of our Power, in the Support and Defence of his Majeſty's moſt ſacred Perſon and Government, againſt the late King *James*, and all his Adherents: And in caſe his Majeſty come to any violent or untimely Death, (which *God* forbid) we do hereby farther freely and unanimouſly oblige ourſelves to unite, aſſociate, and ſtand by each other, in revenging the ſame upon his Enemies, and their Adherents; and in ſupporting and defending the Succeſſion of the Crown, according to an Act made in the Firſt Year of the Reign of King *William* and Queen *Mary*, intitled, *An Act declaring the Rights and Liberties of the Subject, and ſettling the Succeſſion of the Crown.*"

This, we are told, was immediately ſign'd by above four hundred Members, tho' till now a Majority could never be obtain'd to acknowledge King *William* in the Words *Rightful and Lawful King* before: And *Debates thereon.* when it appear'd three Days after, that ſeveral Members had abſented themſelves, purpoſely to avoid the ſigning it on that Account, an Order was obtain'd for all Members either

A. D. 1695-6. ther to ſign it, or declare their Refuſal, notwithſtanding any Leave of Abſence, on or before the 16th of *March*: Which was certainly a Procedure not over candid; as it reduc'd thoſe affected by it to this untoward Dilemma, Either to ſacrifice their Scruples to their Convenience, or to expoſe themſelves both to the Diſpleaſure of the Court, and the Odium of the People. The Diſtinction of a King *de facto* and a King *de jure*, was reviv'd upon this Occaſion; and all the Ability of the Party was exhauſted in their Endeavours to ſhew both from Authority and Argument, That they ought not to be preſs'd on this Head; and that Compliance or Non-compliance ought not to be eſteem'd the Teſt of a good Subject.

How ſtop'd by the Lords.

Beſides: The Debates which aroſe in the Houſe of Lords, alſo ſerv'd to countenance the Scruples of the Party on this Occaſion: For the Words *Rightful* and *Lawful*, were there ſo warmly attack'd, that an Expedient was offer'd and admitted in their Room, in theſe Words, "That his preſent Majeſty King *William* hath a *Right* by *Law* to the Crown of this Realm; and that neither King *James*, nor the pretended Prince of *Wales*, nor any *other* Perſon, hath any Right whatſoever to the ſame."

A Proclamation offering 1000 l. Reward for the apprehending the Conſpirators.

What the Event was, we ſhall ſee in its Place: On *Monday* the 24th, at Night, the Proclamation was publiſh'd for apprehending the Conſpirators: Thoſe nam'd in it were the Duke of *Berwick*, Sir *George Barclay*, Major *Lowick*, *George Porter*, Captain *Stow*, Captain *Walbank*, Captain *James Courtney*, Lieutenant *Sherburne*, *Brice Blaire*, *Dinant*, *Chambers*, *Boiſe*, *George Higgens* and his two Brothers, *Davis*, *Cardel Goodman*, *Cranburne*, *Keys*, *Pendergraſs*, *Bierly*, *Trevor*, Sir *George Maxwell*, *Durance*, (or *Durant*) *Chriſtopher Knightley*, *Holmes*, Sir *William Perkins*, and *Rookwood*: A Reward of 1000 *l.* was offer'd for the Diſcovery and apprehending of theſe or any of them; and his Majeſty's Pardon, and the like Reward of 1000 *l.* was promis'd to ſuch of them as ſhould diſcover and apprehend any of their Accomplices.

It ought not to be forgot, that *Pendergraſs*, after his Confeſſion to the King on *Friday* Night, not only made one of *Porter*'s Party the next Day, but brought a Recruit with him, and accompany'd *Porter* to *Epſom*, whither he made his Retreat on *Saturday*, for fear, as they ſaid, a Diſcovery ſhould follow their ſecond Diſappointment: And we cannot help inferring, that he was licens'd to do ſo, in order to decoy his Aſſociates yet farther into the Snare: For what is ſtill more remarkable, as ſoon as the Proclamation was public, both theſe Perſons ſurrender'd themſelves, as it may be ſuppos'd together: *De la Rue*, who, it may be alſo ſuppos'd, had been furniſh'd with proper Inſtructions at *Kenſington*, alſo did the ſame; and was follow'd by *Boiſe*, *Harris*, *Goodman*, and *Bertram*; *Charnock*, *King*, *Keys*, *Sherburne*, *Knightley*, and ſeveral others, were taken: And the Proceeding which follow'd next of courſe, was to ſtrengthen the Depoſitions already made, by the Evidence of ſuch others of the Conſpirators, as thought Life worth holding on the infamous Terms of betraying their Aſſociates. Of theſe, *Porter* was the Foremoſt, whom we find a voluntary Witneſs, on *Thurſday*, *March* 3, before Mr. *Vernon*, and depoſing as follows, *viz.* A. D. 1695-6.

Several of them ſurrender themſelves.

That he knew *Barclay*: That he had *heard* him ſay, He came over to put in Execution a Deſign upon the King's Perſon: That *Charnock* had *told* him, the ſaid *Barclay* had 800 *l.* given him by Mr. *Caryl*, Secretary to King *James*, for providing Men and Horſes for the ſaid Deſign: That He, the Deponent, had *heard Barclay* complain of the ſmallneſs of the Sum: That the ſaid *Barclay* had *told* him, He intended to buy forty Horſes; but finding ſome already provided, he would buy but twenty: That *Charnock* had farther *told* him, *Barclay* had a Commiſſion from King *James* for an Attempt on the King's Perſon; Sir *William Perkins* had read it; the Commiſſion was all of King *James*'s Hand-writing; and it ran for raiſing and levying War upon the Perſon of the King: That he ſaid Sir *William* had own'd to him, the Deponent, his having ſeen the ſaid Commiſſion; and the ſaid *Barclay* his having ſuch a Commiſſion: That beſides the twenty Horſes provided by *Barclay*, *Charnock* had undertaken for Eight, *Perkins* five, He, the ſaid Deponent ſeven, and Major *Lowick* three, for himſelf and two others, of whom *Bertram* was one, as he had heard *Charnock* ſay: That three of Sir *William Perkins*'s Horſes were to be mounted by *Chambers*, *Lee*, and a Servant of the ſaid Sir *William*'s: That Sir *William*'s two other Horſes were to be mounted by two Perſons of the Deponent's providing: That he had *heard Barclay* ſay, twenty or twenty-two Perſons were come from *France*, who had been Officers, and were to be concern'd in the Deſign: That ſeveral Conſultations had been held as to the Manner of attacking *and* aſſaſſinating the King: That theſe Conſultations were held ſome at this Informant's Lodgings in *Norfolk-Street*, others at the *Globe* Tavern in *Hatton-Garden*, at the *Sun* Tavern in the *Strand*, and at the *Nag's* Head in *James-Street*, *Covent-Garden*: That at the Former were preſent *Barclay*, *Holmes*, *Charnock*, and the Deponent: That at the reſt, beſides theſe four, were preſent, Sir *William Perkins*, *Rookwood*, *King*, and *Knightley*; and that theſe ſeveral Conſultations had been held within *three* Weeks or a Month, or thereabouts: That two *Ways* had been propos'd for *aſſaſſinating* the King; the one by an Ambuſcade of Foot to be laid in a Wood, nor far from the Lodge near *Richmond*; the other by a Number of Horſe, who were to attack his Majeſty and his Guards, on their Return from *Richmond*, SOME SATURDAY: That this latter way was beſt approv'd of and agreed to: That ſome Days before *Saturday* the 15th, he, the ſaid Deponent, *King*, and *Knightley*, went to view the Ground at *Turnham-Green* and about *Richmond*, and gave an Account thereof the ſame Night to *Barclay* and *others* at the *Nag's-Head*: That a Day or two after *Du-*

Porter's firſt Depoſition.

A. D. 1695 6. rant went to *Turnham-Green* and *Brentford*, and took a Liſt of the Stables and Inns in and near theſe Places: That *Barclay* told him, two orderly Men were appointed to wait at *Kenſington*, to give Notice when the King went on hunting: That theſe orderly Men were *Chambers* and *Durant*: That the Perſons employ'd in this Deſign were to be divided in three Parties; two of which were to attack the Guards with their Swords only, and the third the King's Coach: That *Rookwood* was to command one of the two former Parties, and the ſaid Deponent the other: That *Barclay* was to be at the Head of eight or ten Men, who were to attack the King's Coach; and that it was ſaid and agreed among them, that they would cut off his Majeſty, and *all* that were with him in the Coach: That he, the Deponent, told *Pendergraſs*, he ſhould have his Muſquetoon, which carry'd above ſix Bullets: That *Barclay* had told him, he had poſted a Man at *Kew-Ferry*, to give Notice of the King's Return, that every Body might be ready: That it was agreed among them, that when Notice was brought of the King's going to *Richmond*, all concern'd ſhould ſlip out of Town, by three or four in a Company, and ſet up their Horſes in the Inns mark'd out at *Turnham-Green* and *Brentford*, till they had Notice of his coming back: That it was an Expreſſion us'd among them, he could not recollect by whom, That the *aſſaulting* the King in this Manner, was no more than attacking him at his Winter-Quarters, or than *killing* him as he was paſſing from one Town to another in *Flanders*: That *Knightley*, *King*, *Holmes*, *Durant*, and *Bertram*, were to be of *Barclay*'s Party; and, as *Charnock* told him, *Counter*, who was lately come from *France*: That the *Higgens*'s had refus'd to be engag'd in the Attempt: That he, the Deponent, had engag'd *Cranburn*, *Keys*, and *Kendrick*, as well as *Pendergraſs*, in it: That the Day before he went to view the Ground, he din'd at the *Nag's-Head*, with *Barclay*, *Perkins*, *Friend*, *Ferguſon*, and *Holmes*: That *Charnock* and *Harriſon*, alias *Johnſon*, came in after Dinner, and that they diſcours'd there privately, *among one another*, of the Deſign upon the King's Perſon; and publicly, of the Preparations making along the Sea-Coaſt of *France*: That the Perſons who talk'd of the Deſign in private, were *Barclay*, *Perkins*, *Charnock*, and himſelf: That *Friend*, obſerving theſe Whiſpers, ſaid, He deſir'd to be fairly dealt with:—He was as ready to ſerve the King as any Man:—And that he found ſomething was behind the Curtain which was conceal'd from him: That it was then *Barclay* inform'd the Deponent, in a Whiſper, that the Duke of *Berwick* had been here; with this Addition, That he would not have told him of it, if he had not been gone again: That he, the Deponent, engag'd *Kendrick* and *Sherburne* in the Buſineſs: That *Keys*, who had liv'd with him a Year and a Half, was acquainted with it, and had hir'd Horſes for *Saturday* the 15th, and enquir'd after other Horſes for *Saturday* the 22d: That he had alſo ſent for *Pendergraſs* and *Plowden* out of *Hampſhire*: That they Both agreed to go with him on the firſt of theſe Days; but that *Plowden* had ſince abſented himſelf: That on *Friday* the 21ſt, He, the Deponent, had a great deal of Diſcourſe with *Barclay*, *Perkins*, and *Charnock*, at the *Sun*-Tavern in the *Strand*, about the Diſappointment of the *Saturday* before, and the Poſſibility from thence of a Diſcovery: That, however, it was agreed among them to proſecute their Purpoſe on the former Plan, in caſe the King ſet out for *Richmond* on the Morrow; of which *Barclay* told the ſaid Deponent, Notice would be brought him: That *Kendrick*, *Keys*, and *Cranburne* came to him to the ſaid Tavern, and were by him appriz'd, That the Deſign would be put in Execution the next Day: That *Kendrick* having hurt his Arm by a Fall into a Cellar, expreſs'd his Sorrow that he was diſabled from attending him: That He, the Deponent, enquiring for *Sherburne*, *Kendrick* anſwer'd, That he, *Sherburne*, had aſk'd ſo many Queſtions, that he did not much like him, and therefore had let him alone: That on *Saturday* the 22d, *Perkins* had ſent the Deponent Word, That if he wanted three Horſes, Mr. *Lewis*, Gentleman of the Horſe to Lord *Feverſham*, would furniſh him: That *Perkins* formerly told him, the ſaid *Lewis* had provided him thirty or forty Saddles, under the Colour of buying them for the Marquis de *Miremont*, as the ſaid *Perkins* believ'd: That on *Saturday* the 22d, *Pendergraſs* and *Bierly* brought each of them a Man, that were to go along with them that Day: That the ſaid *Perkins* had told him, He had a Commiſſion from King *James* for a Regiment of Horſe: That the ſaid *Perkins* and *Charnock* had alſo told him, *Friend* had a like Commiſſion, which *Blaire* had procur'd for him, who was to be his Lieutenant-Colonel; and that *Friend* had own'd this himſelf, and declar'd he would be in a Readineſs: That *Charnock* was Colonel *Parker*'s chief Correſpondent, and had told him 300 *l.* was paid for his Eſcape: That *Friend* had advanc'd 100 *l.* of the Money: That Mr. *Tempeſt*, of *Durham*, had a Commiſſion from King *James* to raiſe a Regiment of Horſe, and had every thing in readineſs: That he, the Deponent, was to have the firſt Troop in King *James*'s Regiment of Horſe, whereof *Parker* was Colonel: That *Parker* had brought him over the Commiſſion, as alſo Commiſſions for his Lieutenant and Cornet, which, however, he had never deliver'd out: That *Goodman* had alſo a Commiſſion from King *James* for a Troop in *Parker*'s Regiment, which he, the Deponent, had given to him, [illegible] and was provided with Arms and Saddles [illegible] the ſaid *Goodman* and the Deponent had had Diſcourſes two years ago, about a Deſign to *ſeize* and *carry* off the King; and that they acquainted *Barclay* with it, who was then going to *France*, that he might propoſe it to King *James*: That *Durant* did bring [illegible] News on the 15th, that the Guards were gone out: And, laſtly, that *Barclay* had propos'd to them, That when the *Aſſaſſina-*

A. D. 1698

2

tion

A. D. 1695-6. tion should be over, they should keep together till they came to *Hammersmith*; after which they were to disperse, and get into Town by different ways, in small Companies, and lie conceal'd till the Invasion, which was suddenly expected.

This is the Amount of *Porter*'s Deposition, which loose and desultory as it is, nominates him to have been a Ring-Leader, if not a Decoy, in this horrid, frantic Design from the very Beginning; consequently a Wretch who deserv'd a much worse Character than that bestow'd on him by Bishop *Burnet*; namely; "A vitious Man engag'd in many ill Things: —Very forward and furious in all their Consultations:—A Man of Pleasure, who lov'd not the Hardships of a Prison, and much less the Solemnities of an Execution."—In short, as nothing but such an Excess of Prepossession as extinguishes the Use of Reason, and absorbs the Obligations of Principle in the Convenience of Party, could embark a conscientious Man in so shocking a Service, so nothing but an Excess of Meanness and Baseness could have converted Assassins into Witnesses: And with this draw-back on their Characters, it is impossible to have that Regard for their Evidence in all Respects, which it would otherwise deserve.

The Deposition of Bertram. The Depositions of *Bertram* follow next in order of Time, who was examin'd first by a Committee of Council on the said 3d of *March*, as we have seen *Porter* was: And again on the 5th by Mr. *Vernon*.

On the first of these Occasions, he depos'd, That Major *Lowick*, on the 4th or 5th of *February*, ask'd him, *If he would go upon a Business, without asking any Questions?* To which he answer'd, That *he would*: That *Charnock*, about the 8th or 9th, having invited him to his Lodgings, and taken him into his Closet, ask'd him, If he would undertake a Business that would answer his Expectations? Which Business, as he explan'd it, was to go out with some Company he knew, to see if they could *kill* the King, or Words to that Effect: That he neither consented to the Proposal, nor did he refuse it: That *Charnock* then told him to be in the way, or if he went out, to leave Word where he might be found: That after this they remov'd into another Room, where was a good deal of Company drinking Wine: That among them were Sir *William Perkins* and *Chambers*, whom he knew, as also one *Trevors*, who he believes knew nothing of the Business: That *Charnock* was often call'd out, and that many came to him whom he discours'd in private: That on *Friday* the 14th, going to *Lowick*'s Chamber, *Lowick* told him, he must be ready against the Morrow, and provide himself with Boots and other Necessaries, for which he gave him a Guinea, and requir'd him to meet him at the Peri-House in *Hart-street* by Six in the Morning; adding, That he believ'd they should *attack the King*, and that a Horse should be provided for him: That nevertheless, he did not meet *Lowick*, it not being his Intention to be concern'd in the Business: That meeting *Lowick* on *Sunday* the 16th, he check'd him for not coming the Day before; saying, So it would have been if the King had been in the Field; meaning, as he, the Deponent, thought, King *James*, [which by the way is utterly irreconcilable with his own Evidence, unless it can be suppos'd, which is impossible, that he was retain'd by the Guinea he receiv'd on *Friday* to attack a Prince who was not on this Side the Water, and whom he had always been in the Interest of] That he himself ask'd *Grymes*, whether he had a Mind to a Country-Journey, in company with thirty or forty more? And that *Grymes* answering, He would go as far as this Informant; as also, He believ'd it was on account of the *Little Man*, he told him, He must ask no Questions: That meeting *Charnock* on *Saturday* the 22d, at *Lincoln's-Inn* back Gate, and being alarm'd with a Notion, That Warrants were out against several of them, *Charnock* propos'd a Meeting in half an Hour, saying, They had as good do the Business, and be chac'd about for something as nothing; which Business he understood to be killing the King; and that he knew *Leigh*, *Durant*, and *Blaire*. A. D. 1695-5.

Of his second Examination, nothing need be said, because it contain'd nothing material: And of the several Examinations and Depositions of *Blaire*, which are no less than eight in Number, so much the less need be said, because they are none of them direct to the Affair before us, tho' he puts his Memory to the Torture, in order to recollect every minute Circumstance which might qualify him to be a Witness, and thereby entitle him to the Mercy of the Government. Blaire's Depositions.

Blaire, (who was examin'd first, on the 9th of *March*) was a *Scot*, and had been bred a *Presbyterian*, but turn'd *Roman-Catholic*, and serv'd in Lord *Dunbarton*'s Regiment in *France*, and afterwards as Captain-Lieutenant in the Regiment commanded by Sir *Edward Hales*: Father *Harrison*, alias *Johnson*, who was one of King *James*'s Managers in *England*, had retain'd him in that Prince's Service, according to *Blaire*'s own Deposition, ever since the *La Hogue*-Affair had been in Agitation; And some Time about the Beginning of *February*, the said *Harrison*, being in Discourse with him at *Somerset*-House, ask'd him, Whether he knew any Soldiers, or Men of Courage? For something might be done in a little while, which might be an Introduction to King *James*'s Restoration, or something to that Effect: *Blaire* reply'd, He knew few such Men: But desir'd to know how they were to be employ'd: *Harrison*, after some Pause, mention'd the burning the Victualling-Office, as a Means to retard the fitting out the *English* Fleet; by which the *French* would have so much the more Time for their Preparations: *Blaire* declar'd the Design to be impracticable; and *Harrison*, proceeding to say, He had been told by a Gentleman, and a very good Officer, That if he were but sure of a Hundred good Horses, he would end the War in a Fortnight's Time, was a second time repuls'd by *Blaire*, who said, The Gentleman might know more

A. D. 1695-6. know more than He; but that it could not be done by a regular War, nor according to the Rules of Honour or Arms, but by ſome other Means, which he was afraid to harbour in his Thoughts: Upon which *Harriſon* ſhrunk up his Shoulders, and ſaid no more. *Blaire* alſo depos'd, That going to ſee *Harriſon* again at *Somerſet*-Houſe, about the 20th of *February*, in the Evening, the ſaid *Harriſon* told him, Warrants were out againſt *Bertram*, *Grymes*, *Leigh*, and ſome more, whoſe Names he had forgot; with this Addition, That if that Buſineſs miſcarried, it would hinder King *James* from coming: That *Harriſon* did not ſpecify the Buſineſs he meant; but that he underſtood it to be either ſeizing or aſſaſſinating the King; he having heard from *Fiſher* (the firſt Diſcoverer) that ſuch a Thing was in Agitation; and being confirm'd in it by the Language us'd by *Harriſon*, in relation to the ſpeedy ending of the War: That He, the Deponent, reply'd, They had brought their Hogs to a fine Market; for now they were all ruin'd: That he farther proceeded to blame the Deſign, as having no Authority either from *God* or Man: That *Harriſon* reply'd, There was an Authority or Warrant, to the beſt of his, the Deponent's Remembrance, from King *James*, which *Harriſon* had ſeen, tho' it was not fit that every Body ſhould ſee it: That his Anſwer was, He did not think it was in *his* Nature, meaning King *James*: That having reported to Sir *John Friend*, what he had heard from *Fiſher*, concerning the Aſſaſſination, Sir *John* ſaid, he had heard of it, and was ſorry for it, becauſe he was afraid it would ruin King *James*'s Affairs, and all his Friends: That He, the Deponent, had once come to a Reſolution to diſcover what he knew of the Plot by Letter, but did not carry it into Execution: That, however, meeting *Fiſher* the next Day, after the Diſcourſe between him and *Harriſon*, he deſir'd him to make particular Enquiry after King *James*'s Warrant, which I thought, continues he, might prove to my Advantage, upon any future Danger, which I then plainly did foreſee; and told him, "Now, dear *Fiſher*, if you ſhould come to "be examin'd upon this Account, you will "not deny but I have had an Abhorrence "of this damn'd Buſineſs all along." That, as he was innocent of the Aſſaſſination, ſo he was alſo ignorant of the intended Invaſion; as alſo of the Duke of *Berwick*'s being in Town; and that *Fiſher* could make it appear, if he pleas'd, That Sir *George Barclay* had told him, He was poſitively enjoin'd, not to acquaint *Blaire* with any thing that paſs'd among them.

Thus, it ſeems, that as to the Plot in general, he was but an immaterial Witneſs; but then, as he was ſo very willing to make his Court at the Expence of his Party, and was ſo particular in his Evidence againſt Sir *John Friend*, as will be made appear in the Sequel, it was thought proper to leave him within the Reach of Grace.

But, indeed, the Miniſters, by this Time, were ſo much at Eaſe, as to general Proofs, that the main Scope of their Examinations, A. D. 1695-6. from henceforward, ſeems to have been directed againſt Inviduals.

Thus we find *Porter* brought forward again on the 14th of *March*, and having better recollected himſelf, it muſt be ſuppos'd, ſetting forth a new Depoſition before the Lords of the Council, which begins with an Account of a Meeting at a Tavern in the City, in the *May* or *June* preceding, where were preſent the Earl of *Ayleſbury*, Lord *Montgomery*, (Eldeſt Son of the Marquis of *Powis*) Sir *John Friend*, Sir *William Perkins*, Sir *John Fenwick*, *Charnock*, *Cooke*, the Deponent, and after Dinner, *Goodman*: And in which he farther proceeds to ſay, That ſeveral Things were talk'd of, before Dinner, concerning the beſt way of bringing back King *James*: That after Dinner, ſeveral Propoſals having been made, it was agreed by the whole Company to ſend *Charnock* to King *James*, to deſire him, in all their Names, to borrow 10,000 Men of the King of *France*, viz. 8000 Foot and 2000 Horſe and Dragoons: That to enforce this Requeſt, it was ſaid, If the King of *France* meant well to King *James*, he could not refuſe him ſo ſmall a Number of Men: That few Forces were left in *England*, many People diſſatisfy'd, and therefore no fitter Time could be choſen: That *Charnock* accepted the Commiſſion, but ſaid, He did not care to go on a fooliſh Meſſage, and therefore deſir'd to know, what he might aſſure King *James* of from them: That thereupon the above-mention'd Perſons anſwer'd, They could make at leaſt 2000 Men among them; and riſing up, did authoriſe *Charnock* to aſſure King *James*, That upon Notice from him, where he intended to land, they would be ſure to meet him with that Number of Horſe: That at another Meeting, held about a Week after, at a Tavern near *Fenwick*'s, all the ſaid Perſons, except Lord *Montgomery*, being preſent, *Charnock* deſir'd to know if they kept to the ſame Reſolution; to which they all anſwer'd in the Affirmative; and moreover deſir'd *Charnock* to beg of the King to make what Haſte he could: That *Charnock* told him, the Deponent, He would go away in two or three Days: That he did not ſee him afterwards till he, *Charnock*, was committed for being concern'd in a Riot: And, laſtly, That on his being enlarg'd, he came to ſee him, the ſaid Deponent, and told him he had been in *France*, had ſeen the King, whoſe Anſwer was, That he took their Propoſal very kindly, but could not do any thing that Year: And that he had brought ſeveral Meſſages from the King to Lord *Ayleſbury*, Sir *John Fenwick*, and ſeveral other Perſons of Quality, whom he did not name.

The Depoſitions of one *Stover* and one *Ewebanks*, the Latter a Groom, and the Former a ſort of Bailiff or Steward to Sir *W. Perkins*, fell next in order; but as the ſame Perſons gave in the ſame Teſtimony at the Trial of *Perkins*, it will not be neceſſary to ſpecify it till we come to that Tranſaction.

Knightley and *Harris*, who came forward next, *viz. March* 21, ſeem to have been equally

A. D. 1695-6. equally frank and minute in their Confeſſions; which is ſo much the more remarkable, becauſe the Evidence of the Former has a Tendency to exculpate King *James* from the Guilt and Infamy of ſo baſe a Deſign, and that of the Latter, to faſten it upon him.

Knightley ſets out with ſaying, That about nine Weeks before, he met Sir *George Barclay*, for the firſt Time, by Appointment in *Covent-Garden*, in the Dark: That the ſaid Sir *George* told him, *He had done the Buſineſs his Maſter had ſet him about*; but that he had had ſomething *put into his Head*, by which he could do the King farther Service: And then aſk'd him, If he could get him half a Dozen of honeſt Fellows; which Expreſſion he ſo explan'd, as to make *Knightley* believe he meant *Gentlemen*: And afterwards he is expreſs, That he had left St. *Germains* ten Months before; the King *(James)* having told (*i*) *them*, He *could ſubſiſt them no longer*.

As to the reſt of his Evidence, he acknowledg'd, That he undertook for *King* and *Durant*; that he nam'd *Boyſe* to Sir *George* at the Recommendation of *King*: And that Sir *George* talk'd in general at firſt; but by degrees gave him to underſtand, that the Buſineſs was to attack the Prince of *Orange* at the Head of his Guards, in order to facilitate the King's landing: He confirm'd the Circumſtance of *Barclay*'s Uncertainty, as to making the Attack by Foot or Horſe; the viewing the Ground both on *Turnham-Green*, and for the Ambuſcade near *Richmond*: The Meetings at the *Nag's-Head*: The Reſolution to make the Attempt on two ſucceſſive *Saturdays*: And, after giving the moſt explicit Anſwers to all the Queſtions put to him, in relation to Meetings, Perſons, *&c.* he added, That Sir *George* ſaid, Thoſe who mounted his Horſes were to meet the King when he landed; but in the mean time they were to ſhift for themſelves; which he inſinuated would be no very difficult Matter, the People being pretty well inclin'd; and he hoping, that, as ſoon as the Affair was done, they would all be of his Opinion: That he was brought into it before he was appriz'd what it was: And that being engag'd he went on, upon a Punctilio of Honour, tho' it was not to his Liking, that no Care was taken for a Retreat.

Harris. *Harris*, having premis'd, that he had ſerv'd King *James* in *Ireland* as an Enſign of Foot, and ſince in *France* as one of his Second Troop of Guards, proceeded to depoſe, That about the 14th of the preceding *January*, N. S. King *James* ſent for him and *Hare*, his Comrade, and being with him in the Queen's Bed-Chamber, he told him, "He had now an Opportunity of doing ſomething for him, being very ſenſible he had ſerv'd him well: He ſhould ſend him to *England*, where he was to follow *Barclay*'s Orders; in which caſe he would take Care of him:—He had order'd them Money for their Journey, which they were to receive of *Caryl*, his Secretary:—They would find *Barclay* every *Monday* and *Thurſday* Evening, between Six and Seven o'Clock in *Covent-Garden*-Square, and might know him by a white Hankerchief hanging out of his Coat-Pocket:—Then pulling a Liſt out of his Pocket, he ſaid, they were to go by the Names of *Jenkins* and *Guinney*, while in *England*." That Colonel *Parker*, who was preſent all this while, went with him, by the King's Order, to his Secretary; who gave them ten *Louis d'Ors* a piece; ſaying, That would be enough to carry them over; and if they were Wind-bound, the Preſident, *Joſſe*, would ſubſiſt them at *Calais*: That arriving at that Place, the ſaid Preſident did accordingly ſubſiſt them while they remain'd there, and did alſo procure them a Paſſage on board a Chaloupe, which us'd to go to and fro for Intelligence, under the Command of one *Gill*: That *Gill* landed them in *Kent*, near the Houſe of one *Hunt*, and alſo went aſhore with about fifteen of his Men: That having met with *Barclay*, *Holmes*, and *Berkenhead*, they were order'd to keep cloſe, till there was an Occaſion for their Service, and put on a ſort of Eſtabliſhment at Five Shillings a Day: That the Perſons he remembers to have come from *Paris*, within the laſt three Months, were *Barclay*, *Holmes*, *Caſſels*, *Richardſon*, *Counter*, *Maxwell*, *Bierly*, *Rookwook*, *Bernardi*, *Hungate*, *Blackbourne*, *Handford*, *Baily*, and *Thorold*; all Officers, except the two laſt, and order'd to go by falſe Names; as alſo, to act under the Command of *Barclay*: That at an occaſional Meeting with *Caſſel*, *Richardſon*, *Hare*, and *Maxwell*, the Latter acquainted the Company, That Notice having been taken at St. *Germains* of ſo many Perſons going to *England*, accompany'd with ſome Expreſſions of Wonder at the Cauſe, King *James* came to hear of it, and thereupon declar'd at his *Levee*, That whoever ſhould be known to take any ſuch Notice, or expreſs any ſuch Inquiſitiveneſs again, ſhould be ſeverely puniſh'd, and never receiv'd into Favour any more: That on the *Saturday* the *Aſſaſſination* was to be effected, as he underſtood afterwards, repairing to Brigadier *Rookwood*'s Lodgings, and finding both him and *Bernardi* in a Hurry, he aſk'd, What they were going about? But was directed by the Latter to go to *Counter*'s Lodgings for Information: That going thither accordingly, he found the ſaid *Counter* at home, accompany'd by *Holmes*, *Knightley*, and *King*: That *Counter* told him, He had Orders from *Barclay* for him and his Comrade *Hare*, which were, To be ready inſtantly, and go to the *Wool-Pack* at *Turnham-Green*, (as near as he could remember) That *Holmes* told him, his, the Deponent's, Horſe, as alſo *Hare*'s and *Hungate*'s, ſtood at *Somerſet-Houſe*: That *Barclay* then coming in, declar'd, Theſe were his *Janizaries*; adding, That

A. D. 1695-6.

(*i*) Who beſides *Knightley* were thus diſmiſs'd, he does not explane.

A.D. 1695-6. That he hop'd they would bring him the *Garter*; and talking ſomething about *Attacking*, which very much ſtartled the Deponent, who till then had heard nothing of the Matter: That ſoon after *Durant* came in, and told them, The Prince of *Orange* did not go out that Day: That *Barclay*, nevertheleſs, order'd *Holmes* to deliver to them their Horſes: That they were deliver'd to them accordingly the ſame Day: That being at an Ale-houſe in *James-Street*, *Covent-Garden*, with *Hare*, *Caſſels*, *Richardſon*, *Handford*, *Melárun*, and *Maxwell*, the Night before, *Counter* came in, and deliver'd to each of them a Caſe of Piſtols: That either on the *Saturday* Night, or next Morning, meeting Captain *Rookwood*, he aſk'd him, Whether they were to be the *Murderers* of the Prince of *Orange?* Adding, That if ſo, they had ſerv'd to a fair Purpoſe, to be ſent over on ſuch an Account: To which *Rookwood* reply'd, He was afraid They were engag'd in it: But if he had known for what Purpoſe he had been ſent over, he would have begg'd his Majeſty's Pardon for refuſing to come: That at another Time, walking in *Red-Lion* Fields, with *Lowick*, *Bernardi*, and *Rookwood*, and conſidering what a *barbarous* Thing they had to do, *Lowick* ſaid, *He would obey Orders*; and farther, *Sure Sir* George Barclay *would not undertake it without Orders:* Upon which *Rookwood* often repeated, *The King had ſent him to obey* Barclay's *Orders*; and both *Bernardi* and the Deponent acknowledg'd, They lay under the ſame Obligation: That tho' the Deponent, and his Aſſociates, had ſeveral Meetings in the Courſe of the Week, they did not talk about the Buſineſs till the *Friday* following; when being at the two *Black Poſts* in *Maiden-Lane*, *Counter* came in, and told them to be in readineſs againſt To-morrow Morning; upon which *Caſſel* ſwore, *He would have the Plunder of the Field*, &c. *King* ſaid, *If it did not do To-morrow, he would think of it no more. Handford* aſk'd, How they ſhould make their Eſcapes after it was done? And *Caſſels* reply'd, They muſt ſtay with the Party they were order'd with: That on *Saturday* the 22d, Major *Holmes* came to him and his Comrade *Hare*, told them to get ready, refer'd them to *Counter* for Orders, and gave each of them a Guinea to pay for their Horſes: That the Deponent going to *Counter* accordingly, he found *Rookwood* with him: That *Counter* told him, the Deponent, he was to be of *Rookwood*'s Party: That *Rookwood* gave him a Liſt of Names, ſaying, with a Laugh, He would make him his *Aid de Camp:* That theſe Names were *Harris*, *Hare*, *Handford*, and *Blackburne*, with *Rookwood*'s own at the Top: That *Rookwood* deſir'd him to go and get theſe Gentlemen ready, which he did: That then going to *Rookwood* for farther Orders, he told him, Sir *George Barclay* ſaid, The Prince of *Orange* did not go out that Day: That the Party hearing of Informations lodg'd againſt them at the Council-Board, about this Buſineſs, then thought it Time to ſhift for themſelves: And that the Deponent ſhifted about from Place to Place, till, hearing his Name was in a Proclamation, he thought fit to ſurrender himſelf.

A.D. 1695-6.

Chamberlain and *Allen*, the one Poſtillion and the other Coachman to Lord *Feverſham*, and one *Maſcall*, verify'd the Facts ſworn againſt *Lewis*, his Lordſhip's Gentleman of the Horſe, in relation to his procuring Horſes for the Conſpirators, and lodging them in Lord *Feverſham*'s Stables.

James Hunt, of *Romney-Marſh*, Yeoman, at whoſe Houſe *Harris* and *Hare* were landed, and who had been employ'd by the Party in all their Correſpondence with *France*, as well by Perſons as by Letters, for ſome Years, depos'd, That Captain *Berkenhead* was the Perſon who engag'd him in that Correſpondence: That the Letters which paſs'd and repaſs'd, were bury'd, till a Boat from *France*, or a Meſſenger from *London*, (*Berkenhead*'s Nephew) came to fetch them: That among the Perſons who had gone to *France*, was the Earl of *Aylesbury*, who went over about three Years before, and having ſtaid about twelve Days, return'd: That both going and coming he ſtopt at his Houſe; one way about a Week, waiting for a Wind, the other, about five or ſix Hours only, to refreſh himſelf: That during the laſt Interval, he confeſs'd both to the Deponent and his Wife, that he had ſeen King *James* and his Queen at St. *Germains:* That he came laſt from *Boulogne*, where he had been with the Duke *d'Aumont:* That *Berkenhead* inform'd him who he was: That he ſince waited upon the ſaid Earl, twice at his Houſe in *Leiceſter-Fields*, once at *Tunbridge*, where he met with him accidentally, and again at his Lodgings at *Southborough*, where his Lordſhip gave him a Letter, which he ſaid was for the Queen, deſiring him, the Deponent, to forward it to one Mr. *Pigaut*, at *Calais*, who was to addreſs it to her: That *Pigaut* acknowledg'd the Receipt of this Letter: That the Earl, accompany'd by *Berkenhead*, came down to his Houſe in *Romney-Marſh*, about *June* or *July* laſt, and enquir'd for *Gill* (the Maſter of the Advice-boat which ply'd between *England* and *France*) and that they waited two or three Days at *Dime-Church*, in Expectation of the ſaid *Gill*; but he not coming, they then return'd to *London*.—He then ſpecify'd ſeveral other Perſons, who had paſs'd or repaſs'd between the two Kingdoms; but without any other Circumſtances which could affect them materially: And, coming down to the Portion of Time immediately before us, depos'd, farther, That *Barclay* and *Holmes* came over together, ſome time in *January*; That much about the ſame Time, about ſixteen or eighteen Perſons more came over, all of them unknown to him, except Colonel *Parker*, Lord *Caſtlemain*, and one Mr. *Brown*: That about the Beginning of *February*, a tall, young Gentleman, who was particularly recommended by *Pigaut*, came over alone: That he furniſh'd the ſaid Perſon with Horſes; and that *Berkenhead*'s Nephew, who carried the Letters backwards and forwards, conducted him to his Uncle: That the ſaid Perſon return'd within a Week from *London*, accompany'd by *Berkenhead*

A. D. 1695-6. *head* himſelf: That they came in to *Tucker's* at *Sandway*, while He, the Deponent, and *Parker*, (who was newly come from *France*, and was going to *London*) were there: That meeting thus with this Perſon, *Parker* return'd with him to the Sea-Side, and both of them embark'd together the ſame Night, the Boat having Orders to attend every Night till the ſaid Perſons return'd: That he had heard ſince, and did believe the ſaid Perſon to be the Duke of *Berwick*: That *Berkenhead* himſelf went to *France*, in the *December* before: That he believ'd he return'd with *Barclay* and *Holmes*: That a little after the Diſcovery of the Plot, the ſaid *Berkenhead* went to *Deal*, to take an Account of the Ships then lying there; and that he ſent the ſaid Account to *France*, (by a Boat then waiting for Intelligence) together with a printed Liſt of the Names which were afterwards in the Proclamation, which Liſt he receiv'd from the Deponent, who had it from *London*.

And Goodman. Laſtly: *Goodman*, having depos'd ſeveral Things concerning a Commiſſion from King *James* to *Parker*, for levying Men, and granting ſubordinate Commiſſions for a Regiment of Horſe, one of which he himſelf accepted; and alſo concerning an Invaſion from *France*, as ſoon as the two grand Fleets from *Toulon* and *Breſt* ſhould be join'd, which was to be countenanc'd by a Riſing in the (*k*) North, proceeded to depoſe farther, That, ſome Time before the King's going to *Flanders*, (in 1695, muſt be underſtood) *Charnock* came to him, and having ſaid he had ſomething to propoſe to him, carry'd him to one Mr. *Waw*, who ſaid, He expected a Commiſſion from King *James* to *ſeize* King *William*: That at another Meeting at his, the Deponent's, Houſe, at which were preſent *Charnock*, *Porter*, *Waw*, one Major *Matthews*, and one Mr. *Donelagh*, the Subject of the Diſcourſe was about the *ſurprizing* and *ſeizing* the King, as he came from *Richmond*: That after ſeveral ways had been propos'd, he, the Deponent, ſaid, Suppoſe the King was in our Power, *what then?* For ſome Regard was to be had to the End of ſuch an Undertaking, and he was not willing to offer any thing to his Perſon: That *Waw* anſwer'd, He might be carry'd off in a Coach, and that he was aſſur'd of a Fort, (to the beſt of his Remembrance, that of *Deal*) which might ſhelter the Undertakers, till they could ſhip him off for *France*: That he, the Deponent, nevertheleſs remain'd unſatisfy'd ſtill, as to the Probability, or rather Practicability, of ſuch an Attempt; nor could believe, that *Waw* would ever receive any ſuch Commiſſion as he ſeem'd to expect: "For (continued he, (in theſe very Words) about two Years ſince, I remember I ſaw Sir *George Barclay*, with Colonel *Fountain* and Mr. *Porter*, Sir *George* was then going A. D. 1695-6. to *France*, and it was the only Time I ever ſaw him; and then Captain *Porter* and I did deſire, That if King *James* deſir'd any ſuch thing as *ſeizing* King *William*, he would ſend over a Commiſſion and a Pardon withal, in caſe of an Accident; which Meſſage Sir *George* carry'd over, and King *James* refus'd to ſend it." He, moreover depos'd, That they had afterwards another Meeting, upon which Occaſion *Waw* brought with him one *Hayes*, who undertook to furniſh a Ship, to tranſport the Party to *France*, after they had *ſeiz'd* the King; but He made ſuch exorbitant Demands, that it was impoſſible to comply with them: That, beſides, no Order or Commiſſion being produc'd by *Waw*, He, the Deponent, *Porter* and *Matthews*, refus'd to meddle: That *Porter* and the ſaid Deponent, however, ſtill talk'd of having a Veſſel, and of ſending *de la Rue* and *Charnock* about it: That they had a Meeting with Sir *William Perkins*, when the ſame Affair was again talk'd of, but without coming to any Concluſion: That the King went away ſuddenly; no Commiſſion ever came; by Letters from *Fountain* in *France*, he was inform'd, King *James* was *angry* that they had us'd his Name to what he had not promis'd; and He, the Deponent, wrote over by Order, the Truth of the whole Matter: That ſome Time after this, *Porter*, Lord *Ayleſbury*, Sir *John Friend*, Sir *W. Perkins*, Sir *J. Fenwick*, Lord *Montgomery*, and Mr. *Cooke*, met, about ſending over ſome Propoſals to King *James*, in order to expedite an Invaſion: That on Captain *Porter's* engaging for the Deponent, he alſo was admitted: That the Reſult of this Meeting, was the ſending *Charnock* to *France* with the Meſſages, and with the Succeſs formerly explan'd: That as often as he ſaw Lord *Ayleſbury* afterwards, he us'd to aſk, What News he had heard? As knowing his Lordſhip had been in *France*, which he did not deny, and believing he knew what was intended: That the better to facilitate an Invaſion, *Fenwick* us'd to ſend over a Liſt of the Forces, and an Account of their Diſpoſition: That his Intelligence not being accurate, *Parker* did, by Letter, deſire him, the Deponent, to procure better, if poſſible; and that he did accordingly procure ſuch, by the Means of one *Gibſon*, a Clerk in the War-Office, and ſent it over from Time to Time.

Thus we have before us a fair and impartial Summary of all the written Evidence the Miniſters thought fit to produce, in the Order of Time it was given in: And what remains, is to add ſuch a Sketch of the Trials which follow'd upon the ſaid Evidence, as will enable us to judge preciſely of the whole Tranſaction.

Charnock, *King*, and *Keys*, being the Perſons *Trial of* Charnock, King, *and* Keys.

(*k*) Meaning, as we are to ſuppoſe, the *Lancaſhire* Plot, above diſcours'd of: For in the next Paragraph he ſays, That during theſe Tranſactions, *Porter*, (who was to be a Captain in the ſaid Regiment, and who, together with *Goodman*, had taken a Houſe in ſome *Chace*, with proper Stables, *&c.* for the Reception of Horſes) complain'd to him, That ſomething he was ſending to *Lancaſhire* had miſcarry'd; and withal deſir'd him to take care of two Boxes for him, which he ſuppos'd to be Arms: But if this was true, it is ſomewhat ſtrange, that *Porter*, who was ſo willing a Witneſs, did not recollect theſe Circumſtances himſelf.

A. D. 1695-6. ſons againſt whom there was the greateſt Variety of poſitive Evidence, were brought forward firſt; and poſſibly ſo early as the 11th of *March*, that the Lawyers might have ſo much the leſs Trouble from the new Act for regulating Trials, which did not come into force till the 25th: One Indictment ſerv'd for all: Compaſſing the Death of the King, and ſubverting the Government, were the Crimes alledg'd; and the Attorney-General, Sir *Thomas Trevor*, prepar'd the Court, as uſual in the like Caſes, with a Deduction of the Facts that his Witneſſes were to prove: But *Charnock* altogether as artificially, on the other Hand, endeavour'd ſo to impreſs the Jury, that they might be induc'd to think, at leaſt, that he had hard Uſage: For he demanded a Copy of his Indictment, and the Benefit of Counſel, agreeable to the Tenor of the new Act; and when told his Demand could not be admitted, for the Reaſon above-mention'd, he urg'd the Declaration in the Preamble of the ſaid Act, which pronounces what he aſk'd to be *reaſonable*, and inferr'd, That if ſo, what would be reaſonable a Fortnight thence, would be reaſonable then: He alſo mov'd for farther Time to prepare for his Trial, as alſo for the Aſſiſtance of a Solicitor: And having ſo many various Proofs againſt him, it is really Matter of Wonder, that the Bench did not gratify him in one of his Requeſts, whatever Reaſons, drawn from their own Convenience, they had to thwart him in the other.

The Witneſſes againſt the Priſoners were *Porter*, *de la Rue*, *Pendergraſs*, *Bertram*, or *Bertham*, and *Boyſe*: And the Teſtimony of the three Former was not only agreeable to their written Depoſitions, but, in general, what was advanc'd by the one, was confirm'd by the other. *Porter*, however, having, in the Courſe of his Evidence, forgot to mention *Keys*, Care was taken on the Side of the Proſecutors to ſupply that Omiſſion, by aſking him, Which of the Priſoners were preſent at the Conſultations? To which he anſwer'd, That *Charnock* and *King* were at all of them: As alſo, that *Keys*, who had been his Servant a Year and a Half, was at moſt of them; and had not only hir'd Horſes to be employ'd in the Buſineſs, but agreed to be an Actor in it: And this Hint made ſuch an Impreſſion on *de la Rue* and *Pendergraſs*, that Both of them took Care to make ſuch Mention of *Keys*, as involv'd him in the Charge and the Sentence. *Bertram* level'l his Atteſtations at *Charnock* only, as *Boyſe* did his at *King*: And as Each had his ſeveral Aim, ſo *King* was not ſo materially affected by the one, as *Charnock* by the other: For *Bertram* was expreſs, That *Charnock* propos'd to him to be one of the Party to *Take off the Spark*; whereas *Boyſe* declar'd, That *King* only told him, there was a great *Undertaking* in Hand; and aſk'd him, If he would make one, on Condition of being furniſh'd with a Horſe, and twenty Shillings to buy Boots, *&c.* which he agreed to.

Charnock's Defence. *Charnock* being firſt in the Indictment, was firſt put on his Defence, which in the Opinion of all Men, was ſuch as did Honour to his Abilities, tho' it tended little to his Exculpation: For he diſcover'd and made his own Uſe of every Weakneſs, both of Matter and Manner in the Charge againſt him; and inſiſted ſtrongly, That thoſe who had forfeited their Lives by their own Confeſſion, and had no other way to ſave them, but by ſwearing away the Lives of others, if legal, were not good Witneſſes: He obſerv'd, that *Porter* himſelf acknowledg'd, He, the Priſoner, had not *ſeen* the Commiſſion from King *James*: That he did not *ſpecify* the Men who were to be of his Party: That as to the Liſt of Names, written with his own Hand, which *Porter* ſaid, He, *Charnock*, had ſent to him, he did not ſay, he *ſaw* him write it; and *Similitude of Hands* had not been allow'd to be good Proof in criminal Caſes: And that no Proof at all was offer'd, of their providing Arms or Horſes, or of any other Overt-Act, to verify the Charge of an intended Aſſaſſination, except what *Porter* confeſs'd had been contriv'd and carry'd on by himſelf. That the Evidence of *de la Rue* was but *Hear-ſay*, of what was in its own Nature improbable; as the Scheme was of carrying the Prince of *Orange* alive to *France*: That there was a Contradiction in the Teſtimony of thoſe two Witneſſes: For, whereas *Porter* ſaid, That he and the Priſoner were to attack the Guards together, *de la Rue* ſaid, The Priſoner was to attack the King with *Barclay*: That, on the other Hand, the Latter did not ſay he had talk'd to him of *killing the King*, but in general of the *Affair*: That it appear'd he, *de la Rue*, was ſent to *trepan* him, which imply'd Malice: And that according to the Opinion of Sir *Robert Aſkins*, which he cited, He that acknowledg'd himſelf an Accomplice in a Crime, for the Sake of becoming a Witneſs, muſt be a bad Man, and more eſpecially if it appear'd that the Perſon he witneſs'd againſt, had been *trepann'd* by him: *Shall ſuch a one* (ſays Sir *Robert*) *be a credible Witneſs, and believ'd againſt the Priſoner?* GOD *forbid!* That the Evidence of *Pendergraſs* was *Hear-ſay* only: That as to *Bertram*, it was highly improbable he ſhould communicate ſo great a Secret to a private Trooper: That no body could tell what to make of thoſe Words, *Take off the Spark*, &c. That he, therefore, hop'd the Court would be of Opinion, That the Evidence produc'd againſt him was frivolous and weak: That if true, it conſiſted only of *Diſcourſe*: That they were forc'd to ſupply with Words, what was wanting in Fact: That he did inſiſt upon it they had produc'd nothing but Preſumptions, inſtead of Proofs: That he deſir'd the Judges to tell the Jury plainly what was legal Evidence and what was not; as alſo, what was ſufficient Proof of any one Overt-Act or Species of Treaſon, *&c.* That it was a ſtrange ſort of Conſpiracy for forty Men, in divided Bodies, having none to ſupport them, no Fortreſs to fly to, no poſſibility of eſcaping, to attack treble their Number, ſo much better arm'd and provided: That ſuch a Mixture of Folly and Madneſs, deſerv'd rather Pity

A. D. 1695-6. Pity than Puniſhment: That Perſons ſo infatuated, ought rather to be ſent to *Bedlam* than *Newgate*, &c.

King's Defence. *King*, when it came to his Turn, inſiſted, That there was nothing in the Evidence againſt him which verified the Charge in the Indictment: That the Witneſſes did not ſo much as alledge any ſuch Words as the *killing the King*, had paſs'd between them: That when he rode out to view the Ground, as *Porter* alledg'd, it was only to *take the Air*: And that the utmoſt of their Teſtimony amounted to no more than this, That they had talk'd of *the Deſign*, *the Matter*, without ſpecifying what *the Matter* or *the Deſign* was: And that as to the Nature of Treaſon, and the Evidence requir'd by the Law to prove it, he left it to the Court, to inform the Jury.

Keys's Defence. Poor *Keys* came laſt, and contented himſelf with ſaying, That he was Servant to Mr. *Porter*, who was now Witneſs againſt him, and that he did nothing but by his Orders and Perſuaſion: Which ſhort, ſimple Plea had ſuch an Effect, if not on the Bench, at leaſt on the Public, That Biſhop *Burnet* not only acknowledges *Porter* was much reflected on, but proceeds in theſe Words, "It was ſaid that Servants had often been Witneſſes againſt their Maſters; but that a Maſter witneſſing againſt his Servant, was ſomewhat new and extraordinary."

Upon the whole, as the Charge from the Bench went againſt them, ſo the Verdict of the Jury was conformable to it: Sentence was pronounced upon them the ſame Day; and the 18th following was appointed for their Execution: And according to the Right Reverend *Hiſtorian* laſt quoted, "Endeavours were us'd, in that Interval, to perſuade *Charnock* to confeſs all he knew; for he had been in all their Plots from the Beginning: His Brother, [meaning, perhaps, *Haywood*, the Evidence his Brother-in-Law] continues the ſame Author, was employ'd to deal with him; and he ſeem'd to be once in ſuſpence: But the next Time his Brother came to him, he told him, He could not ſave his own Life, without doing That which would take away the Lives of ſo many, that he did not think his own Life worth it. This ſhew'd a Greatneſs of Mind, that had been very valuable if it had been better directed.—Thus this Matter was underſtood at the Time: But many Years after this, the Lord *Somers* gave me a different Account of it. *Charnock*, as *he* told me, ſent an Offer to the King, of a full Diſcovery of all their Conſultations and Deſigns; and deſir'd no Pardon, but only that he might live in ſome eaſy Priſon; and if he was found to prevaricate in any Part of his Diſcovery, he would look for the Execution of the Sentence: But the King apprehended, that ſo many Perſons would be found concern'd, and thereby render'd deſperate, that he was *afraid* to have ſuch a Scene open'd, and would not accept this Offer."

As the Biſhop himſelf delivers the laſt of theſe Paſſages, with more than ordinary *Diffidence*, probably ſo much the more Regard is due to the firſt: But if we ought to complement the King at the Expence of the Conſpirator, it is to be lamented, that his *Hiſtorian* ſhould aſcribe that to *Fear* in the One, which he aſcribes to *Magnanimity* in the Other. A. D. 1695-6.

All, however, were executed on the Day appointed, in the uſual Manner; and All left Papers behind them, in the Hands of the *Sheriffs*, to be made public, *if they thought convenient*: At leaſt *Charnock* thought fit to place that Confidence in their Diſcretion, and made his Confeſſion in the following Words. *They are all executed.*

"As concerning an Invaſion pretended by King *James* upon *England*, that there was certain Intelligence of it from Abroad, I preſume every body was ſatisfy'd; and to the facilitating of which, I own, that myſelf, and ſome others, did agree upon the *Undertaking*, to *attack* the Prince of *Orange* and his *Guards*, for which I am now to ſuffer: But I think myſelf oblig'd, by all the Ties imaginable, both of Conſcience and Honour, to declare, That, as for any Order or Commiſſion of King *James*'s for *aſſaſſinating* the Prince of *Orange*, I never *ſaw* nor *knew* of any; but have had frequent Aſſurances of his having rejected ſuch *Propoſals*, when they have been *offer'd*. Charnock's laſt Paper.

I confeſs I did hear that there was a Commiſſion arriv'd for *levying* War, and which was natural to believe, if the King was in ſuch a Readineſs to come over, as was reported: But if there was any ſuch Authority as *that*, I declare I never ſaw it.

As to what regards the Body of *Roman Catholics*, I muſt do them this Juſtice, and which I dare be poſitive in, That they had no manner of Knowledge of this Deſign: Nor do I believe it was communicated to any *other Party*, of ſuch as are *reputed* the King's Friends, but carry'd on merely, by a ſmall Number, without the Advice, Conſent, or Privity of any Parties whatſoever."

King, alſo, with the ſame Ingenuity, acknowledg'd, That he was brought to the Place of Execution by the juſt Hand of *God*, in puniſhment of all his *Crimes*, but particularly of *That*, for which he was about to ſuffer: After which he proceeded as follows.

"And that I may find his Mercy, I think myſelf oblig'd to do Juſtice to my Neighbour, that, ſo, none may ſuffer wrongfully on my Account: And, therefore, as I am ſoon to anſwer the Truth of what I ſay before the Tribunal of *God*, This, I declare, That I never ſaw any *Order* or *Commiſſion* for King *James*'s promoting the *Aſſaſſination*, for *which* I am condemn'd; neither do I know of any ſuch Order or Commiſſion: 2dly, That this Deſign was not undertaken with any general Knowledge or Approbation of any Body of Men, either *Catholic* or *Proteſtant*: Laſtly, That I did not engage in it on Preſumption of any King-killing-Principles that could juſtify ſuch an Undertaking, but was drawn into it by my King's Paper.

A. D. 1695-6. own Raſhneſs and Paſſion; for which, and all other Sins, I heartily beſeech *God* to forgive me."

As to *Keys*, who knew nothing, he had nothing to confeſs but his Sins in general, and the juſt Judgment they had brought upon him: The Expreſſions he made uſe of were ſimple and natural, and his Reſignation ſuch, as equally became a Soldier and a Chriſtian.

They all dy'd *Roman-Catholics*; and having refus'd the Aſſiſtance of any Proteſtant Divine, *Charnock* perform'd the laſt Offices for himſelf and his Fellow-Sufferers.

Friend's Trial.

On the 23d following, Sir *John Friend* was brought to Trial: Sir *John* was a Citizen and Brewer of *London*; had held a beneficial Place in the *Exciſe*, under the late King; was rich; had more Gratitude or Loyalty to his old Maſter, than Wiſdom and Conduct; and was a more zealous Adventurer in political Matters, than Men of Wealth and Buſineſs uſually are, in the vain Hope of a Revolution: Compaſſing and imagining the Death of the King was the Crime laid to his Charge: And for Overt-Acts, it was urg'd, That on 1ſt of *July*, and at divers other Times, he had conſulted with *Charnock*, and others, to procure Forces from *France* for the intended Invaſion of this Kingdom, and to levy Forces here to join the Invaders: That he had ſent the ſaid *Charnock* to *France*, to procure the ſaid Forces: That he had traitorouſly accepted a Commiſſion from the late King *James*, to be a Colonel of the Forces to be ſo levy'd here: That he had actually rais'd, liſted, and kept in Pay divers Officers and Soldiers; and that he had provided Horſes, Arms, *&c.*

Porter and Blaire Witneſſes againſt him.

Porter and *Blaire* were the only Witneſſes againſt him: The Former ran thro' the Depoſitions above recited, in which *Friend* is charg'd with being preſent at the two ſeveral Conſultations when *Charnock* was ſent to *France*; and in which he is alſo charg'd with having been once at the *Nag's-Head*, in *James-Street*, when the Conſpirators diſcours'd there *privately*, one among another, of the Deſign upon the King's Perſon: But as in the ſaid written Depoſitions, ſo alſo in open Court he acknowledg'd not only That *Friend* was *not* in the *Secret*, but that he complain'd of his being left out of it: But what was defective in his Evidence, *Blaire* took care to make up: For he ſwore poſitively, he had ſeen the Commiſſion *Friend* had receiv'd from King *James*; as alſo ſeveral Letters to him from Lord *Melford* and Secretary *Caryll*: That he, the Deponent, had *Friend's* Promiſe to be his Lieutenant-Colonel: That he had liſted Men for him, and had receiv'd Money of him to ſpend upon them, *&c.* Then producing, laſtly, a Letter to himſelf from Sir *John*, deſiring a Meeting at *Jonathan's* Coffee-Houſe, in order to his being furniſh'd by him with Money, he ſaid, That at the ſaid Meeting, he receiv'd an Order for twenty Pounds accordingly: And being *aſk'd* by the Court, What Uſe this Money was to be apply'd to? Anſwer'd, "It was to drink with the Men that were "to ſerve in his Regiment; to cheriſh them "and keep them together."—Here the Priſoner interpos'd to this Effect, That *Blaire* having been recommended to him for a very honeſt Man, came to him ſeveral Times, telling him his Neceſſities were very great, he was ready to ſtarve, he had a great Charge, and begging for *God's* Sake he would beſtow ſomething on him to relieve his Diſtreſſes: That in Compaſſion he had given him Money ſeveral Times, but never for any other Uſe than Charity. And then making his Appeal to *Blaire* himſelf, deſir'd him to declare the Truth, Whether he had not ſeveral Times written theſe Words to him, *I am ready to ſtarve; I beg you would relieve my Neceſſities?* *Blaire*, on the other Hand, acknowledg'd *Friend* had given him Charity; but added, He had ſpent ſo much Money in his Buſineſs, as reduc'd him to the Want of it: That he had brought in ſeveral Officers, particularly Captain *Fiſher*, (the firſt Diſcoverer of the Plot) one *Symmons*, one *Ridley*, and one *Richardſon*: And that the Priſoner had promis'd *Fiſher*, in his Hearing, He ſhould be his Eldeſt Captain, upon Condition he brought in a Troop.

The Priſoner, on the other Hand, with more Ingenuity than Diſcretion, own'd he was at the Meeting in *Leaden-Hall-Street*; but deny'd that any thing was ſaid there, of the Government, or of raiſing Men: Urg'd, That the Witneſſes being *Papiſts*, were not legal Witneſſes againſt *Proteſtants*; and call'd one *Courtney*, a Priſoner in the *Gate-Houſe*, who teſtify'd, That *Blaire* had declar'd before him, and ſeveral others, That he knew nothing of a Plot; and that reading a News-Paper to him, in which it was alledg'd, That the ſaid *Blaire* was to be Lieutenant-Colonel to the Priſoner, had receiv'd a great deal of Subſiſtance-Money from him, *&c.* *Blaire* ſaid, He knew nothing of any Regiment or Commiſſion: And that at another Time, *Blaire* appear'd in an Agony, and under great Remorſe of Conſcience, becauſe he was to be an Evidence againſt *Friend*: On which Occaſion his Wife ſaid, He would not do it, but in order to ſave his own Life. The Priſoner produc'd alſo ſeveral other Witneſſes to prove, That both *Porter* and *Blaire* were reputed *Papiſts*; and that he himſelf was a *Proteſtant*, and that he had a fair Character: Among Theſe, one *Lupton*, the Curate of *Hackney*, who officiated as Chaplain in the Priſoner's Houſe, depos'd, That, after the Revolution, he us'd to pray for King *William*, and that he had often heard Sir *John* ſay, "Tho' he could not comply with the preſent Government, he would live peaceably under it, and had no Concern'd in a Plot againſt it:" And Mr. *Hadley*, Father of Doctor *Hoadley*, the preſent Biſhop of *Wincheſter*, added, That the Priſoner was a good *Proteſtant*, and us'd to expreſs himſelf with great Deteſtation of King-killing Principles, and aſſaſſinating crown'd Heads. Laſtly, the Priſoner for himſelf inſiſted, That a Conſultation to levy War

A. D. 1695-6. War, was not Treason; and that the being at a treasonable Consult, was but a Misprision of Treason.—Thus for want of Judgment, he took his Cause out of the Hands of the *Jury*, and threw himself on the Mercy of the *Bench*: For had he laid a proper Stress on the Insufficiency of the Evidence against him: Had he urg'd, That there was but one Witness to one pretended Fact: That even that one Witness acquitted him of any Concern in the *Assassination*: That the other, *Blaire*, did not verify his Testimony by producing a single Man of the Four he had nam'd, as Persons engag'd by him to serve in the Prisoner's Regiment: That he had acknowledg'd he had receiv'd *Charity* from him: And that as to the Article in the Indictment, relating to the providing of Horses and Arms, it was not countenanc'd by any Testimony at all: Had he laid a proper Stress on these Circumstances, which concluded so much in his Favour, it is possible at least, that he might have been acquitted: Whereas, by resting the Merits of his Defence on the mere Matter of Law, he put it into the Power of the Bench to interpret his Life away.

Lord Chief Justice *Holt*, who presided on this Occasion, has, in general, the Character of an upright Judge: But almost all Lawyers have narrow Minds, and by the whole Drift of their Studies, find themselves biass'd to adhere to the King against the Prisoner.

Thus, in the present Case, the great Statute of Treason of 25 *Edward* III. being read, *Holt* maintain'd, among other Perplexities, That, tho' a bare *Conspiracy* or *Design* to levy War, was not within this Law Treason, yet if the Design or Conspiracy be either to kill the King, or to depose or imprison him, or put any Force or Restraint upon him, (on any Pretence, such as to procure some Reformation in the Church or State) and the Way propos'd to affect any of These is by levying War, there, the Consultation and Conspiracy to levy War is High-Treason, tho' no War be actually levy'd: So that the Inference lay as strong against the Authors and Instruments of the Revolution itself, as against the Prisoner at the Bar: And as to *Magna Charta*, it was but a dead Letter, which the Subject might still be permitted to glory in, but never to avail himself of.—*Magna Charta* is a *Pact* between Sovereign and Subject, which was the Work of Heroes, not of Lawyers; consequently, not being a *formal Law* in its original Institution, we are not to expect the Mercenaries of that Profession, to espouse its Authority against the *Craft* they *live* by. And as to the *Revolution*, it rather exceeded the Description given by *Holt*, in his Comment on the Treason-Act; because the Subjects concern'd in it, not only levy'd War against the King, under *Pretence* of *Reformation*, but call'd in a *foreign Force* to be their Co-adjutors: So that if the Subject, when overwhelm'd with Oppressions, either with Law or against it, had not a Right in Equity to appeal to, even the very *Deliverance* which had obtain'd the Sanction of so many Laws, was to be esteem'd a Triumph over the Law itself. A. D. 1695-6.

But to resume the Course of our Narrative.—The Jury, as it must be suppos'd, proceeding on the Notoriety of the late Conspiracy, rather than the particular Evidence against the Prisoner, after a short Demurr, brought in their Verdict, Guilty.

The next Day Sir *William Perkins* was brought to the Bar; and before the Trial was open'd, demanded, That a Chest of Plate, which had been sent to him by his Wife, and had been taken from him by Mr. Sheriff *Buckingham*, might be returned to him; which was order'd accordingly. But the Bench did not manifest the same Complaisance, when he desir'd his Trial might be put off for *one Day*, that he might have the Benefit of the late Trial-Act; tho' he urg'd, that some of his Witnesses were absent, whose Names he would give in. *Sir* William Perkins *Trial*.

His Case was very different from *Friend*'s: For he was involv'd both in the *Invasion* and the *Assassination*. *Porter* swore he was at the *Leaden-Hall-Street*-Meeting, as well as at several of Those in which the Manner of attacking the King's Person was debated: And more particularly, that he had not only agreed to furnish five Horses, three of which were to be mounted by Men of his own, but that, when the Witness, *Porter*, signify'd, that two of *his* were unfit for Service, he undertook to send to Mr. *Lewis*, (Lord *Feversham*'s Gentleman of the Horse, beforemention'd) for two more; and accordingly did send two more from the said *Lewis* the next Morning, with an Intimation, that *Lewis* could furnish still two or three more: And on his, *Porter*'s, asking him, Whether he had seen King *James*'s Commission for that Enterprize? He not only affirm'd, He had seen it, but added, That, because the King would not trust any of his Ministers, it was written with his own Hand; and the Purport of it was, For levying War on the *Person* of the Prince of *Orange*. *Sweet* depos'd, That the Prisoner had several Times assur'd him King *James* would land in *England*: That there was a Party ready to join him whenever he did so: That he had never been so positive in his Assurances as since *Christmas* last, when, as he said, he had it under the King's own Hand he would come: That he was, therefore, making Preparations to meet him: That he had provided Saddles and other Furniture: That his own Troop was compos'd of several good Horse-Officers, who were Volunteers, and the rest of old Soldiers: That the Prisoner having made a Journey into *Leicestershire*, told him, at his Return, he had seen his Friends, and the *West* was as well inclin'd to the King's Interest as the *North*: That about the 11th of *February* the Prisoner sent for him to Town, but when he came, told him, On second Thoughts he was not fit for the Business he had design'd to employ him in, because of his family: That he, the Witness, then resolving to return home immediately, Sir *William* enjoin'd him, to cause three

A. D. 1695-6 three of his *Strongeſt Horſes* to be ſent up to him: That having again ſummon'd him to Town, he aſk'd him, If he had made any Proviſion for his Family? And having anſwer'd No, he ſaid, in Paſſion, You might as well then have ſtaid at home: And that he dining the ſame Day with the *Priſoner*, *Charnock*, and *Chambers*, the Latter ſaid, He was come that Morning from *Kenſington*; and that *William* kept as cloſe as a Fox in his Hole.

Ewebank, the Priſoner's Groom, depos'd, That on *Friday*, the 14th of *February*, he came to Town from *Buſhy* with three Horſes, which he put up at the *George* Inn, *Holbourn*: That there were three other Horſes ſtanding at the ſame Inn, which his Maſter ſaid belong'd to ſome Friends of his, and order'd him to feed: That his Maſter gave him two Saddles for two of thoſe Horſes: That on the *Monday* following his Maſter, one Mr. *Holmes*, and himſelf, return'd to *Buſhy*: That on the *Friday* following they came to Town again, with four Horſes, furniſh'd with Piſtols: That when they came to the *George* Inn, his Maſter order'd him to get his own Pad ready by Five o'Clock the next Morning; and to procure another Horſe as eaſy as that, by the ſame time, for two Gentlemen, who would come for them: That his Maſter alſo gave him a Note, which he was to carry to *Kenſington*, to one Mr. *Brown*, who belong'd to the Kitchen; and to tell him he came from the Gentleman who lodg'd at a Confectioner's in *Holbourn*: That he went to *Kenſington* accordingly, and was told by the ſaid *Brown*, *He had nothing to ſend*; but who, nevertheleſs, took the Witneſs's Almanac, and writ in it, That he would be in Town in two Hours: That going then to the Gentleman at the Confectioner's, (who, it ſeems, was Sir *George Barclay*) he ſhew'd him the Almanac, and he tore out the Leaf, bidding him tell his Maſter, *He would be ready at his Chamber*: That his Maſter, on the Receipt of this Meſſage, bid him get the Horſes ready, for he *deſign'd* to go home by and by: That returning to the Inn, he found the two Gentlemen were come for the Horſes: That they rode out upon them, and return'd in two or three Hours: That when he ſaw his Maſter for the laſt Time, which was at the *Inn*, about three or four o'Clock in the Afternoon, he bid him go back to *Buſhy*, with his fellow Servant, and three of the Horſes: That he did go to *Buſhy* accordingly: That on the *Monday* following, he receiv'd a Letter from his Maſter, incloſing another to one *Evans*, another Servant of Sir *William*'s, who had the Care of his Houſe in *Warwickſhire*, which he was order'd to carry to him: That he did carry it accordingly: That in Conſequence of it, *Evans* and he fetch'd ſix Boxes from a neighbouring Tradeſman, (one *Haywood*, or *Hayward*, who had marry'd a Siſter of *Charnock*'s) which they bury'd in the Orchard: And that he had ſince heard thoſe Boxes were fill'd with Arms, tho' he was not appriſ'd of it at the Time of burying them.

Haywood himſelf, and three other Perſons, A. D. 1695. confirm'd this laſt Circumſtance: And one of them, *viz.* the Conſtable who ſeiz'd the Arms, in the Place where they were depoſited, inform'd the Court, That they conſiſted of four Dozen of broad, Two-edged Swords, without Hilts, and a Box of Hilts, thirty-two Carbines, and twenty-five Brace of Piſtols.

But the Landlord and the Hoſtler of the *George* Inn, tho' they confirm'd what had been ſworn by *Ewebank*, concerning the Horſes he brought up, the Piſtols, *&c.* in ſome reſpects weaken'd the Force of thoſe ſeveral Circumſtances: For they depos'd, That the Horſes were all under-ſiz'd: That the Priſoner had *often* three or four Horſes ſtanding there at a Time: And that he *uſually* travell'd with *Piſtols*.—Beſides, *Turton*, the Landlord, farther depos'd, That Sir *William* had never been at his Inn ſince *Friday* the 21ſt, which was the Night before he came laſt to Town: Whereas *Ewebank*, as we have ſeen, ſwore he was there at Four in the Afternoon, on *Saturday*; which is ſo much the more extraordinary, becauſe, in his written Depoſition, he ſwears, That he went from *Barclay*, at the Confectioner's in *Holbourn*, to his Maſter, at his Lodgings in *Norfolk-Street*, who bid him go back to the Inn, and ſtay there till he ſent for him: That about Three or Four o'Clock, he did ſend for him accordingly: So that here is a flat Contradiction: For the Priſoner could not be in two Places at once: And in the ſame Depoſition he alſo ſwears, That it was at *Twelve* o'Clock his Maſter came back to the *Inn*; which if not impoſſible, appears altogether unlikely, if we conſider that *Ewebank* had then but juſt deliver'd *Barclay*'s Meſſage to him; and he muſt have follow'd him cloſe at his Heels, only for the Sake of clearing up a Point, which, in the Circumſtances of the Conſpirators at that Time, it is not to be conceiv'd any one of them would have gone a *Step* out of his way to meddle with: For it ſeems, Sir *William* was accompany'd to the Inn, at Noon Day (when they were in a manner convinc'd their Affair was blown up) by *Lewis*, Lord *Feverſham*'s Gentleman of the Horſe; and their only Buſineſs there was, to convince the Latter, that he had furniſh'd but twenty-two Saddles, inſtead of twenty-four.

The Priſoner had been bred a Lawyer, *The Priſoner's Defence.* and his Defence was agreeable to his Education: He maintain'd, That there was but one Witneſs to any one Overt-Act, whereas the Law requir'd Two: That as to the Arms he was poſſeſs'd of, it was no Treaſon to have them in his poſſeſſion: That the Witneſſes did not pretend to ſay *for* what Purpoſe they were provided: That in Truth he had found them in his Houſe when he came to his Eſtate, as he could have prov'd, if he had been allow'd Time to ſend for his Witneſſes: That he had order'd them to be bury'd, becauſe it was a troubleſome Time, and they might have drawn him into Suſpicion, as it was known, he was well affected to King *James*: That as to his Horſes, he had

A.D. 1695-6. had bought none these two years: That they were too small for the Service it was presum'd they were provided for: That as to the Pistols, he had travell'd no otherwise than he us'd to do: That it did not appear he had a Troop, or a single Trooper; for not one was either produc'd or nam'd: That if he had foolishly bragg'd he had a Troop, when he had none, Folly was no Treason: That he beg'd his Life might not be interpreted away: That the rising in Arms against a King, and conspiring to take away his Life, were two Species of Treason: That they had seen a King depos'd, who was still living: That his Lordship had known him many Years: That he had been educated to the Gown, not the Sword: That having, in his Youth, liv'd a peaceable Life, it was not to be suppos'd, in his old Age, when lame with the Gout both in his Hands and Feet, he should be engag'd in such a Business as this: That *Porter*, who was become a Witness to save his own Life, and, therefore, ought not to be credited, was the only positive Witness against him: That *Sweet* prov'd nothing but Words; and Words were not Things: Lastly, That all the rest was Presumption only.

The Chief Justice's Charge. The Chief Justice, on the other Hand, in summing up the Evidence, allow'd no Weight to any of these Pleas, nor suffer'd the Prisoner to hope, for a Moment, that there was any Cranny through which he might make his Escape: According to him, it was manifest by the whole Course of the *Evidence*, That the Purpose of the Prisoner, and his Associates, was the restoring of King *James*: That the Assassination of King *William*, and the Invasion and Rebellion they had projected, were but different Ways to the same End: That to invade the Realm, and depose or assassinate the King, were the same Species of Treason: That to conspire in order to any of these Purposes, was an Overt-Act; for it was a compassing and imagining his Death: That of this there were other Witnesses besides *Sweet*: That the providing Arms, and burying them just as the Plot broke out; the Purchase of Saddles; the sending up the Horses and Pistols, at the Instant of Execution, *&c.* were so many Overt-Acts: That as *Words* related to *Things*, when Mens *Words* explan'd their Actions, *Words* were *Proofs*: That it was lawful for a Man to buy a Pistol; but if it could be prov'd out of the Buyer's Mouth, that he design'd to make an unlawful Use of it, the buying became an Overt-Act: And that, therefore, the Prisoner having told *Sweet*, The late King would come; that he had a Troop of old Soldiers; and such a Quantity of Arms having been found in his Possession, there was ample Proof for what Purpose he had provided them, *&c.*

Thus the Evidence receiv'd all the Sanction which the Voice of the *Bench* could give it: And the Jury, after a short Space of Consultation, brought in a Verdict agreeable to it. The same Day Both the Prisoners, *Friend* and *Perkins* that is to say, receiv'd Sentence; on the 3d of *April* following they were executed at *Tyburn*; and the Papers they severally left behind them with the Sheriff, were to the following Effect, *viz.*

A.D. 1696. *Friend and Perkins executed.*

Their last Papers.

Sir *John Friend*, having in the most solemn Manner profess'd, that what he was about to say, was from his very Soul, proceeded to declare, That, according to the best and utmost of his Knowledge and Information, he believ'd the Cause he was going to suffer for, was the Cause of *God* and true Religion, and agreeable to the Laws of the Land, which, he had evermore heard, did require a firm Duty and Allegiance to our Sovereign, indispensable by any foreign or domestic Power: That as it was altogether new and unintelligible to him, that the King's Subjects could depose or dethrone him on any Account, or constitute any that have not an immediate Right in his Place; so when it had been done, surely it was the Duty of the Subject to assist him in the Recovery of his Right: That as for any sudden Descent of his Majesty on these his Dominions, in order to the Recovery of them, he had no certain Knowledge of it, nor could he tell what Grounds there was to believe it: So little Reason had he to be in a present Preparation for it: That he suppos'd it was not expected he should clear himself from the Assassination, since it was not alledg'd against him: That he forgave all those who had been any way instrumental in taking away his Life: That he profess'd himself to be an unworthy and unprofitable Member of the Church of *England*: Of that Church (the *Nonjuring*) which at present suffer'd so much for a strict Adherence to Loyalty, the Laws, and Christian Principles: [To which he added this strange Expression, *For* THIS *I suffer, and for* THIS *I dye*] That he had a perfect Charity for People of all Professions, having met with a great deal of Uprightness and Sincerity among *some People*, of very different Opinions in religious Matters: That he hop'd it would not be taken as an uncharitable Censure, or undue Reflection, that he had objected to the Legality of *Popish* Evidence, he having been advis'd so to do for his better Security, upon the Foundation of a Statute-Law: That having own'd himself a Member of the Church of *England*, he begg'd all the *Royalists* of *that* Church to be very constant and serious in all religious Offices, without being deterr'd by the *Dangers* attending it; but withal to be very careful and circumspect in all their Actions, Behaviour, and Conversation: That he thank'd *God* he had a great deal of Satisfaction in his present Sufferings: And, lastly, that he laid down his Life with all Chearfulness and Resignation.

The material Part of Sir *William Perkins's* Paper was in these Words: "I thank *God* I am *now* in a full Disposition of Charity; and therefore shall make no Complaints either of the Hardships of my Trial, or any other Rigours put upon me: However, one Circumstance I think myself oblig'd to mention: It was sworn against me by Mr. *Porter*, That I had own'd to him, that I had

1696.

A. D. 1696. seen and read a Commiſſion from the King to levy War upon the *Perſon* of the Prince of *Orange*. Now I muſt declare, That the Tenour of the King's Commiſſion, which I ſaw, was *general*, and directed to all his loving Subjects, to raiſe and levy War againſt the Prince of *Orange* and his Adherents; and to ſeize all Forts, Caſtles, *&c.* which I ſuppoſe may be a cuſtomary Form of giving Authority to make War; but I muſt confeſs I am not much acquainted with Matters of that Nature: But as for any Commiſſion *particularly levell'd* againſt the *Perſon* of the Prince of *Orange*, I neither ſaw nor heard of *any ſuch*.

It is true, I was privy to *the Deſign* upon the Prince, but was not to act in it; and am fully ſatisfy'd, that very *few*, or *none*, knew of it, but thoſe who undertook to do it."

The Remainder conſiſted of ſome ſtrong Aſſertions of the Juſtice of the late King's Cauſe; and a Declaration, That he dy'd in the Communion of the Church of *England*: As alſo, That he freely forgave, and deſir'd to be forgiven by all the World.

Some Remarks on Burnet.

It is remarkable, that Biſhop *Burnet*, (who ſeems to rely on the Account he had from Lord *Somers*, before ſpecify'd, concerning the King's Refuſal to receive *Charnock*'s Confeſſion of *all he knew* concerning the Plot, becauſe he was *afraid*, it would involve too many Perſons in it) nevertheleſs aſſerts, That *great Endeavours* were us'd to make both *Friend* and *Perkins* confeſs *all they knew*: For why ſhould thoſe Endeavours be repeated, which his Majeſty did not think it adviſable to avail himſelf of? But what is ſtill more remarkable, in the ſame Section he expreſſes himſelf as follows, " He *(Perkins)* confeſs'd, He had ſeen King *James*'s " Commiſſion: The Words (of *Perkins*'s " Confeſſion, it muſt be ſuppos'd, he means) " differ'd a *little* from thoſe which *Porter* " had told: But *Porter* did not ſwear that " he ſaw it himſelf: He only related what " *Charnock* had told him concerning it; yet " *Perkins* ſaid, They were to the *ſame* " Effect." A Commiſſion to raiſe and levy War againſt the Prince of *Orange*, with whom King *James* was certainly in a State of War; and a Commiſſion to levy War againſt the *Perſon* of the Prince of *Orange*, which was what *Porter* ſwore *Perkins* himſelf had told him he had ſeen, were, in Truth, different Commiſſions; and inſtead of confeſſing, That they were to the *ſame Effect*, *Perkins*, with his laſt Breath, explanes the Difference; and while he frankly confeſſes the one, as explicitly denies the other.

Perkins and Friend abſolv'd at Tyburn *by three nonjuring Prieſts.*

The Execution of theſe Delinquents was alſo productive of another Incident, which the Prelate laſt quoted, calls *a Strain of Impudence that was as new as it was wicked*; *Collier*, *Snatt*, and *Cook*, three Nonjuring Clergymen, waited on them to *Tyburn*; "And all the three, (ſays his Lordſhip) at the Place of Execution, join'd to give them public Abſolution, with an *Impoſition of Hands*, in the View of all the Populace, tho' they dy'd owning the ill Deſigns they had been engag'd in, and expreſſing no Sort of Repentance for them; whereby thoſe Clergymen made an *(l) open Declaration* of their allowing and juſtifying the Crimes for which they ſuffer'd."

A. D. 16

But, tho' it ſhould be acknowledg'd, that a more ſeditious Uſe could ſcarce be made of the prieſtly Office, there was more of Paſſion than Policy in the Methods taken to puniſh theſe Men for this Miſdemeanor: Where there is no Law, it is generally underſtood there is no Tranſgreſſion: And yet the Grand Jury were prevail'd upon, by a Remonſtrance from the Bench, exhibited by Lord Chief Juſtice *Holt*, to preſent the ſaid Clergymen, for having *countenanc'd* the Treaſon by abſolving the Traitors, and thereby given *great Encouragement* to other Perſons to commit the like Treaſons, to the Scandal of the Church, and the Diſturbance of the Peace of the Kingdom: The Court hereupon, order'd an Indictment to be prefer'd againſt them; and *Cook* and *Snatt* were committed to *Newgate*, on Suſpicion of High-Treaſon and treaſonable Practices: *Collier* abſconded; but ſet forth a Defence of his Conduct; in which, after complaining, That ſix or eight Perſons had ruſh'd into his Lodgings, broke open his Trunks, and ſeiz'd his Papers, he proceeds to ſay, That what he had done, he had done at the Requeſt of *Perkins*, who had given him a State of his Conſcience, and whom he had not been permited to viſit, from *Wedneſday* Morning, *April* the 1ſt, to *Friday*, the Day of his Execution: And that the *Impoſition of Hands*, which had been complain'd of as a Novelty, was ſo far from being ſuch, that it was the general Practice of the primitive Church, *&c.* On the other Hand, The two Archbiſhops, and twelve other Biſhops, (among whom were *Crew* of *Durham*, *Mew* of *Winchester*, and *Sprat* of *Rochester*) ſet forth a Paper, which was call'd, *A Declaration of the Senſe of the Archbiſhops and Biſhops, now in and about* London, *&c. concerning the irregular and ſcandalous Behaviour of certain Clergymen at the Execution of Sir* J. Friend, *and Sir* W. Perkins: Wherein they " Cenſur'd the Performance of this Office of " the Church, (the Abſolution was That us'd " in the Viſitation of the Sick) without a " previous Confeſſion made, and Abhorrence " expreſs'd by the Priſoners, of the hainous " Crimes for which they dy'd, as extremely " inſolent, and without precedent in the " *Manner*, and altogether irregular in the " *Thing* itſelf: It being a manifeſt Tranſ" greſſion of the Churches Order, and pro" fane Abuſe of the Authority of *Chriſt*; " ſince Mr. *Collier*, Mr. *Snatt*, and Mr. *Cook*, " muſt look on the Perſons abſolv'd as Im" penitents or Martyrs." *Collier*, however,

The ſaid Perſons are preſented by the Grand Jury.

London Gaz. No. 3173.

Two of them committed.

Collier abſconds; *ſets forth a Defence of his Conduct.*

A Cenſure paſs'd upon them by fourteen Biſhops.

Collier's Behaviour

1 did

(*l*) Biſhop *Kennet* ſpeaking of the ſame Fact, contents himſelf with ſaying, " That it *ſeem'd* to ſavour " the Conſpiracy, and to recommend the Treaſon."

A. D. 1696. did not ſubmit to this Cenſure; but, on the contrary, maintain'd, That it was wholly unſupported: And that the Abſolution was every way defenſible, as to Matter, Manner, Perſons and Occaſion: And in his Concluſion obſerves, That the very ſame Form was obſerv'd in the Caſe of *Aſhton*, executed in *January*, 1690, without any Offence given, or Complaint made, either at *Lambeth* or *Whitehall*.—The Diſpute laſted ſome time; but without Conſequences: For, whether it was, that the Offenders were not within the Reach of the Law, or that the Law was not put in Force againſt them, "Such was the Lenity of the Government, ſays Biſhop *Kennet*, that no manner of Puniſhment was inflicted on them:" So that eccleſiaſtical Cenſures, Impriſonment in *Newgate*, &c, it ſeems, were no Puniſhment at all.

But it appears the whole Body of *Nonjurors* were, at this Time, violently, and, according to Biſhop *Kennet*, not unreaſonably, ſuſpected of having been involv'd in this Affair: For Intelligence having been receiv'd, That the *depriv'd* Biſhops had made a Collection of Money, by Brief, amongſt their Friends and Followers, for the Relief of their Brethren, and their Families, who were reduc'd to extreme Want, they were accus'd of having rais'd a Fund for the Cauſe, and oblig'd to juſtify themſelves before the Privy-Council.

Rookwood's Trial. *Rookwood*, *Cranborne*, and *Lowick* were brought to their Trials next: The two Former on the 21ſt of *April*, the Latter on the 22d: They were try'd by ſpecial Commiſſion in the KING'S-BENCH; and all of them had the Benefit of the new Law concerning, Trials for Treaſon; tho' under ſome ſuch Reſtrictions, as were ſcarce reconcilable to the Senſe of the Law-Makers. *Rookwood* was indicted, for compaſſing and conſpiring the Death of the King, the Subverſion of the Government, and the Subjection of the People to the Dominion and Slavery of the *French* King; in order to which, he had conſulted and agreed to aſſaſſinate his Majeſty, had provided Horſes and Arms, &c.

The Witneſſes againſt him were *Porter* and *Harris*: *Porter* ſwore, The Priſoner was one of thoſe who, at the *Globe* Tavern in *Hatton-Garden*, conſulted of the beſt Manner to *aſſaſſinate* the King: As alſo, that having ſcrupled at firſt to engage in ſo deſperate a Deſign, *Barclay* told him, He ſhould command the Party; upon which he reply'd in *French*, *There's an End of it*: And *Harris* ſwore, as in his written Depoſition, above inſerted, That the Priſoner had acknowledg'd to him the Nature of the Buſineſs in hand, had declar'd he would obey *Orders*, had given him a Liſt of Names, &c. The Counſel for the Priſoner, on the other Hand, alledg'd, That the Law requir'd two Witneſſes to each Overt-Act, whereas in this Caſe, there was but one to each: That according to *ſome* Opinions, (meaning thoſe of the Solicitor-General *Howles*, and Sir *Robert Atkins*, on the ſeveral Caſes of Lord *Ruſſel*, *Sydney*, &c.) the being at a treaſonable Conſult was but miſpriſion of Treaſon: That there was no Evidence of the Priſoner's agreeing to the Matter conſulted upon: That the late Law having enacted, that no Overt-Act ſhould be given in Evidence that was not expreſſly laid in the Indictment, the giving the Liſt of Names to *Harris*, could not be given in Evidence; and they had Witneſſes ready to prove, That *Porter* had been a Clipper, a Highway-Robber, and was infamous for every Vice. A. D. 1696.

But the Bench ruled (as the Term is) That no Evidence ought to be admitted of any particular Crime a Witneſs had been guilty of, unleſs by Record of his Conviction: And the Chief Juſtice, in ſumming up the whole of the Caſe for the Direction of the Jury, was pleas'd to obſerve, That if the *French* Expreſſion made uſe of by the Priſoner to *Barclay*, amounted to a Conſent or Agreement to be of his Party, it was plainly an Overt-Act: That his naming *Harris* to be his *Aid de Camp*, and giving him a Liſt of Names, was another Overt-Act: That tho' the late Act did exclude the giving Evidence of any Overt-Act not laid in the Indictment, it did not exclude ſuch Evidence as was proper to prove the Overt-Act laid in the Indictment: That, therefore, the Queſtion was, Whether the giving that Liſt, did not prove ſome Overt-Act in the Indictment: That an Agreement to kill the King was laid in the Indictment: That if the giving the ſaid Liſt was a Proof of that Agreement, no doubt it was proper to be given in Evidence: That if by the new Statute, no one Act could be given in Evidence to prove another, then not only the Overt-Act, but alſo all the Evidence of that Act muſt be expreſs'd in the Indictment, &c.

Cranborne's Trial. The Indictment againſt *Cranborne*, was little different from that againſt *Rookwood*; except, that he was particularly charg'd with carrying a Liſt of the Conſpirators from one to the other. *Porter*, *de la Rue*, and *Pendergraſs*, were the Witneſſes; who agreed ſo well in the Particulars of their Teſtimony, eſpecially in the Priſoner's being at their Meetings, in the carrying the Liſt of Names, and his joining with *Porter* in drinking *To the ſqueeſing the rotten* Orange, that the Court had little Trouble, and the Priſoner leſs to complain of; unleſs it was of the Treachery of his Accomplices.

But the Caſe of *Lowick* was not altogether ſo manageable: He was indicted, for having, together with *Knightley*, *Rookwood*, *Cranborne*, and others, conſulted and agreed to aſſaſſinate and murder his Majeſty; but without any Specification of Time or Place, except of the 10th of *February*; to which was added, with *divers* other Days and Times, as well *before* as *after*; and of the Pariſh of St. *Paul's*, *Covent-Garden*; or of any Overt-Act, except the providing Horſes and Arms.

Harris, *Bertram*, and *Fiſher*, were the Witneſſes; for, it ſeems, neither *Porter*, *Pendergraſs*, or *de la Rue*, tho' the moſt extenſive Diſcoverers, had any Thing to depoſe concerning him; whence a ſort of negative

Proof

A. D. 1696. Proof aroſe in his Favour, That he had never attended any of thoſe Conſultations, where the Undertaking was primarily reſolv'd on.

Harris recapitulated the ſeveral Points in his written Depoſition given above, which related to the Priſoner; ſuch as the ſeeing him at the Confectioner's in *Holbourn*, where *Barclay* lodg'd, on the firſt *Saturday*; the Diſcourſe he had with him in *Red-Lion-Fields*, before the next, touching the Barbarity of the Deſign they were engag'd in, in which the Priſoner declar'd, *He would obey Orders*: His telling him afterwards, The Thing was diſcover'd: That his Name, amongſt others, were given, and adviſing him not to lye at his Lodgings: And, laſtly, another Diſcourſe which had paſs'd between them on the Second *Saturday*, to this Effect: The Priſoner ſeeing *Harris* in a Sweat, and aſking the Occaſion, the Latter told him, *He had been getting* Rookwood's *Party ready*: To which the Priſoner reply'd, "You may "well do it; for you have ſix Shillings a "Day, and I have nothing, and yet brought "a (*m*) Couple of Men at my own Charge; "and their Horſes cannot be diſcharg'd un-"leſs I go." And it being aſk'd by the Court, Why they were to be diſcharg'd that Day? *Harris* anſwer'd, Becauſe *Rookwood* had told *Lowick*, The Prince of *Orange* did not go out that Day.

Bertram ſwore alſo to ſuch of the Circumſtances in his written Depoſition, as regarded the Priſoner, *viz.* His aſking him, Whether he would engage in an Affair that might be for his Advantage, without aſking any Queſtions: His requiring him on *Friday* the 14th, to be ready againſt the nex Morning: His telling him, he believ'd they ſhould ride out of Town in a little Time: His ſaying, he believ'd the King would be ſeiz'd in his Coach: His giving him a Guinea to furniſh himſelf with *Neceſſaries*: His appointing to meet him the next Morning, at the Purl-Houſe in *Hart-Street*; and his upbraiding him when they met next for his Breach of Promiſe, in theſe Words, *So it would have been if the King had been in the Field.* The Witneſs being then aſk'd, If he was not told the Deſign, his Anſwer was, The Major did not tell him of any other Deſign than he mention'd; for he believ'd he knew it: Being farther aſk'd, If the Guinea he receiv'd was not given to him in Charity; he anſwer'd, The Major had given him Money ſeveral Times; they being Townſmen, and near Relations: And again, by a Juryman, If he underſtood what the Major meant by riding out ſuddenly; he reply'd, He believ'd it was about ſeizing and killing the King: Laſtly, The Priſoner himſelf demanding, If *Bertram* ever knew him guilty of any bloody Thing? He ſaid, He had known him theſe twenty Years: He had always the Character of a good Man, ready to ſerve any one in Neceſſity: He had been bred a Soldier; had ſerv'd King *James* in *Ireland*, and ſav'd the Lives of many a Priſoner taken there by the Enemy, as he had been inform'd by the Priſoners themſelves, A. D. 169

Theſe Queſtions having been thus diſpatch'd, *Fiſher*, the firſt Diſcoverer, who, according to Biſhop *Burnet*, never appear'd *more*, becauſe he had *Aſſurances* given him, *That he ſhould* not *be made uſe of as a Witneſs*, was brought forward, to make up the Defects of the Teſtimony already given, by throwing in the laſt Article of his own written Depoſition, which has been already touch'd upon, and which ſeems to have been the Fruit of Recollection, and laid up to anſwer this very Purpoſe: But then he was not ſo direct in his Evidence before the Priſoner's Face, as in That which he gave to the Secretary of State: For whereas in the *One*, he is expreſs, That he met with the Priſoner on the 7th or 8th at the *Cock* in *Bow-ſtreet*, who there told him, He would do his Beſt to carry on the *ſaid Deſign* (of *ſeizing* the King) and would be ready on *all* Occaſions; in the *Other*, he only charges the Priſoner with *ſaying*, He would be ready to *ſerve* his *Maſter*, King *James*, to the *utmoſt of his Power*: And yet the right Reverend Author laſt quoted, is pleas'd to ſay, in order to blaſt yet farther the new Act of Trials, "That Theſe (Trials) held long; for their (the Priſoner's) Counſel ſtuck upon every Thing:—But the Evidence was now *more copious*: For *Three other* Witneſſes came in; the Government being ſo *gentle* as to pardon even the Conſpirators who *confeſs'd* their *Guilt*, and were willing to be *Witneſſes* againſt *others*." But the great Point to be anſwer'd by *Fiſher*, and which in neither of his Teſtimonies he loſt Sight of, was to account for the Defect of Matter againſt the Priſoner, by obſerving, That he had made it a Maxim to diſcourſe of the Affair, but with one Perſon at a Time; becauſe nothing could affect a Man's Life, according to the late Act, but what could be verify'd by the Teſtimony of Two.

Sir *Bartholomew Shower* was the Priſoner's Advocate; and the Drift of his Diſcourſe was to ſhew, That *Fiſher*'s Evidence was of no Weight at all: That the Evidence of *Bertram* and *Harris*, inſtead of being clear and poſitive, as the Law requir'd, was circumſtantial, trivial, and inconcluſive: That no Overt-Act was prov'd: And that the general Character of the Priſoner, from the known Innocency and Regularity of his Life, was alone ſufficient for his Vindication, as would be manifeſted to the Court by unexceptionable Witneſſes.

Theſe Witneſſes were then call'd; and unanimouſly declar'd him to be an honeſt, well-natur'd, virtuous Man, free from Paſſion and Malice: And the Priſoner himſelf concluded his Defence with the moſt ſolemn Proteſtations of his Innocency.

The Attorney-General, however, thought a Reply neceſſary; and as if it was the Duty of his Office to talk a Man out of his Life, whether

(*m*) In the written Depoſition, which was alſo upon Oath, he ſays *Three*.

A.D. 1696. whether within the Law or not, aggravated Matter of Suſpicion into Matter of Evidence; and Preſumptions into plain, poſitive Proofs, which would admit of no Qualification.

A.D. 1696.

Nor was the Lord Chief-Juſtice himſelf wholly free from the ſame Rage of Proſecution: For tho' he was pleas'd to caution the Jury againſt any forced or violent Conſtruction of Words in caſe of Life, he nevertheleſs proceeded to ſay, That if the Evidence was plain and clear, though the Priſoner did not ſay in expreſs Words, He deſign'd to aſſaſſinate his Majeſty; yet if, upon the whole of the Diſcourſe that paſs'd between *Bertram* and him, it appear'd plainly and ſatisfactorily to them, that he did conſent and agree to this Deſign, or was engaged in it, then *Bertram* was another Witneſs to prove him guilty, beſides *Harris*, which was as much as the Law required.

All brought in guilty.

In ſhort, the whole Court were of a Mind: For the Jury were ſo heated with the Zeal of the Times, that they had no Leiſure for Diſcrimination: And thus *Lowick* was brought in guilty, as *Cranburne* and *Rookwood* had been before. His Friends, however flatter'd themſelves, that the Government, would ſtill ſhew him Mercy; and if it had been ſo *extremely gentle*, as it has been deſcribed, probably thoſe Hopes of theirs would not have been ill grounded.—"Great Interceſſion (ſays B. *Kennet*) was made by ſome Noblemen for the Life of *Lowick*; and *Cranburne*, petition'd to be tranſported; but Both to no Purpoſe:" And on the 29th of *April* all Three of them were executed at *Tyburn* together. *Cranburne*, it is ſaid, read a Paper, ſpoke much to the Spectators, ſaid he ſuffer'd for his Loyalty; inſiſted, That the Enterprize he had been engag'd in, was no more than his Duty, and died in a Tranſport of Fury: But this Paper of his we are to preſume, was ſuppreſs'd; for we ſcarce meet with a Trace of it in any of our Hiſtorians: Thoſe of *Lowick* and *Rookwood*, on the contrary, being of a leſs provoking Nature, have been preſerv'd, and ſo far at leaſt as relates to the Plot, deſerve to be remember'd.

Their Behaviour at Tyburn.

Lowick's laſt Paper.

Lowick, having firſt declar'd himſelf a *Roman-Catholic*, proceeds to complain, That, as to the Charge brought againſt him for which he was to dye, no Proof had been offer'd of his having had a Horſe; the two Men he had provided, were not produced; nor, continues he, had I any on *that Account*; nor was I at any of their Meetings, when they ſettled any *ſuch Thing*: And as for any Order or Commiſſion from King *James*, I never ſaw any ſince I came laſt to *England*, which is now about five Years; and I am confident none that knows King *James* will believe he gave any ſuch Order.

Indeed, I muſt confeſs, I believe King *James* was coming to aſſert his own Right; and I ſhould, if on Shore [meaning if that Prince was landed] have done any thing in my Power to have aſſiſted him; and in order to *that*, I ſhould have been very glad to have had a Horſe, but never had any: And as for being concern'd in any bloody Affair, I never was in my Life; but have done my Endeavour to prevent it as much as I could on all Occaſions: And if the killing the moſt miſerable Creature in the World, or the greateſt Enemy, would now ſave my Life, reſtore the King, and make me one of the greateſt Men in *England*, I firſt would chuſe to dye, becauſe againſt the Laws of *God*. If any who are now Sufferers on this Account, think I have been too forward, and a Promoter to this Deſign, I do now declare, it was never my Inclination to do any raſh Thing: However, I beg their Pardons, and of all the World, if I have offended in Thought, Word, or any Action whatſoever, *&c.*

Rookwood ſaid, He once thought to have dy'd in Silence; but that ſecond Thoughts of his Duty to others, and chiefly to King *James*, had mov'd him to leave a Paper behind him, which proceeded thus. "I do therefore, with all Truth and Sincerity, declare and avow, That I never ſaw or heard of any Order or Commiſſion from King *James* for the aſſaſſinating the Prince of *Orange*, and attacking his Guards; but I am certainly inform'd, *He*, the beſt of Kings, had often rejected Propoſals of that Nature, when made unto him: Nor do I think he knew the leaſt of the *particular Deſign*, ſo much talk'd of, in which I was engag'd as a Soldier, by my immediate Commander, *much againſt my Judgment*: But his Soldier I was; and as ſuch, I was to obey and act, according to Command. Theſe twelve Years I have ſerved my true King and Maſter King *James*, and freely now lay down my Life in his Cauſe. I ever abhorr'd Treachery, even to an Enemy: If it be Guilt to have complied with what I thought, and ſtill think to have been, my Duty, I am guilty: No other Guilt do I own. As I beg all to forgive me, ſo I forgive all from my Heart, even the Prince of *Orange*, who, as a Soldier, ought to have conſider'd my Caſe, before he ſign'd the Warrant for my Death: I pray *God* may open his Eyes, and render him ſenſible of the much Blood, from all Parts crying out againſt him: So to prevent a heavier Execution hanging over his Head, than what he inflicts on me."

And Rookwood's

Among the general Depoſitions concerning the Plot, inſerted above, we have ſeen one in the Name of *Knightley*. This Man had been taken among the firſt of the Conſpirators that were taken, as he was endeavouring to make his Eſcape in Woman's Apparel: Both *Porter* and *de la Rue* had involv'd him in their Diſcoveries; ſo that there was no want of Evidence againſt him: And yet, tho' *Charnock*, *King*, and *Keys*, were try'd on the 11th, no Proceſs was iſſued againſt him: To account, therefore, for this Tardineſs with Reſpect to him, we muſt ſuppoſe he was all that Time under practice to turn Witneſs: His Depoſition, we muſt alſo ſuppoſe, was the Reſult of that Practice: But then we have Reaſon to conclude notwithſtanding, that it was not Satisfactory; as well becauſe of the Inſinuation he ſets out with,

Knightley's Caſe.

A.D. 1696. with, which tends to the Vindication of King *James*, as becauſe it did not, perhaps, anſwer the Expectations of the Court, as to Others, tho' it was ample enough as to himſelf: Certain it is, that of all the Depoſitions, This was the only one left unſign'd; and it is plain, He might have ſtrengthen'd the Evidence againſt *Lowick*, if he had been ſo diſpos'd: For in his Confeſſion, he not only ſays, He had met *Lowick* at *Barclay*'s Lodgings, in Company with ſeveral other Conſpirators, but alſo, That he, *Lowick*, had told him, He had engag'd *Bertram*: But whatever was the Purpoſe of the Court, with regard to him, whether to make him a Witneſs or an Example, when he was firſt indicted, they could not proceed againſt him, becauſe they had call'd him *Alexander*, whereas his Name was *Chriſtopher*: And according to the uſual Courſe of Practice, that Miſtake ought to have exempted him from any farther Proſecution for the ſame Crime: But inſtead of allowing him the Benefit of it, he was again indicted on the 30th of *April*, pleaded Not Guilty, was remanded to *Newgate*, and, being brought up once more on the 20th of *May*, retracted that Plea, and acknowledg'd himſelf guilty; In Conſideration of which, he was afterwards pardon'd; tho' one Hiſtorian, againſt the concurrent Teſtimony of all the reſt, ſays, He was executed at *Tyburn*.

Salmon.

Cooke's *Trial*. Mr. *Cooke*, Son of Sir *Miles Cooke*, one of the Six Clerks in Chancery, was put upon his Country next: The Charge againſt him was for compaſſing the Death of the King, and adhering to his Enemies: And for meeting and conſulting with *Charnock*, *Friend*, *Perkins*, &c. how to raiſe a Rebellion: His ſending the ſaid *Charnock* to *France*, to ſpirit up an Invaſion; and his buying up Horſes and Arms, in order to promote the ſaid Rebellion and Invaſion, were laid as the Overt-Acts requir'd by Law in Proof of the ſaid Charge. *Porter* and *Goodman* were the Witneſſes againſt him: The Former depos'd, That the Priſoner was at both the Meetings at the *King's-Head* in *Leadenhall-ſtreet*, and at the Tavern near *Fenwick*'s Lodgings (mention'd in *Porter*'s ſecond Depoſition:) And that *Charnock* demanding of the Lords and Gentlemen then preſent, ſeverally, Whether he might aſſure the King *(James)* that they would join the *French* Troops at their landing with 2000 Horſe, which they had agreed to raiſe? He remember'd *Cooke* was kneeling upon a Chair, and anſwer'd in theſe Words, *Yes*; *you may*. And the Latter *(Goodman)* having premis'd, as *Porter* had done in his written Depoſition, That he did not join the Company till *after* Dinner, ſwore to the ſame Expreſſions, and the ſame Poſture; except, that he was rather more particular; for he added, *Cooke* had his Elbows on the Table, as well as his Knees on the Chair.

Porter *and* Goodman *the Witneſſes againſt him.*

And thus if ſuch a Conſultation, and ſuch a Reſult were proved capital Treaſon, there was ſufficient Evidence to prove it, if that Evidence could be depended upon: But the Priſoner undertook to ſhew, by the Means of a Record, which was produc'd in Court, That one of them, *Goodman*, was not to be depended on: For by the ſaid Record it appear'd, That *Goodman* had been convicted of hiring one *Alexander Amadeo* to poiſon the Dukes of *Grafton* and *Northumberland*, had been adjudg'd to pay a Fine of 1000 *l.* and to be committed to the *Marſhalſea* till it was paid; as alſo, to find Security for the Peace. A.D. 16[illegible]

One *Edwards* alſo, on Behalf of the Priſoner, depos'd, That he being confin'd in *Newgate*, together with *Goodman*, the Latter had told him, That He and *Porter* were to be Witneſſes againſt *Cooke*: That *Cooke* had alſo ſworn againſt him, *Goodman*, but could not obtain a Pardon, becauſe he would diſcover no body elſe: Adding, "He or I muſt ſuffer; "but it is a fooliſh thing to be hang'd: All "that is ſaid of a Man is, That he hang'd "handſomely, or dy'd bravely." Counter Evidence in Behalf of the Priſoner.

Cock, the Landlord of the *King's-Head*, having admitted, That the Lords *Ayleſbury* and *Montgomery*, Sir *William Perkins*, *Fenwick*, *Friend*, *Charnock*, *Porter* and *Cooke*, did dine at his Houſe about a Year before, was nevertheleſs poſitive, That the Lords went away before Four o'Clock: That the reſt of the Company ſtay'd till Eight or Nine: That *Goodman*, he believ'd, was not there at all, for he had never ſeen him till that Trial: But that he could ſwear he was not there till after the two Lords went away, becauſe he had been in the Room half a Dozen Times after Dinner; and in particular, juſt before the Lord *Ayleſbury* went away, and juſt after, when no more Perſons were preſent than had din'd there.

Two Drawers of the ſaid Tavern moreover depos'd, That they had never ſeen *Goodman* there at all; but One of them was rather more peremptory than the Other: For the firſt, like his Maſter, ſeem'd to be moſt certain, that he was not there till after the two Lords went away; whereas the laſt, who ſaid, he had waited on that Company only, was expreſs, That neither *Goodman*, nor any body elſe, join'd the Company after Dinner: That he had never ſeen him in his Life till that Day: And that there were no Orders for their being in private; for all the Drawers went backwards and forwards as uſual.

Three other Witneſſes depos'd, That the Priſoner had never abſconded; that he was taken in his Father's Houſe; and both they and ſeveral others gave him the beſt of Characters for Religion and Virtue.

On the other Hand, to take off the Credit of *Edwards*, who had given ſuch a Shock to *that* of *Goodman*, the King's Counſel brought in *Porter* and *de la Rue* to vouch, That he was to have had his Part in the Aſſaſſination: But then it is equally certain, that his Name is not to be found in the written Depoſitions of thoſe Worthies, and that he was not proſecuted afterwards for his Concern therein; which after this Provocation, it is ſcarce to be ſuppos'd, would have been the Caſe, if their Evidence againſt him had been well founded. The Evidence on both Sides confronted.

Goodman was then call'd for again, in order to confront *Cock*; admitted the two Lords

A. D. 1696. Lords left the Company firſt, but not before he was introduc'd by *Porter*: And to convince *Cock* he could not but know him, tho' he had vouch'd the contrary, ſaid, He had din'd at his Houſe four or fives Times with *French*; and that once in particular, not being well, he went down to the Bar for ſome Brandy, which he had from *Cock* himſelf; and thinking it the beſt he had ever taſted, would have bought a Quantity of it, but was told by *Cock*, he had but little for himſelf.

Cock, however, perſiſted in his Aſſertion, That he had never ſeen him before; and could recollect nothing of the Circumſtances he mentioned.

For fear, therefore, his Perſeverance ſhould make an untoward Impreſſion on the Jury, *Porter* was again referr'd to; and, like a Man determin'd not to be out-done in his new Vocation, ſtiffly maintain'd, That *Goodman* having ſent up his Name, *(Burnet* ſays, ſent him a Note) and he *(Porter)* having anſwer'd for his Honeſty and Devotion to the Cauſe, he was admitted by the Conſent of the Company: That this was two Hours before the Lords went away (for he was admitted about Four, and they did not go away till near Six) That they diſcours'd the whole Buſineſs after *Goodman* came into the Room: And that he remember'd, when Lord *Ayleſbury* was going out, *Goodman* bow'd and took his Leave of him.

And yet of the three Witneſſes, who were all ſo equally poſitive, That *Goodman* was not in the Company till Lord *Ayleſbury* left it, (viz. *Cock* and his two Drawers) one ſwore he came down from my Lord, juſt *before* he went away; a Second, that he *follow'd* him out of the Room; and *Cock* himſelf, that he *met* him at the Head of the Stairs, as he was on his Departure.

Shower's Plea. Sir *Bartholomew Shower*, who was Counſel for the Priſoner, now enter'd on his Province, and addreſſing himſelf more particularly to the Jury, gave them to underſtand, in the firſt Place, That they were not to be determin'd either by their private Opinions, or public Fame; by former Verdicts, or the Confeſſions or dying Speeches of Criminals, who had already ſuffer'd the Law, but by Matter of Evidence deliver'd by two credible Witneſſes: He then proceeded to ſhew, That *Goodman*, one of the Witneſſes againſt the Priſoner, was not a credible Witneſs; inſiſted, that the Record prov'd him to be one of the worſt of Men; and that the oppoſite Evidence of three irreproachable Witneſſes, ought to deſtroy the Validity of his; in which Caſe *Porter* would ſtand alone, and no Conviction could legally follow upon it, even if it were admitted that his Teſtimony were true: Laſtly, he left it to the Jury to conſider, Whether a Man ſhould be executed for Treaſon, who had never fled for it, who had never been charg'd with any Treaſon or treaſonable Practices before; and whether three Witneſſes, againſt whom no Objection lay, ſhould not be believ'd rather than two, againſt one of whom ſuch Objections did lye?

The Priſoner himſelf then clos'd his Defence, with the moſt ſolemn Proteſtations, That he was ever averſe to the Introduction of foreign Forces; that he did not ſo much as hear of the intended Invaſion, till it was common Talk; and that he had never ſeen *Goodman* at the *King's-Head*: He alſo added, That deſigning ſoon to receive the bleſſed Sacrament, he wiſh'd he might periſh, in the Inſtant, if he now ſpoke an Untruth; or if he had ever bought Arms for the promoting any ſuch Purpoſe as he was charg'd with: And that he might deſerve ſo much the more Credit from the Court, he produc'd one Mr. *Hammond*, who teſtify'd, That he heard him declare his Abhorrence of the Plot, and of a *French* Force: That he heard him wiſh Succeſs to the *Engliſh* Fleet againſt it; and that he never heard him ſpeak diſreſpectfully either of the King or Government. A. D. 1696. *The Priſoner's Proteſtations.*

Mr. Solicitor-General *Hawles*, the Patriot-Commentator on the State-Trials of the two former Reigns, was to play his Part next; which, inſtead of being *that* of an Advocate for the Subject, as in the former Caſes, was now *that* of another *Jeffreys*; to be as void of Senſibility and Ingenuity on the Side of the Priſoner, and as determin'd to make any Sacrifice that Power or Policy requir'd. Accordingly, in his Reply to *Shower*, he inſiſted, That they had two poſitive Witneſſes againſt the Priſoner: That theſe Witneſſes told the ſame Story with the ſame Circumſtances: That they were legal Witneſſes as well as poſitive Witneſſes; not only becauſe the Judgment againſt *Goodman* was ſatisfy'd the very next Term, and the Satisfaction acknowledg'd on the Record itſelf, but becauſe the Priſoner and his Counſel knew well enough the Exception extended only to the Credit, not the Legality, of his Evidence: That if Guilt of any kind diſqualified a Man from being a Witneſs, Treaſon was a higher Species of Guilt than Murder: That *Porter*, by his own Confeſſion, was guilty of Treaſon; and therefore no Objection on that Account having been laid againſt him, *Goodman* might be credited, tho' guilty of the Crime objected to him: That as to the Allegations of *Edwards* againſt the ſaid *Goodman*, they amounted to nothing; for it was plain *Goodman* had forfeited his Life, and being oblig'd to do ſomething to ſave it, could not do a better Service to entitle himſelf to the King's Mercy, than to diſcover his Accomplices: That as to the Drawers, one had gone farther than the Priſoner's Counſel would have had him, and yet not ſo far; farther, becauſe, inſtead of proving that *Goodman* was not there while the Lords ſtay'd, he ſaid he had not been there at all; and yet not ſo far, becauſe he had acknowledg'd he had waited on other Companies; ſo that *Goodman* might have been there, and he not know it: That as to the Other, who ſaid he had waited on the Company all the Time they were at Dinner, that ſignify'd nothing; for both *Porter* and *Goodman* had ſworn, the Latter was not there till afterwards; and that as to his coming in and going out of the Room afterwards, he might do ſo, *The Solicitor-General's Reply.*

and

A. D. 1696. and yet not ſee him, tho' he was there: That as to *Cock*, tho' he gave much the ſame Evidence in effect as his Servants did, he had ſtrained his Credit, in being ſo poſitive that *Goodman* was not there while Lord *Aylesbury* ſtaid, when he could not be poſitive he was not there afterwards: That ſuch Circumſtances as theſe, could not take off the poſitive Evidence of *Goodman* and *Porter*, &c.

And here Mr. Solicitor had recourſe to a very extraordinary Artifice to influence the Jury: For he gave them to underſtand, That if on the Counter-Evidence of the Tavern-Maſter and his Servants, they falſify'd the Evidence of *Goodman*, this would falſify that of *Porter* too, which was the ſame he had given againſt *Friend*; and in ſuch caſe they ought to acquit the Priſoner, becauſe they had no Evidence in Law againſt him.

Thus they were to infer, That in acquitting the Priſoner, they would, in one Inſtance at leaſt, draw the Juſtice of the Kingdom into queſtion: And very few Men have Firmneſs enough to ſet the Dictate of Conſcience in oppoſition to the Clamours of the Times.

The Solicitor alſo took all the Care in his Power, That the good Character of the Priſoner, his Virtue, his Honour, his Religion, his declar'd Abhorrences of the *French* and the Plot, ſhould be of no Service to him; and concluded with ſaying, "That if the Witneſſes were legal Witneſſes, (as he made no doubt their Lordſhips, the Judges, would pronounce them to be) then, with Submiſſion, he thought, there was no Room for the Gentlemen of the Jury to doubt, but that the Priſoner was as guilty of the Crime laid to his Charge, as any *Others* that had been try'd and condemn'd for the ſame."

Lord Chief-Juſtice Treby's Charge

Treby, ſo famous for his Patriotiſm when Recorder of *London*; or, in other Words, for countenancing every Anti-Court-Meaſure, which was then the Sum of popular Merit, and who now preſided on the Bench as Lord-Chief-Juſtice of the Common-Pleas, here took the Word; and, inſtead of ſpecifying either the Matter of Law, or the Matter of Evidence, confin'd himſelf to Generals only; ſaid, There were ſeveral Circumſtances, *ſome* of which were very pregnant.—It was agreed on all Hands the Priſoner had din'd at the Houſe with the other ſeven Perſons above nam'd; and ſo had been for a long Time a Companion of three Traitors (meaning *Friend*, *Perkins*, and *Charnock*) for as to the other four, they were not at Liberty to conclude concerning them: The Meeting itſelf was ſo much the more *ſuſpicious*, becauſe the Occaſion of it had not been ſpecify'd; for tho' it had been ſaid Lord *Aylesbury* propos'd to treat about a Hogſhead of Wine, that was but a caſual Circumſtance, and what concern'd him only.—The Manner of meeting was alſo *ſuſpicious*; the Lords both came and went away in a Hackney-Coach, and the reſt did not ſeperate till it was dark: Even the very Houſe was *ſuſpicious*, for it had been us'd by Sir *J. Friend*, and by none of the Company beſides; whence it was *probable*, that he had beſpoke the Place, and brought the Reſt to it:—And this made it ſo much the *more probable*, that there was ſuch a Treaſon there to be hatch'd, as had been evidenc'd by the King's Witneſſes.—It was to be remember'd, that the ſaid Sir *J. Friend* was indicted and attainted, not for the Aſſaſſination, but the Treaſon, for which the Priſoner was then upon his Trial: It, therefore, Sir *J. Friend* was chiefly acquainted with this Houſe, and brought the Company together, it was very *probable* it was about the Buſineſs in which Sir *J. Friend* was ſo concern'd:—That he was attainted for it, appears by the Record, which ſhould be read; but that the Counſel for the Priſoner were ſo far ſatisfy'd in it, that they would not arraign the Verdict; nay, had acknowledg'd there was a Plot; and there was no doubt of it: There was ſuch a Plot.

A. D. 1696.

This is the Deduction, This the Reaſoning of this Patriot-Judge:—And let a Patriot of any Denomination, who is ſuch upon Principle, who is acquainted with the Rights of an *Engliſhman*, the Doctrines which prevail'd among the *Whigs* before the Revolution, the Duty of a Chief-Juſtice, the Oath of a Juryman, the Spirit of the Law, and the common Uſe of common Senſe, read this Rhapſody without Indignation if he can! The Priſoner is to be condemn'd on Suſpicions and Probabilities; and becauſe another Man had been condemn'd on the ſame Evidence; which by the way is not true; for *Blaire*, not *Goodman*, was the Second Witneſs againſt *Friend*; and even the Matter of Evidence deliver'd by *Blaire*, was as defective as the Character of *Goodman* was reproachable: Beſides; Biſhop (*n*) *Burnet* has been ſo frank as to tell us, That *Cooke*'s Trial was conſider'd as introductory to the Earl of *Aylesbury*'s; and nothing could be more unfair, or, indeed, more illegal, than to involve him thus prematurely in all the Concluſions that could be drawn againſt *Cooke* from the Conviction of *Friend*.

Therein.

But to reſume our Thread—The Chief-Juſtice having reduc'd the whole Matter to theſe two Propoſitions, that it had been admitted on all Hands, There had been ſuch a Meeting; and that it had been poſitively ſworn by two Witneſſes, that the Treaſon laid in the Indictment, had been committed there, with an affected Candor, concluded in theſe Words, "You have heard what has been objected to their Credit [the Credit of the Witneſſes] They have deliver'd their Teſtimony

(*n*) The ſame Author farther ſays, *Porter* and *Goodman* were *two* Witneſſes againſt *Cooke*; which leaves the Reader at Liberty to ſurmiſe, that there were more Witneſſes than theſe two. And, that the Evidence of *Goodman* might not be affected by the Counter-Evidence, he adds, "And then it was certain the Servants of the Houſe were not in that conſtant Attendance; nor could they be believ'd in a Negative againſt poſitive Evidence to the contrary: Their Credit was not ſuch, but that it might be well ſuppos'd that for the Intereſt of their Houſe, they might be induc'd to make Stretches."

A. D. 1696. Teſtimony upon *their* Oaths; and ſo, Gentlemen, are you upon *your* Oaths: If you are ſatisfy'd and can take it upon your Conſciences, that theſe Two Witneſſes are, or any one of them is, forſworn (if ſuch Diſtinction can poſſibly be made in this Caſe) then you are to acquit the Priſoner: But if you are ſatisfy'd, and think they have ſworn true, you are to find him Guilty."

And ſo ſtrong was the Force of Prepoſſeſſion, that after a Demur of about three Quarters of an Hour, the Jury return'd into Court, and brought in their Verdict, Guilty.

Biſhop *Burnet* adds, "That he obtain'd many ſhort Reprieves upon Aſſurances, that he would tell all he knew." So that the Court was ſometimes for extending their Diſcoveries, and ſometimes refus'd to hear them; as in the Caſe of *Charnock*: But thoſe made by *Cooke*, would not, it ſeems, ſerve their Turn: For tho' his Life was at ſtake, *it was viſible*, ſays the ſame Author, *he did not deal ſincerely*. Such Paſſages, however, occur'd in the Courſe of theſe Temperings, that the Court did not think it adviſable to execute him; and having baniſh'd him, were complemented as if they had perform'd an Act of Clemency, when in Truth it was but an Act of Prudence.

An uſe on the whole Affair.

Thus we have now before us all the Evidence, general and particular, that was brought forward during this Seſſion concerning the Plot; and upon the whole, we are now in a Capacity to pronounce, That an Invaſion had been actually meditated: That a Connection had been actually form'd between the Court of St. *Germains*, and ſome of their Partizans in *England*: That theſe Partizans of theirs had enter'd into Engagements to furniſh the Invaders with a Body of Horſe: That a Number of Officers were ſent from *France* to forward their Preparations: That theſe Officers, and the Undertakers they were to be joyn'd with here, were furniſh'd with Commiſſions to levy War againſt the King: That a Deſign was actually form'd to ſurprize him in his Quarters: That ſuch as had enough of the Ruffian in their Compoſition, to engage in ſuch a Deſign, would have made us little Difficulty of killing him, as of carrying him off alive: And that ſuch a Deſign was juſtly puniſhable by the Laws of *God* and Man.

But then, as in the Caſe of the *Rye*-Conſpiracy, we ought to diſtinguiſh between Thoſe who were for reſtoring their old Maſter, by the Interpoſition of a Power that was at open War with their new Maſter, and Thoſe who were for taking off the Latter, by any Means, how baſe and bloody ſoever. A. D. 1696.

The Right of Reſiſtance, which had been ſo ſtrenuouſly maintain'd in all the Court-Writings of all Sorts, if not from the (*o*) Bench, could not be the Property of any one Party: The Malcontents of this Reign had many plauſible Allegations to urge in their Excuſe, as well as the Malcontents of the laſt: And like them they knew, That, according as they ſucceeded or miſcarry'd, ſo they ſhould be conſider'd as Patriots or Traitors.

But, ſuppoſing neither their Principles nor their Practices were ſuch as would admit the leaſt Extenuation, certainly the Degree of their Guilt ought be meaſur'd, not by Paſſion and Prejudice, but by Fact and Evidence: And thoſe in Power ought to have allow'd them all the Advantages which, in ſimilar Circumſtances, they had demanded for themſelves: Such, however, was the Rage of Recrimination, the Perverſeneſs of ill-judging Policy, and the malignant Eagerneſs of returning Meaſure for Meaſure, that They, as their Adverſaries had done in the *Rye*-Affair, made but one Article of the Aſſaſſination and Invaſion; made King *James* himſelf anſwerable for Both; talk'd of all the Conſpirators as all guilty alike; and thence hop'd either to blot out the Memory of their own Reproach, or to faſten the like Reproach on thoſe who had faſten'd it on them.

Laſtly: The Proſecution was carry'd on with the ſame diſingenuous Spirit: For thoſe who had the Direction of it, practis'd all the Rigours they had once ſo bitterly complain'd of; and thereby authoris'd the contrary Party to pronounce, That either thoſe former Complaints of theirs were without Ground; or, if not, They were of all Offenders the moſt unpardonable, as having acted againſt their own Conviction.

And now, we may, if we pleaſe, weigh the Fears of the Government againſt the Danger: We may examine whether it became the two Houſes of Parliament, and, after their Example, all the corporate Bodies of the three Kingdoms, to enter into ſo ſolemn a Confederacy againſt ſuch a contemptible Band of brainleſs Deſperadoes;

(*o*) Soon after the Trial of *Cooke*, the following very extraordinary Paſſages were inſerted in the *London-Gazette*, No. 3186.

"Whereas in Folio 34, of the late Trial of Sir *John Friend*, for High-Treaſon, printed and publiſh'd by *Brotherton Aylmer*, there are inſerted the Words following, as ſpoken by the Lord Chief Juſtice *Holt*, viz.

There is a levying of War without Treaſon, as aiming at the Death of the King; for if a Number of Men appear in a warlike Manner, and this is not againſt the Perſon of the King, nor with a Deſign of his Death and Deſtruction, but for a general Reformation of the State, and to have better Laws, and to prevent thoſe Abuſes that they are offended at; this War now to be levied, not being to compaſs and deſign the Death of the King, this is not High-Treaſon.

Which Words were not ſpoken by the ſaid Lord Chief Juſtice, nor any Words to that Senſe or Purpoſe; but the ſame are altogether diſown'd by his Lordſhip, and declar'd to be contrary to Law: And the ſaid *Brotherton Aylmer* being fully ſenſible of his Error, and of the Injury and Diſhonour done to the Lord Chief Juſtice, by miſrepreſenting his Words and Senſe in this Manner, hath made his humble Acknowledgment and Submiſſion to his Lordſhip, and beſought him in regard of the ſame, and that the Miſtake is rectify'd in the printed Trial, licenſed by his Lordſhip, to forgive him for this Offence: Signed by the ſaid *Brotherton Aylmer*, and atteſted by Sir *Robert Clayton*, Sir *Thomas Stamp*, and Sir *Richard Levet*, Knights and Aldermen of *London*.

And on *Saturday* the 16th Inſtant, the ſaid *Brotherton Aylmer* did, in open Court, at the *Guild-Hall*, before the ſaid Lord Chief Juſtice, make a further Submiſſion to his Lordſhip, who was thereupon pleaſed freely to declare he did forgive him.

A. D. 1696. Deſperadoes; and whether the Agitation that the whole Nation was thrown into upon it, was not rather the Effect of a political Management, than of national Conviction?

Of the Aſſociation voted by each Houſe, and the expreſs Order for all Members to ſign it by a certain Day, or declare their Refuſal, mention has been already made: And when the Day came, and the Names of the Abſentees call'd over, ſuch as accompany'd their Excuſes for Non-Attendance, with a Signification, That their Purpoſe was to ſign it, were excus'd: But as to ſuch who kept themſelves ſtill on the Reſerve, either in Town or Country, the Speaker had Orders to preſs the Laſt by Letter, and the Clerk of the Houſe to attend the Firſt: In conſequence of which, moſt of the Defaulters thought it Prudence, ſays Biſhop *Kennet*, to yield to the Times, and either to ſubſcribe, or promiſe to do ſo, when they came next to the Houſe; tho' it was againſt the Inclinations of Some, and, perhaps, againſt the Principles of Others.

A Liſt, however, is ſtill extant of ninety-two Commoners, thirteen temporal Lords, and two Biſhops *(Sprat* of *Rocheſter*, and *Watſon* of St. *David's)* who refus'd to ſign it at all: And without any regard to the Extenuations that Candour might, and Charity would, admit in their Favour, Party-Rage has treated that Refuſal as an inexcuſable Crime.

The Commons in a Body wait upon the King with the Aſſociation.

On the 3d of *April*, however, by which time it appear'd impracticable, to make it the unanimous Act of the Commons of *England*, the Aſſociation was preſented to his Majeſty at *Kenſington*, by the Houſe in a Body, together with a ſolemn Requeſt, "That he would order both that and all other Aſſociations by the Commons of *England*, to be lodg'd among the Records in the *Tower*, there to remain as a perpetual Memorial of their Loyalty and Aſſociation to his Majeſty." And on the other Hand, his Majeſty, to manifeſt as much Concern for his Lieges, as they had manifeſted for him,

His Majeſty's Reply.

was pleaſed to reply, "That he took this as a moſt convincing and acceptable Evidence of their Affections; and that as they had freely aſſociated themſelves for his and their common Safety, ſo he did heartily concur in the ſame Aſſociation, and would be always ready with them, and the reſt of his good Subjects, to venture his Life againſt all who ſhould endeavour to ſubvert the Religion, Laws, and Liberties of *England*:" That he comply'd with their Requeſt, in ordering the Aſſociation they brought, and all other Aſſociations to be lodg'd in the *Tower*, will be inferr'd of courſe; ſince it concern'd him at leaſt as much as them: And that Miniſters ſhould derive all the Advantages they could from this Overflow of Loyalty, is altogether as naturally to be expected.

Great Aſſemblies very rarely have a Motion of their own: And all the Art lies in concealing the Springs by which they are moved.

The Aſſociation, tho' calculated to demonſtrate the Loyalty of thoſe who made it, was liable to ſome legal Objections, as it was founded on a hoſtile Principle, and made a Proviſion for having recourſe to Violence, which the Law in all Inſtances affects to abhor: When therefore the King was become a Party to it, and the Lords had agreed to a ſimilar Inſtrument, tho' not the ſame Inſtrument, to prevent all Controverſy concerning it, a Queſtion was put the next Day, and a Reſolution taken upon it, "That whoſoever ſhould, by Word or Writing, affirm, that the Aſſociation enter'd into by any Member of this Houſe (of Commons) or any other Perſon, was illegal, ſuch Perſon ſhould be deem'd a Promoter of the Deſigns of the late King *James*, and an Enemy to the Laws and Liberty of this Kingdom."

Their Vote againſt ſuch an illegal Queſtion its Legality.

Having alſo, about this Time, receiv'd a Report from one of their Committees, appointed to examine *Friend* and *Perkins* in *Newgate*, That the Latter had own'd his being privy to the intended Aſſaſſination: That he gueſs'd he could have been able to have brought in to the Number of a Troop: But that he would never redeem his own Blood, at the Expence of theirs he had drawn in, *&c.* The ſaid Report was order'd to be enter'd in the Journal; and it was unanimouſly reſolv'd, That a Bill be brought in for the better Security of his Majeſty's Perſon and Government, under theſe Heads; 1ſt, That ſuch as ſhould refuſe to take the Oaths to his Majeſty, ſhould be ſubject to the Forfeitures and Penalties of Popiſh Recuſants convict. 2dly, To inflict a Penalty on ſuch as ſhould, by writing or otherwiſe, declare, That King *William* was not lawful and rightful King of theſe Realms; or that the late King *James*, or the pretended Prince of *Wales*, or any *other* Perſon, than according to the *Act of Settlement* of the Crown, had any Right to the Crown of theſe Realms. 3dly, To ratify and confirm the Aſſociation enter'd into by all his Majeſty's good Subjects, for the Preſervation of his Majeſty's Perſon and Government. 4thly, That no Perſon ſhould be capable of any Office of Profit or Truſt, Civil or Military, that ſhould not ſign the Aſſociation: And, 5thly, That the ſame Penalties be inflicted on ſuch as come out of *France*, as upon thoſe that go thither.

Bill for the Security of his Majeſty's Perſon and Government.

In the Courſe of this Bill, ſeveral other Clauſes were added; one, for Example, to make it lawful to detain in Cuſtody, without Bail or Mainprize, any Perſon who was, or before the laſt Day of *Trinity* Term, ſhould be, committed upon Information upon Oath, for High-Treaſon, till the firſt Day of *December*: Another to oblige every Perſon, who, after the Determination of the preſent Parliament, ſhould be choſen a Member to ſubſcribe the Aſſociation, on pain of Diſability: And a Third, to *(p)* oblige all Perſons, who ſhould be admitted into the Ser-

vice

(p) All the Commiſſions of the Peace of the Lieutenancy were alſo review'd about this Time; and ſuch as had not voluntarily ſign'd the Aſſociation, were turn'd out.

A.D. 1696. vice of the Prince and Princeſs of *Denmark*, to ſubſcribe the Aſſociation.

And this laſt Clauſe was ſo much the more remarkable, becauſe it had been acknowledg'd in the *Gazette*, That their Royal Highneſſes had not only given particular Directions for tendering the Aſſociation to all their Servants, but that they had ſign'd it accordingly; and that the Inſtrument ſo ſign'd by them, had been preſcrib'd to his Majeſty by the Lord *Berkely*, and other of their principal Servants.

It may alſo be ſuppos'd, that this Forwardneſs of their Highneſſes, to countenance ſo grateful a Meaſure, was properly conſider'd at Court; for the young Duke of *Glouceſter*, their only Son, who was then in the Seventh Year of his Age, was about this Time elected a Knight of the Garter, tho' he was not inſtall'd till the Anniverſary of his Birth-Day, which was the 24th of *July*; poſſibly that the King might be excus'd from the Fatigue of aſſiſting at the Ceremonial.

It is taken by the whole Kingdom in general.

But to draw towards a Cloſe on this Topic: The Example of the two Houſes, and of the Royal Family, was follow'd by all the great Officers of State, the ſeveral Regencies of *Scotland* and *Ireland*, the City of *London*, the two Univerſities, the Clergy, the Lawyers, the Seamen and Soldiers, and in general, all the Societies and Corporations in the Kingdom; in ſo much, that the *Gazette*, for many Months together, was, if poſſible, more crowded with *Liſts* of *Aſſociators*, than ever it had been with Addreſſes to King *James* on the Defeat of the Duke of *Monmouth*, the Birth of the Pretender, or any other *Court-Occaſion*.

And, laſtly, that no Circumſtance might be wanting which had a Tendency to convince the Nation of the ineſtimable Value of the King's Life, and the Intereſt they had in his Preſervation, the Houſe of Lords, in a ſolemn Addreſs, beſought his Majeſty to appoint a Day of national Thankſgiving to Almighty *God*, for having manifeſted his Power and Mercy in diſcovering and delivering him from a horrid and barbarous Conſpiracy of *Papiſts*, and other traiterous Perſons, to aſſaſſinate and murder his Royal Perſon; and from an Invaſion intended by the *French*, for the total Subverſion of the Government, Religion, Laws, and Liberties of this Realm, *&c.* And a national Thankſgiving was appointed accordingly; which was obſerv'd with as much outward Shew of Zeal and Devotion, as if there was no ſuch Thing as a Remnant of Diſaffection or Diſſatisfaction left in the Nation.

For what remains: While the Inſtruments of the Government had full Employment in exploring every Meander of the Plot, as alſo in making ſuch Examples of the Plotters as they thought fit, and the Government itſelf was ſo induſtrious in making a proper Uſe of ſo favourable a Criſis, Admiral *Ruſſel* hoiſted his Flag on board the *Victory* in the *Downs*; and having, with incredible Diligence, collected a ſtrong Fleet, ſtood over to *Graveline*, and from thence ſtretch'd along the Coaſt to *Calais*; in which Port he diſcover'd between three and four hundred ſmall Veſſels, drawn up cloſe under Shore: As alſo about ſeventeen or eighteen Men of War, great and ſmall, lying among the Sands of *Dunkirk*, which were to have taken the Tranſports under their Protection. A.D. 1696.

But the very Appearance of the *Engliſh* Fleet had put an End to that Deſign: For the Enemy, who believ'd a few half-mann'd Guard-ſhips was, at that Time of the Year, all the Force they had to apprehend, were alike ſurpriz'd and confounded to ſee their Ports block'd up in the Courſe of a few Days with ſuch a (*q*) Multitude of Ships: And inſtead of continuing their Preparations for a Deſcent on the Coaſt of *England*, became anxious only for their own.

For *Ruſſel*, not ſatisfy'd with barely preventing the Deſigns of the Enemy, ſent in *Shovel*, who was known to be a Man of Enterprize, with a ſuitable Detachment to explore every poſſible Method of deſtroying the Men of War at *Dunkirk*; and when it appear'd, that what he was willing to undertake, the *Dutch* Pilots were either unwilling or unable to conduct, came to a Reſolution of beſtowing another Bombardment on *Calais*, tho' the laſt had prov'd ſo ineffectual: Freſh Inſtructions were, however, neceſſary for an Attempt of this Nature; and an Augmentation of Bomb-Veſſels, Stores, *&c.*

Calais again bombarded.

In order, therefore, to be properly furniſh'd with both, having left a Squadron of Obſervation to hold the Enemy in check, he return'd to the *Downs*: And ſoon after *Shovel* again ſtood over to *Calais*, and threw about three hundred Shells into the Town, more to the Terror than Hurt of the Inhabitants: For tho' the Place took fire in three or four Places, it was ſoon extinguiſh'd; and even the very Tranſports eſcap'd without any conſiderable Damage: But on the other Hand it is confeſs'd, That the Bomb-Veſſels and Brigantines ſuffer'd much; that ſeveral of the Frigates were very roughly handled; that all the Mortars but two were diſabled; and that the Wind freſhening the next Day, it was thought convenient to return to the *Downs*; tho' ſtill under the former Precaution of keeping a proper Strength at Sea, to obſerve the Motions of the Enemy.

But if it was Matter of ſome Conſolation to *France*, to find her Ports inacceſſible to an exaſperated Enemy, that Conſolation was not of ſufficient Weight to balance the Diſappointments ſhe had met with, and the Loſs ſhe had elſewhere ſuſtain'd: For, in confidence that a Diverſion would be made in *England*, at leaſt for ſome time, ſhe had eſtabliſh'd

(*q*) *Burchet* ſays, That on the Admiral's firſt coming into the *Downs*, he found but one Firſt Rate, two Thirds, ſix Fourths, and two Fifths, with one Fire-ſhip, a Ketch, and a Brigantine: And all the reſt that were in pay, lay in Places remote from one another; poorly mann'd and worſe provided: And yet by the Beginning of *March* he had no leſs than fourſcore Sail, ſmall and great, *Engliſh* and *Dutch*, under his Command.

A. D. 1696. eſtabliſh'd a vaſt Magazine at *Givet*, at an immenſe Expence, in order that when the Allies were ſufficiently enfeebled, by the Draughts made from *Flanders* to repel King *James*, ſhe might be in a Condition to draw her Troops out of their Cantonments early in the Spring, and ſnatch the Fruits of a Campaign, before they could be able to make Head againſt him. On this Magazine the Allies, on the other Hand, kept a watchful Eye: And no ſooner was it confirm'd on all Hands, that the *French* Project of a Deſcent had totally fail'd, than the Earl of *Athlone*, and M. de *Coehorne*, with the Concurrence of the Duke of *Holſtein-Ploen*, who had the chief Command, took their Meaſures to deſtroy it: For all the Horſe that could be draughted out of *Bruſſels*, and the neighbouring Garriſons, having been detach'd to amuſe the Enemy in *Charleroy*, *Nivill*, &c. the two Generals above-mention'd march'd out of *Namur* with forty Squadrons, thirty Battalions, fifteen Pieces of Cannon, and ſix Mortars: After which, ſeperating again, *Athlone*, with the greateſt Part of the Horſe, and ſome Foot, inveſted *Dinant*, while *Coehorne*, with the Foot and the Train, advanc'd to *Givet*, which he began to bombard at Seven the next Morning (*March* 16, N. S.) with ſuch Succeſs, that in three Hours time the whole Place was on Fire; and by Four in the Afternoon it was wholly deſtroy'd, together with the Magazine it contain'd: After which the two Generals re-join'd each other, and return'd to *Namur*, without any material Interruption; the whole Expedition having coſt them not above nine or ten Men.

The French Magazine at Givet burnt by the Allies.

Thus having diſpatch'd all ſuch incidental Matters, as neceſſarily interſected the ordinary Courſe of the Seſſion, it is incumbent on us to reſume the Thread, and perſue it to a Period: And as the two firſt Court-Bills that were paſs'd in it, were accompany'd with two popular ones, ſo when the Land-Tax-Bill (which was 4 *s.* in the Pound) was paſs'd on the 13th of *February*, the Laity were complemented with a Bill for the farther Security of Elections, by new Expedients to prevent, and new Penalties to puniſh, falſe and double Returns: And the *Clergy* with the Prolongation of another for the more eaſy Recovery of ſmall Tythes.

Account of ſeveral Bills.

The ſame equal Spirit is alſo viſible if not uniformly prevalent even in the Land-Tax-Bill itſelf: For, as on the one Hand, it contains a Clauſe of Loan of 1,800,000 *l.* at 6 *per Cent.* and provides for the Deficiencies on Annuities, and ſuch Monies as had been borrow'd on the Credit of the *Exchequer* in general, ſo on the other, the Proviſion was continued, for the proper ſtationing forty-three Cruiſers for the Protection of Trade, and obliging the Admiralty to exhibit an Account thereof to Parliament.

But then it muſt be obſerv'd, that this Courſe of Equity and Moderation laſted no longer than the Diſcovery of the Conſpiracy: For as we have already been told by the *Hiſtorian of his own Times*, tho' in more ſpecious Terms, the Current from that Time ran all one way.

Thus when his Majeſty came next to the A. D. 1696. Houſe, which was *March* 7, all the public Bills preſented to him for the Royal Aſſent, were Offerings to the Throne: The firſt was for the Continuance of the Impoſition on Wine, Vinegar, and Tobacco (granted 1690) to the 29th of *September*, 1701, with a Clauſe of Loan of 1,500000 *l.* at 5 *per Cent.* The Second empower'd his Majeſty to apprehend and detain ſuch Perſons as he ſhould find Cauſe to *ſuſpect* were conſpiring againſt his Royal Perſon and Government. And the Third was, That for taking off the Obligation and Encouragement for coining Guineas for a certain Time; before ſpoken of.

Thus alſo when the King came next to the Houſe, to officiate in his legiſlative Capacity, the Acts which receiv'd the Royal Sanction, were as follow, *viz.*

1. The Act for granting to his Majeſty ſeveral Rates or Duties upon *Houſes*, for making good the Deficiency of the clipp'd Money; with a Clauſe of Loan for 1,200,000 *l.* at 7 and 8 *per Cent.* An Act that deſerves ſo much the more Notice, becauſe the new Government, on its firſt Eſtabliſhment, had arrogated ſo much Merit to itſelf, for the Repeal of the *Hearth-Duty*; becauſe, under the leſs obnoxious Name of a Duty upon *Houſes*, it impos'd a Tax on *Day-Light* and *Sun-Shine*; and becauſe tho' impos'd and tolerated, only for the Sake of ſo great and neceſſary a Service as the Reformation of the Coin, it is a Burden and a Reproach to the Nation at this Day.

2. The Act to *encourage* the bringing Plate into the Mint to be coin'd; and for the farther remedying the ill State of the Coin; which notwithſtanding its Title, ſet out with a Clauſe of *Prohibition* to all Publicans to uſe any wrought or manufactur'd Plate, except Spoons, on Pain of forfeiting the ſame, or the full Value thereof.

3. An Act for granting additional Duties on *French* Goods, that is to ſay, 25 *l.* on every Tun of Wine, 30 *l.* for every Tun of Brandy, 15 *l.* for every Tun of Vinegar, and 25 *l. per Cent. ad valorem*, on all other *French* Commodities: And in the Cloſe of it was added a Clauſe prohibiting the Exportation of Stocking-Frames, or Engines for weaving Stockings.

4. The Act for continuing, meeting, and ſitting of the Parliament in being, in caſe of the Death of the King, under the Reſtraint of the *Triennial* Bill.

5. The Act for puniſhing Mutiny and Deſertion, falſe Muſters, *&c.*

6. An Act for raiſing the Militia.

7. An Act for preventing Frauds and regulating Abuſes in the Plantation Trade.

8. An Act for requiring the Practitioners of the Law to take the Oaths, and ſubſcribe the Declaration therein mention'd.

It is true, the Act for the Encreaſe and Encouragement of Seamen (in the Preamble) which, it is acknowledg'd, That the Strength and Safety of his Majeſty's Dominions did very much depend on the furniſhing and ſupplying his Majeſty's Navy with a competent Number of able Mariners and Seamen,

A. D. 1696. Seamen, who might be in a Condition at all Times for that Service: And, farther, That the Seamen of this Kingdom had diſtinguiſh'd themſelves throughout the World by their Induſtry and Skilfulneſs, their Courage and Conſtancy, manifeſted in Engagements for the Defence and Honour of their native Country; and by which the Palace and Manor of *Greenwich* was beſtow'd on them for an Hoſpital, in conſequence of a Donation by Letters Patent of King *William* and Queen *Mary*) receiv'd the Royal Aſſent at the ſame Time: As did alſo another Act for the farther regulating Elections of Members to ſerve in Parliament; and for the preventing irregular Proceedings of Sheriffs and other Officers (by which it is ſaid, as *well the Freeholders as others in their Right of Elections; as alſo, the Perſons by them elected to be their Repreſentatives, had* heretofore *been greatly injur'd and abuſed)* in the electing and returning ſuch Members.

King refuſes to paſs a Bill for regulating Elections.

But then there was another Bill with a ſimilar Title, which had paſs'd thro' both Houſes, and yet had a Negative put upon it from the Throne: A Power which the King might legally, but could ſeldom graciouſly exerciſe, as his Majeſty had more than once experienced: Nor did the Malcontents overlook the Advantage: For on the fourth Day afterwards, the Affair was taken up with great Warmth in the Commons, and the Queſtion put, That whoſoever adviſ'd his Majeſty not to give the Royal Aſſent to that Bill, was an Enemy to the King and Kingdom: But the Time was at preſent more favourable to *ſuch Adviſers* than to *ſuch Oppoſers*; and it was thought more prudent to countenance the Former than the Latter: Accordingly on a Diviſion it appear'd, that the *Noes* were 219 to 70: And as if to make ſome Amends to the Throne for the Difficulty they had brought upon it (if Sovereigns ought ever to make a Difficulty of gratifying the reaſonable Demands of their Subjects) the Speaker was order'd to print the Queſtion in the Votes of the Day; together with the Numbers on the Diviſion, That the whole Nation might be convinc'd, they thought it wiſer at that particular Criſis to act like good *Courtiers*, than like good *Engliſhmen*.

Bills which were not carried thro'.

Nor was this the Sum total of their Complaiſance: Two old *Whigs* (if the firſt who had temporis'd with King *James* could be ſo call'd) Sir *William Williams*, and *Herbert* Earl of *Torrington*, had each of them a Bill depending: That of the Former was for reverſing a Judgment given againſt him, 2 *Jac.* II. for what he had done as Speaker of the Houſe of Commons, by Order of the Houſe; and for aſcertaining the Rights and Freedom of Parliament: And that of the Latter was for Confirmation of the Grant he had receiv'd from King *William*, of the royal Manor of *Oatlands* in *Surry*: *Williams*'s Bill was not only reaſonable in its own Nature, but concern'd the Honour, Dignity, and Independency of the Houſe, full as much as it concern'd the Intereſt of him who brought it in: And as to *Torrington*'s, it was no otherwiſe exceptionable, than as it ſeem'd A. D. 1696. to authoriſe a Queſtion which was now become a very tender one, *viz.* Whether the Crown had a Right or Power to alienate its Poſſeſſions? But as both *Torrington* and *Williams* were obnoxious alike, their Bills had the ſame Fate; which was, to dye of Neglect.

There was alſo a Third Bill which ſeem'd to have the Warrant of the Times in its favour; namely, a Bill to prevent Papiſts from diſinheriting their Proteſtant Heirs: But tho' the Edge of the Proclamation for a general Thankſgiving was turn'd againſt them, they had nevertheleſs Intereſt enough remaining to ſecure themſelves from this Reſtraint.

And if it ſhould be objected, That theſe Bills, being of a private Nature, were of little Importance, ſeveral others remain to be nam'd in this Liſt of *Miſcarriages* which regarded the Public almoſt fundamentally; namely, a Bill for ſettling and regulating the *Eaſt-India* Trade; another to regulate the *African* Trade; a Third to prevent Stock-jobbing; (which began already to be held a Grievance of the firſt Claſs) and two others to veſt in the Crown all forfeited Eſtates in *England* and *Ireland*, and to vacate all Grants made thereof: But *Reſumption* was a Sound which his Majeſty would not liſten to: The *Stock-Jobbers* had Friends at Court who maintain'd, They were a very uſeful Body of Men: Then as to the Neceſſities and Importunities of our Commerce, ſuch was the Din of Arms, and ſuch the Attention paid to it, that they could not be heard in the Manner they deſir'd: And, upon the whole it muſt be ſaid, That all the Recompence the Nation had for the Loſs of ſo many national Points, conſiſted in this, That a Bill which had been officiouſly brought in to regulate *Printing* and *Printing Preſſes*, was loſt together with them.

Acts paſſed at the Cloſe of the Seſſion.

Some others, however, which were not obnoxious to the ſame, or the like Court-Objections, were permitted to paſs: Of theſe were, 1. An Act for enforcing the Laws which reſtrain Marriages without Licence or Banns, and for the better regiſtering of Marriages, Births, and Burials. 2. An Act for the more effectual preventing the Exportation of Wool, and for encouraging the Importation thereof from *Ireland*. 3. An Act for encouraging the Linnen Manufactures of *Ireland*, and bringing Flax and Hemp into, and making Sail-Cloth of, in this Kingdom. 4. An Act for the Eaſe of Jurors, and the better regulating of Juries. 5. An Act for taking away the Cuſtom of *Wales*, which entitled Widows and younger Children to what was call'd a *reaſonable Part* of their Parents and Husbands perſonal Eſtates, and hinder'd them from diſpoſing of them by Will. 6. An Act for the Encouragement of charitable Gifts and Diſpoſitions. 7. An Act for the better Encouragement of the *Greenland* Trade. 8. An Act of Indulgence to the People call'd Quakers, That their ſolemn Affirmation and Declaration ſhould be accept-

A. D. 1696. ted inſtead of the Oath in the uſual Form; and an Act for continuing certain other Acts that were near expiring.

But then even Theſe had their way ſmooth'd by the Act for the better Security of the King's Perſon and Government, and two others, which completed the Demands of the Year under the Head of Ways and Means, *viz.* An Act for laying ſeveral Duties upon low Wines and Spirits of the firſt Extraction; and an Act for continuing certain Duties upon Salt, Glaſs Wares, Stone and Earthen Bottles, for granting ſeveral new Duties on Tobacco-Pipes, and other Earthen Wares; for eſtabliſhing a national *Land Bank*, and for taking off the Duties upon Tonnage of Ships and upon Coals, which had been complain'd of in ſeveral Petitions as injurious to Trade, and had been found grievous to the Public.

By the firſt of theſe Money-Acts the 500,000*l.* for the Civil Liſt, and the 15,000*l.* for the *French* Proteſtants; and the laſt, which was for raiſing 2,564,000*l.* by the Means of a *national* Land-Bank, was for carrying on the War with *France*.

Account of the Land-Bank.

Of This one Mr. *Briſcoe* was the (*r*) original Projector, tho' it has been aſcribed to Dr. *Chamberlain*, ſo famous in his Profeſſion of Midwifery; Mr. *Robert Harley*, the Speaker *Foley*, and the reſt of the *Tory* Leaders, were the Patrons of it in the Houſe; and, according to *Burnet*, it was by the Influence of Lord *Sunderland*, who now labour'd hard to make his Peace with that Party, the King himſelf was prevail'd on *to conſent to it, or rather to deſire it, tho' he was then told by* many *of what ill Conſequence it would prove to his Affairs.*

Who theſe *Many* were, he does not ſpecify: But no doubt they were all that the *Bank* already eſtabliſh'd, could influence: For tho' there was no expreſs Clauſe of Excluſion in that Act, to any other Eſtabliſhment of the like kind, ſuch an Excluſion was imply'd: And preſuming they had the Spirit, if not the Letter of the Law, the Merit of Service, and the Weight of their own Importance, on their Side, they would not ſuffer the Court itſelf to explane their Pretenſions away: On the other Hand, it was alledg'd, That as they bank'd on perſonal Security, and theſe new Undertakers were to bank only on Land Security, the Schemes were eſſentially different; conſequently the one might be authoris'd without any Injuſtice or Iniquity to the other: The *Bank*, nevertheleſs, maintain'd their Hold; and upon their Petition, were heard by their Counſel at the Bar of the Houſe: But notwithſtanding all the Arguments they could urge, and the Intereſt they could make, were defeated in their main Purpoſe: For the Bill was carry'd againſt them, tho' not without ſome ſuch Clogs and Reſtrictions, as gave them very reaſonable Ground to hope, that the Oppoſition without Doors, would prove more ſucceſsful than it had prov'd within. The Sum to be advanc'd to the Government, was to be rais'd by voluntary Subſcription; for which, at the Rate of 7 *per Cent.* Intereſt, they were to be allow'd 179,480*l.* out of the Product of the Duties ennumerated, and aſſign'd over to them in the Act: But if the ſaid Subſcription was not full by the 1ſt of *Auguſt*, the Powers and Authorities granted in the ſaid Act were to ceaſe and determine: A Fourth Part of the Sum ſubſcrib'd, was to be paid down at the Time of ſubſcribing, and the Reſidue before the 1ſt of *January*, 1696:—They were not to advance or lend at Intereſt, any Sum or Sums of Money, upon any Pretence whatſoever, unleſs to his Majeſty into the Receipt of the *Exchequer*, and on ſuch Funds only on which a Credit of Loan had, or ſhould be granted by Parliament; or unto the Subjects of this Realm upon Mortgages of Land, Tenements, Rents or Hereditaments, and not otherwiſe. The Intent of incorporating the ſaid Subſcribers, was declar'd to be in order to enable them to lend Money on Land Security at low Intereſt:—That Intereſt was fix'd at Three and a Half *per Cent.* if paid Quarterly, and Four, if paid half Yearly: They were to lend out 500,000*l. per Annum*, at the leaſt, over and above what they lent to their own Members: And no Proprietors or Servants of one Bank, were to be Servants or Proprietors of the other. A. D. 1696.

And as to the Appropriations of the Money to be rais'd, 560,000*l.* was to be apply'd to the Payment and Diſcharge of the Remainder of 564,700*l.* together with the Intereſt due thereon, which had been lent on the former Glaſs-Act; 140,000*l.* for making good the Rate and Duties of Tonnage upon Ships, granted in the 5th and 6th of the King: 140,000*l.* to make good the Duties upon Salt (which ſaid Duties on Salt, Glaſs, *&c.* were for the future to be levy'd by this Act, as the Tonnage and Coal Duties were to be redeem'd by it) 1,816,972*l.* for the Services of the Navy, and Ordnance for Sea-Services, over and above 700,000*l.* out of the Land-Tax: And the Reſidue (except the running Caſh, reſerv'd for Payment of Bills on demand, and the other Reſerves in the Act for Intereſt-Money, Charge of Management, *&c.*) was appropriated to the Payment of the Land-Forces, and other Charges incident to the War.

But whereas the whole of theſe Appropriations, being 2,656,972*l.* amount to more than the Act was given for, it is fit the Reader ſhould know, That the Funds of two other Acts, *viz.* That for continuing the Duties on low Wines, and That for continuing the Duties on Wine, Vinegar, *&c.* were farther aſſign'd, to complete the Navy Appointment.

Theſe Acts were the laſt of the Seſſion; which, on the 27th of *April*, his Majeſty was

(*r*) As appears by ſeveral Tracts of his ſtill extant.

A. D. 1696. was pleas'd to put an End to, with the following Speech from the Throne.

King's Speech.

"*My Lords and Gentlemen,*

You have ſhewn ſo great Concern for my Perſon, and Zeal for my Government, and have done ſo much for the Preſervation of the one, and for the Strengthening of the other, by the good Laws which have been made, and by the Supplies you have provided for the ſeveral Occaſions of this Year; that the late Deſigns of our Enemies are, by the Bleſſing of *God*, like to have no other Effect, than to let them ſee how firmly we are united, and to give me this Occaſion to acknowledge your Kindneſs, and to aſſure you of all the Returns which a Prince can make to his People.

My Lords and Gentlemen,

The Neceſſity of Affairs requiring my Abſence out of the Kingdom for ſome Time, I do earneſtly recommend to you, That in your ſeveral Stations, you will be aſſiſting to thoſe whom I ſhall leave to adminiſter the Government; and that you will be careful in preſerving the public Peace of the Kingdom."

His Majeſty did not, however, ſet out immediately for *Holland*, but devoted a few more Days to ſuch Affairs as were ſtill depending: Such as, The Reception of the *Venetian* Embaſſadors, being the firſt which that cautious Republic had ſent to *England* ſince the Revolution: The appointing a Council of Trade, that the Parliament might no longer have any Pretence to ſet up a Conſtitution of their own: The creating two new Peers, *viz.* Sir *John Lowther*, by the Stile and Title of Baron *Lowther* of *Lowther*, and Viſcount of *Lonſdale*; and Sir *John Thompſon*, Baron *Haverſham* of *Haverſham*: The adding Sir *Thomas Littleton* to the Board of Treaſury: And the conſtituting a Regency of the following Perſons, namely, *Teniſon* Archbiſhop of *Canterbury*, *Somers* Lord-Keeper, *Pembroke* Lord Privy-Seal, *Devonſhire* Lord Steward, *Shrewſbury* Secretary of State, *Dorſet* Lord Chamberlain, and *Godolphin* firſt Commiſſioner of the Treaſury.

Of the *Socinian* Controverſy between thoſe two famous *Rabbies* Dr. *Sherlock* and Dr. *South*; and the Proclamation to ſilence all ſuch vain, fruitleſs, and perplexing Controverſies, thoſe Authors who profeſs both Divinity and Hiſtory, are the fitteſt to treat: And of the ſeveral Knights and Baronets, made in Acknowledgment of their Zeal and Loyalty in procuring and preſenting Aſſociations, no doubt the Heralds keep a faithful Record.

His Majeſty's Departure for Holland.

It was the 2d of *May* when the King ſet out from *Kenſington*; and the 7th before he landed at *Oranje Polder*; having been eſcorted as uſual, by a Squadron of *Engliſh* and *Dutch* Ships, under the Command of Vice-Admiral *Aylmer*: The famous *du Bart*, with a Squadron of eight clean, light Ships, was ſtill at *Dunkirk*: And as the late Conſpiracy had eſtabliſh'd a Belief, that his Majeſty's Perſon was always in danger from the Deſigns of the Enemy, the News of his ſafe Arrival was impatiently expected: But *du Bart* did not think fit to venture out againſt four *Engliſh* Third Rates, which lay in wait to intercept him: And *Burchet* gives it as his Opinion, That there was little Reaſon for the Apprehenſions entertain'd by the Public at this Time: "For, ſays he, at the Beginning of the War, he did not think fit to attempt it, although his Majeſty had with him no other than foul Ships of any Strength; whereas *du Bart* had ſeveral juſt come out of *Dunkirk* clean, with which he lay by for ſome Time, not much beyond the Reach of Gun-ſhot, without daring to gain himſelf the Reputation of giving our Ships one Broadſide, although he might, at pleaſure, have run round them, without expoſing himſelf to any great Danger."

A. D. 1696.

The Hiſtory of the Cabinet, during ſuch a Period as this, would be a Work of as much Curioſity, and perhaps of more Utility, than the Hiſtory of the War: For in order to judge rightly of Effects, we ought to be acquainted with their Cauſes: But without a proper Clue, that Labyrinth cannot be approached; and if we conjecture happily of the Interior, it is all that can be expected from us.

General Conduct of France.

France was, by this Time, enfeebled and embaraſs'd, but far from being reduc'd: And the Meaſures ſhe took were equally calculated to divide the Confederates, to detach ſuch as were wavering, to diſturb and perplex ſuch as were obſtinate, to purchaſe ſuch as were mercenary, and to defend herſelf againſt *all*, if *all* perſever'd in their Deſigns againſt her.

What Practices ſhe try'd, and Means ſhe us'd to find Employment for *England*, we have already ſeen: At *Conſtantinople* ſhe maintain'd her Aſcendancy againſt the *Maritime Powers* as abſolutely as ever; ſo that all the Offers they made by their Miniſters, and the Inſtances they were accompany'd with, to facilitate a Peace, came to nothing: In *Poland*, the Queen was ſtill her Penſioner; and tho' ſhe had not Intereſt enough to carry all her Points, ſhe had enough to traverſe and defeat thoſe of the Allies: At *Rome*, *Venice*, and, in general, all the Courts of *Italy*, where the Contributions for Winter-Quarters, levy'd by the *Imperialiſts*, were ſeverely felt and bitterly complain'd of, ſhe eſtabliſh'd a Credit, and obtain'd a ſuitable Degree of Confidence, by profeſſing a Concern for the Balance, Independency, and Repoſe of that divided Kingdom: In every Court of *Germany* ſhe had her Agents, fully inſtructed to make a proper Uſe of all thoſe rival Pretenſions, and interfering Intereſts, which alone hinder the *Germanic* Body from being of itſelf an over Match for *France*: Of her politic Advances to the Court of *Turin*, and their Succeſs, we ſhall hear in their Place: In that of *Spain*, where ſhe began now to be ſolicitous to eſtabliſh an Intereſt, in hope to be more a Gainer by her Addreſs, than even by her Arms, ſhe had both her Spies and her Penſioners, who loſt no Opportunity either of making Diſcoveries, or improving

Her Advances towards a Peace.

A.D. 1696. improving them: To the King of *Sweden*, the Language ſhe us'd was ſuch as ſeem'd to argue, that a Peace under his Mediation, and on the moſt equitable and ſolid Footing, was the only Object of her Wiſhes: And at the *Hague*, knowing that the *Loeveſtein* Party would be always ready to ſecond any Propoſals of that Nature; and that a trading People in their Senſes, would be glad to embrace the firſt Opportunity of getting rid of a burdenſome War, on any tolerable Terms, ſhe renew'd her Applications on that Head from Time to Time, with rather more Condeſcention than was conſiſtent with her Haughtineſs on other Occaſions.

The States, on the other Hand, lent a willing Ear, and, in all Probability, would have open'd their Arms as willingly, if they durſt have follow'd their Inclinations: For they had done ſo in the Treaty of *Nimeguen*, without any Regard to the Inſtances of their *Stadtholder*, or of their Allies: But he that was then their Servant, was now a King; and in a Condition to play the *Dictator*: Without his Concurrence therefore, and that of the other Parties concern'd, they could not make the neceſſary Advances; and when that was obtain'd, they proteſted againſt any Negotiation, which had not for a Fundamental, the Acknowledgment of the Prince of *Orange* as King of *England*. But this could not be comply'd with: For his Moſt *Chriſtian* Majeſty would not make that the Price of a *Treaty*, which he intended ſhould be the Price of a *Peace*: And to remove all Difficulties on that Head, till the Purpoſes on both Sides were fully known, the Temperament propos'd and admitted, was of the ſame kind with that (*t*) before propos'd by M. *d'Avaux* to the Court of *Stockholm*, namely, That in caſe the Affair of *England* was not ſettled to the Satisfaction of the ſaid Prince, the whole Negotiation ſhould be void.

Burnet, in order to ſhew the Neceſſity *France* was, at this Time, reduc'd to, of ſoliciting Peace, acknowledges they were now *making Steps* towards one: And adds, "The Court was very uneaſy under ſo long and ſo deſtructive a War: The Country was exhauſted: They had neither Men nor Money: Their Trade was ſunk to nothing, and public Credit was loſt: The Creation of new Officers, which was always conſider'd as a Reſource never to be exhauſted, did not work as formerly: Few Buyers or Undertakers appear'd: That King's Health was thought declining: He affected Secrecy and Retirement; ſo that both the Temper of his Mind, and the State of his Affairs diſpos'd him to deſire a Peace." And yet notwithſtanding this *Chriſtian* Diſpoſition of his *Moſt Chriſtian* Majeſty, and all the ſeveral Preſſures that gave riſe to it, if we believe this right Reverend Hiſtorian of ours, he was not ſincere in his Endeavours to gratify it: "*That* Spirit of Chicane and Injuſtice, A.D. 1696. continues the Biſhop, *that* had reign'd ſo long in that Court, did ſtill appear in every Step that was made: For they made uſe of equivocal Terms in every Paper that was offer'd in their Name."

The Truth, however, is, That the Arts of Negotiation were equally practis'd on both Sides: And the only fair and equal Inference that can be made, is, That the *French* having but one Intereſt to conſider, and one Purpoſe to perſue, were thereby in a Condition to manifeſt themſelves the moſt happy if not the moſt dextrous Practitioners of the Two.

The Court which had moſt Reaſon to complain, was that of *Stockholm*: The Mediation of *Sweden* had been accepted by *France* in form, tho' not by the Allies: And the opening this new Channel, was, in effect, the taking the Affair out of his Hands.

Beſides: When the *Imperial* and *Dutch* jointly requir'd his *Swediſh* Majeſty, to demand farther Explanations from the *French* Miniſter, as to the entire Re-eſtabliſhment of the Treaties of *Weſtphalia* and *Nimeguen* (which were to be the Baſis of the Negotiation) without the leaſt Exception or Reſerve, on which Terms their Maſters were ready to accept his Mediation; and his *Swediſh* Majeſty did make that Demand accordingly, the Anſwer preſented by M. *d'Avaux*, in his Maſter's Name, was in theſe Words, "That his *Moſt Chriſtian* Majeſty deſir'd no other Alterations in the ſaid Treaties, than his *Swediſh* Majeſty ſhould himſelf find expedient for their Confirmation:" And this Anſwer was accompany'd with a Declaration of his ſaid Majeſty's to this Effect, "That he ſhould never think it expedient to make the leaſt Alteration in the Tenour of the ſaid Treaties; and that, therefore, he hop'd the Allies would apply themſelves in earneſt to expedite both the Mediation and the Peace."

But tho' the ſaid Miniſters profeſs'd to underſtand the ſaid Declaration as, in the fulleſt Senſe, expreſſive of his Majeſty's Intention, not to admit of any one Item to the Prejudice of thoſe Treaties, they did not think fit to make any Advance upon it: On the contrary, in their Reply, They inſiſted, That the Convention of *Nuremberg*, ought to be added to the Treaty of *Weſtphalia*: And that as to the Treaty of *Nimeguen*, to which he had acceded by expreſs Treaty, both as a Party and a Guaranty, the Allies had much more to require of him; in as much as he was thereby oblig'd to furniſh a Body of Auxiliaries to his Imperial Majeſty, and alſo to the States-General, till *France*, which had began the preſent War, had reſtor'd all the Places ſhe had taken, and made full Satisfaction both to his *Catholic* Majeſty and the ſaid States, in caſe the *French* were the Aggreſſors: That, as it was on this ſole Conſideration

(*t*) See Page 582

A.D. 1696. ſideration the ſaid Treaty of Acceſſion was made, ſo it was certain, with regard to it, his Majeſty had no Managements to keep with *France*: That theſe were Things which they the ſaid Miniſters had conſtantly put his Majeſty in mind of, in all their Memorials, in the Name of the high Allies, who had alſo reſerved to themſelves the general Liberty, of enlarging their Demands on *France* for Reparations, and for ſuch other Matters as ſhould appear reaſonable for their reſpective Intereſts: That hence it was they had hitherto inſiſted, and on all future Occaſions ſhould inſiſt, that the Dukes of *Lorrain* and *Savoy*, who were not comprehended in the ſaid Treaties, ſhould be ſo comprehended, to the End, that all the high Allies ſhould be joint Parties in one and the ſame general Peace: That for all theſe Reaſons, the ſaid Miniſters found themſelves indiſpenſably oblig'd, to requeſt a more preciſe Declaration of his Majeſty's Intentions on this Head, in order to evince, that he had no ſuch Reſerve as might ſerve for a Pretence to prejudice, in any Manner, any other Pretences that any of the Allies had to make in virtue of that Treaty; becauſe ſuch a Procedure would be, of itſelf, a Contravention of the ſaid Treaties; and becauſe all the Inſtances they could urge to their Maſters, in conſequence of what his Majeſty had recommended to them, without ſuch a preciſe Declaration, would be to no purpoſe: That it was on theſe Conſiderations they had till then deferr'd the ſending their Diſpatches to their Principals, in hope of ſuch a Declaration, which they ſtill waited for with equal Earneſtneſs and Reſpect: And that when their ſaid Requeſt was granted, and the neceſſary Aſſurances obtain'd of the Sincerity of *France*, they, the ſaid Miniſters, repeated their Promiſes, to make him a Tender of the Mediation, on the Part of their Maſters, and to place their Intereſts in his Hands; to the End that, under his Auſpices, a Peace ſo ardently deſired by all *Europe*, might be ſo much the ſooner concluded, *&c.*

Thus it appears, that while *France* propos'd on one Hand, the Allies preſcribed on the other; that, while they inſiſted peremptorily on having what Reſerves they pleas'd, they would ſuffer *France* to have none at all; and that while *France* advanced, they retreated; which is ſufficiently accounted for by a Paſſage of Biſhop *Kennet*'s, wherein he ſays, "The King of *France* addreſs'd himſelf to the *Dutch*, becauſe he ſuppos'd that they could not but be weary of a tedious War, which had almoſt ruin'd their Trade, the only Spring of their Riches and Subſtance; and would, therefore, ſooner hearken to Peace, than the Emperor or King of *England*, whoſe Power and Authority daily encreas'd, at leaſt among their reſpective Subjects, by the Continuance of the War."

In this Suſpence, however, Things remain'd during the whole Summer: For tho' *France* was really deſirous of Peace, ſhe was determin'd not to give more for it than it was worth: She was ſtill able to cover what ſhe had acquir'd, againſt the ſtrongeſt of her Enemies; againſt the weakeſt, ſhe had taken her Meaſures to act offenſively with as much Vigour as ever: And ſhe had a reaſonable Proſpect of improving their Diviſions, very much to their Diſadvantage, if not to their Deſtruction. A.D. 1696.

The Miſunderſtanding between the two Courts of *London* and *Madrid*, on account of *Scomenburgh* the *Jew*, who had reſided at the laſt, in Quality of Agent to King *William*, as Prince of *Orange*, and then as Envoy to the States, had left a bitter Farewell behind it in Both: Beſides; the Account of reciprocal Obligations was not eaſily balanc'd: His Majeſty had his Reaſons to conclude, That the *Spaniards* were oblig'd to him for the Defence of the *Netherlands*: The *Spaniards*, in their Turn, concluded, That he was, in ſome Degree, oblig'd to them for his Crown: His Majeſty thought, That in ſending firſt *Ruſſel*, and then *Rooke*, to cover their Coaſts, at a vaſt Expence, and without any Equivalent to *England*, he had acted like the Guardian, if not the Saviour, of the *Spaniſh* Nation: And they, on the contrary, inferr'd, That in recalling the Latter ſo ſoon, and leaving them wholly expos'd, he had cancell'd the Obligation: For *Rooke* did not arrive at *Cadiz* till the 16th of *October*, and was to have been reinforced with as many more Ships, as would have render'd his Strength at leaſt equal to that of the Enemy: But inſtead of being ſo reinforc'd, towards the latter End of *January*, Orders were diſpatch'd for his Revocation, unleſs he had good Intelligence, That the *French* did not deſign to put early to Sea, or with a Strength ſuperior to his own: And theſe Orders he obey'd about the Middle of *March* following. (Burchet.)

Thus *France* had a moſt inviting Opportunity to practiſe both on the Reſentments and the Fears of the *Spaniſh* Court: And if the Deſign ſhe had entertain'd, about that Time againſt *England*, had not been the principal Object of her Attention, ſhe would certainly have made uſe of it accordingly.

But imagining her whole Force would be neceſſary, to deal with the whole Force of the Maritime Powers, which ſhe had reaſon to think that Deſign would bring againſt her, ſhe ſent Orders to the Marquis de *Chateau-Renault*, who had the Command of the *Toulon*-Squadron, to prepare his Ships with all poſſible Expedition, and to ſet ſail for the Ocean, as ſoon as the Weather would give Leave: But notwithſtanding all his Diligence, it was the 16th of *March* before he could ſet ſail; by which Time the Alarm had been taken in *England*, the Deſign was blaſted; and one of the firſt Concerns of the *Engliſh* Admiralty, was, to ſend out a ſufficient Force to intercept him.

Rooke, on his Return from *Cadiz*, had been appointed Admiral and Commander in Chief of the Fleet: And *this* Service was allotted to him; but under all the Diſadvantages and Diſcouragements imaginable: The Ships he had brought with him from the *Streights*, were not in a ſailing Condition, and were, beſides, in want both of Proviſions

A.D. 1696. and Stores; and the reſt were ſo poorly mann'd, that they wanted between three and four thouſand Hands of their allow'd Complement. On the 2d of *May* he nevertheleſs receiv'd preſſing Orders, to procede to the *Soundings*, which he thought fit to communicate to a Council of War firſt; wherein it was determin'd, To ſail with the very firſt Opportunity, after they had been ſupply'd with what was abſolutely neceſſary to enable them to keep the Sea: But that, in the Interim, the State of the Fleet (which conſiſted in all but of thirty-ſeven *Engliſh*, and twenty *Dutch* of the Line; the other ſeventeen, appointed at firſt for this Expedition, having been detach'd on other Services) ſhould be repreſented to the Lords of the Admiralty. This Repreſentation was made accordingly; and follow'd by a Second, the Reſult of a Second Council: For the Admiral's Inſtructions were to procede immediately to Sea, and place himſelf in ſuch a Station, as ſhould be held moſt convenient for intercepting the *Toulon* Squadron: And it being reaſonably enough apprehended, that by lying in wait for one, he might fall in with both Squadrons in conjunction; he thought it of Importance to ſignify, That in ſuch Caſe, the Enemy would have greatly the Superiority, and he muſt expect to be treated accordingly.

(Burchet.)

Repreſentations to the Admiralty of the ill State of the Fleet.

Rooke *ſets Sail.*

On the 5th he nevertheleſs ſet ſail from St. *Helens*; and on the 14th following came to his Station on the Coaſt of *Uſhant*, where he ſoon after learn'd, by the Captain of a *French* Man of War, taken by Captain *Norris*, That the *Toulon* Squadron had got into *Breſt*, the very Day he departed from St. *Helens*; being forty-ſeven Ships of the Line, beſides four which had been oblig'd to put back, by reaſon of the Damage they had receiv'd in the *Mediterranean*.

The Admiral was now at Liberty, according to his Inſtructions, to return to *Torbay*: But having call'd a Council of Flag-Officers, it was reſolv'd to lye as near the Rendezvous as poſſible, in Expectation of the Reinforcements which were to follow them from *England*, as long as the Winds hung Eaſterly or Northerly; but on the firſt Shift to Southerly or Weſterly, to return. Thus when the whole Fleet was aſſembled, and which then conſiſted of ſixty-ſeven *Engliſh*, and forty-eight *Dutch*, whereof eighty-five were of the Line, and the Wind veer'd as above, the Signal was given for making homewards; and on the 23d following the whole Fleet (except certain Cruizers ſtation'd between *Uſhant* and the Iſle of *Bas*, and along our own Coaſts) came to Anchor at *Torbay*; to the infinite Joy of the ſick Seamen from the *Streights*, who, on their Return from thence, had only been tantaliſ'd with a Sight of the Shore, they had been forbid to touch.

Returns to Torbay.

Thus far then it appears, That neither Party had any great Reaſon to plume themſelves on their Conduct at Sea: But if that of *France* was not altogether conſonant to their uſual Policy, that of *England* ſeems to have had little better Direction than what the Stream of Faction gave it, which was itſelf in a perpetual Fluctuation. *Burnet* touches on this, but in a Manner ſo obſcure, that ſcarce any Benefit can be deriv'd from his Information: For having obſerv'd, in one Place, That the Court was in Pain for *Rooke*, while he continued at *Cadiz* (where by the way he had taken the beſt Precautions imaginable, againſt being either forc'd or ſurpris'd) becauſe a Series of contrary Wind had prevented his being re-inforc'd, as was intended; and in another, That on his being order'd home, the *Toulon* Fleet was alſo order'd to come about; and having met with rough Weather, and been long in their Paſſage, might have been attack'd to Advantage, in caſe a ſufficient Squadron had been ſtation'd before *Breſt*, time enough to intercept them: He adds, "But the Fleet was ſo divided, that Faction appear'd in every Order, and in every Motion: Nor did the King ſtudy enough to remedy this, but rather kept it up, and ſeem'd to think, That was the way to pleaſe both Parties."

A.D. 1696.

Burchet is yet more reſerv'd on this Head than *Burnet*; which is ſo much the more to be regretted, becauſe he was a Maſter of Facts, tho' not qualify'd, perhaps, to account for them: And we have nothing but Circumſtances to rely on; which, nevertheleſs, may help us to conjecture, if not to decide. Now it is certain there was not a Man in the Kingdom who thought higher of himſelf than *Ruſſel*; and it is natural to think, that he roſe in his Pretenſions as he roſe in his Importance: Poſſibly, therefore, he aſpir'd to be one of the Regency during the King's Abſence, as well in Acknowledgment of his Services, as in Right of his Poſt, being at the Head of the Admiralty; and having met with a Repulſe, turn'd occaſional Malcontent upon it: Poſſibly it was by the King's expreſs Appointment, that *Rooke*, who did not arrive in the *Downs* from *Cadiz* till the 25th of *April*, was promoted to the chief Command of the Fleet: For *Rooke* was the Favourite of the *Tories*, as *Ruſſel* was of the *Whigs*: And the only Blemiſh the *Latter*, at this Time of Day, can be prevail'd upon to acknowledge in the King's Character, was the occaſional Regard that Policy requir'd him to ſhew the *Former*. His Majeſty had alſo found *Rooke* a much more practicable Man than *Ruſſel*: And both as a King and a Soldier, he lov'd Obedience better than Advice: And this being allow'd, it will ſcarce be wonder'd, that while the *Direction* was in a Leader of one Party, and the *Execution* in a Leader of another Party, Rivalſhip ſhould deſtroy Service.

But, which confirms all This, *Rooke* was ſcarce come to Anchor, before he was re-call'd by the Lords of the Regency, and Lord *Berkeley* was appointed to take the Command in his ſtead. *Burchet* contents himſelf with ſaying, *He was order'd to return to his Duty at the Admiralty Board*: But *Rooke*'s own Behaviour at his Return, and what follow'd upon it, will beſt ſhew the Nature and Purpoſe of his Revocation.

Rooke *is* re-call'd, *and* Lord Berkeley *appointed to* [illegible]

Our naval Affairs under the Dominion of Faction.

Before he ſtruck his Flag, he had receiv'd Advice from Commiſſioner *St. Loe*, at *Ply-*

mouth,

A. D. 1696. *mouth*, to this Effect, *viz.* That one of our Scouts, having look'd into *Camaret*-Bay, and a little above it, had counted seventy Sail of *French* Men of War, all ready to set Sail, with four Flags flying; and in the Bay itself, five small Ships more; and this Advice he forwarded by Express to the Admiralty-Board. But the Scheme he form'd upon it, he not only kept in reserve, but on his Arrival in Town, chose to impart it to the Duke of *Shrewsbury*, Secretary of State, rather than to his Brethren of the Admiralty, in whose Province it more particularly lay.

His (Rooke's) *Scheme to attack the* French *in* Brest.

This Scheme, as reported by *Burchet*, was deliver'd in these few Words, "That the "Body of the Fleet should lye in *Camaret* "and *Bertheaume*-Bays, and a Detachment "be made to sustain the small Frigates and "Bomb-Vessels, while they went in to do "what Mischief they could. It was his "Opinion, That by thus blocking up the "Enemy's Fleet in their principal Port, in-"sulting their Coasts, and burning their "Towns at the same Time, it would ex-"pose them to the World, make them very "uneasy at home, and give Reputation to "his Majesty's Arms: And this he believ'd "might be done, if speedily undertaken, "with the Assistance of some small Frigates, "which were much wanted."

Thus being depriv'd of an Opportunity he panted for, of making a great Attempt in Person, he put in for the Merit of recommending a great Attempt to others: But as the Cabinet Lords would not take upon them, in the Absence of the King, to decide on a Measure so important as This, and it would have been highly impolitic in *Russel*, to have rejected it by his sole Authority, it necessarily fell under the Consideration of the Flag-Officers on board the Fleet, having [Burchet.] Lord *Berkeley*, their new Commander in Chief, at their Head, to whom it was referr'd: And they giving it as their Opinion, That it was not *practicable to attempt the* French *in the Harbour of* Brest, their Excellencies, the Regents, conceiv'd so high a Notion of their Judgment, That they directed his Lordship to consult with them farther, how the Fleet might be otherwise employ'd during the Remainder of the Summer: And their Determination was, 1. That if the *French* did not disarm, it would be advisable to procede to the Coast of *France*, for the Space of fourteen or fifteen Days: Because, that in such Case, if they had not an Opportunity of destroying their *Ships*, they should nevertheless spread an Alarm among them, and not only oblige them to draw out their Militia, but also to weaken their Armies, by large Detachments from their regular Troops. 2dly, That upon Advice receiv'd of the Enemy's sending out any Squadrons to molest our Trade, an equal Strength should be sent on our Side to oppose them. And, 3dly, That when they did disarm their Ships, it would be advisable to divide ours, some to bombard their Towns, and others on necessary Services; and yet to make such a Disposition of the whole, as that the whole might be re-united upon any Emergency. A. D. 1696.

Declar'd impracticable as a Council of War.

Whether, however, these Determinations of theirs were not satisfactory to the Regency, or that their Excellencies had some Relentings in favour of *Rooke*'s Project, Orders came on the 16th of *June* to the Fleet, requiring a Council of War to be held, *touching the Fleet lying in* Bertheaume *and* Camaret *Bays* (these are *Burchet*'s Words) *and a* P. 547. *Squadron's being sent with the Bomb-Vessels, to destroy some of the* French Towns: *And*, continues the same Historian, *tho' it was judg'd, that the Fleet could not ride in either of those Bays out of Bomb Shot, yet it was resolv'd to sail when Weather would permit, and* look thereinto, *and endeavour to destroy what Ships they might meet with there.*

Their inconsistent Conduct.

Thus when the Question was, Whether the *French* Ships might be destroy'd, they resolv'd to bombard their Towns; when to destroy the Towns, they resolv'd to attempt their Ships.

And as to the Execution of this their last Resolve, when they had (*t*) clear'd the Channel, and receiv'd Advice by a *French* Privateer (who had fallen into their Hands, and who had sail'd from *Brest* a Fortnight before) That *all* the great Ships were up in the River; and that there were about thirty Sail in *Brest* Water, clean'd and going out in two Squadrons, one under the Command of M. de *Chateau Renault*, and the other of M. de *Nesmond*; instead of looking into those Bays, they re-determin'd to sail with the Fleet to *Belle-Isle*, and from thence to detach ten Ships to cover the Bombardment of St. *Martins* and *Ollonne*.

Two or three little Islands laid waste, &c.

Thus while the *French* at *Brest*, who had not the least Conception that so vast a Fleet (for it still consisted of a hundred and forty Sail, of which seventy were of the Line) could be directed against a Place of less Importance, were hourly in Expectation of an Attack, and making the best Preparations they could for a vigorous Defence, the Storm fell on two or three inconsiderable Islands; and, even as the Story is told in our (*u*) *Gazettes*, we have sufficient Reason to be asham'd of our own Savage Success.

Belle-

(*t*) They sail'd for the first Time on the 18th, but were forc'd back the next Day by contrary Winds, when the *Dutch* Admiral receiv'd Orders from his Majesty to send home eight Ships of the Line; and on the 24th put to Sea again.

(*u*) From on Board the *Britannia* off *Ushant*, *July* 16. On the 3d Instant my Lord *Berkeley* sent his Majesty's Ships the *Barford*, the *Newcastle*, and a Fire-ship to *Grey*, with Orders to land on that Island; and at the same Time some of our small Vessels were sent along Shoar. On the 4th the Fleet came to an Anchor about two Leagues off *Belle-Isle*; and our Barges and Pinnaces were immediately mann'd, and order'd to land upon *Houat*, one of the Islands call'd the *Cardinals*, which they did without any Opposition, made themselves Masters of the whole Island, and burnt the Town of *Houat*: They afterwards did the like upon the Island of *Hedicke*; and kill'd and brought off much Cattle from both. There is upon each of the *Cardinal* Islands a Fort with a deep Ditch and a double Wall, to which the Inhabitants and some Soldiers retir'd; but their Fortifications not hindering us from doing all the Mischief we thought fit, we did not attempt them. The 5th, the *Kent*, the *Boyne*, the *Torbay*, and

(*u*2

A. D. 1696.

Belle-Isle, the Principal of them, and the Reduction of which might have been an Exploit of some Merit and some Utility, they did not attempt; and the Reason assign'd for it by *Burchet* is, That the Enemy had twenty-five Companies of the Regiment of *Picardy* there: That the Islanders capable of bearing Arms were 3000: And that of the Troops on board the Fleet, all but 240 were already on Duty in the Bomb-Vessels.

But *Burchet* himself could not help passing a sort of Censure on those Proceedings, by calling them *little Enterprizes*: And if the Admiral had been so dispos'd, *Belle-Isle* might have been attack'd first, with his whole Strength: Besides, even *Burnet* admits, in his uncouth Phrase, *The Loss the* French MADE *was not considerable in itself*: And tho' he adds, by way of Salvo, "But it put their Affairs in great Distraction, and the Charge they were at in defending their Coast, was much greater than ours in attacking it;" his Knowledge in these Matters, was not sufficient to constitute an Authority: It is agreed on all Hands, That our former Attempts on St. *Malo* and *Calais*, &c. had put the Nation to a vast Charge; and yet we read but of 500 Shells and Carcasses bestow'd on *Calais*, and 900 on St. *Malo's*: Whereas *Burchet*, who seems to grudge the Expence of those Attempts, admits, that almost 2000 were bestow'd on *This*; which, however, is far short of the true Account.

However this may be, the next Motion of the Fleet was back to their Station off of *Ushant*, where they receiv'd Advice, That M. *Nesmond*, with a Squadron of nine Sail, had put to Sea from *Brest* a few Days before, to cruize off of Cape St. *Vincent*, in hope of intercepting the *Spanish* Flota from the *West-Indies*: But if that had really been the Case, as it was not, the Fleet was in such want of Provision of all Sorts, and so many of the *Dutch* in particular detach'd as Convoys, that it was no longer in the Admiral's Power of making a Disposition to follow them: But having made a hard Shift (says *Burchet*) to victual ten Third Rates, two Fourths, and two Fireships to cruize in the *Soundings*, for the Protection of the Trade he expected home, he made the Signal for returning to *Torbay*, where he came to Anchor before the End of *July*, and where he receiv'd Advice by a Sloop taken from the Enemy, That Monsieur *Chateau-Renault* sail'd from *Brest* about a Fortnight before with sixteen Men of War and two Fire-ships, which had been victuall'd for five Months, but on what Design was not known.

A. D. 1696.

The Fleet returns to Torbay.

Thus, with an Exception to the Squadron left in the *Soundings*, under the Command of Vice-Admiral *Mitchel*, the whole Ocean was open to the Designs of the Enemy: And tho' *Burnet* is pleas'd to say, "Our Affairs at Sea went well, with Relation to Trade; all our Merchant-Fleets came happily home; we MADE no considerable Losses; on the contrary, we took many of the *French* Privateers; they now gain'd little in that way of War which in some of the former Years had been very advantageous to them." This unusual Success seems to have been rather the Effect of our good Fortune than our Providence: For when *Mitchel*, while yet upon his Station, receiv'd Advice from the Admiralty, first, That the *East-India* Company desir'd the Squadron might cruise 300 Leagues West from *Ireland*; and again, That some Care was to be taken of the *Portugal* Trade, which was daily expected home, he found himself unable to comply with either of these Instances: For having kept at Sea till the 15th of *September*, when he had but a few Days Provision left, he was forc'd to return to *Spithead*, where he receiv'd special Orders from the Admiralty, to dispatch another Squadron of ten Ships to the same Station, under the Command of Captain *George Meeze*, himself being indispos'd, which was done accordingly: But even this Commander had no better Success than the last: Neither the *Portugal* nor *East-India* Trade fell within the Reach of his Protection; and want of Provision forc'd him also to return, without any other Proof of Service, than three of the Enemy's Privateers, which had fallen into his Hands, which

A Squadron left in the Soundings.

---

two *Dutch* Men of War, with the Long-Boats of divers other Ships, and 700 Soldiers and Marines, were sent to join the *Barfleur* and *Newcastle* at *Gray*, who finish'd what Captain *Fitzpatrick* had begun, having destroy'd there above twenty Villages; and in all we have burnt on these several Islands above 1500 Houses, kill'd and brought away at least, 300 Head of black Cattle and Horses, and taken twenty Boats and small Vessels. We gave the Enemy a very great Alarm all along their Coasts, where they are forc'd to keep great Numbers of Horse and Foot for their Defence, to the great Charge of the Country, and hindrance of their Harvest. The 6th my Lord *Berkeley* detach'd several Men of War, and the Bomb-Vessels, under Captain *Mees*, to bombard St. *Martins* in the Isle of *Re*: On the 8th we heard great firing from thence: On the 10th the Fleet sail'd from *Belle-Isle*: The *Medway* retook the *Roe* Ketch, which was taken by a St. *Malo's* Man of War: The 14th the *Severn* brought in a *French* Banker of ninety Tun, and twenty-two Men, laden with Fish: On the 15th the *Content* re-took a *West-India* Ship laden with Sugar from *Nevis*: This Day appear'd in sight of our Fleet four *French* Men of War, suppos'd to be *Nesmond's* Squadron; some of our Frigates gave them chace, and the Enemy made all the Sail they could, to get back to *Brest*. Captain *Mees* is not yet return'd to the Fleet, nor have we yet any Account of what he has done at St. *Martins*.

Whitehall, July 25. On the 3d Instant my Lord *Berkeley* detach'd from the Fleet Sir *Martin Beckman*, with the Bomb-Vessels, and a Squadron of ten Men of War under the Command of Captain *Mees*: The 5th they arriv'd before St. *Martins* in the Isle of *Re*, going in with *French* Colours, which they took down when they anchor'd: In the Evening we began to bombard the Town, and continued to do so that Night and the following, firing 2230 Bombs and Carcasses, which did such Execution, that the greatest and richest Part of the Town (where they had their most considerable Warehouses) was burnt down, or shatter'd in Pieces by the Bombs: The Front of the Town, towards the Sea, is in a small Time, and fortify'd with several Works, on which may be planted 120 Pieces of Cannon; but the Fortification was not finish'd with Cannon in all Places: On the 6th we saw them bringing Cannon from other Parts of the Town, with several Mortar Pieces, which they fired against us, but did us little Harm. From hence we sail'd to *Ollonne*, fifteen Miles to the *Main*, where we arriv'd the 7th in the Evening, and began immediately to bombard that Place, which was continued till the next Day: The Enemy had a Battery of four Guns upon a Point of Land going into the Harbour, but fired them very seldom after the first Hour: Our Bombs dismounted some of them; but a Shot from thence kill'd Captain *Trevor*, Commander of the *Society*: We fired here 1050 Bombs and Carcasses, which had all the Effect that could be expected.

1

A. D. 1696. which was moreover qualify'd by a melancholy Piece of Advice he receiv'd in his way, by a Ship from *Newfoundland*, *viz.* That a Squadron of the like Privateers, in Number eight, one of fifty Guns, three of forty, one of thirty-six, and the reſt of leſs Force, together with two Fire-ſhips, had deſtroy'd ſeven Settlements in that Colony, and forc'd the Crew of the *Saphire*, a fifth Rate Man of War, to ſet her on fire, to prevent her falling into the Enemy's Hands.

Several Settlements at Newfoundland deſtroy'd by the Enemy's Privateers.

Theſe were the Tranſactions of the Summer to the *Weſtward*; and to the *Eaſtward*, *Benbow*, now made a Rear-Admiral, was ſtation'd off *Dunkirk*, in order to hold *du Bart*, who lay out in *Flemiſh* Road with nine Ships, all ready to ſail, in check, and thereby ſecure the Commerce of that Side: But notwithſtanding all the Precautions he could take, that dextrous Commander gave him the Slip in a hazy Night; and when the Admiral would have follow'd him towards the *Dogger-Bank*, where he had been diſcover'd on a Cruiſe, and between which Place and the *Texel* he apprehended he would continue to ply, the *Dutch* refus'd to accompany him, for want of Orders. What remain'd, therefore, was to take the *Eaſt*-Country Trade under his Convoy, and proceede with them on their Voyage: But being in *Yarmouth* Road, he receiv'd Advice, That *du Bart* had fallen in with the *Dutch* Trade from *Norway* and the *Baltick*, amounting to almoſt 200 Sail, under the Convoy of five *Dutch* Men of War, had taken the Latter after an obſtinate Reſiſtance, and about Thirty of the Former; but being interrupted by the Approach of another *Dutch* Fleet, Northward bound, under the Convoy of thirteen Men of War, ten of which immediately made up towards him, while the reſt proceded with the Trade, he burnt all his Prizes except one, which had the Priſoners aboard, and which was retaken, and made his Eſcape.

Du Bart ſlips out of Dunkirk.

This induc'd him, *Benbow*, to leave the Trade at Anchor in the ſaid Road, and to go once more in queſt of this dangerous Enemy: Accordingly having made Sail, he fell in with five *Dutch* Men of War, with the Merchant-Men from *Hull*, who not only inform'd him they had diſcover'd eight Sail to the South-Eaſt that Morning, but on a Preſumption that it was *du Bart*'s Squadron, agreed to accompany him in his Search; which, nevertheleſs, prov'd a fruitleſs one: No Enemy was to be found; nor any farther Intelligence to be got concerning him. Returning, therefore, to *Yarmouth*, he reſum'd his Charge, and proceeded to *Gottenburgh*, where he was inform'd by a *Daniſh* Ship from the *Cow* and *Calf* in *Norway*, That he had left *du Bart* there with ten Sail, cleaning and watering, under the Protection of certain Batteries which he had rais'd on Shore.

Admiral Benbow goes in queſt of him.

And here *Burchet* allows, there was a favourable Opportunity of doing Service: But then he adds, Our Ships were not in a Condition to make the Attempt, for want of Proviſions and many other Neceſſaries, which conſtrain'd the Admiral to return to the *Downs*, where having been ſupply'd, his next Care was to cover the *Hamborough* Trade, which had only two Frigates for their Convoy: But hearing in his Paſſage that they were out of Danger, he once more went in queſt of *du Bart*: On the 15th of *September* he met with ten Ships, which at firſt he took for the Enemy; but falling in with them, found they were a *Dutch* Squadron from the North, bound to the *Maes*: Three Days after he fell in with three *Engliſh* and eleven *Dutch India*-Men, which had come North about by way of Precaution, under the Convoy of one ſingle Man of War the *Ruby*: And the very next Day came in ſight of *du Bart*, with his Squadron, who, it now appear'd, had narrowly miſs'd, by miſſing thoſe *India*-Men, one of the greateſt Advantages that Fortune could have thrown in his way: But if he fail'd of this Booty, neither could *Benbow*, with all the Canvas he could ſpread, come up with him: Such and ſo great Proficients were the *French* already become in the Arts of building and working Ships: And ſo little was it in our Power to force them to an Engagement, when they thought proper to avoid it. A. D. 1696.

But finds it impoſſible to overtake him.

For the laſt naval Incident which belongs to this Summer-Service, mention is made of a Piece of Intelligence, which the King, about this Time, receiv'd, That the *French* were making great Preparations at *Breſt*, for a Deſcent on theſe Kingdoms; which met with ſo much Credit, that Sir *Cloudeſley Shovel*, with a ſtrong Squadron, was ſent to look into that Port towards the End of the Year; but came too late: For tho' it was a falſe Alarm as to a Deſcent, the Enemy had actually ſent a Squadron to Sea, on a very important Errand; of which we ſhall hear abundantly more in its Place.

And now to return to the Continent: Tho' the Coaſts of *Spain* were, for this Year, exempted from the Inſults they dreaded from the *French* Fleet, when depriv'd of the Protection of the *Engliſh*, no ſooner had the *French* Court ſet all their Engines at work, to procure a ſeperate Peace on the Side of *Italy*, with ſome Appearance of Succeſs, than the Duke of *Vendome*, who had the Command in *Catalonia*, was order'd to open the Campain, in hope that a ſenſible Blow on that Side, together with the ill News his *Catholic* Majeſty was likely to receive, in the Courſe of the Summer, from the Court of *Turin*, would diſpoſe him to think more favourably than he had hitherto done of a Plan of Accommodation; which Hope was ſo much the more reaſonable, becauſe the Queen-Mother, a Princeſs of the Houſe of *Auſtria*, and an irreconcilable Enemy to *France*, was juſt dead of a Cancer; by which Incident, one of the moſt inſurmountable Obſtacles was remov'd out of the way.

Agreeable to theſe Orders, M. de *Vendome* having paſs'd the *Tar* on the 30th of *May*, and receiv'd Advice, That the Prince of *Heſſe Darmſtadt*, lay encamp'd with about 4500 *Spaniſh* Horſe, at the Diſtance of two Leagues from the Foot, reſolv'd to fall upon that the next Day in their Camp, which was advantageouſly poſted in a Plain, having

The Spaniards worſted in Catalonia.

A. D. 1696. a Wood in Front, thro' which there was but one narrow Paſſage. The Prince, on the other Hand, made a proper Diſpoſition to receive the Aſſailants, and could not have been forc'd, if the Foot had been near enough to have come in to his Support: The Squadrons that began the Attack, were repuls'd; but being flank'd on each Side, by a Body of Grenadiers, ſoon rally'd, and after another Charge or two, carry'd the Lines; the *Spaniards* making good their Retreat to their Foot at *Oſtalric*, tho' not without conſiderable Loſs.

The Action, however, was far from being deciſive: The *Spaniards*, both Horſe and Foot, were now cover'd by the Cannon of *Oſtalric*: About the ſame Time, alſo, they were re-inforc'd by 2000 *Veterans* from *Malaga*, and by all the Miquelets or Militia of the Province: So that the Name of a Victory was all that M. de *Vendome* had to boaſt of.

But that he was ſuffer'd to keep the Poſt he had won, without Moleſtation, till he had conſum'd all the Forage within his Reach; that he was ſuffer'd to diſlodge in the ſame Manner, and to demoliſh all the Fortreſſes he had held; and that the whole Summer ſhould paſs over, without the leaſt Thought of making a ſuitable Repriſal, furniſh'd abundant Proof, That tho' the vindictive Spirit of the *Spaniſh* Court remain'd, the Vigour which us'd to accompany it, was, in a Manner, worn out.

About the ſame Time alſo that M. *Catinat* began to act in *Piedmont*, more as a Miniſter than a General, the Marſhal de *Choiſeul*, who was appointed to ſucceed M. de *Lorges* in the Command upon the *Rhine*, receiv'd Orders to collect his Forces, and make the neceſſary Diſpoſition to paſs the *Rhine*, that the *Germans* might be ſo much the leſs at leiſure to traverſe the Meaſures that were taking with reſpect to *Italy*.

The French *paſs*

Accordingly on the 19th and 20th of *June*, he paſs'd that River at *Philipſburgh*, with thirty-ſix Battalions, and above a hundred Squadrons of Horſe and Dragoons; and having ſecur'd the Paſſes at *Bruchſal*, and the Poſt of *Cocſheim*, he encamp'd the 23d within a League of *Eppingen*, where the Imperial Army, as it was call'd, tho' not above a Moiety was come up, was ſtrongly entrench'd, under all the Precautions that could be taken, to prevent their being forc'd into an Engagement.

And theſe Precautions had all the Effect imaginable; for the Marſhal having waſted above a Month in facing the Prince, without daring to attack him, or incurring any Danger of being attack'd by him, at laſt decamp'd, and re-paſs'd the *Rhine*: After which he ſent a large Detachment of Horſe to *Flanders*, and diſtributed the reſt of his Troops along the Banks of that River at *Spires*, *Frankendahl*, *Worms*, *Oſtofen*, &c. as well to be at hand in caſe the *Imperialiſts* return'd the Viſit, as to conſume the Forage.

and repaſs the Rhine.

The Prince, on the other Hand, who was not as yet ſtrong enough to make any Attempt on the Marſhal in his Retreat, contented himſelf with diſpoſing ſtrong Parties in all the neighbouring Paſſes, in order to prevent the Incurſions of the Enemy, and interrupt their Foragers. A. D. 1696.

In the Beginning of the Seaſon, the Allies had given out, That the *Germans* would have two Armies in the Field; that is to ſay, one of near 22000 Men upon the *Meuſe*, under the Command of the *Landtgrave* of *Heſſe-Caſſel*, which was to be employ'd either in *Flanders* or on the *Rhine*, as Neceſſity ſhould require; and the other of upwards of 40000, under the Prince of *Baden*: But tho' all the neceſſary Stipulations had been made accordingly, it was the Beginning of *Auguſt* before the laſt of theſe Armies was fully aſſembled, and almoſt the Middle before any ſuch Diſpoſition could be agreed upon, as ſeem'd to argue a Purpoſe to act offenſively any where.

At laſt, however, a Plan having been form'd for the Junction of the two Armies, in the Neighbourhood of *Mentz*, and a Body of 10000 Men, together with the Militia of *Franconia* and *Swabia*, having been poſted near *Wiſeloch*, under the Command of General *Thungen*, for the Security of the Country on that Side. Both, about that Time, advanc'd with all poſſible Diligence towards each other.

But, as might have been eaſily foreſeen, Motions ſo extraordinary, communicated a ſuitable Alarm to M. de *Choiſeul*, who had Time to call in the Marquis de *Harcourt*, with a large Body of Troops from the Country of *Luxemburg* to his Aſſiſtance; to poſt himſelf very advantageouſly between *Philipſburg* and *Mouſtadt*, with the River of *Spirebach* between him and the Enemy; and to take all the neceſſary Precautions for the Security of his Lines.

The Germans *do the ſame.*

It was the 31ſt of *Auguſt* before the Prince of *Baden* paſs'd the *Rhine* at *Cocſheim* and *Mentz*: It was the 10th of *September* before the two Armies join'd near *Haſeloch*; and when they encamp'd in Sight of the Enemy the next Day, they found it altogether as impracticable to force the *French* Camp, as the *French* had found it to force theirs in the Beginning of the Campaign.

That, however, there might be ſome Appearance of Purpoſe and Action, after ſo many long and fatiguing Marches, ſeveral Batteries were rais'd, and both Armies amus'd themſelves with cannonading each other for ſeveral Days together; in which Interval, the Prince of *Baden* order'd General *Paſſi*, on one Side, to make an Incurſion into the Enemy's Country, with all the *Huſſars* of the Army, which he did almoſt as far as *Metz*; and on the other, directed General *Thungen*, with all the Forces left under his Command, to advance towards *Straſburg*, as if with a Purpoſe to paſs the *Rhine*, and to loſe no Opportunity of raiſing Contributions: But theſe Motions, which were calculated principally to perplex and embarraſs the Enemy, had no other Effect than to cauſe ſuitable Counter-Motions on their Side: The Count *d'Uxelles* had Orders to coaſt the *Rhine* with a flying Army, in order to obſerve

A. D. 1696. serve M. *Thungen*; and several other Parties were detach'd to do their best to cover the Country from the Outrages of M. *Palsi*.

In short, the only Acquisition the *Germans*, thus united, were able to make, was of the little Castle of *Wiczengen*, which they carry'd by Assault; but with so much Ease, that it coit them but two Men: And having thus wasted about three Weeks in an unprofitable Bravade, on the 4th of *October* they decamp'd, and on the 6th and 7th pass'd the *Rhine* at *Worms*, while the greatest Part of the *French* Army did the same at *Philipsburgh*, in hope to surprise General *Thungen* in the Neighbourhood of *Strasburg*, against whom a strong Detachment was forwarded with the utmost Diligence, for that Purpose: But the General having been timely warn'd of the Prince of *Baden*'s Purpose, and foreseeing the Use the Enemy would make of it, was already dislodg'd, and by the 8th, was again safely posted in his old Entrenchments at *Eppingen*: Soon after which both Armies broke up, and were severally distributed in their Winter-Quarters.

to no little Purpose.

The Campaign equally inefficient in Flanders.

The Campaign in *Flanders* was of the same inefficient kind: The *French* were first in the Field, as usual, with two Armies, *viz.* one posted between *Mechlen* and *Deynse*, under the Command of M. de *Villeroy*, and the other between *Fleurus* and *Sombref*, under the Command of M. de *Boufflers*: The Forces of the Allies were also divided in the like Manner: The King having the Command of one Army at *Mariekirke*, near *Ghent*, and the Elector of *Bavaria* of another at *Ysche*, near *Louvain*. But tho' it was the 6th of *June* before his Majesty took the Field, the Enemy took no Advantage of his Absence: And afterwards the whole Season was spent in Feints and Amusements, which were of so ambiguous a Nature, that it was hard to pronounce, whether they were calculated to invite or evade an Action.

This, however, is certain, that no Attempt was made, nor did any Incident happen on either Side, worth remembering.

What Bishop *Burnet* says on this Occasion, is, however, so much the more worthy of Notice, because it is copy'd, Word for Word, as Matter of Authority, by Others: "The King (says his Lordship) had no Money to pay his Army, so they were in great Distress, which they bore with wonderful Patience: By *this Means* the King could undertake nothing, and was forc'd to lye on the Defensive: Nor were the *French* strong enough to make an Impression in any Place: The King had a mighty Army, and was much *superior* to the Enemy; yet he could do nothing: And it pass'd for a *happy* Campaign, because the *French* were not able to take any Advantage from those ill Accidents, that our *want* of *Specie* brought us under; which, indeed, were such, that nothing but the Sense *All* had of the late Conspiracy, kept us quiet and free from Tumults. It now appear'd, what a strange Error the King was led into, when he accepted of so great a Sum to be rais'd by a *Land-Bank*: It was was scarce honourable, and not very

[Tindal.]

The Fault laid on the Land-Bank by Burnet.

safe at any Time: But it might have prov'd fatal at a Time, in which Money was like to be much wanted, which Want would have been less felt, if Paper-Credit had been kept up: But *one* Bank working against *another*, and the Goldsmiths against Both, put us to great Streights: Yet *the Bank* supply'd the King in this Extremity, and thereby convinc'd him, that they were his Friends in Affection as well as Interest."

A. D. 1696.

So the King was supply'd, it seems, tho' he could undertake nothing for *want* of a Supply: The *Bank* supply'd him out of Affection, tho' they had oppos'd the *Land-Bank* with all their Might (on the Success of which the Levy of so great a Sum depended) out of *Interest*: The great Error of accepting so great a Sum to be rais'd by the *Latter*, was now made apparent, tho' the *want* of *Specie* caus'd the Difficulty: And it was to be esteem'd a happy Campaign, because the *French* were not in a Condition to make it otherwise.

Such notorious Inconsistencies have *Party Leaders* the Effrontry to prescribe, and the Herd the Stomach to swallow and digest.

But if it be true, as it is, that the *Land-Bank* did wholly fail, and that the Failure did greatly encrease the Difficulties of the Government, sufficient Care had, nevertheless, been taken to exempt the *Land-Service* from any considerable Share of those Difficulties: For as we have already seen, in the several appropriating Clauses of the Money to be rais'd by the *Land-Bank*, the Main of the Product was assign'd to the replacing other Funds, and to the Service of the Navy. Tho' it be also true, That the calling in the whole Currency at once, in order to the putting an End to the Clipper's *Profit*, by putting an End to his *Trade*, did cause a Stagnation in the Kingdom; because the several Mints could not supply the Necessities of the Public fast enough, it does not absolutely follow, That the Stagnation reach'd the Camp: That our Specie is occasionally exported to defray our foreign Expence, will not be disputed: But while Bullion is to be got at an easy Rate, there is no Necessity for such Exportation: Now all the Cash of the Kingdom, was at this Time converted into Bullion: That Bullion which, as appears by the Mint-Books, amounted in Tale, after the Recoinage, to 6,435,039 *l.* 14 *s.* 9 *d.* ½ was all in the Hands of the Government: About *five Millions* of clipt Money, according to the same Right Reverend Author, was brought into the *Exchequer*: He also admits, that not above 80,000 *l.* was coin'd a Week: And if the Ministers would not have recourse to any Managements to supply the King's Necessities, by the Means of so vast a Deposite, it must be allow'd they were abundantly more scrupulous than Ministers usually are.

But however this may be, it is highly probable, that the Inaction of the Year was not so much owing to the Want of Specie, or the Failure of any particular Fund, as, in the first Place, to the Precautions taken on both Sides, not to expose themselves unnecessarily,

But was owing to other Causes.

A. D. 1696. rily, when Both had reaſon to think, that a Peace was not far off: And, Secondly, To the Negotiation between the Courts of *France* and *Savoy*, more than once alluded to already.

Secret Negotiations between France and Savoy.

Between theſe two Courts there had, all this Time, been a Family Correſpondence; and in the Courſe of it, ſuch Things had occaſionally dropt, as diſcover'd plainly enough, That each had his Views in reſerve with reſpect to the other: This was not unknown to the *Italian* Powers, whoſe Intereſt it was to get rid of the *Germans* at any Rate; and they made uſe of all the Refinements that Policy could furniſh, to improve thoſe reciprocal Views to their own Advantage: For as Negotiations are never ſo eaſy, as when both Parties expect to find their Account in them, ſo Mediations are never ſo ſincere, as when the Mediators themſelves are intereſted in their own Succeſs.

The whole Proceſs was, however, conducted with the utmoſt Secreſy and Circumſpection: For the War which equally impoveriſh'd *France* on the one Hand, and the *Maritime* Powers and *Spain* on the other, enrich'd *Savoy*: And the Duke was altogether as deſirous of making the moſt of his preſent Contract, as eager to enter into another.

It is ſaid the firſt Sketch of a Treaty was drawn at *Lorretto*, whither the Court of *Turin* took occaſion to repair, under the Pretence of Devotion: And it is reaſonable to think, that the whole Affair was ſettled with the Count de *Teſſé*, who was the intermediate Agent between his Royal Highneſs and M. *Catinat*, at *Turin*, long before it was ſuſpected abroad: But whatever Suſpicions were ſecretly entertain'd, nothing could be prov'd: And the Allies were abundantly too prudent, to furniſh the Duke with a Pretence to break thro' his Engagements, by a premature Suggeſtion, That he had broke thro' them already: As, on the other Hand, his Royal Highneſs took care not to be wanting in any kind of Profeſſions, that could make them the Dupes of their own Credulity.

Thus the Spring was ſpent, as uſual, in making Preparations for an early Campaign: And as his Royal Highneſs was more importunate than uſual, with the *Imperial* Court for their Recruits, and with the other Confederates for their Subſidies, unuſual Care was taken to furniſh him with Both, that he might have no reaſonable Cauſe of Complaint.

As the *French* gave out, That they deſign'd to open the Campaign much ſooner, and with a greater Force, than they had employ'd on that Service before, ſo the Allies were altogether as expreſs, That they ſhould be ready as ſoon, and with a Strength ſufficient to break their Meaſures. And for ſeveral Weeks together, every Article that related to the Affairs of *Italy*, was turn'd in the moſt ſpecious Manner poſſible, for the more effectual Amuſement of the Public.

But when M. *Catinat* came down with his Army into the Plains of *Turin*, which on the 20th of *May* he was ſuffer'd to do, without the leaſt Interruption, inſtead of making any Diſpoſition to face him, all the advanc'd Parties were withdrawn behind the *Po*; and every ſubſequent Meaſure ſeem'd to indicate, That inſtead of carrying the War into *France* on that Side, according to the original Purpoſe of inviting the Duke into the grand Alliance, *France* was on the Point of turning the Tables upon *Italy*: For to ſecure ſuch Places as were moſt expos'd, to throw up Lines defended by ſtrong Redoubts, lin'd with Artillery, to poſt their Troops under the Cover of them, and to make ſuch Preparation for the Security of *Turin*, as if a Siege or a Bombardment, at leaſt, was unavoidable, was the whole Employment on one Side; and, on the other, the Arrival of their Cannon, ſeem'd to be all that was wanting to render all thoſe Precautions uſeleſs. A. D. 1696.

Still, however, the Stile of our *Gazettes* was as confident as ever: And to manifeſt the Firmneſs of the Duke, while this Storm was hovering over him and his Country, it is particularly ſaid, That M. *Catinat* having ſent to his Royal Highneſs to let him know, That he would hang up all the Peaſants he ſhould find in Arms; his Anſwer was, That in ſuch Caſe he would hang up all the *French* Soldiers he took.

Acknowledging farther, That the Enemy, on the 2d of *June*, had remov'd from *Volllane*, and had taken up their Head Quarters at *Rivalto*, about two Leagues from *Turin*, which left their Purpoſe altogether as uncertain as before; and that a Council of War had been held thereon; what follows is to this Effect, *viz.* That the Enemy being ſtronger than the Allies, it was *probable* this Motion of the Former, was made with a View to draw the Latter into the Plains: That the Opinion of our (the Confederate) Generals ſeem'd to be, to maintain their preſent Poſts; to wit, The Foot to guard the Lines which cover'd the City; and the Horſe the Paſſage of the *Po*, near *Moncalier*, by which they propos'd to gain Time, in hope the Enemy would be waſted by Sickneſs, want of Proviſions, Deſertion, and the Deſtruction made of them by the Country People. That on the 6th, M. *Catinat* had ſignify'd by Letter to the Marquis de *St. Thomas*, the Duke of *Savoy*'s chief Miniſter, That the King, his Maſter, had order'd him, for the laſt Time, to offer his Royal Highneſs a Peace, and in caſe he perſiſted in refuſing it, to deſtroy his Country with Fire and Sword: That his Royal Highneſs had communicated this Letter to the Miniſters and Generals of the Allies that were about him, and had expreſs'd his Reſolution, not to enter upon any Treaty without their Concurrence; but to do what his Honour and his Engagements oblig'd him to: And, laſtly, That the Allies were then in ſo good a Poſture to receive the Enemy, that they were no longer apprehenſive, That they could bombard the City.

No. 3173.

A public offer of Peace from M. Catinat to his Royal Highneſs.

Such was the Account of Things laid before the Nation: But the Matter of Fact really

A.D. 1698. really was as follows: The Criſis being now come, when it was proper for the contracting Parties to lay aſide the Maſk, and the Manner of doing it fully concerted, M. *Catinat* did, indeed, ſend ſuch a Letter to the Marquis de *St. Thomas*, on the very Day above ſpecify'd: But then the ſaid Offer, and the ſaid Menace, were not the whole of that Letter: On the contrary, it conſiſted of as many Colours as *Joſeph*'s Coat: Something to be abated on their Side: Something that the Duke himſelf could not comply with for his own Sake: Something that he was to make a Shew of refuſing, on the Point of Honour to his Allies: And, ſomething by way of Hint of Favours in reſerve, in caſe of Compliance, to create a Perſuaſion in the Allies, that his Royal Highneſs had hitherto never made any Advance towards a Negotiation.

In ſhort; the Peace was offer'd on the general Condition of a Reſtitution of all the Places and Territories which had fallen into the Hands of *France* during the War, in the State they were in at that Time: But then his *Moſt Chriſtian* Majeſty ſtipulated for a free Paſſage thorough the ſaid Territories, for carrying the War into the *Milaneſe*; as alſo, for the Supply of his Armies in that Paſſage with all Neceſſaries at a reaſonable Price: And by way of Security for the Performance of theſe Stipulations, inſiſted on holding the Caſtle of *Nice* and *Villa Franca*, till the Concluſion of a general Peace, when his ſaid Majeſty was to give his Word to the Pope and Republic of *Venice* for their Reſtitution: And, laſtly, in caſe his Royal Highneſs conſented to become a joint Adventurer with him, in his Endeavours to reduce the *Milaneſe*, that *Spain* might be compelled to reſtore the Peace of *Italy*, he offer'd him ſuch farther and greater Advantages, as ſhould not only ſatisfy but ſurprize him.

This is a true Abſtract of the ſaid Letter, which, having been conſtructed purpoſely to be imparted to the Miniſters and Generals of the Allies, was imparted to them accordingly, with what Effect, may eaſily be imagined: There is ſomething in the Air of communicating ſuch Matters as theſe, which is even more expreſſive than Words: And Endeavours to palliate and conceal, oftentimes make the broadeſt Diſcoveries:—Thus the real Diſpoſition of the Court of *Turin* became apparent at once, and all the Conſequences to be expected from it, were at once foreſeen: But according to the uſual Artifices of Politicians, the Affectation of Sincerity on one Hand, was to produce an Affectation of Confidence and Security on the other, that the Duke might have ſo much the more Difficulty to break thro' his Engagements, and to excuſe it when done.

That, however, theſe Generals and Miniſters fail'd to mingle Arguments with Complements, in order to convince his Royal Highneſs, that he was under no poſitive Neceſſity to ſubmit to the Inſtances of *France*; and that he might, if he pleas'd, defend himſelf and his Country againſt her Menaces, cannot be imagin'd: But how cogent ſoever theſe Arguments were, that the Duke and his Miniſters had not only the Dexterity to evade the Force of them, but even to make a Merit of his not accepting the Offer of *France* with regard to the *Milaneſe*, is demonſtrable from M. de *St. Thomas*'s Anſwer to M. *Catinat*, which was in Subſtance as follows. A.D. 1696.

His Anſwer. That the Duke, his Maſter, having maturely conſider'd the Contents of his Letter, and the Circumſtances which gave riſe to it, had order'd him, after he had communicated it as above, to let him know, That no body could be better acquainted than He, M. *Catinat*, himſelf, with the ſtrange Fatality which had oblig'd him to take the Meaſures he had taken, to ſecure himſelf from the Oppreſſions he had been threaten'd with: That if, thro' the Neceſſity which had forc'd him to take up Arms againſt his *Moſt Chriſtian* Majeſty, he had loſt any Part of the Honour of his *Friendſhip*, he nevertheleſs flatter'd himſelf, that he had gain'd as much in his *Eſteem* by it, which, he believ'd, he ought to forfeit irrecoverably, if he was capable of turning his Arms into the *Milaneſe*, againſt the King of *Spain* and the Emperor, who had been his principal Succour during his Misfortunes, and who had Both almoſt the ſame Intereſt in that Duchy: That from this Conſideration, He, M. *Catinat*, would be able to judge, how unworthy ſuch an Action was of a Prince, made and accompliſh'd like his Royal Highneſs; and conſequently, how impoſſible it was for him to engage in it: And that to diſpoſe of himſelf and his own Eſtates, was all that was in his Power.

Another Letter from M. Catinat. This Anſwer was dated the next Day after the Receipt of the Letter, and produc'd another from M. *Catinat*, which was again anſwer'd by M. de *St. Thomas*, as appears by a Third Letter from the Latter to the Former: For theſe two intermediate Diſpatches have not been preſerv'd; and from the rapid Advance of the Negotiation, it is eaſy to gather how well the two Parties underſtood one another before.

"It was not in my Power, ſays the Marſhal, ſooner to ſatisfy the Curioſity of his Royal Highneſs, touching the Advantages which the King was diſpos'd to grant to his Royal Highneſs, in caſe he thought fit to concur with his Majeſty in procuring the Repoſe or Neutrality of *Italy*; becauſe I had been order'd to wait for his Pleaſure therein, as I had the Honour to obſerve to you in my two former Letters: But on the Recital, which I had the Honour to make to his Majeſty, of the Anſwers I had receiv'd from you, he has authoris'd me to give you a full Explanation in writing, unuſual as it is to commit ſuch Matters to Paper; and more eſpecially as it is viſible his Royal Highneſs communicates every thing that paſſes to his Allies without reſerve; tho' it ſeems to me, that This is of Importance enough to be conducted with more Diſcretion: But however that may be, in addition to what I have writ already, I am authoris'd to add, That his Majeſty will reſtore

A.D. 1696. ſtore *Pignerol* to his Royal Highneſs, with all its Dependencies, formerly belonging to the Houſe of *Savoy*, under this ſpecial Proviſo, That the Fortifications ſhall be ras'd: That in caſe the Houſe of *Auſtria* abſolutely refuſe to agree to a Neutrality, nor will ſuffer *Italy*, or in particular, the Eſtates of his Royal Highneſs to be in Repoſe, Meaſures ſhall be taken to oblige them; in which Caſe his Royal Highneſs ſhall co-operate with his Majeſty, under ſuch Precautions for the King, as ſhall be held reaſonable: His Majeſty willing to give yet farther Marks of his Friendſhip to his Royal Highneſs, deſigns my Lord the Duke of *Burgundy*, for Madam the Princeſs of *Piedmont*, to receive her in *France*, to perform the Marriage-Contract now, to fulfill it when the Parties ſhall be of Age; and to gratify his own Generoſity, by beſtowing on her both a Portion and a Settlement, without the leaſt Charge to his Royal Highneſs. Theſe Effects of his Majeſty's Goodneſs, will be alſo accompany'd with other Advantages to his Royal Highneſs, in caſe he makes a proper Uſe of the Opportunity, in the next Diſpatch that you ſhall write by his Command:—But if not, I aſſure you, his Majeſty will be ſo provok'd at the Neglect of his Bounties, that his Royal Highneſs muſt never expect the like Offers again, even tho' the King ſhould be forc'd to make a more conſiderable Sacrifice another way:—But I am perſuaded his Royal Highneſs will make ſuch Reflections, as an Affair of ſuch Importance to his Intereſts deſerves, *&c. &c.*"

This Letter was dated the 29th of *June*, and on the 3d of *July* following, M. de *St. Thomas* reply'd as follows.

The Duke deſires Time to acquaint his Allies, which is granted.

"His Royal Highneſs is in the beſt Diſpoſition imaginable, to accept the favourable Offers ſpecify'd in the laſt Letter, which I had the Honour to receive from you: But then he is oblig'd to communicate them to his Allies, particularly to their *Imperial* and *Catholic* Majeſties; and their Anſwers, or at leaſt that of his *Catholic* Majeſty, cannot be expected in leſs than forty Days, unleſs you will accommodate me with a Paſſport for two Couriers, one for the Uſe of his Royal Highneſs, and the other for the Marquis de *Leganes*, to paſs and repaſs through *France*: Which being allow'd, his Royal Highneſs, during that Time of Expectation, will reſtrain his own Troops, and thoſe of his Allies, to this Side of the *Po*, provided you will, in like Manner, reſtrain yours to the other Side, ſo as that they may attempt nothing againſt the ſaid Troops or Places of his Royal Highneſs; who is alſo perſuaded, that, during the ſaid Interval, you will cauſe ſuch Meaſures to be obſerv'd in the Article of ſubſiſting your Troops, as will be in all reſpects conformable to the Sentiments you have done me the Honour to impart to me."

Thus we are to underſtand, that this was the whole Proceſs between the two Courts of *France* and *Savoy*, from the Time that *Turin* was firſt menac'd with a Bombardment, to the Admiſſion of a Truce. But this was only the Gloſs ſet upon an Action which could no otherwiſe bear the Light: The two Parties were, by this Time, come to a thorough Underſtanding: And what alone was ſufficient to prove it, on the very Day this laſt Letter was writ, M. *Catinat*, to ſhew his Regard to what was recommended to him in the laſt Clauſe, remov'd his Camp from the Neighbourhood of *Turin*, nearer to *Pignerol*; which convinc'd the whole World, that the Suſpicions they had ſo long entertain'd, were but too well founded:—The next Day the Duke of *Savoy* made a Repreſentation of the miſerable State of his Affairs, and of the Neceſſity he was under to accept the Offers of *France*, to his *ſacred* Cæſarean *Majeſty*, in a Stile which would hardly have became the meaneſt Vaſſal of the Empire: For in his Preamble he took care to ſay every thing that Flattery and Servility could ſuggeſt to gratify the *Cæſarean* Pride; and having made that Sacrifice, his next Endeavours were to excite Compaſſion, by ſuggeſting, That it was utterly impoſſible for his Majeſty's moſt generous Soul to inſiſt on the utter Ruin of his miſerable Country; or even to regard his Loſſes with an indifferent Eye: Then reſuming the Politician and Courtier, he ſtrengthens his Plea by urging, That his Hopes were ſo much the better founded, becauſe all his Advantages were agreeable to the Intereſts of his Majeſty; or if otherwiſe, he ſhould never eſteem them Advantages.—Having then, in the moſt humble and ſubmiſſive Manner, beſought a favourable Audience for his Embaſſador, he proteſts to his *Cæſarean* Majeſty, That the Obligations he had conferr'd on him, ſhould remain eternally engrav'd in his Heart: And that among the firſt of theſe he ſhould ever rank the Conceſſions now made to him, which he conſider'd as the moſt ſignal Effects of his Imperial Protection:—And he concludes with a home Declaration, That his Concern for his own Intereſts, ſhould never weaken the firm and inviolable Attachment which ſhould hold him for ever devoted to the Intereſts of his *Cæſarean* Majeſty, *&c.*

A.D. 1696.

His ſubmiſſive Letter to the Emperor.

But what Degree of Sincerity there was in theſe Profeſſions, or the Declarations contain'd in M. de *St. Thomas*'s firſt Letter to M. *Catinat*, concerning the Attack of the *Milaneſe*, will appear in his Letter to the *Pope*, which was dated but two Days after; and in which, after a Hint or two of the Offers of *France*, he procedes to ſay, That if the Houſe of *Auſtria* will not be induc'd to conſent to the propos'd Neutrality, by the Exhortations of his Holineſs and of the Republic of *Venice*, his Purpoſe was to join his Forces to thoſe of *France*, in order to compel them to come in: On the very ſame Day he alſo writ to the *States General*, in Terms full of Acknowledgments of the generous Aſſiſtance he had receiv'd from their High and Mighty Lordſhips, and as full of Perſuaſions, That they would ſuffer his Miniſter the Preſident de la *Tour*, to convince them, That in embracing the Offers of *France*, he had done no more than what was right.

Another very different to the Pope.

The

A. D. 1696. The ſame Courier was moreover charg'd with Inſtructions to the ſaid M. de la *Tour* for his Conduct in breaking the Affair to King *William*: For it is worthy of Remark, that tho' he writ with his own Hand both to the Elector of *Bavaria* and the Elector of *Brandenburgh*, he did not condeſcend to pay the ſame Complement to his Majeſty; poſſibly becauſe Lord *Galway*, who commanded the Troops in *Engliſh* Pay, as ſoon as he had obtain'd inconteſtable (*w*) Evidence of the Intrigue carrying on between the two Courts, had, by his Maſters Orders, made the moſt lively Remonſtrances againſt it, as a Breach of Faith, which it was not in the Power of Words to excuſe or palliate: And it is yet farther worthy of Remark, that tho' in M. de *St. Thomas*'s Letter to M. *Catinat*, the Length of Time neceſſary for the Reception of an Anſwer from *Madrid*, is urg'd to ſhew the Neceſſity of a forty Days Truce, it was the 10th before he writ to his *Catholic* Majeſty: But then his Letter was accompany'd with a Sketch of the good Bargain he was to make; in which appear'd certain Items not mention'd before; ſuch as, The ceding to the moſt *Chriſtian* King the Valley of *Barcelonetta*, in Exchange for *Pignerol*, demoliſh'd: His ſaid Majeſty's obliging himſelf to pay him four Millions of Livres by way of Recompence for the Loſſes he had ſuſtain'd during the War; as alſo, to aſſiſt him with 8000 Foot and 4000 Horſe, in the Pay of *France*, in caſe he was attack'd by any other Power: And the Proviſion reciprocally made, That the *Pope* and the *Venetians* ſhould be the Guarantees of the ſame.

Conditions of the Treaty.

A Truce proclaim'd.

What follow'd was the Exchange of Hoſtages on the 12th; the Proclamation of the *Truce*, to continue thirty Days from that Time; and the making all the neceſſary Regulations for the due Obſervance of it.

The News, in the mean Time, flew to every Corner of *Europe*, as if the very Winds had carry'd it: And in an Article of the *London-Gazette*, from the Confederate Camp in *Flanders*, dated the 19th, we are told, the Preſident de la *Tour* was already there, and had already made the beſt Apology he could for the Duke his Maſter; but without Effect: For as no Arguments could induce his Royal Highneſs to prefer his Obligations to his Intereſt, ſo the Princes who had been at ſuch Expence to retain him in their Cauſe, could not be induc'd to abſolve him, becauſe he was to be alſo a Gainer by deſerting them. On the contrary, they were all Reſentment and Indignation; and in their firſt Tranſports, talk'd of nothing leſs than of taking Vengeance on him for his Perfidy: To reclame him, by fair Means, if poſſible, became, however, at laſt the Expedient, on all Hands agreed to: And as he ſeem'd to ſtand moſt in Awe of the Emperor, it was alſo propos'd, that the great Effort ſhould be made by him. Whether the *Ceſarean* Pride would bend on That, or any other Occaſion, was the Queſtion: But from what Motive ſoever, or at whoſe Inſtance ſoever, bend it did: Count *Manſfeldt* was poſted to *Turin* to out-bid M. *Catinat*, by making an Offer to his Royal Highneſs, of advancing his Daughter to the Bed of the King of the *Romans*; as alſo, of every Degree of Favour and Diſtinction that the *Imperial* Court could ſhew him: And thus a Prince, who in his Letters had diſcours'd of himſelf as if in the Jaws of Ruin, had the ſupreme Pleaſure, of ſeeing his Alliance courted by the moſt illuſtrious Families in *Europe*; and by deciding, in effect, the Fate of a War, which the Oppreſſions of *France* had driven him into, of manifeſting, in the moſt effectual Manner, his own Importance.

A. D. 1696.

Manſfeldt ſent to Turin with Counter-Offers.

On the other Hand, what a Shock did the *Ceſarean* Pride receive, when a Vaſſal of the Empire gave *Manſfeldt* to underſtand, That his Engagements with *France* were too far advanc'd to be retracted; and that he had obtain'd a Truce on the ſole Conſideration of prevailing with his Allies, to accept a Neutrality for *Italy*, till ſuch Time as a general Peace ſhould be re-eſtabliſh'd? *Manſfeldt* was not, however, ſo piqu'd with the Repulſe he met with, as to forbear any farther Importunity: On the contrary, he return'd again and again to the Charge, being, no doubt, ſuitably ſupported by all the other Miniſters of the Allies; tho' ſtill in vain: The Duke would hear of nothing but equal Advantages, and Indemnifications in all reſpects, which he knew neither could nor ought to be comply'd with: So much Complaiſance, however, he ſhew'd to the Count and his Commiſſion, that, whereas he did not arrive in the Camp of the Allies at *Chivas* till the 10th of *Auguſt*, and the Truce was to expire the next Day, he ſolicited and obtain'd a Prolongation of it till the 20th.

Without Effect.

The Truce prolong'd.

The two Armies, in the mean Time, remov'd yet farther aſunder; that of *France* retreating nearer *Pignerol*, and that of the Allies towards the Duchy of *Milan*, whither the Marquis de *Leganes* had already repair'd, in order to make the beſt Diſpoſition he could for the Defence of the Frontier, in caſe the current of the War ſhould be directed, as in all Probability it would, that way: For the Language of the Allies was as lofty as before; and the Public was taught to believe, that they would make greater Efforts againſt *France*, notwithſtanding the Loſs of *Savoy*, than ever.

London-Gaz. No. 3206.

But if They were obſtinate on one Hand, the Duke was altogether as obſtinate on the other: And in proportion as he became more accuſtom'd to Complaints and Expoſtulations, became more harden'd againſt them: That, however, he might preſerve Appearances as well as poſſible, he procur'd the Truce

(*w*) According to *Bevy*, from King *William* himſelf: But if his Majeſty had ſuch inconteſtable Evidence, the Marquis of *Leganes*, Governor of *Milan*, had the ſame, and imparted it immediately to all the Allies, as appears by his *Apology* for ſigning the Treaty of Neutrality, addreſs'd to the *Spaniſh* Miniſter at the *Hague*.

A.D. 1695. Truce to be again prolong'd to the 1ſt of *September:* And in the fourth Article of the Treaty, wherein he expreſſly renounces all his preſent Engagements with the Enemies of *France*, and puts himſelf under the Protection of *France*, as expreſſly provided (no doubt by way of particular Complement to King *William*) That he might be at Liberty to obſerve all the Obligations of Decency and Decorum towards each of them, and receive and entertain their Miniſters at his Court, without giving any Umbrage to the King his new Protector.

The Treaty ſign'd. Having alſo ſign'd this Treaty in form on the 29th of *Auguſt*, and receiv'd a Viſit from M. *Catinat* in Perſon, he, as a laſt Favour, obtain'd a Third Prolongation of the Truce

Ibid. 3220. to the 15th of *September:* But then it was under a Reſtriction, That it ſhould extend only to the *Milaneſe*, and not to *Montferrat:* And when *Manſfeldt* rejected the Neutrality on one Hand, and on the Other having receiv'd freſh Diſpatches from his Court, and being accompany'd by the *Spaniſh* Reſident, would have perſuaded him not to ratify his Treaty with *France*, but to return to his firſt Engagements, he gave him to underſtand, in effect, That he ſhould not only adhere to *France*, but that he ſhould put himſelf at the Head of the *French* Forces, together with his own, and endeavour to evince the Expediency of the Meaſure propos'd, by invading the *Milaneſe:* Which Menace of his was ſo highly reſented by the *Imperialiſts*, that the young Prince de *Commerci*, who was in the *Imperial* Service, ſent him a Challenge upon it, which he was too prudent, and too well adviſ'd to accept.

The Duke joins his Troops to thoſe of France. What follow'd, however, was the Performance of his Menace, by joining his Troops with thoſe of *France*, and taking upon himſelf the ſupreme Command, tho' it is reaſonable to think, not altogether in the ſame way that ſome Authors have alledg'd: For having touch'd on that extraordinary Circumſtance of the ſame General's commanding two adverſe Armies in the ſame Campaign, they procede to ſay, That his Royal Highneſs, before the Allies departed his Territories, gave the Orders to Them, and at the ſame Time to the *French*, A.D. 1696. both Parties acknowledging him for their Chief: Whereas the Truth is, That the Forces of the Allies paſs'd out of the Duke's Territories, into *Montferrat*, the very next Day after the Peace was ſign'd; and it is equally inconceivable, That he ſhould have the Command of the *French* one Day, and that of the Allies the next.

[Boyer, Tindal.]

But whether this was ſo or not, no ſooner was the *Moſt Chriſtian* King inform'd of the extreme Backwardneſs of the Allies, to give over their Game in *Italy*, and the Likelihood of a Prolongation of the War on that Side, than he ſent Orders to his Reſident at *Genoa*, to inform the Republic in full Senate, That if they furniſh'd any Supply, of any Kind, to his Enemies, either for paſt or future Conſiderations, he ſhould expect them to furniſh his Troops in like Proportions: And it may be preſum'd, that he caus'd the ſame Declarations to be made, wherever there was the ſame Occaſion.

Before the Truce expir'd, there was yet another Conference between Count *Manſfeldt* and the Marquis de *St. Thomas*, concerning the Neutrality of *Italy*, which ending like the Former, the laſt Reſort, as uſual in the like Caſes, was to the Sword. Now averſe as the Duke had appear'd to invade the *Milaneſe*, he had nevertheleſs ſtipulated, that what Acquiſitions ſoever were made by the united Army, ſhould belong to him: And the Hope that ſome ſuch Acquiſitions might be made, by an Army ſo formidable as that actually was, in a Country ſurpris'd into a War, and conſequently little provided for Defence, having got the better of all his pretended Scruples, the very next Day after the Truce expir'd, he took the Command upon him as Generaliſſimo, and, as it is ſaid, exerted himſelf with more Zeal and Vigour than even M. *Catinat* himſelf, to bring his late Friends and Allies to Reaſon: He had now no Indiſpoſition, real or pretended, to embarraſs ſuch Meaſures, or retard ſuch Motions as were thought neceſſary to be made; nor did he expoſe himſelf to the leaſt Suſpicion of carrying on any clandeſtine Correſpondence with the Enemy (*x*).

On

(*x*) In a Tract publiſh'd ſoon after his Acceptance of a ſeperate Peace, call'd, *Memoirs of the Tranſactions in Savoy during the War*, his Royal Highneſs is charg'd, among other Particulars, with the following.

"You muſt know, in the firſt Place, that in all the Councils of War held at *Turin*, from the very firſt Campaign, down to the laſt, the Duke of *Savoy*, and his Miniſters, would never admit any of thoſe of the Allies, but whom they thought fit; and excluded the beſt affected, ſuch as the Proteſtant Generals, and other wiſe Officers, who might otherwiſe have been able to baffle their Deſigns, and detect their Treacheries: Whence it comes to paſs, that all the Reſolutions taken in thoſe Councils of War, have been in favour of the Enemy.

Secondly, the ſlow Proceedings of the Court of *Turin* were partial, the *Indian* Generals never caring to be in the Field, till they had given ſufficient Time to M. *Catinat* to rally his Army, and receive Recruits, which were ſent him from ſeveral Parts of *France*. Hence it comes, that he was always firſt in Action, and poſſeſs'd himſelf of the moſt advantageous Poſts: For being ſuperior in Number, and having the Field at liberty, he might very eaſily effect whatever he undertook, they never offering to oppoſe him till he had done his Buſineſs, or at leaſt, was in a fair way to do it: I paſs by the frequent Intelligences by Spies between the Generals, that nothing might be acted but by common Conſent.

In the Third Place, the Care the Court of *Turin* took to eſtabliſh Magazines and Markets, where the *French* were permitted to come and buy whatever Subſiſtance they had occaſion for, at a Time, eſpecially, when moſt of their Provinces were reduc'd to the extremeſt Want; and, which ought to be look'd upon as a juſt Scourge ſent by *God*, to humble that haughty Power: This Want, I ſay, muſt neceſſarily have forc'd the *French* forthwith to have re-paſs'd the Mountains, had not his Royal Highneſs, and his Council, timely provided for their Relief, by cauſing all ſorts of Commodities to be brought from *Milan*, and other Parts of *Italy*, to regale their Enemies: This was all done in ſight of the Allies; and whenever any Complaints were made, the Senate of *Turin* was dumb, or anſwer'd only by Riddles, after the *Indian* Manner. All this while his Royal Highneſs crowded his Coffers with *French Louis d'ors*; and M. *Catinat*, who knew well his Temper, was not at all ſparing of them.

The Honour of *France*, and Preſervation of an Army, which was juſt then ready to periſh, gave way for no Parſimony. I mention nothing but what is notoriouſly known; and I appeal to the Generals of the moſt Serene Allies, who then commanded in *Italy*, if they have not been Eye witneſſes to all I affirm.

But

A. D. 1696. *And lays Siege to Valentia.*

On the contrary, ſo forward was he with his Preparations of all Sorts, that, on the 24th, he open'd his Trenches before *Valentia*, ſituated on the Frontiers of *Montferrat*, and made his Approaches in ſuch a Manner, as convinc'd the whole World that he was indeed in *(y)* earneſt. The Place, on the other Hand, was defended by a ſtrong Garriſon, who behav'd as if they partook of the Reſentments of their Maſters, with an Intrepidity that is ſeldom the Effect of mere Duty and Diſcipline. But tho' for ten Days together they repuls'd the Beſiegers on all Sides, and Rains almoſt continual greatly incommoded the Latter in their Approaches, ſo unwilling were the *Spaniards* to riſque the whole Duchy on the Fate of this ſingle Place, and it did, in a good Degree depend upon

A. D. 1696.

But let us proceed to other Practices, which are no leſs remarkable than the Former: Namely, the Permiſſion that his Royal Highneſs gave to ſome Fellows diſguiſed like Peaſants, and ſent *incognito* by M. *Catinat*, to ſubborn and liſt the Proteſtant Soldiers of the Regiments of *Miremont* and *Montauban*, whom they intended to carry off to the *French* Army, to the end that by their Deſertion the King of *England*'s Forces might be ſo much the more weakened, and their own augmented. This, no doubt, was with deſign to favour the *French* King; who, if he could but get thoſe Proteſtant Enemies into his Power, thought himſelf ſecure of his Project, by the Intelligence he all along had with his Royal Highneſs. This Relation is ſo much the leſs to be queſtion'd, as it was verify'd by the Surprizal of ſeveral of theſe diſguiſ'd Traytors by the Officers of theſe Regiments, who taking them in the very Act, after having debauch'd above five and twenty Soldiers, immediately complain'd of them to his Royal Highneſs, who remitting them to a Council of War, the Officers went away very well ſatisfy'd, believing they would be puniſh'd according to the Enormity of their Crimes: But, would you think it, inſtead of doing ſo exemplary a Piece of Juſtice, they quite frankly ſuffer'd them in their Eſcape: Of all which, to comply with the Reader's Curioſity, we will give the ſeveral Particulars.

M. *Catinat*, every Market-day, ſent a *Piedmontese*, diſguiſ'd like a Peaſant, into the Proteſtants Winter-Quarters, where this Traytor was wont to debauch by Money or fair Promiſes, about twenty five or thirty at a Time, and ſend them by Night with a Guide to *Pignerol*. Herewith the Officers of theſe Regiments, being at length inform'd by means of ſome Deſerters who had been taken, reſolv'd to pretend to be liſted themſelves, that they might the better diſcover the Villain who took upon him to liſt: For this Purpoſe they put on their common Soldiers Clothes, and by means of one of thoſe Deſerters who had been taken, they were conducted to the counterfeit Peaſant's Quarters, who receiving them with a great deal of Joy, immediately gave them Money, and told them the Names of the Regiments and Captains that waited for them at *Pignerol*. The Day of their Departure being come, the Peaſant promis'd to go along with them; when they being between twenty and thirty in all, as well Officers as Soldiers, began to ſet forward: But their *Piedmontese* Captain was ſoon ſurpriz'd by a Preſent of Irons being brought him to carry him before the Governor, who promis'd the ſevereſt Juſtice on ſo villainous a Deſign. Some time after ſix Officers of the ſame Regiments went and poſted themſelves in the Night-time, in a Place where they knew the Deſerters muſt needs paſs, with deſign to diſcover more of theſe Villains, who were ſent to ſeduce their Men to the Enemy. For this Purpoſe they got up into ſeveral Trees, that they might keep themſelves the better from being diſcover'd. Whilſt they lay thus concealed, there came a Peaſant from the Town, whom they preſently ſeiz'd, and diving into his Pockets, found a Letter from the Governor, in whoſe Hands they had left the firſt Traytor. This Letter was an Anſwer to one of the Duke of *Savoy*'s, whereby he gave his Highneſs to underſtand, that according to his Commands, he would continue Maſters ſo, that the *Piedmontese* Priſoner ſhould eſcape without having any Harm done him. The Peaſant, upon demand who gave him that Letter, anſwer'd, it was the Governor himſelf; which ſufficiently laid open the ſecret Intelligences the Court of *Turin* had with the Enemy, in order to ruin the Proteſtant Regiments. The original of this Letter is ſtill to be ſeen in my Lord *Galloway*'s, Hands, as a Monument of the Treachery and Baſeneſs of the Generals and other Officers of his Royal Highneſs.

His Royal Highneſs ſaw all this with his own Eyes; nothing eſcap'd his Knowledge: Nevertheleſs every Thing was paſs'd by in profound Silence and Neglect: The poor Officers only of theſe Regiments, might murmur and complain as long as they pleas'd, to ſee themſelves in a fair way to be ruin'd by thoſe repeated Deſertions: To this Remark we may farther add, the Deſign his Royal Highneſs had to ſell theſe Regiments by an uſurp'd Authority to the *Venetians*, to go and ſerve in the *Morea*, which they muſt undoubtedly have yielded to, had not they ſo vigorouſly oppoſ'd thoſe Propoſals, affirming they belong'd only to his *Britannick* Majeſty, in whoſe Power it was alone to diſpoſe of them in that Nature. Theſe Matters being thus tranſacted in the Sight of all *Europe*, ſhall his Royal Highneſs's flattering Miniſters for the future dare to boaſt their Maſter's Sincerity without a juſt Reproach.

In the next Place comes the Conduct of his Royal Highneſs towards ſeveral *French* Refugees; who being oblig'd to paſs thro' this Prince's Army, inſtead of receiving them civilly, as he ought to have done, on the contrary, caus'd them all to be arreſted; and moreover order'd them to be bound Hand and Foot, and ſent to M. *Catinat* as Deſerters from his Army; and this, altho' ſeveral Letters were writ him from *France*, that they had never been in any Service, but were the Sons of ſeveral rich Merchants, whom their Fathers thought fit to ſend out of that Kingdom. I believe there was never the like Cruelty thought on; and, which ſufficiently demonſtrates, how little his Royal Highneſs ſeem'd to value the King of *England*, who had all along declar'd himſelf their Protector, whilſt his Earneſtneſs to comply with *France* was thereby unqueſtionably made appear. Of this Action I myſelf was an Eye-witneſs, as well as all the Officers of the Auxiliary Forces.

Laſtly, the Marquis of *Bagnoſpar*, chief Favourite to the Duke of *Savoy*, and firſt General of his Forces, reſolv'd, by his Highneſs's Conſent, to rid himſelf of all the Proteſtants; and having try'd ſeveral ways to deſtroy them, which prov'd all ineffectual, through the Prudence and Wiſdom of their Commanders, endeavour'd at laſt to put his deteſtable Deſign in Execution, by ſeparating them from the reſt of the Army. This happen'd at the Camp of *Demont*, where the innocent Blood of ſo many brave Men was to be ſpilt, by as barbarous and cruel a Slaughter, as ever was the Bloody Maſſacre of *St. Bartholomew*.

The only Regiments of Proteſtants that were then in the Army, were thoſe of *Lillemarais* and *Montauban*, commanded by the Marquis of *Montauban*: Theſe two Regiments were therefore ſeparated from the reſt of his Highneſs's Troops, by the Orders of General *Bagnoſpar*, to their great Surprize and Aſtoniſhment at a Thing ſo unuſual and barbarous. The Night being over, the Officers of thoſe Regiments perceiv'd, at Break of Day, General *Bagnoſpar*, at the Head of fourſcore Officers, making towards them, with their Piſtols ready cock'd in their Hands: They were follow'd by a great Detachment of choice Men to ſupport them. *Bagnoſpar* went preſently up to Monſieur de *Montauban*, with deſign to ſhoot him, which was to be a Signal for his Highneſs's Troops, who were in order of Battle, to make a Diſcharge upon the two Regiments of Proteſtants: But the Marquis of *Montauban*'s Prudence, ſecur'd the Lives of his Men; becauſe inſtead of making any Shew of ſtanding upon his Defence, which was all that General *Bagnoſpar* deſir'd, the better to cover himſelf and colour his Treachery, he was contented openly to proteſt againſt the Violence done him, and ſaid he would make his Complaints to the Duke of *Savoy*, and to his Maſter the King of *Great Britain*; adding, that this was a Violation of the Right of Nations, and an Abuſe offer'd to the Honour of his Maſter, of which he would be reveng'd.

General *Bagnoſpar*, who thought the Proteſtants would have fir'd upon his Men, was quite out of Countenance by this unexpected Conduct, and return'd to his Army mad with the Sting of the Diſappointment: The Marquis of *Montauban* highly reſented this Violence, and the abuſive Language *Bagnoſpar* gave him, to provoke him to make Reſiſtance, which he could not do at that Time, without expoſing his Men to be cruelly daughter'd at the firſt Diſcharge, ſince *Bagnoſpar*'s Party was above two to one: Therefore he prudently diſſembled his Reſentment for the preſent, expecting a favourable Opportunity to be reveng'd.

The Marquis of *Montauban* being come to the Court of *Turin*, made his Complaints to his Royal Highneſs, and gave him the Particulars of the Treachery and Barbarity of his General. The Duke of *Savoy* was ſo far from eſpouſing the Quarrel of oppreſs'd Innocence, that on the contrary he excuſ'd *Bagnoſpar*, and made appear, in the Sequel of this Affair, that he authoriz'd all that his General had done; to the great Diſſatisfaction of all the Officers of the Auxiliary Troops, who highly commended the Marquis of *Montauban*'s Prudence upon this Occaſion.

(y) According to *Boyer*, who aſſerts farther, That M. *Catinat* having private Orders from the King his Maſter not to obey the Duke farther than was ſuitable to his Intereſt, retarded the Progreſs of the Siege as much as poſſible. And *Burnet* ſays, it was not *much preſs'd*; but erroneouſly adds, That it laſted *ſeven Weeks*.

A. D. 1696. *The Neutrality accepted.*

upon it, that they conſented all at once to accept the Neutrality and a Ceſſation of Arms, which was ſign'd and proclam'd on the 7th of *October*, (as it is declar'd in the Preamble) upon the reiterated Repreſentations and Solicitations of the Duke of *Savoy*; and thro' the Goodneſs of their *Imperial* and *Catholic* Majeſties (for Both were Parties in the Inſtrument) who were laid to be touch'd with Compaſſion for the State of the Country, which had ſuffered ſo greatly by the War.

The Subſtance of it.

The Subſtance of this Convention was, "That there ſhould be a Neutrality or Suſpenſion of Arms in *Italy* till a general Peace: That the *Imperial* and *French* Troops ſhould depart out of *Italy*, and return into their own Countries: That in lieu of Winter-Quarters, which the Princes of *Italy* were otherwiſe oblig'd to allow the *Imperialiſts*, they ſhould furniſh them with 300000 Crowns; that is to ſay, one Third before their Retreat, and the Remainder at a Time preſix'd, upon ſufficient Security: And that as ſoon as the *Imperialiſts* ſhould begin to march off with ſome Part of their Troops, the *French* proportionably ſhould do the like."

Thus the War on this Side was brought to an End, very much to the Satisfaction of the Princes and Powers of *Italy*, the Advantage of *Savoy*, and not only to the Relief, but even to the Triumph of *France*, as may be gather'd from the Letter of the *Moſt Chriſtian* King to the Archbiſhop of *Paris*, requiring a ſolemn *Te Deum* to be ſung in the Church of *Notre Dame*, by way of Thankſgiving for the ſame: For therein he ſets forth, "That having ſingly ſuſtain'd a nine Years War againſt all *Europe* in Confederacy, with no other View than to defend Religion and avenge the Majeſty of Kings, *God* had protected his Cauſe, conducted his Deſigns, and ſeconded his Enterprize: That the Succeſſes of his Arms were no otherwiſe agreeable to him, than as they flatter'd him with a Hope of being ſo much the more able to re-eſtabliſh Peace: That all the Uſe he had made of them, was to offer his Enemies more advantageous Terms than they could have wiſh'd, even if They had obtain'd the ſame Superiority over him, which he had preſerv'd over them: That believing he ought to omit nothing which might contribute to the Happineſs of *Europe*, he had left no Means untry'd to convince his Brother, the Duke of *Savoy*, with what Ardor he deſir'd to have the good Underſtanding, which the Ties of Blood and of Friendſhip had produc'd and continued for ſo many Ages between them, reſtor'd, and which nothing but the Artifices of their Enemies could have interrupted: That his Prayers had been heard: That that Prince was come to the Knowledge of his own true Intereſts, and of his upright Intentions: That the Peace was concluded: That it was to be hop'd, the Princes of the Confederacy, affected by their Example, and more ſo by the Calamities of their People, would procede to imitate it; or if they rather chuſe to perſue their own Meaſures, they would be made more ſenſible than ever, That nothing was impoſſible to Troops enur'd to Conqueſt, and led to it by the Deſire of Peace."

King Louis orders a ſolemn Te Deum to be celebrated.

The ſame Deſire of Peace was alſo manifeſted in the Devices and Emblems of the Fire-works before the Town-Houſe of *Paris*; tho' not without the Intermixture of a Sacrifice to the Vanity both of the *French* King and the *French* Nation: For of thoſe Devices the Principal was, *Alexander* cutting the *Gordian* Knot, with an unneceſſary Motto, by way of Explication.

The Knot of the Confederacy which this alluded to, was now, indeed, in a fair way of being divided: — The detaching of *Savoy*, had produc'd the Detachment of *Milan*; and the Detachment of *Milan*, tho' the Effect of Compulſion, was altogether as ſenſibly felt as that of *Savoy*: What was a Convenience to one Power, was an Inconvenience to another: If *Milan* was reſcu'd, M. *Catinat*'s Army was now at Liberty to repaſs the *Alps*: And Thoſe who were moſt concern'd in preventing the *French* from having a Superiority in *Flanders*, would not have been ſo much diſpleas'd at the Loſs of *Milan*, as they were at the Neutrality, which put an End to all Diverſion on that Side.

The ſaid Neutrality of ill Conſequence to Flanders.

How, or in what Manner this Diſpleaſure was expreſs'd, does not, indeed appear; but that ſome Expreſſion of it was made, may be gather'd from one of our own Writers, who from the Prejudices of the Times only, could be induc'd to call it, as he has done, a *precipitate Step*; adding, "That if the *Spaniards* had *ſtay'd* a little longer, the great and continual Rains, which began to fall as ſoon as the Treaty was ſign'd, would certainly have oblig'd the *French* to raiſe the Siege, and forc'd his Royal Highneſs to give them Winter-Quarters in *Piedmont*." [Boyer.]

The Marquis de Leganez's Apology for it.

But that the Marquis de *Leganez*, tho' countenanc'd in all he had done by the Concurrence of Count *Manſfeldt*, the Emperor's Miniſter, ſhould be under a Neceſſity to ſend an Apology for his Conduct to the *Hague*, is one of the ſtrongeſt Proofs that can be requir'd, That it was complain'd of.

And in that Apology, among a Variety of other Matter, he ſets forth, That ſo long ago as the preceding *May*, by repeated Expreſſes he inform'd the King of *Spain*, the Emperor, the King of *England*, and the States-General, That the Duke of *Savoy* was indubitably in Treaty with *France*; and demanded the Recruits of Men and Money, as alſo the Squadron of Ships which had been promiſ'd him, as the only probable Means of holding his Royal Highneſs to the Obligations he had enter'd into; or in caſe of his Deſection, to defend the State of *Milan* againſt him: That theſe Sentiments of his had the King his Maſter's Approbation: That he renew'd his Applications to the Princes and Powers his Allies, by his expreſs Command: That he laid the expos'd Condition of the Country before them, and the Neceſſity of immediate Succours; and that he had alſo his Majeſty's Orders to conform in all Things to their Inſtructions: That whereas in the Beginning he had good Reaſon to expect a Reinforcement of 6000 Men

from

A. D. 1696. from his *Imperial* Majesty (towards the Expence of which he had undertaken to furnish 100000 Crowns) and that his *Britannic* Majesty and the States-General, would have both augmented the Number of their Troops on that Side, and also furnish'd the Squadron of Ships agreeable to their Engagements, it so fell out, notwithstanding, that tho' it was above four Months since the Duke of *Savoy* had reconcil'd himself to *France*, he had never, in all that Time, receiv'd any of the expected Succours: That he should not take upon him to examine the Cause of his Disappointment, which, however, had no Influence on his Conduct: For knowing how religiously his Master had resolv'd to swerve in nothing from the Sentiments of his Allies, and how much they were interested in his Affairs, he had left no Method untry'd either to reclaim the Duke, or to gain Time for new Expedients, in hope to retrieve their Affairs: That of all this Count *Mansfelt*, and all the Generals of the Army, were Eye-Witnesses: That having waited till Hope itself was at an End, till the united Army had enter'd his Master's Territories, had sack'd and pillag'd the whole Frontier, to the incredible Damage of the miserable Inhabitants, and laid Siege to *Valentia*; being neither strong enough to keep the Field against the Enemy, nor having either Provisions or Ammunitions for the Subsistance of the Troops in Garrison; and, lastly, being destitute of Money, (the last Supply from *Spain* having been all expended in Loans to the Troops of the Allies, and in the Purchase of Corn, Forage, Bread, *&c.* which those, in particular of the Emperor, *England*, *Brandenburgh*, and *Bavaria* could no otherwise be supply'd with) he had found himself utterly unable to conduct so vast a Machine any longer, and could do no other than accept the Neutrality, which he had done against his Will, and under the Pressure of a Necessity no longer to be withstood, unless with the Loss of the whole Duchy; whereas, if he had accepted it at first, his Master would have been at least a Million and a half of Pattacoons in Pocket; and that poor Country would have been exempted from the Storm which had fallen upon it; but of which however it was too late to complain, since the Evil could not be remedy'd, *&c.*

Thus it appears that *Spain*'s Acceptance of the Neutrality, was in truth an Act of Necessity: And that the Marquis de *Leganez* both justifies his own Conduct, and recriminates on his Master's Allies together.

Death of King John of Poland.

The Death of *John Sobiesski*, King of *Poland*, which happend in this Interval, was also another Event which help'd to increase the Ferment of *Europe*, tho' he had outliv'd his Fame, as well as his Abilities and his Importance: The Confederates on one Hand, and *France* on the other, immediately interfer'd in the Cabals that were form'd among the Grandees, for supplying the Vacancy with a Prince after their own Heart, and set all their Engines at work accordingly: But as to the Scene of Action on that Side, it was scarce worth a Place in the Annals of the War: To continue a sort of flying Camp of Observation in the Neighbourhood of *Caminiecz*, without hope of ever reducing it, was all the *Poles* seem'd to have in View; and to relieve the Garrison from Time to Time, and afterwards to make an Incursion into the *Polish* Frontier, was the sole Purpose of the *Tartars*: They did so this Year, with their usual Violence and usual Success: For having laid all waste while unresisted, they were no sooner oppos'd by the Crown-General and his Forces, than they retir'd in Confusion.

A. D. 1696.

But that Diversion which the Divisions of the *Poles*, and the Dotage of their King, would not suffer the Confederates to create in that Quarter, they deriv'd more unexpectedly from another. The *Czar* of *Muscovy*, at the Head of a mighty Army, laid Siege to *Asoph*, a Place of great Importance on the *Turkish* Frontiers, situated on the *Tanais* or *Don*, and having defeated a great Convoy sent to its Relief, oblig'd the Garison to surrender by Capitulation: On the Credit of which Success, the Court of *Vienna* thought it worth their while to enter into Alliance with him; and all the Princes of *Europe* began, for the first Time, to entertain a *respectful Idea* of the Power and Importance of the mighty Empire under his Dominion.

The Czar retakes Asoph.

The Campaign in Hungary.

In *Hungary*, in the mean while, very little Advantage was taken of an Incident so considerable in itself, and likely to be productive in future, of such great Consequences: It is true, the *Imperial* Army took the Field much earlier than usual: For a good Body of Troops was at their Rendezvous near *Buda*, about the Middle of *May*; and the Elector of *Saxony* himself, resum'd the Command before the End of the Month: Prince *Charles* of *Vaudemont* had secur'd the Passes into *Transylvania*: A Disposition was made for the Junction of the Forces in that Province, with the main Army in *Hungary*; and proper Measures having been taken for the Security of *Peter-Waradin*, the Army, after several Removes, took Post in the Neighbourhood of *Segedin*, with a Design to pass the *Theysse*, and as it was given out, lay Siege to *Temeswaer*: But tho' they did pass that River, and had no Enemy to oppose them, they did not form that Siege: on the contrary, having provided for the Security of *Titul*, they took Post at *Chonad*, on the River *Marosch*, and continued there till the 19th of *July*, without making any Attempt of any kind at all; it appearing, that the only Purpose they had, was to wait for the several Reinforcements which were still on their March to join them, even so late in the Year as the Beginning of *August*, and to prevent the Grand Signior from penetrating into *Transylvania*. That, however, they might be so much the surer of their Measure, they made a Feint of attempting *Temeswaer*, but gave it over, and march'd towards *Betzkerck*, in his way to *Belgrade*, as soon as they were advis'd that the Grand Signior was making his Approaches to *Titul*: On the 21st of *August*, the two Armies met, some

A. D. 1696. somewhat ſooner than the *Imperialiſts* expected, in a Plain near the River *Beque*; and even while the Latter were forming, the *Turkiſh* Horſe, in great Numbers, not only made an Attempt on their Cannon, but fell three ſeveral Times on the Foot of the Right Wing, who by the Help of their *Chevaux de Friſe*, and a very briſk Fire, made a Shift to repulſe them as often, tho' not without conſiderable Loſs: But the Uſe made by the *Turks* of the Time gained by theſe ſeveral Onſets, balanc'd the ill Succeſs of them: For in this Interval, their Foot entrench'd themſelves in ſuch a Manner between two Moraſſes, one bordering on the River *Beque*, and the other on the River *Temes*, and cover'd their Front with ſuch a Number of Cannon, that they were unapproachable: Which being diſcover'd by the *Imperialiſts* the next Day, it was thought adviſable to make a Shew of retreating, in hope of drawing them from ſo advantageous a Poſt. Accordingly on the 23d, the whole Army retreated in Order of Battle, and were follow'd on the 24th by the Enemy's Foot; but with ſo much Caution, and under ſo wiſe a Direction, that no ſooner did the *Imperialiſts* begin to make a Diſpoſition to engage them, than they entrench'd themſelves as ſecurely as before. On the 25th, therefore, the *Imperialiſts* continued their Retreat; and on the 26th receiv'd Intelligence, that the whole *Ottoman* Army was in motion; ſo that, believing their Feint had taken effect, they fac'd about, and advanc'd in Battalia to engage them: But there being a little Wood between the two Armies, and the Paſſes being ſomewhat difficult, the *Ottomans* had once more Time enough to poſt themſelves between the *Imperialiſts* and *Temeſwaer*, having the *Beque* behind them, a thick Wood on their Right, a Moraſs on their Left, and their Front cover'd with a triple Entrenchment, compos'd of their Waggons chain'd together: Concluding, therefore, that under whoſe Conduct ſoever the Enemy march'd, they would always march under the like Precautions: And that a vigorous Effort was moſt likely to ſucceed, before the Troops were worn out with Fatigue, ſix Battalions, ſupported by two Regiments of Dragoons, commanded by General *Heuſler*, had Orders to march into the ſaid Wood, and fall upon the *Ottomans* in flank, which they perform'd with great Bravery, and at firſt beat the *Janizaries* from their Poſt; but were oblig'd to retire in their Turn, before the Enemy's Horſe, which alſo overpower'd and bore down two other Regiments of Dragoons under the Command of the Prince of *Vaudemont*, who was himſelf wounded and carry'd off: At the ſame Time, alſo, the *Ottomans*, perceiving that the *Imperialiſts* had completed their Diſpoſition, no longer kept on the Defenſive only, but order'd their Horſe to iſſue from their Entrenchments and attack them, which they did with ſo much Fury, that about 12000 of them broke quite thro' two *Saxon* Battalions, and diſorder'd the whole Line: But other Troops coming up, they were at laſt repuls'd, and the Line cloſ'd by the ſame *Saxons*; which, however, was no ſooner done, than another Body of Horſe not only broke thro' it again, but attack'd the ſecond Line of the *Imperialiſts* with ſo much Intrepidity, that for ſome Minutes all ſeem'd to be in Danger. The Latter, however, tho' far inferior in Point of Numbers, behav'd as if Valour was ſure to be invincible; and as if the Lives that were loſt were to beſtow Victory on the Reſt: No Quarter was either given or taken; he that fell was ſure to riſe no more; and he that was firſt in Command from the Nature of the Service, was moſt expos'd; it being concluded on both Sides, That if the Officers were once ſubdued, the Soldiers would be an eaſy Prey: Hence it was, that the Generals *Heuſler*, *Poland*, and ſeveral other gallant Officers were kill'd, and Numbers more were dangerouſly wounded.

A. D. 1696.

The Turkiſh Horſe attack the Imperialiſts, but are repulſed.

The Imperialiſts attack the Turks,

and ſuffer greatly.

But if one brave Man fell, another ſupply'd his Place; and when the *Ottoman* Horſe endeavour'd to break the ſecond Line, General *Roſes*, with the Squadrons under his Command, had the Honour to turn the Fate of the Day: For having at the firſt Shock ſtemm'd the Torrent, it was not long before he turn'd it on the Enemy; and having once put them in rout, he gave them no Time to rally, but drove them before him for two Miles together.

That, however, a partial Advantage, for it was no more, might not give the Enemy an Opportunity to retrieve all again, *Roſes* receiv'd an Order to reſtrain the Ardor of his Men, and give over the Purſuit: But tho' a Retreat was ſounded, ſome other Squadrons continued the Chace to the very Entrenchments of the Enemy; how indiſcretely, they were ſoon convinc'd; for being overpower'd with freſh Troops, They were driven back in Confuſion, which they had alſo communicated to all the Troops they had fallen in with, if General *Roſes* had not advanc'd with the Regiment of *Caprara*, and taken the Enemy in flank, which oblig'd them once more to retire, having left above 1000 of their Companions dead behind them.

And now the whole Front being again re-eſtabliſh'd, and the Enemy again poſted behind their Entrenchments, the *Imperialiſts* made a Shew of renewing the Attack; but contented themſelves with that Shew: For Night coming on, they took the Advantage of it to refreſh their Troops, as well as their expos'd Condition would admit, and take care of their wounded: But tho' they laid claime to a Victory, neither did they return to the Charge the next Day; in excuſe of which it was alledg'd, That the *Ottomans* had thrown up ſuch Works in the Night, as render'd it impracticable to force them: To account for their decamping firſt, it is alſo ſaid, That their Proviſions began to fail; and if they were forc'd to leave ſeveral Pieces of Cannon behind them, it was ſaid to be, becauſe their Carriages were broke to Pieces, and their Horſes kill'd during the Action: But why they choſe to retire at Midnight, the next Day after the Action, is not accounted for at all.

but claime a Victory.

The

A.D. 1696. The Truth of the Matter however is, that both Parties were Lofers alike; and being alike difabled from making a new Attempt, feperated as if by Content; and in this one Action comprehended the whole Buſineſs of the Campaign.

But if the *Imperialiſts* made but a feeble Campaign in *Hungary*, the *Venetians* made no Attempt at all that deſerves mention, much leſs Remembrance; perhaps becauſe they were in the Secret of *France*; and found it more for their Intereſt to obtain the Neutrality of *Italy*, than to exhauſt themſelves any farther in endeavouring to make any Acquiſitions from the *Turks*, which they might not ſucceed in, or might not be permitted to hold.

And now having thus wound up the Thread of foreign Affairs, ſo far as relates to the Military at leaſt, it is Time to return to our own.

[May 30.] Death of Lord Capel. *Capel*, Lord-Lieutenant of *Ireland*, once ſo eminent for his Patriotiſm in the Houſe of Commons, dy'd this Summer at *Dublin*: And no Proviſion having been made by the King to appoint a Succeſſor, the Privy-Council of that Kingdom, by Authority of an Act of Parliament made in the 33d of the Reign of *Henry* VIII. elected Sir *Charles Porter*, the Lord-Chancellor, who had form'd ſo great a Faction againſt *Capel*, to adminiſter the Government, till his Majeſty's Pleaſure ſhould be known: And the Parliament of *Ireland* meeting by Adjournment ſome little Time after, both Houſes waited on him in form, with their Complements on his Elevation to that Dignity; which, together with the Expulſion of the only Member who refus'd to ſign the Aſſociation, was the only Buſineſs they were ſuffered to fit for: Two Proclamations, one for a general Faſt, and the other for apprehending Rapparees, are the only public Acts on record of *Porter*'s Vicegerency: And in the Beginning of *July* following, the Earls of *Montrath* and *Drogheda* were aſſociated with him.

Lord Murray, Secretary and King's Commiſſioner for Scotland, holds a Seſſion of Parliament there. In *Scotland*, a new Seſſion of Parliament was held this Summer, if not to remove the Grievances of the People, to ſupply the Wants of the Government. The Lord *Murray*, eldeſt Son of the Marquis of *Athol*, who had been appointed Secretary of State in the Room of *Dalrymple*, was alſo appointed the King's Commiſſioner, and created Earl of *Tullibardine*; poſſibly, that his Rank might be the more ſuitable to the high Character he was to ſuſtain: On the 8th of *September* the Seſſion was open'd, and the Duke of *Hamilton*, ſo obnoxious to the Government while Earl of *Arran*, with ſeveral other Malcontents, took the Oaths, and ſign'd the Aſſociation: Call'd to that Service, ſay the Writers of their own Party, by the Oppreſſions of their Country; and deſigning, ſay Thoſe of the other Side, to undermine and ſubvert that Government, which now, for the firſt Time, They ſwore to uphold and defend.

The Duke of Hamilton *takes the Oaths in order to diſtreſs the Government.*

[Lockart's Memoirs.]

[Members of N. Britain.]

The King's Letter was alſo read the firſt Day of the Seſſion: And both the Lord-Commiſſioner, and the new Lord-Chancellor *Polwarth*, made Speeches as uſual: A Supply was granted for the *ſtanding Forces*, and other military Purpoſes: But then it was only for one Year's Service, that the Court might be under a Neceſſity of holding another Seſſion within that Term: They were alſo induc'd to form an Act of Security after the *Engliſh* Model, in caſe his Majeſty ſhould come to an untimely Death; and to oblige all Perſons in public Truſt to ſign the Aſſociation: But tho' Biſhop *Burnet*, by making uſe of theſe Words, *In a very thin Houſe, every thing that was aſk'd was granted*, would tempt us to conclude, there was no Oppoſition, the contrary is apparent even in our own *Gazettes*; for when the Act which provided for the ſitting of the Parliament in being, in caſe of the King's Death, was under Conſideration, a Debate aroſe upon a Clauſe in it, relating to military Commiſſions, which occaſion'd a Diviſion of the Houſe, tho' not the Loſs of the Clauſe: And an Act, That no Law ſhould paſs at the firſt Reading, which was apparently calculated to prevent a Surprize, did actually receive the royal Sanction. A.D. 1696. *A Supply granted.*

But what the Biſhop farther obſerves, That *Scotland* was fallen under great Miſery by reaſon of two ſucceſſive bad Harveſts, which drove away great Numbers of the Inhabitants to *Ireland*, is a Truth ſo unqueſtionable, that the Council had been forc'd to ſet forth a Proclamation to invite and encourage the Importation of Proviſions, contrary to expreſs Laws; and were now by an expreſs Law indemnify'd for ſo doing.

That however the ill State of the Country might not have Time to operate on the ill Humour, which had ſhewn itſelf in Parliament, the Seſſion was clos'd on the 9th of *October*, having laſted in all but thirty-one Days.

Abſences, towards a Peace. All this while, and indeed ever ſince it appear'd, that the Duke of *Savoy* was irrecoverably loſt to the Confederates, the Negotiations between Mr. *Dykvelat* and M. *Callieres*, the one on the Behalf of *France*, and the other of the States-General, with the Concurrence of King *William*, for laying the Baſis of a general Peace, had been proſecuted with much ſeeming Sincerity on both Sides: Towards the End of *Auguſt* his Majeſty had left the Army under the Command of the Elector of *Bavaria*, and repairing to *Loo*, divided his Time as uſual, between the Pleaſures of the Chace and the Cares of the Cabinet; but not as uſual, when in the laſt of thoſe Places, by giving his whole Attention to the Means and Manner of continuing the War: On the contrary, the Defection of *Savoy*, the Difficulty his own Miniſters found in making the neceſſary Remittances, the Diſpoſition of the States-General to caſe their Country of a Burden they could ill bear, the Miſchief to be apprehended from *Poland*, in caſe the *French* Party ſhould prevail in the enſuing Election, and, above all, the Jealouſy which began now to prevail among the Confederates, leſt other Powers ſhould incline to follow the Example of *Savoy*, made it a very ſerious Queſtion, Whether ſuch a Criſis was not come, as made it

A. D. 1696. highly expedient to ſheath the Sword? And *France* appearing diſpos'd to grant all that was demanded by the *Imperial* Court, with relation to the Treaties of *Weſtphalia* and *Nimeguen*, without any reſerve, it was ſcarce a Queſtion, Whether ſuch a Co-incidence of Circumſtances, would not render a Peace unavoidable?

So early as the 21ſt of *Auguſt* M. *Dykveldt*, with his Majeſty's Approbation, had communicated the whole Proceding to the States-Deputies for Foreign Affairs: On the 3d of *September* following it was reported to the States-General, who came to a ſolemn Reſolution the ſame Day, That, in conſequence of the Conceſſions of *France* to the *Imperial* Demands, Matters were now brought to ſuch a Criſis, that, in concert with their Allies, the Mediation of *Sweden* might be accepted: And in the ſame Reſolution they return'd Thanks to his Majeſty and M. *Dykveldt* for their good Offices therein; and order'd a Tranſcript of it to be diſpatch'd to all the ſeveral Courts of their ſaid Allies.

Approv'd by the States.

But coldly received by the Emperor himſelf.

But tho' the *Maritime* Powers were thus ſeemingly agreed in the Expediency of opening a Negotiation on the Strength of thoſe Conceſſions, neither *Spain* nor the Emperor were ſatisfy'd with them: And yet, ſo cautious was the *Imperial* Court in their Conduct on this Head, that They would give no other Anſwer to the Memorials of the *Engliſh* and *Dutch* Miniſters at *Vienna*, than by Word of Mouth; which Anſwer conſiſted of the old Complaints, That the Declarations of *France* were not yet ſufficiently explicit: That the Intereſts of *Spain* and the Duke of *Lorrain* were not imply'd: And of this one Advance merely, That ſince *France*, in thoſe her Declarations, *ſeem'd* to approach ſomewhat nearer the Mark, his *Imperial* Majeſty would cauſe it to be ſignify'd to the King of *Sweden*, That, in caſe his *Swediſh* Majeſty would give his Aſſurance to the Allies, That the whole of the Treaty of *Weſtphalia* ſhould be re-eſtabliſh'd, agreeable to the Receſs of *Nuremberg*, and that in caſe all the Re-unions and Encroachments, made ſince the ſaid Receſs and Treaty, ſhould be annull'd and aboliſh'd, his Mediation was at that Inſtant accepted; under this farther Reſtriction, however, That, in caſe *France* ſhould break thro' this Stipulation, either before or after the opening of the Congreſs, the Mediation ſhould be immediately ſuſpended, and his Majeſty of *Sweden* ſhould be obliged to join his Troops to thoſe of the Allies, agreeable to his Guaranty.

Thus, whether by the mere Motion of the *Imperial* Court, which every way found its Account in the Continuance of the War, or whether by any clandeſtine Management with ſuch other Powers as were in the ſame Predicament, the Negotiation was again directed into the remoteſt Channel it could paſs thro'; and of conſequence ſubjected both Parties to the Neceſſity of making the like Proviſions for the enſuing, as had been made for the current Year.

Affairs at Home.

This was the State of Things Abroad at the Cloſe of the Campaign: And at Home, the two great Points which the Regency had to labour, was, firſt, the Re-coinage, which occaſion'd inexpreſſible Difficulties and Uneaſineſſes all over that Kingdom: And, 2dly, the Plot, which it was thought adviſable to take up at the Rebound, and to keep in Motion, as well for the Amuſement of the Public, as to render all Oppoſition in Parliament unpopular, if poſſible. A. D. 1696.

Sir John Fenwick taken.

In the Beginning of *June*, Sir *John Fenwick* had been taken at *New Romney*, in Company with one *Webber*, an Attorney, with whom he lay in wait for an Opportunity to make his Eſcape to *France*; Captain *Waugh*, another of the Conſpirators, had been taken at *Canterbury*: A Proclamation had been ſeveral Times repeated for the apprehending of *Berkenhead*; and nothing was omitted that could ſerve to create a general Perſuaſion, That till every one of the Offenders was brought to Juſtice, the King was not out of Danger; with what Effect, may be gather'd from the following officious Paper, which was deliver'd in the Name of the Citizens of *London*, to their Repreſentatives in Parliament.

Officious Paper of the Citizens of London to their Members.

"We the Citizens of this City, conſidering that the Parliament is ſuddenly to meet, and ſeriouſly reflecting upon the continual Endeavours of a bloody and diſcontented Party, who truſting upon the King's Clemency, and the Impunity they have hitherto met with, conſpir'd to aſſaſſinate his Majeſty's royal Perſon, and to overturn the Government, in order to ſubject us under the Yoke of *France*; the Dread of which has made an incurable Wound in the Credit of this Nation, and has had a fatal Influence upon our Trade, we thought we could no longer keep Silence upon ſo important an Occaſion, while we behold our Religion, our Eſtates, our Liberties, and all that is moſt dear to us, in evident Danger; but that it was our Duty to declare and teſtify our great Zeal and Affection for the King, and our firm Reſolution to aid and aſſiſt him with our Lives and Fortunes againſt his Enemies, and the Enemies of the Nation, and to uſe our utmoſt Endeavours to eſtabliſh his Glory and our own Happineſs.

And becauſe we have reaſon to believe, that the beſt, or rather the only, Means to preſerve the King's Perſon, and ſettle the Government, is thoroughly to examine, in full Parliament, the laſt Conſpiracy, we make it our earneſt Requeſt, That you will uſe your Endeavours, ſo ſoon as the Parliament ſhall meet, to procure the Examination of this deteſtable Plot, to the End the Conſpirators, who have hitherto made it their Buſineſs not only to hold Correſpondence with our Enemies, that ſo our Effects and Merchants-Ships might fall into their Hands, but alſo to betray his Majeſty's Counſels, in order to undermine and ruin the beſt of Governments, may be diſcover'd: Without which, we preſume to tell ye, that all other Expedients for the Security of his Majeſty's Perſon and the Kingdom, will produce but little Effect.

Then

A. D. 1696. Then as to the Difficulties and Uneaſineſſes ariſing from the Re-coinage, we find them thus repreſented by a Writer of thoſe Times in the Service, if not in the Pay of the Government. "The main Thing that vexes and turmoils this Kingdom is the Misfortune of our Coin: A deep and long-ago-conſulted Piece of Miſchief, that like *Aqua-fortis* upon Iron, has been many Years inſenſibly corroding the Bowels of the Nation; and which ſpread itſelf to ſuch a Degree, becauſe not dived into at firſt: 'Tis true, that Want is inſupportable, eſpecially to the poorer Sort, and labouring People, who have only from Hand to Mouth: Nor is the Confuſion leſs in all Families, which redoubles the Cries of all Conditions, and makes them over-haſty for Redreſs."

[Month Mer. for June, 1696.]

Expedients in regard to the Re-coinage.

We are however aſſur'd by the ſame Writer, That the Government left no Expedient within the Limits of their Authority untry'd, to remedy the Evil: And over and above all Thoſe already mention'd, we find, that an Advertiſement was ſet forth in the *Gazette* of *Auguſt* 31, importing, that clipt Money would be taken into the Exchequer, upon the following Terms; that is to ſay, Every Sum of ſuch clipt Money, brought in before the 29th of *September*, was to be told and weigh'd, and the Deficiency noted down: After which the Proprietor was to be allow'd 5*s.* and 8*d. per* Ounce, according to its Weight: The half thereof to be paid back in mill'd Money, ſo ſoon as it could be re-coin'd and return'd from the Mint: And the other Half to be ſecur'd by a Tally on the general Credit of the Exchequer." But then this Advertiſement was neither dated nor ſign'd; nor, which is equally ſtrange, repeated: And on the 24th of *September*, the Lords-Juſtices came to a Reſolution to ſet forth alſo in the *Gazette*, That the new Money furniſh'd by the Lords-Commiſſioners of the Treaſury, to the ſeveral Country-Mints, for the Exchange of clipt Money or Plate, at the ſame Rate of 5*s.* and 8*d.* an Ounce; and the good Management of Thoſe appointed to conduct that Exchange, having given great Eaſe and Satisfaction to the ſeveral Counties, and occaſion'd the bringing in conſiderable Quantities of Plate and clipt Money, their Excellencies in Council had that Day order'd the ſaid Lords of the Treaſury, to furniſh ſuch other Sums as ſhould be found ſufficient for continuing the ſaid Exchange, till the 24th of *November* then next enſuing: As alſo, That the ſaid Lords-Commiſſioners, having mov'd their Excellencies, at the Deſire of ſeveral Merchants, who had conſiderable Quantities of Gold Bullion by them, which they could not export without great Loſs, becauſe the Courſe of Exchange was at that Time ſo much againſt them, for Liberty to coin the ſaid Bullion, the ſaid Merchants paying the Charge thereof, their Excellencies had approv'd the ſaid Motion, and granted the ſaid Liberty on the Condition propos'd. A. D. 1696.

The ſame Day that this Order was made, a Proclamation was iſſued for the Meeting of Parliament on the 20th of *October*, for the Diſpatch of divers weighty and important Affairs: And his Majeſty, accompany'd by the Duke of *Zell*, having paid a Viſit of Ceremony to the Court of *Brandenburgh* at *Cleves*, and receiv'd a ſuitable Acknowledgment from the electoral Prince, at *Loo*, having alſo appointed Mr. *Robinſon* to be his Reſident at *Stockholm*, with Inſtructions ſuitable to the preſent Criſis, and finally adjuſted all the Meaſures and Diſpoſitions for the next Campaign with the States, embark'd for *England* on the 4th, arriv'd at *Margate* on the 6th, between One and Two in the Morning, from whence he proceeded forthwith to *Kenſington*, and was receiv'd by the Inhabitants, and complemented by the Magiſtracy of *London*, as uſual.

King lands at Margate from Holland.

What Councils were held, what Debates aroſe, what Opinions were maintain'd, whoſe Influence prevail'd, and what Reſolutions were taken with reſpect to the Seſſion, we can no otherwiſe be inform'd of, than by the Buſineſs of the Seſſion itſelf, which was thus beſpoke in the following notable Speech from the Throne to both Houſes, on the 20th of (*z*) *October*, being the Day appointed by the Proclamation.

"*My Lords and Gentlemen,*

His Speech to both Houſes.

I have call'd you together as ſoon as was poſſible; and I think it a great Happineſs that this Year has paſſed without any Diſadvantage Abroad, or Diſorder at Home, conſidering our great Diſappointment in the Funds given at your laſt Meeting, and the Difficulties which have ariſen upon the Re-coining of the Money.

This is ſo convincing a Proof of the good Diſpoſition of my Army, and of the ſteady Affections of my People, that I cannot but take Notice of it with great Satisfaction.

Our Enemies have not been without Hopes, that ſuch a Conjuncture might have prov'd fatal to us: But as they have fail'd in thoſe Expectations, ſo I am fully perſuaded that your unanimous Proceedings, in this Seſſion, will make them for ever deſpair of an Advantage from any Diſagreement among ourſelves.

It muſt be confeſs'd, that the Buſineſs which you have before you will be very great, becauſe of the Neceſſity of ſupplying former Deficiencies, as well as making Proviſion for the next Year's Service.

And upon this Occaſion it is fit for me to acquaint you, that ſome Overtures have been made, in order to the entering upon a Negotiation for a general Peace: But I am ſure we ſhall agree in Opinion, That the only way of treating with *France*, is with our Swords in our Hands: And that we can have no Reaſon to expect a ſafe and honourable Peace,

(*z*) Biſhop *Burnet*, chuſing to follow his own Memory rather than the Records, places the opening of the Seſſion in *November*.

A.D. 1696. Peace, but by ſhewing ourſelves prepar'd to make a vigorous and effectual War: In order to which, I do very earneſtly recommend to you, Gentlemen of the Houſe of Commons, that you would conſider of raiſing the neceſſary Supplies, as well for maintaining the Honour of Parliaments, in making good the Funds already granted, as for carrying on the War the next Year; which I think ought not to be leſs than what was intended to be rais'd for that Purpoſe the laſt Seſſion.

I muſt alſo put you in mind of the Civil-Liſt, which cannot be ſupported without your Help; and the miſerable Condition of the *French* Proteſtants, does oblige me to mention them to you again.

My Lords and Gentlemen,

It may deſerve your Conſideration, whether there do not ſtill remain ſome Inconveniencies relating to the Coin, which ought to be remedied: And I hope you will find out the beſt Expedients for the Recovery of Credit, which is abſolutely neceſſary, not only with reſpect to the War, but for carrying on of Trade.

I am of Opinion, that there is not one good *Engliſhman* who is not entirely convinc'd, how much does depend upon this Seſſion; and therefore I cannot but hope for your Unanimity and Diſpatch in your Reſolutions, which at this Time are more neceſſary than ever, for the Safety and Honour of *England*."

The next Day this Speech being taken into Conſideration by the Commons, the Houſe duely conſidering the Preſſures both of Government and People, wiſely and honeſtly ſuſpended all Feuds and Animoſities, and unanimouſly agreed to the following Reſolutions, which anſwer'd to the great Points of his Majeſty's Speech, viz. 1. That They would ſupport his Majeſty and his Government, againſt all his Enemies, both Abroad and at Home: And that they would effectually aſſiſt him in the Proſecution and carrying on the War againſt *France*. 2. That they would not alter the Standard of Gold or Silver in Fineneſs, Weight, or Denomination. And, 3. That they would make good all parliamentary Funds ſince his Majeſty's Acceſſion to the Crown, that had been made Credits for Loans from the Subjects.

Unanimous Reſolutions of the Commons.

They alſo reſolv'd, That an Addreſs ſhould be prepar'd agreeable to the firſt of theſe Reſolutions: And ſuch an Addreſs was prepar'd accordingly (by *Montagu* Chancellor of the Exchequer) which tho' not wholly unexceptionable, yet nevertheleſs expreſs'd a Degree of Firmneſs and Magnanimity ſo uncommon, that it deſerves to be inſerted *verbatim*.

Their Addreſs.

"*May it pleaſe your moſt Excellent Majeſty,*

This is the Eighth Year in which your Majeſty's moſt dutiful and loyal Subjects, the Commons in Parliament aſſembled, have aſſiſted your Majeſty with large Supplies for carrying on a juſt and neceſſary War, in Defence of our Religion, Preſervation of our Laws, and Vindication of the Rights and Liberties of the People of *England*; which we have hitherto preſerv'd, and by the Bleſſing of *God* on your Majeſty's Conduct and good Government, will ſtedfaſtly maintain and entail on our Poſterity. A.D. 1696

This has coſt the Nation much Blood and Treaſure; but the Hopes of accompliſhing ſo great and glorious a Work, have made your Subjects chearfully ſupport the Charge: And to ſhew your Majeſty, and all *Chriſtendom*, That the Commons of *England* will not be amus'd or diverted from their firm Reſolutions of obtaining by War a ſafe and honourable Peace, we do, in the Name of all thoſe we repreſent, renew our Aſſurances to your Majeſty, That this Houſe will ſupport your Majeſty and your Government againſt all your Enemies both at Home and Abroad: And that they will effectually aſſiſt you in the Proſecution and carrying on the preſent War againſt *France*."

The King's Anſwer partook alſo of the ſame Spirit; for it was conceiv'd in the following Words.

"*Gentlemen,*

The Continuance of your Zeal and Affection, is the Thing of the World I value moſt; and I will anſwer it by all the Ways I can think of; and will make your Good, and the Safety of the Nation, the principal Care of my Life." *The King's Anſwer.*

The Lords too, tho' ſomewhat more ſlowly (for it was ſome Days before they were ready with their Offering) having been prevail'd upon to entertain a like Senſe of the Criſis, and the apparent Neceſſity of reflecting all poſſible Luſtre on the Government, took their Opportunity to declare, That They could not enter on the Buſineſs of the Seſſion any way ſo well as by an Addreſs to his Majeſty, teſtifying their Zeal for his Service, and their Forwardneſs to apply themſelves to what his Majeſty had lately propos'd from the Throne: "And being entirely ſatisfy'd (continued their Lordſhips) That the Liberty of *Europe* is concern'd in the Reſolutions of this Parliament, and that the Welfare of your Majeſty's Subjects does depend upon your Safety, and the Succeſs of your Arms: We beg Leave to aſſure your Majeſty, we do, and ever ſhall, conſider all the Diſappointments you meet with, and the Obſtructions laid in your way, as our greateſt Misfortunes, and thoſe that create and promote them, as Enemies to the Public. *The Lord's Addreſs.*

And as with the utmoſt Sincerity, we give your Majeſty theſe Aſſurances, ſo we think it becomes us to deal as plainly with your Enemies; and therefore, that they may not believe your Majeſty's loyal Subjects can ever wiſh for Peace, or think of it, but upon thoſe ſafe and honourable Terms, which may make it laſting and ſecure: We farther aſſure your Majeſty, we ſhall endeavour to overcome all Difficulties to ſupport you at the Head of ſo juſt and glorious a Cauſe; and ſhall never be wanting or backward on our Part, in what may be neceſſary to your Majeſty's Honour, the Good of theſe Kingdoms, and the Quiet of *Chriſtendom*."

And

A. D. 1695. And that the great Uſe and Purpoſe of theſe unanimous Proceedings might not be loſt, either Abroad or at Home, for want of a proper Index, his Majeſty, in his Anſwer, expreſs'd himſelf as follows.

The King's Anſwer.

"*My Lords*,

I am extremely pleas'd with an Addreſs ſo full of Affection to me, and Zeal for the Cauſe in which we are all engag'd; and I ſhall always think, that the beſt Security againſt our Enemies of all Sorts, is to be thus happily united and reſolv'd amongſt our ſelves."

Pamphlets cenſur'd and burnt by the common Hangman.

The Seſſion opening with ſo favourable an Aſpect, the Miniſters had the Wiſdom and Addreſs to derive ſome Advantages from it to themſelves: For the Malcontents having ſet forth a Pamphlet during the Receſs, call'd, *An Account of the Proceedings in the Houſe of Commons, in relation to the re-coining the Clipp'd Money, and falling the Price of Guineas, in Anſwer to a Letter out of the Country*, in which their Malevolence had exceeded all Bounds; not only by Falſifications and Forgeries, but the moſt wicked (*a*) Incentives, to ſtir up the Rage of the People againſt the *Perſons* and *Houſes* of the Members: They took occaſion to bring it before the Houſe of Commons, who were ſo juſtly incens'd againſt it, that they reſolved, *Nemine Contradicente*, That it was falſe, ſcandalous, ſeditious, and deſtructive of the Freedom of Parliament: That it ſhould be burnt by the common Hangman: And that his Majeſty ſhould be addreſs'd to iſſue out his Proclamation, offering a Reward of 500 Guineas for the Diſcovery of the Author, and a Pardon to any Perſon concern'd who ſhould make that Diſcovery, except the ſaid Author: And as well to that Pamphlet as to another, call'd, *A ſummary Account of the Proceedings on the happy Diſcovery of the* Jacobite *Conſpiracy*, a Liſt of *Yeas* and *Nays*, on dividing the Houſe, being annex'd, it was farther reſolv'd, two Days after, That the printing the Names of the Members, and reflecting on them for their Proceedings in Parliament, was a Breach of their Privileges, and deſtructive of the Freedom of Parliament. A. D. 1696.

Vigorous Reſolutions.

That their Proceedings might alſo have their intrinſic Value, as well as a ſpecious Exterior, they firſt pledg'd the Faith of the Houſe, That a Supply ſhould be granted to his Majeſty for the effectual carrying on the War againſt *France*; as alſo for making good the Deficiencies of parliamentary Funds: and then apply'd themſelves with uncommon Diligence and Ability, to find the neceſſary Ways and Means to anſwer ſuch immenſe Demands; as alſo, at the ſame Time to reſtore public Credit, which was in a manner ruin'd, in conſequence of thoſe Deficiencies, (for Bank-Notes were at 20 *per Cent* Diſcount, and Exchequer-Tallies at 40, 50, and 60.) and to remove the Stagnation which the Want of Currency had occaſion'd.

Amount of the Eſtimates.

According to the Eſtimates laid before them, above two Millions and a Half was neceſſary for the Sea-Service, including the Ordinary for the Navy, Ordnance, two Regiments of Marines, 40,000 Seamen, *&c.* And above Two Millions ſeven hundred thouſand Pounds for the Army, containing in all 87,440 Men: It appear'd alſo by the Accounts laid before the Houſe, that an Arrear of 421,080 *l.* was due to the Navy, 1,850,197 *l.* to the Army, 58,321 *l.* to the Ordnance, and 480,544 *l.* for Tranſports: But then there was an Over-charge on the laſt Article to the Amount of almoſt 90,000 *l.* And when the Deficiencies of former Funds came to be ſtated, the Amount was no leſs than (*b*) 6,000,459 *l.* 14*s.* 9*d.* ½: A Sum in thoſe Days deem'd impoſſible to be rais'd; or if poſſible, what the Nation, till that Time unus'd to ſuch heavy Burdens, would not have ſubmitted to!

In

(*a*) *Vix.* "And this brings me to the other Branch of your Letter, *viz.* "That the Country feeling theſe Effects, are provok'd to very great Anger againſt the Parliament; and can hardly reſtrain their Hands from offering Violence to the *Perſons* and *Houſes* of the Members. Now, Sir, I muſt plainly confeſs to you, on this Head, that I think in the general, the Country are in the Right, and have plac'd their Wrath on a right Object."——This Pamphlet was alſo cenſured, as well as cenſur'd, in another Tract, call'd, *Reflections on a ſcandalous Libel, &c.* the Author of which tell us, in Explication of the Folly and Madneſs of the Times, That a mighty Noiſe being made where aſſembled to threaten the Houſe of a Parliament-Man, if he did not change their clipt Money, and their Money being demanded for that Purpoſe, Half a Crown was all they could produce.

(*b*) According to the following State.

An Account of the DEFICIENCIES *&c.*					*l.*	*s.*	*d.*
Land-Tax ——	1ſt 4*r.*	4 *W. M.*	Intereſt	7 *per Cent.*	55,622	10	05
	3d 4*r.*	6 *W.*	——	5 ——	407,572	00	03
	4th 4*r.*	7 *W.*	——	6 ——	917,101	13	02½
Quarterly Poll ——	——	5,6 *W.*	——	6 ——	80,275	13	04
½ Cuſtoms ——	——	2 *W. M.*	——	6 ——	213,447	15	09
Land Bank ——	——	7,8 *W.*	——	7 ——	1,711,500	00	00
½ Exciſe ——	——	2 *W. M.*	——	7 ——	100,000	00	00
Impoſitions 1697 ——	——	4,5 *W. M.*	——	8 ——	445,177	07	04
Vellum, Paper, *&c.* ——	——	5,6 *W.*	——	8 ——	224,114	07	08½
Cuſtoms for 3 Years—	——	6 *W.*	——	7 ——	142,666	07	03¾
Marriages, Births, *&c.* ——	——	6,7 *W.*	——	8 ——	648,000	00	00
Wines and Vinegar — Tobacco —— *Eaſt-India* Goods, *&c.*	——	7,8 *W.*	——	5, 6, 7, 8—	146,180	19	05½
Joint Stocks ——	——	4,5 *W. M.*	——	8 ——			
Low-Wines ——	——	7,8 *W.*	——	6, 7 ——			
Glaſs, Stone Ware, *&c.*	granted	7,8 *W.*	——	*l.* 560,000			
Tonnage on Ships——	——	*Ditto*	——	140,000			
Duties on Salt——	——	*Ditto*	——	140,000			
					840,000	00	00
					6,000,459	14	09½

A.D. 1696. In the Manner of their Proceding, however, they did not fail to beſpeak the Favour of the Public by ſuch an Appearance of Regard for the Difficulties they labour'd under, and of Concern for the Weight they were oblig'd to lay upon them, as ſeem'd to argue, that the Patriot was not wholly loſt in the Courtier.

Further Proceedings on the Coinage. Thus taking the great Affair of the Coin once more into Conſideration, they reſolv'd, That all the hammer'd Silver Money of the Kingdom, ſhould be receiv'd in Payments by Weight only, at the Rate of 5*s.* 2*d.* an Ounce: That, nevertheleſs, all the ſaid hammer'd Silver Money ſhould be receiv'd at the ſeveral Mints, and by his Majeſty's Collectors and Receivers, till the 1ſt of *January* next enſuing, at the Rate of 5*s.* and 6*d. per* Ounce: That the like Allowance ſhould be made on all Loans and Plate brought to be coin'd till that Time: And that a Bill ſhould be brought in accordingly.

Supplies voted. While this Affair was depending, they alſo granted 2,372,197*l.* for the Service of the Navy, inſtead of 2,523,954*l.* the Sum demanded: And 2,507,831*l.* 19*s.* 11*d.* (whereof 500,000*l.* was given expreſſly for the extraordinary Service of the Office of Ordnance, for the Pay of General Officers, Tranſports, Hoſpitals, Contingencies, and all other Extraordinaries) for the Land-Service, inſtead of 2,709,713*l.* 12*s.* 10*d.* demanded.

A Vote of Loan. And the Government being at that very Inſtant under Difficulties to anſwer the preſſing Demands of the Fleet and Army, they farther reſolv'd, That whatſoever Loans, not exceeding the Sum of 600,000*l.* ſhould be made on the Credit of the Exchequer in general, ſhould be transferr'd to the Aids next to be given by Parliament.

Ways and Means. On the 25th of *November*, the Deficiencies of parliamentary Funds being taken into conſideration, the Houſe reſolv'd, That a Supply ſhould be granted for making them good: And on the 2d of *December*, they farther reſolv'd, in conformity to their Reſolutions in Committee, That towards the ſaid Supply, The Act for granting to his Majeſty a Subſidy of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported:

The Act for continuing ſeveral Duties, granted by former Acts, upon Wine and Vinegar, and upon Tobacco and *Eaſt-India* Goods, and other Merchandize imported:

The Act for granting certain additional Impoſitions upon ſeveral Goods and Merchandize:

The ſeveral Duties upon Paper, Vellum, and Parchment:

And the Rates and Duties upon Marriages, A.D. 1697.
Births, and Burials, &c. ſhould ſeverally be continued to the 1ſt of *Auguſt*, 1706.

And that the ſeveral Rates and Duties upon Houſes, for making good the Deficiency of the clipt Money, ſhould be continued to the 1ſt of *Auguſt*, 1710.

They alſo call'd for an Account of the annual Product of the ſaid Funds, which by a Paper preſented to the Houſe by the Chancellor of the Exchequer, appear'd to be (*c*) 1,043,542*l.* and they appointed a Committee to conſider and ſtate to the Houſe, the Nature of the ſaid Deficiencies, and of the ſeveral Duties already voted, and how the Former might beſt be provided for.

Bills paſs'd. But the Bills firſt diſpatch'd were, One for repealing an Act for taking off the Obligation and Encouragement of coining Guineas for a certain Time, the Reaſon which occaſion'd it, *viz.* the high and unuſual Price of Guineas, being ceas'd; and for importing and coining Guineas and Half-Guineas: A Second, for the farther remedying the ill State of the Coin, agreeable to the Reſolutions before ſpecify'd: And a Third to explane that Part of the Act paſs'd the Seſſion preceding, for laying ſeveral Duties on low Wines and Spirits of the firſt Extraction, &c. which related to the Payment of Tallies, and the Intereſt thereof: All which receiv'd the Royal Aſſent on the 3d of *December*.

Ways and Means. That, however, the general Committee had as yet made no farther Progreſs in the great Work of Ways and Means, was poſſibly owing to the Vote of Loan, which ſerv'd for a preſent Relief; as alſo, to the Diverſity of Opinions, which could not but ariſe, when the Object was ſo immenſe; and every working Brain in the Kingdom had a Method of his own to propoſe, which he preferr'd to every other: But this Diverſity of Opinions being at laſt reconcil'd, on the 21ſt Sir *Thomas Littleton*, the Chairman of the Committee, made his Report to the Houſe of Twelve Reſolutions they had come to, and which were all on the Queſtion ſeverally agreed to, as follow, *viz.*

That towards raiſing the Supply granted to his Majeſty, for carrying on the War againſt *France* for the Service of the Year 1697, a Duty be laid upon all Perſons, according to the true Value of their real and perſonal Eſtates, their Stock upon Land and in Trade, and their Income by Offices, Penſions, Profeſſions, Employments, or otherwiſe.

That a Duty of One Penny *per* Week, for one Year, be laid upon all Perſons not receiving Alms.

That over and above the ſaid Duty of One

The Account of the Failure of the Land-Bank, given to the Houſe by the Chancellor of the Exchequer, according to Order, was, That after all Manner of Expedients had been propos'd by the Commiſſioners (for taking Subſcriptions to the National Land-Bank) to render their Project palatable to the Public, the Books were open'd at *Exeter Change*, *June* 5. when the Lords of the Treaſury ſubſcrib'd 5000*l.* on the King's Behalf: That 2100*l.* more was all ſubſcrib'd, between that and the Expiration of the Term limited by the Act for taking the ſaid Subſcriptions: And that the ſaid Commiſſioners aſcrib'd the Cauſe of their ill Succeſs to be the large Intereſts allow'd upon all Securities, both public and private, at the ſame Time that they were limited to 5 *per Cent.*

(*c*) On a Medium of Three Years, as follow, *viz.*

Tonnage and Poundage	377,267
Wine and Vinegar	139,621
Tobacco	128,380
Eaſt-India Goods	149,754
Additional Imports	49,820
Do. on Paper and Parchment	50,000
Marriages, &c.	50,000
Windows	100,000

A. D. 1696. One Penny *per* Week, a farther Duty of a Farthing *per* Pound *per* Week be laid upon all Servants receiving 4 *l. per Annum* Wages, and upwards to 8 *l. per Annum* inclusive.

That over and above the said Duty of One Penny *per* Week, a farther Duty of One Halfpenny *per* Pound *per* Week be laid upon all Servants receiving Wages upwards of 8 *l. per Annum* to 16 *l. per Annum* inclusive.

That over and above the said Duty of One Penny *per* Week, a farther Duty of One Penny *per* Pound *per* Week be laid upon all Persons receiving Wages upwards of 16 *l. per Annum*.

That over and above the said Duty of One Penny *per* Week, a farther Duty of One Penny *per* Pound *per* Week be laid upon all Persons receiving any Salaries, Pensions, or other annual Payments, not charg'd upon Land.

That over and above the said Duty of One Penny *per* Week, the like Duty of One Penny *per* Pound *per* Week be laid upon the Profits of all Offices, Employments, and Professions, not otherwise charg'd.

That over and above the said Duty of One Penny *per* Week, a Duty of One Farthing *per* Pound *per* Month be laid upon all Persons, for their Money.

That over and above the said Duty of One Penny *per* Week, a Duty of one Halfpeny *per* Pound *per* Month be laid upon all Persons for their Stock in Trade.

That over and above the said Duty of One Penny *per* Week, a Duty of Twelve Pence *per* Month be laid upon all Persons for every 100 *l.* Stock upon Land.

That the Children (under Sixteen Years of Age) of all such Persons who are charg'd with One Penny *per* Week, only be excluded from paying the said Duty.

And that an Aid of Three Shillings in the Pound for one Year be laid upon all Lands, Tenements, and Hereditaments, according to the true yearly Value thereof.

So low did the House of Commons think it advisable to stoop at this Time, that all who were concern'd in the Fate of the Commonwealth, might assist in supporting the Load which the War had brought upon it.

The same Day it was order'd, That a Bill or Bills should be brought in agreeable to these Resolutions: Such a Bill was brought in accordingly by Mr. *Lowndes*, *January* 8; and 1696-7. a Provision was made in it, That hammer'd Money should be receiv'd in the Payment of these Duties at 5*s.* and 8*d.* an Ounce, which otherwise was to be receiv'd but at 5*s.* and 2*d.*: All the Deficiencies on Annuities and Monies borrow'd on the Credit of the Exchequer in general, were moreover transferr'd to this Aid: And by two other Clauses, the Treasury was enabled to borrow 1,500,000 *l.* at 8 *per Cent.* and also to circulate Exchequer Bills to the Amount of 1,500,000 *l.* more; for the cancelling of which the Surplus of all the Supplies of this Year were appropriated, the 3*s.* Aid excepted. A. D. 1696-7.

Capitation and Land-Tax Bill pass'd.

In three Weeks Time this Bill, complex as it was, pass'd thro' both Houses, and receiv'd the Royal Assent, under the soft Title of, *An Act for granting an Aid to his Majesty, as well by a Land-Tax, as by several Subsidies and other Duties, payable for one Year, to raise* (*d*) *Three Millions*; which being in general Terms, comprehended the ungracious Clauses of *Capitation* or *Head-Money*, without expressing them: And it is observable, that in the Edition of the Statutes at large, set forth in the Year 1706, it is not so much as nam'd: As, also, That on the 9th of *February*, the Commons, by express Vote, resolv'd, That the Aids, Subsidies, and other Duties granted thereby, was to be estimated or computed at Three Millions, towards the Supply for the Year 1697.

Bills to encourage the Coinage.

In the same Interval, they also voted 125,000 *l.* for making good the Deficiency in recoining the hammer'd Money, and the Recompence for bringing in Plate to the Mint to be coin'd at 5*s.* an Ounce; and in the Committee of Ways and Means, came to the following Resolutions for raising the said Sum, *viz.*

That a Duty of Sixpence *per* Ounce be laid upon all wrought Plate that shall *not* so be brought in.

That a Duty be laid upon all Paper, Pasteboard, Vellum, and Parchment.

That the said Duty upon Paper, Pasteboard, Vellom, and Parchment, made in this Kingdom, be 20 *l. per Cent.* according to the true Value thereof, to be paid by the Maker.

That the said Duty upon Paper, Pasteboard, Vellum, and Parchment, imported, be 25 *l. per Cent.* according to the true Value thereof, to be paid by the Importer.

That the said Duties be granted for two Years.

That a Duty be laid upon all Paper, Pasteboard, Vellum, and Parchment which any Person or Persons have in Stock for Sale.

That the said Duty be 17 *l.* 10*s.* 0*d. per Cent.* according to the true Value, to be paid by the Merchant and Retailer.

To the first of these Resolutions some Opposition was made: And when the Bill that was founded upon them was under consideration, a Motion was made for leaving out that Clause, which was so well supported, that the House divided upon it; but without Effect; for the Majority were still of Opinion, That the Necessities of the Public being extraordinary, they required as extraordinary Remedies.

At the same Time also, another Bill was before the House for the better Encouragement of such Persons who should bring in their Plate to supply the Coinage at 5*s.* and 4*d.* an Ounce; for which Purpose the Treasury was empower'd to issue 50,000 *l.* as part of the 125,000 *l.* granted by the preceding Bill: And yet another, which is unmention'd

(*d*) This last Particular was omitted in the Article of the *London-Gazette*, which gave an Account of the passing these Bills.

A. D. 1696-7. mention'd in the Statute Books, for continuing certain additional Impoſitions (*viz.* of 1692-3) from the 1ſt of *March*, 1696, to the 17th of *May*, 1697, for the Repayment of certain Loans for the Uſes of the War: All which ſeveral Acts receiv'd the Royal Aſſent on the 8th of *March*.

Further Proceedings on the deficient Funds, Bank, &c.

Nor did they, in this Interval, loſe Sight of the Proviſion they began to make, for the Deficiencies of former Funds: On the contrary, taking the Services of the Bank into Conſideration, the languiſhing Condition it was in, and the preſſing Neceſſity of retrieving its Credit, in order to retrieve that of the Public in general, they call'd firſt for the (*e*) Account current of the ſaid Corporation; and, having ſpent many Days in a general Committee on ſuch a Complication of Difficulties and Perplexities, on the 3d of *February* came to the following Reſolutions, *viz.*

That the Bank of *England* be enlarged by new Subſcriptions.

That the ſaid Subſcriptions be made by four Fifths in Tallies ſtruck upon parliamentary Funds, and one Fifth in Bank-Bills, or Notes.

That an effectual Proviſion be made by Parliament, for the Payment of the Principal of all ſuch Tallies as ſhall be ſubſcribed into the Bank, out of the Funds agreed to be continued.

That 8 *l. per Cent. per Annum* be allow'd and provided for all ſuch Tallies ſo to be ſubſcribed and brought in, and for all Tallies remaining in the Bank, to the Amount of ſuch Bills or Notes as ſhall be ſubſcribed with the ſaid Tallies.

That the Continuance of the Bank of *England* be enlarg'd until the 1ſt of *Auguſt*, 1710.

That all Aſſignments of Orders on Tallies, ſubſcribed into the Bank, be regiſtred in the Exchequer by the proper Owner thereof.

That before the Day be fixed for the Beginning the new Subſcriptions, the old Stock be made 100 *per Cent.* and that what ſhall excede that Value, ſhall be divided among the old Members.

That all the Intereſt due on thoſe Tallies, which ſhall be ſubſcribed into the Bank Stock, at the Time appointed for Subſcriptions, to the End of the laſt preceding Quarter on each Tally, be allow'd as Principal.

That Liberty be given by Parliament, to enlarge the Number of Bank Bills to the Value of the Sum which ſhall be ſo ſubſcrib'd, over and above the 1,200,000 *l.* provided they be oblig'd to anſwer ſuch Bills and Demand; and in default thereof, to be anſwer'd by the Exchequer, out of the firſt Money due to them.

That no *other* Bank, or any other Conſtitution whatever, in the Nature of a Bank, be erected or eſtabliſhed, permitted or allowed by Act of Parliament within this Kingdom, during the Continuance of the Bank of *England*. A. D. 1697.

That on ſuch new Settlement, the Bank of *England* be exempted from all Manner of parliamentary Tax, Aſſeſſments, and Impoſitions whatſoever.

That no Act of the Corporation ſhall forfeit the particular Intereſt of any Perſon concerned therein.

That Proviſion be made for the effectual preventing the Officers of the Exchequer, and all other Officers and Receivers of the Revenue, from diverting, delaying, or obſtructing the Courſe of Payments to the Bank.

That Care be taken to prevent the altering, counterfeiting, or forging any Bank Bills or Notes; as likewiſe, againſt the defacing, raſing, or altering any Indorſements upon any ſuch Bill or Note.

That the Eſtate and Intereſt of each Member in the Stock of the Corporation, be made a perſonal Eſtate.

That no Contract, Bargain, or Agreement made for any Bank Stock to be bought or ſold, be good or valid in Law or Equity, unleſs the ſaid Contract or Agreement be actually regiſtered in the Books of the Bank within ſeven Days, and actually transferred within fourteen Days next after the making ſuch Contract or Agreement.

And that a Bill or Bills be prepar'd and brought in upon the ſaid Reſolutions, and upon the Reſolutions for continuing the Duties of Tonnage and Poundage upon Wine, Vinegar, and Tobacco, &c. reſolv'd by the Houſe the 2d of *December* laſt.

Such a Bill was accordingly prepar'd and brought in under the Direction of the Chancellor of the Exchequer: And it being found, that the Funds already nam'd were not ſufficient to anſwer the Deficiencies comprehended in it, which amounted in the whole to 5,160,459,14 *l.* 9*d.* 3 *d.* it was farther reſolv'd, on the 18th of *March*, That for making good the Intereſt of all Tallies on the Deficiency of parliamentary Funds, a farther Duty of Two-pence a Gallon ſhould be laid on all foreign Salt, and a Penny on all *Engliſh* Salt, for two Years and three Quarters: A ſeperate Bill was alſo order'd on theſe laſt Reſolutions; but the Subject Matter being of a Piece with the other, it was at laſt inſerted therein; and all the ſeveral Branches made a general Fund (ſince call'd the general Mortgage) without Prejudice to their former

---

(*e*) Which they reduced to the following Compendium, and the Houſe was ſatisfied with, *viz.*

Dr.	*l.*	*s.*	*d.*
To ſundry Perſons for ſealed Notes ſtanding out	193,800	00	0
To Notes for running Caſh	765,196	10	6
To Monies borrowed in *Holland* (for the Army it muſt be preſum'd)	300,000	00	0
To Intereſt due upon Bills ſtanding out	17,876	00	0
	1,276,872	10	6

Cr.	*l.*	*s.*	*d.*
By Tallies on ſeveral parliamentary Funds	1,784,576	16	5
By Half a Year's Deficiency of the Funds of 100,000 *l. per Ann.*	50,000	00	0
By Mortgages, Pawns, Caſh, &c.	266,610	17	0
	2,101,187	13	5

A. D. 1696-7. former Appropriations: The Tallies, which had hitherto born ſo great a Diſcount, and which were thus carefully reſcued from the Diſcredit they had fallen into, were to carry 8 *per Cent.* And it was farther provided, that from the 10th of *June*, 1697, for five Years, no Præmium or Diſcount upon them ſhould be taken, nor more than 6 *per Cent.* Intereſt, under Forfeiture of treble the Value, and the Penalty which common Extortioners were liable to: If the general Fund thus conſtituted did not produce ſufficient to pay the whole of the Intereſt charg'd upon it, every individual Proprietor was to receive his Proportion of the Product: What was deficient, was to be made good out of the next Aid: And if the ſaid Fund produc'd more than the Intereſt, the Surplus was to operate as a Sinking Fund for the Diſcharge of the Principal.

This Act was paſs'd *April* the 1ſt, together with another for completing and adorning St. *Paul*'s Cathedral, and for repairing *Weſtminſter-Abbey*: And with regard to the Deficiencies of 840,000 *l.* which had aroſe by the Failure of the Land-Bank, on the Duties laid upon Salt, Coals, and Culm, and the Tonnage of Ships, and alſo for paying the Annuities on Lotteries, it was reſolv'd, That ſome new Duties ſhould be laid in their Stead: And accordingly a new Duty was laid upon Leather, for three Years, after the Rate of 15 *per Cent. ad Valorem*, to be paid by the Tanner and Dreſſer thereof; and of 15 *per Cent.* on all Leather imported, over and above the Duty already payable: But it being computed, that the Product of this new Duty would not exceed 560,000 *l.* it was farther reſolv'd, That for raiſing the Remainder, the Times ſhould be enlarg'd for Perſons to come in and purchaſe the Annuities payable by ſeveral former Acts, and obtain farther or more certain Intereſts in ſuch Annuities; and in default thereof, for admitting other Perſons to purchaſe or obtain the ſame, for carrying on the War againſt *France*: And that in caſe the ſaid Remainder be not rais'd thereby, then it ſhould be made good out of the firſt Aids to be granted in the next enſuing Seſſion.

Remedies provided by two Acts.

Thus by theſe two Acts all Clames and Demands on the Government were provided for; and the Credit of *fictitious* Wealth, in Tallies, Paper, &c. which began now to form a new Circulation through the Body-Politic, and was in time to repleniſh thoſe Ducts and Veſſels, which had before been occupy'd by *Specie* and *Bullion* only, was put on the beſt Footing that any thing ſo unreal could reſt on: Nor did that enterprizing Spirit, which now animated the State-Undertakings in Parliament ſtop here: For when theſe great Matters were in part perform'd, and the Proſpect of a Completion lay before them, they brought a Meſſage from his Majeſty, ſignifying, "That finding himſelf under very great Difficulties for want of Money to ſupply the Occaſions of the Civil-Liſt, he thought it neceſſary to remind the Houſe of that Part of his Speech which related to that Head, and deſir'd that ſpeedy Care might be taken to make effectual Proviſion for it." This produc'd a Motion for a ſuitable Supply; and ſome Days after the following Reſolutions were taken upon it, *viz.* That a Sum not exceeding 515,000 *l.* be granted for the Support of the Civil-Liſt for the Year 1697. That a Duty of 6 *d. per* Buſhel be laid upon Malt, to be paid by the Maker, for that Service: That, over and above the Duties already payable, a farther Duty of 4 *s. per* Hogſhead be laid on all Cyder and Perry, for two Years and a Quarter, to be paid by the firſt Buyer or Retailer: That, over and above the Duties already payable on Mum and Sweets, a farther Duty of 12 *s. per* Barrel on the Latter ſhould be paid by the Maker thereof, for two Years and a Quarter, and 10 *s.* on the Former.

A. D. 16.6-7.

Civil-Liſt ſupply'd.

They alſo reſolv'd, That a new Duty of 12 *l.* 12 *s. per* Tun ſhould be laid on all Wines, and 10 *per Cent. ad Valorem*, on all Goods made of, or mix'd with, Wool, Silk, or Hair, to be charg'd on the Maker, and paid by the firſt Buyer thereof: And the like Duty on the like Goods imported, to be paid by the Importer.

But theſe two laſt Meaſures appearing to be extremely detrimental to Commerce, and as extremely unpalatable without Doors, they were both dropt: And it was reſolv'd, That towards the Supply, inſtead of the Duty upon Wines, the Duties of the old Subſidy of Tonnage and Poundage upon Goods imported, dying Drugs excepted, according to the Book of Rates ſettled in the Year 1660, ſhould be doubled for two Years and three Quarters; and that an additional Aid of 1 *s.* in the Pound ſhould be laid on Land, &c. as an Equivalent for the Duty of 10 *per Cent.* on the ſaid mix'd Goods.

On theſe ſeveral Reſolutions, two Bills were form'd: The Firſt comprehended the additional Duties on Malt, Mum, Sweets, Cyder, and Perry; and alſo made Proviſion for the raiſing 1,400,000 *l.* by Lottery: The Tickets of this Lottery were at 10 *l.* each, and bore a Farthing a Day Intereſt; and 14 *per Cent.* was allow'd for prompt Payment, which might alſo be made in hammer'd Money at ſix *Shillings* an Ounce. In this Bill the general Appropriation of the Money granted this Seſſion, was contain'd; and as to the Product of the Money granted by this Bill in particular, 200,000 *l.* was in the firſt Place to be taken out of the Contributions to the Lottery for the Civil-Liſt: And for the 315,000 *l.* remaining, one Half of the ſaid Product was appropriated for the Payment thereof, and the other Moiety for the Service of the War: And in caſe the whole Number of Tickets were not purchas'd, thoſe remaining were, by the Managers of the Lottery, to be deliver'd into the Exchequer; from thence to be iſſued for the Uſes aforeſaid; and the Bearers were entitled to Chances, as if they had been original Contributors.

The Second was confin'd to the additional Subſidies and additional Land-Tax only: But, whereas in the Act for making good the Deficiencies of parliamentary Funds, and for

A. D. 1696-7. enlarging the capital Stock of the Bank, *&c.* it was provided, That Exchequer-Bills ſhould be receiv'd in all Payments to the Crown, except the Land-Tax: And the Bank (as if to proclaim, That from thenceforth They were to be the Money-Factors in ordinary for the Government) had offer'd to give their Specie Bills in exchange for Exchequer-Bills and Tallies; the Treaſury, by this Act, and on the Credit of it, were farther empower'd to iſſue 1,200,000 *l.* more in Exchequer Bills, bearing Intereſt Five-pence a Day for 100 *l.* and for Circulation 10 *per Cent.*

Farther Proviſion for the Tranſport Debt.

And that there might not be one ſore Place left unſearch'd or unprovided for, yet another Money-Bill was brought in to oblige *Hawkers* and *Pedlars* to take out Licences at certain Rates, as a farther Proviſion for the Intereſt of the Tranſport-Debt for the Reduction of *Ireland*, which the Duties on Coffee, *&c.* had not prov'd ſufficient to anſwer.

All theſe ſeveral Money-Bills receiv'd the Royal Aſſent on the ſame Day: And in a printed Pamphlet, publiſh'd at the End of the Seſſion, and ſtill extant, Mr. *Montagu*, Chancellor of the Exchequer, is extoll'd to the Skies; not only as the great Contriver and Conductor of them, but as the leading Genius of the Times: To his Zeal and Addreſs, his Sagacity and Activity, his Application and Reſolution, the Reſcue of the Government out of ſo many Difficulties, the Re-eſtabliſhment of the public Credit, and the Redreſs of that univerſal Grievance ariſing from the adulterate State of our Coin, and the manifold Miſchiefs it was almoſt every Hour bringing forth, was aſcrib'd; in ſo much, that the King was not more eſteem'd the Saviour of the Nation, than He of the Government.

But great as theſe Services really were, when conſider'd in a miniſterial Light, and deſervedly valuable as ſuch a Miniſter was in a Reign of Expedients, it is not wholly unſuppoſable, that both the Man and his Merits were ſomewhat over-rated in theſe Party-Legends: In the extraordinary Proviſions of this Seſſion, there might be at leaſt as much Cunning and Job-work, as Wiſdom and Uprightneſs: The Re-coinage was a neceſſary Undertaking; but the Fine paid for it was enormous: And while the Nation was leaſing out to Extortioners and Uſurers, thoſe Blood-ſuckers, and their Confederates of all Ranks and Degrees, acquir'd Eſtates of ſuch a Size, and in ſo ſhort a Time, as, ſince the Diſſolution of the religious Houſes, had never in this Country been ſo acquir'd before.

Nor was this the worſt Conſequence of this extraordinary Practice on a Conſtitution, that now, for the firſt Time, appear'd to have the Symptoms of a conſumptive Habit upon it: For the Succeſs taught other Practitioners to go ſuch Lengths in the ſame way, and to make ſuch Experiments on the Commonwealth, as if they believ'd it was never to be exhauſted; as if Oppreſſion would rather tame than provoke the People; as if the only Uſe of private Property was to feed public Profuſion; and as if by a peculiar Interpretation of the Boaſt in the Panegyric on Mr. *Montagu* and this Parliament, firſt quoted, namely, That They had laid a *good Foundation for* Paper Money *to ſupply the Place of Silver Coin*, all the Functions of the Commonwealth could be diſcharg'd by Paper-Money only. A. D. 1696-7.

Caſe of Sir John Fenwick.

But to return:—For ſome Part of the Time that theſe great Money-Matters were in Agitation, the Caſe of Sir *John Fenwick*, which had ſomething very alarming in it, and the Proſecution of whom the Court ſeem'd to have much at Heart, was brought before the Parliament:—At whoſe Inſtance, by what Management, and for what Purpoſe, the Courſe of our Narrative will in a good degree explane; tho' for want of more preciſe Documents, not ſo fully as may be wiſh'd.

Sir *John*, when firſt apprehended at *New Romney*, had, with a black Lead Pencil, writ a haſty Letter to his Lady, but directed to her Woman; in which he ſaid, *Nothing could ſave his Life* but the Endeavours of the Lord *Carliſle*, his Brother, the Family of the *Howards*, &c. or elſe the ſecuring a Jury: This Letter he gave in charge to *Webber*, who had accompany'd him; but in its Paſſage to *London*, it fell into the Hands of the Mayor of *Canterbury*, who tranſmitted it to the Lords-Juſtices; and the Conſequence was, that Sir *John* being examin'd by their Excellencies, and ſtoutly denying all that was alledg'd againſt him, the Letter was produc'd, with a Signification, *That he was of another Mind when he wrote it*; the Surprize of which had ſuch an Effect upon him, that he could not conceal his Dismay and Confuſion, or behave any longer before them but as a Criminal Self-convicted: Upon which, and upon hearing a Bill had been found again him by the Grand-Jury, he was led to petition for a Delay of his Trial, and to enter into a ſort of Treaty with the Court, by the Interpoſition of the Duke of *Devonſhire*, for his Life: He offering, upon Honour, to reveal all he knew, provided he might have a Pardon, and be excus'd from acting the Part of an Evidence: His Propoſal was taken in writing, and forwarded to the King in *Flanders*, who, as Biſhop *Burnet* expreſſes it, "refuſed *That*, and would have it left to himſelf to judge of the *Truth* and *Importance* of the Diſcoveries: So, continues his Lordſhip, He reſolving to caſt himſelf on the King's Mercy, ſent him a Paper, in which, after a *bare* Account of the Conſultations among the *Jacobites* (in which he took care to charge none of his *own Party*) he ſaid, That King *James*, and thoſe who were employ'd by him, had *aſſur'd* them, That both the Earls of *Shrewſbury* and *Marlborough*, (his Lordſhip might have added *Granville* Earl of *Bath* too) the Lord *Godolphin*, and Admiral *Ruſſel*, were reconcil'd to him, and were now in his Intereſts, and acting for him. This was a Diſcovery that could ſignify nothing, but to give the King a *Jealouſy* of thoſe Perſons: For he did not offer the leaſt Shadow or Circumſtance,

Enters into a Treaty with the Court.

Burnet's Account of his Confeſſion.

A. D. 1696-7. ſtance, either of Proof or Preſumption, to ſupport this Accuſation. The King, not being ſatisfy'd herewith, ſent an Order for bringing him to a Trial, unleſs he made *fuller* Diſcoveries: He deſir'd to be further examin'd by the Lords Juſtices, to whom he, being upon Oath, told ſome more Particulars; but he took care to name none of his *own Side*, but thoſe againſt whom Evidence was already brought, or who were ſafe and beyond Sea: Some few *others* he named, who were in Matters of leſs Conſequence, that did not amount to High Treaſon: He own'd a Thread of Negotiations, that had paſs'd between them and King *James*, or the Court of *France:* He ſaid, the Earl of *Aylesbury* had gone over to *France*, and had been admitted to a private Audience of the *French* King, where he had propos'd the ſending over an Army of 30,000 Men, and had undertaken, that a great Body of Gentlemen and Horſes ſhould be brought to join them: It appear'd by his Diſcoveries, that the *Jacobites* in *England* were much divided; [as we have ſeen the Court of St. *Germains* alſo was, under the Earls of *Middleton* and *Melfort*] ſome were call'd *Compounders*, and others *Noncompounders:* The Firſt Sort deſir'd Securities from King *James*, for the Preſervation of the Religion and Liberties of *England*; whereas the Second Sort were for truſting him upon Diſcretion, without aſking any Terms; putting all in his Power, and relying entirely on his Honour and Generoſity.

Fenwick put all this in writing, upon Aſſurance, that he ſhould not be forc'd to witneſs any Part of it: When that was ſent to the King, all appearing to be ſo *trifling*, and no other Proof being offer'd for any Part of it, except his own Word, which he had ſtipulated, ſhould not be made uſe of, his Majeſty ſent an Order to bring him to his Trial: But as the King was ſlow in ſending this Order, ſo the Duke of *Devonſhire*, who had been in the ſecret Management of the Matter, was for ſome Time in the Country: The Lords Juſtices delay'd the Matter till he came to Town: And then the King's coming was ſo near, that it was reſpited till he came over: By theſe Delays, *Fenwick* gain'd his main Deſign in them, which was to practiſe upon the Witneſſes."

Now it was ſo much the more neceſſary to give the very Words of this Prelate, be-
[Tindal.] cauſe a late Writer, who for the general tranſcribes him whole, as if he had told all the Truth, and nothing but the Truth, aſſerts, That it was by the Suggeſtion of the Earl of *Monmouth (Mordaunt*, afterwards Earl of *Peterborough)* that he was induc'd to ſet up a Counter-Plot, by impeaching ſeveral of the King's *beſt Friends*; whereas the Biſhop does not introduce that Nobleman as taking a Part in this Affair, till after *Fenwick* had made his Confeſſion, as we ſhall ſee in its Place, and is moreover expreſs, That he, *Fenwick*, ventur'd upon that Practice, only to gain Time.

But if it cannot be admitted, that the *Aſſurances* he and other *Jacobites* had receiv'd, concerning the King's *beſt Friends*, had any ratio- A. D. 1696-7.
nal Foundation, it muſt be concluded, That he was led into that Snare by the King's Anſwer, by which he found, That his Diſcoveries were to be *important* as well as *true*, if he expected to live: And having no more Truth to reveal, than had been reveal'd already, he thought it the leaſt criminal Courſe he could take, to bid for his Life at the Expence of Thoſe who could not be hurt.

So extremely miſtaken, however, was he in this Meaſure, that in making ſo many powerful Enemies by it, he ratify'd his own Ruin: And when he found himſelf endanger'd by the Recoil of his own Piece, he had recourſe to thoſe Practices on the Witneſſes, of which we are next to ſpeak.

Thoſe were *Porter* and *Goodman*, on whoſe *Practices to take off the Witneſſes againſt him diſcover'd by Porter.*
Evidence *Cooke* had been condemn'd, and who having been kept in hand, to be forthcoming againſt all who were preſent at the ſame Meeting, it was obvious to every Body acquainted with the cruel Maxims of Courts, That whenever they were brought forward again, no Practice would be left untry'd to procure a Verdict ſuitable to the Former: For in this Reign, as well as thoſe preceding it, the King's Witneſſes were not to be diſgrac'd; and the Acquital of *Fenwick*, would have drawn into queſtion the Condemnation of *Cooke*, and moſt probably indemnify'd all the reſt of the Conſpirators.

Both of them were Men of infamous Characters and no Principle; conſequently, were obvious to Corruption: And as *Porter* was the moſt conſiderable Perſon of the two, the Attempt was firſt made on him by one *Clancy*, who made him an Offer of 300 Guineas to bear his Charges into *France*, of a Bill for 300 more when he was arriv'd, and of a Settlement of 300 *l.* a Year for his Life: *Porter*, on the other Hand, reflecting, That if it was worth the while of thoſe concern'd for the Priſoner, to make him ſuch an Offer, it was better worth the while of the Court to make him a larger Conſideration for betraying ſuch a Secret: Accordingly, as *Burnet* tells the Story, " he hearken'd ſo far to the Propoſition, that he drew thoſe who were in Treaty with him, together with the Lady *(Fenwick)* herſelf, who CARRY'D the Sum he was to receive to a Meeting, where he had provided Witneſſes who ſhould over-hear all that paſs'd, and ſhould, on a Signal, come in and ſeize *them* with the Money; which was done; and on a Proſecution the Practice was fully prov'd, and the *Perſons* concern'd in it were cenſur'd and puniſh'd." This is the Biſhop's Story: But as *Porter* himſelf related it to the Houſe of Commons, by whom he was requir'd to give it *at large*, he had the Money of *Clancey*, not of Lady *Fenwick*, who was not preſent when it was paid, and who only told him, That what *Clancey* had propos'd, ſhould certainly be made good: Nor was Lady *Fenwick*, or any other Perſon beſides *Clancey*, (of whoſe Conviction, and the Sentence paſs'd upon him, which was to pay a Fine of 500 Marks, to ſtand in the Pillory three Times, and to find Security for his good Behaviour during a Year, an oſtentatious Account

was

A. D. 1696-7. was printed in the *Gazette*, No. 3228) queſtion'd for it.

Soon after *Clancey*'s Trial, which was in *October*, *Goodman* diſappear'd, and a Reward of 1000 *l.* was offer'd by Proclamation to any Perſon or Perſons who ſhould apprehend him; but without Effect; ſo well he had taken his Meaſures, or ſuch Care had been taken of him, that he could not be heard of: And now but one Witneſs remaining, the Priſoner had ſome Reaſon to believe, That he was ſafe.

But tho' he was out of the Reach of the Law, it was reſolv'd that he ſhould not be out of the Reach of the Law-Makers: And the Method of Proſecution pitch'd upon, was by Attainder, which, ſays the *Hiſtorian of his own Times*, (who on this Occaſion becomes an *Apologiſt* proſeſs'd, becauſe a profeſs'd Undertaker in the Job) had been always practis'd amongſt us, at all Times; and he gives us a great Variety of Inſtances out of the Records of former Reigns: But then he admits, theſe Attainders had been often unjuſt, and as often revers'd for that Reaſon: And the very Truth is, That moſt of his own Inſtances bear Witneſs in behalf of the Subject againſt the Uſe of ſuch an Engine of Oppreſſion in a free Country, becauſe ariſing like This, from the *Violence of the Times*, and generally apply'd to iniquitous Purpoſes: Beſides, in his *own* Hiſtory of the *Reformation*, he pronounces, That the attainting *Perſons in Cuſtody, without bringing them to Trial, could not be enough condemn'd, as being a Breach of the moſt ſacred and unalterable Rules of Juſtice.*

Burnet's *Plea for Attainders.*

Fol. 359, 360.

But his Lordſhip had not only forgot what he had writ on that Occaſion, but alſo what he had writ in his former Volume of the *Hiſtory of his own Times*, concerning *Tortures* as us'd in *Scotland*, and of the terrible Idea conceiv'd of the Duke of *York*, for taking a ſort of Delight in inflicting them: For in order to ſet the better Colour on this Bill, he drops ſome Expreſſions which ſeem to favour the (*f*) Expediency of uſing them: And having laid down two Rules for all Bills of this Nature, which he preſumes to be comprehenſive enough to include the whole of the Proceding; namely, 1. That the Matter ſhould be of a very extraordinary Nature: And, 2dly, That the Fact ought to be ſo evidently true, that tho' a Court of Law could not proceede upon it, yet no Man could raiſe in himſelf a Doubt concerning it, takes it for granted, that he has effectually juſtify'd himſelf and his Friends to all Poſterity:—Whether with Law and Juſtice on his Side, or againſt Both, let the Sequel demonſtrate.

The Perſon who was the Inſtrument of bringing the Affair before the Houſe of Commons, was Admiral *Ruſſel*, who took an Opportunity to acquaint the Houſe, That his Majeſty had given Leave to lay before the Houſe ſeveral Papers, in the Nature of Informations, of Sir *John Fenwick*, in which He, and ſeveral other Perſons of Quality, were reflected on, and deſir'd they might be read. And made it his Requeſt, That he might have an Opportunity to juſtify himſelf, or in caſe he did not, he might fall under the Cenſure of the Houſe. Mr. Secretary *Trumbal* then made an Offer of producing the Papers, which, being call'd for, were produc'd accordingly and read: After which it was order'd, That Sir *John Fenwick* ſhould be brought immediately before them; and that no Perſon ſhould, in the mean Time, ſpeak with him, or give or receive any Paper from him. Thus the Juſtification of Admiral *Ruſſel*, and the Reſt, ſeem'd to be the only Point in view: But when the Priſoner was brought to the Bar, he was requir'd by the *Speaker*, in the Name of the Houſe, to make a full and ample Diſcovery of all he knew concerning the Deſigns and Practices of the Enemies of the Government; and his Anſwer was ſuch as became a Man in his Circumſtances, *viz.* That he did not know but what he ſaid might hurt himſelf; and therefore he deſir'd ſome Security; in which caſe he was willing to tell the Full of all he knew. This the Houſe would not engage for; but as the King had done before, gave him to underſtand, That the beſt way to obtain this Favour, was to deal ingenuouſly with them: But Sir *John*, it ſeems, had no Opinion of the Candour of a Majority; and for that Reaſon, it may be preſum'd, kept on the Reſerve as before; ſaying, He was in the Hands of the Law:—He was apprehenſive of the King's Diſpleaſure:—He had acquainted his Majeſty fully with all he knew:—He was beſet with Dangers:—He deſir'd the Houſe to conſider the Hardſhip of his Caſe:—He was unwilling to offend the King:—He was unwilling to offend the Houſe:—Neither Apologies or Remonſtrances, however, would be accepted in lieu of Informations:—He was commanded to withdraw:—And it was debated, Whether he ſhould be made acquainted with their having the Informations he had already given before them:—Whether any Menaces ſhould be made uſe of to extort the Truth from him:—And whether his Majeſty's Conſent, already given to this Examination, ſhould be imparted to him:—But all theſe Motions were over-rul'd: The Firſt, becauſe it was ſaid, he would then be govern'd in his Anſwers by theſe Papers only: The Second, becauſe it was thought unfair to force a Confeſſion from him: And the Third, becauſe it was thought inconſiſtent with the Privileges of the Houſe.—When, therefore, he was call'd in again, and requir'd to ſatisfy the Houſe, the Points urg'd

A. D. [illegible] Feb. [illegible] formations [illegible] ſted in [illegible] Cenſure of the Houſe. Ruſſel

Sir John knew he before the Houſe, and requir'd to ſatisfy all he knew.

which he declines.

(*f*) *Viz.* "The Legiſlature was, indeed, bound to obſerve Juſtice and Equity, as much, if not more, than the inferior Courts; becauſe the ſuperior Court ought to ſet an Example to all others: But they might ſee Cauſe to paſs over Forms, as Occaſion ſhould require. This was the more reaſonable amongſt us, becauſe there was no Nation in the World beſides *England*, that had not recourſe to *Torture* when the Evidence was probable but defective: That was a mighty Reſtraint, and ſtruck a Terror into all People: And the freeſt Government, both antient and modern thought they could not ſubſiſt without it, *&c.*".

A. D. 1696-7. urg'd by the Speaker were, That this being the proper Place of *Enquiry* into what related to the King and the Government, he had no Reaſon to apprehend his Majeſty's Diſpleaſure: That in caſe he dealt candidly by the Houſe, he had no Reaſon to apprehend he ſhould ſuffer any thing by it, for nobody had ſuffer'd who had ſo dealt by it: That it was in his Power to deſerve the Favour of the Houſe: That the Houſe requir'd him to make a full Diſcovery:—And that this was the laſt Time the Houſe would make that Requiſition.

Some other Altercations paſs'd between the Chair and the Priſoner, but pretty much to the ſame Effect: And upon the Iſſue the Latter declar'd, That not being very good at ſpeaking, nor able to make uſe of his Memory ſo *ſuddenly*, in caſe he might have a little Time, he would do what the Houſe pleaſed to command him.

Nor was the Requeſt unreaſonable, tho' the Majority affected to think ſo: For he was told, The Enemies of the King and of the Nation, ought to be diſcover'd as ſoon as poſſible: And this being a Matter within his own Knowledge, the Houſe did not think fit to give him Time: But if they found by his Diſcovery, that he dealt candidly and ingenuouſly with them, and told them as much as he could recollect, they would *conſider* of his Requeſt of *giving him Time for the reſt*. Finding himſelf thus preſs'd, he gave the Houſe to underſtand, That the Anſwer to all the Informations he had hitherto given, in order to merit a Pardon and an Exemption from turning Evidence, had been, That they were not *ſatisfactory*: And therefore he perſiſted in demanding the Security of the Houſe; that he might not be told at laſt, That all he had ſaid was not *ſatisfactory*.—The Reſult of all was, That he was directed to comply with the Pleaſure of the Houſe, or withdraw: He choſe the Latter: Upon which it was reſolv'd, (*g*) That the Papers read this Morning, As Sir *John Fenwick*'s Informations, reflecting on the Fidelity of ſeveral Noblemen, divers Members of that Houſe, and Others, only by *Hearſay*, were falſe and ſcandalous, and a Contrivance to undermine the Government, and create Jealouſies between the King and his Subjects, in order to ſtifle the Conſpiracy: And a Motion being ſoon after made, For Leave to bring in a Bill to attaint him of High Treaſon, a warm Debate enſued, which ended in a Diviſion of the Houſe, when it appear'd, that the Queſtion was carry'd in the Affirmative by no leſs than 179 Voices againſt 61.

A Vote of Cenſure paſs'd on his Information.

A Bill of Attainder order'd.

The Attorney and Solicitor Generals, that is to ſay, *Trevor* and *Hawles*, (the Latter of whom had taken ſo much Pains, in *print*, to expoſe the hard Uſage which Lord *Ruſſel*, Colonel *Sydney*, &c. had receiv'd from the Violence of the Times in the late Reigns) were order'd to bring in the ſaid Bill: On the Third Day after it was brought in, and having been read for the firſt Time, occaſion'd another fierce Debate, which laſted ſeveral Hours; and in the Courſe of which one Mr. *Manley*, being ſo far tranſported as to ſay, "That it would not be the firſt Time Peo- "ple had repented their making their Court "to the Government, at the Hazard of the "Liberties of the People." Such was the Clamour rais'd againſt him, that, notwithſtanding all the Qualifications he could urge, he was, upon the Queſtion, committed to the *Tower*, as Mr. *Coke* had been in the preceding Reign; from whence he could no otherwiſe be enlarg'd than by Petition, acknowledging an Offence, begging Pardon, &c. So ſcrupulouſly were *Forms* obſerv'd when a Complement was to be paid to the Court, at a Time when a Rule was laid down, That they ought to be diſpens'd with in the Caſe of a Subject, whoſe Fortune, Life and Honour were at Stake! After which, it is ſcarce neceſſary to ſpecify, That the Iſſue of this Debate no otherwiſe differ'd from the Former, than as the Numbers were different; for now the Yeas were 196, and the Noes 104: What follow'd were certain Orders, That the Priſoner ſhould have a Copy of the Bill, and the Uſe of Pen and Ink; to which, at his Requeſt made by Letter to the Speaker, an additional Order was made on the Morrow, That he might have Leave to confer with his Council and Solicitor alone, which the Keeper of *Newgate* had deny'd him: The Council he nam'd in his Letter, were Sir *Francis Pemberton*, (formerly Lord Chief Juſtice) Sir *Thomas Powis*, and Sir *Bartholomew Shower*: But when he afterwards apply'd by Petition to be heard by his Council at the Bar of the Houſe, they granted him but *Two*; and whereas he alledg'd in his ſaid Petition, That they had many weighty Reaſons to offer againſt the ſaid Bill, and the Prayer of it was, That they might be heard *againſt paſſing it*, They put a material Change upon him, in the wording their Order upon it: For it is therein ſaid, That Sir *John Fenwick* be allow'd Two Council at the Bar of the Houſe to make his *Defence*: And this was follow'd by two other Orders, That ſuch of his Majeſty's Council as were not Members, ſhould attend on the Morrow, to produce the *Evidence* againſt him; and that Sir *John Fenwick* ſhould be brought to the Bar: So that in the very Inſtant of granting him Council, an Expedient was found to render them of little or no Uſe to him; and to ſurprize him into an *irregular Trial* for his Life, when the Drift of his Petition apparently was to obviate, the Snare. That, however, his Council ſhould not be aware of the Conſequence of two ſuch Orders, when conſider'd conjunctively, and ſhould undertake to manage ſo nice a Point at ſo ſhort a Warning, is not ſufficiently to be wonder'd at: To offer their Reaſons againſt the Bill, according

Manley, a *Member, committed to the Tower for giving Offence to the Houſe.*

Fundamental Errors committed by Sir John's Council.

A. D. 1696-7.

(*g*) Note, in the Books ſet forth in the Year 1702, under the Title of, The Proceedings againſt Sir *John Fenwick*, &c. both this Vote, and many other material Circumſtances, are not mention'd.

A. D. 1696-7. cording to the Prayer of the Petition, possibly was but reasonable: But to attend in *Defence* of the *Man*, according to the *Letter* of the Order, was certainly one of the greatest Mistakes that ever was made: For they could not enter upon his *Defence*, without submitting to a *Trial*: And they could not but foresee, that in such case, the same Majority which could be induc'd from Party-Prejudice or Connection, Duty of Office, or any political Refinement of any Sort, to give their Sanction to the *Whole* of any such Proceding, would scarce boggle at any *Part* of it: Their Duty then, it certainly was, to insist, on the Prisoner's Behalf, That his Cause was already before his Country in the ordinary Way; and that the Issue of a Bill found by the Grand Jury, was in the same way only pleadable before the Petit Jury: As, also, when they found their own Arguments, and the Prisoner's Birthright over-rul'd by a Vote of the House, to have interested the Lords in his Behalf, by a solemn Appeal to them, Whether the Commons, who could not examine upon Oath, could act as a Court in a capital Case? And by as solemn a Prayer, That the Prisoner might have the Benefit of their Sovereign Jurisdiction.

But to procede: When the Morrow came, and it appear'd, That Curiosity had drawn together Numbers of People, it was thought proper, as a preparatory Measure, to have the Speaker's Chamber, the Lobby, *&c.* clear'd of all Strangers; which was done accordingly, with an Exception to such of the Lords as were there to attend the Debate, and whose Presence was conniv'd at.

Debate concerning the Mace.

But before the Prisoner and his Council were admitted, a Debate arose on the following Difficulty, Whether the Serjeant with the *Mace* ought to stand by the Prisoner at the Bar, or whether the *Mace* ought to lye upon the Table? The Courtiers insisted, That the *Mace* should be at the Bar, because the Prisoner was in the Custody of the Serjeant: But the Opposers maintain'd, He would nevertheless be in the Serjeant's Custody, tho' the *Mace* was on the Table: And farther, That if the *Mace* was at the Bar, all the Members would be *muzzled*: That the Bill could not be read unless the *Mace* was at the Table, *&c.* The Courtiers would not, however, recede from their Point, tho' they could not refute their Adversaries; and for an Expedient it was at last admitted, That the *Mace* might be at the Bar while the Prisoner stood there: And that if any Member had any thing to say, he need only desire, That he and his Council might withdraw; for then they must withdraw of course, and of course the *Mace* must be laid upon the Table, when every Member would find himself at Liberty as before: Then as to the reading of the Bill, it was also agreed, That it should be read to the Prisoner, as the Charge against him, which He and his Council were to reply to: But then it should not be esteem'd a second reading of the Bill, according to the Forms of the House: What follow'd was the bringing the Prisoner to the Bar, together with the Council for and against him: After which the Speaker, addressing himself to Sir *John*, said to him in Substance, That the House having been inform'd, That he had been engag'd in a horrid Conspiracy against the Life of his Majesty, and for bringing in a *French* Force to invade the Kingdom, of which he had been indicted, to the End that he might not go unpunish'd, *in case he was guilty*, had order'd in a Bill to attaint him for High Treason, which had been once read, and which would be read to him; after which the *Evidence* against him would be heard, and he would have Liberty to make his *Defence*: That the House, as a Favour, had granted him the Assistance of Council, which they expected he would make a *good Use* of: That he was also to acquaint his said Council, That the House did reckon their own Prudence would so guide them, as not to give any just Offence to the House: And that they would not be allow'd to question the Power of Parliaments to pass Bills of Attainder, of which the House were more proper Judges than any private Person.

Order thereon.

Fenwick brought to the Bar.

A. D. 16[illegible]. *The Speaker instructs the Council for the Prisoner.*

The Bill was then read, and tho' an Original, not being in our Statute-Books, deserves to be remember'd here.

The Bill.

"Whereas Sir *John Fenwick*, Bart. was, upon the Oaths of *George Porter*, Esq; and *Cardel Goodman*, Gent. at the Sessions of *Oyer* and *Terminer* held for the City of *London*, on the 28th Day of *May*, 1696, indicted of High Treason, in compassing and imagining the Death and Destruction of his Majesty, and adhering to his Majesty's Enemies, by consulting and agreeing with several Persons (whereof some have been already attainted, and others not yet brought to their Trial for their said Treasons) at several Meetings, to send *Robert Charnock*, since attainted and executed for High Treason, in conspiring to assassinate his Majesty's sacred Person, (whom *God* long preserve) to the late King *James* in *France*, to incite and encourage the *French* King to invade this Kingdom with an armed Force, by promising to join with, and assist, him with Men and Arms upon such Invasion: And whereas the said Sir *John Fenwick* did obtain his Majesty's Favour, to have his Trial delay'd from Time to Time, upon his repeated Promises of making an ingenuous and full Confession of all his Knowledge, of any Design or Conspiracy against his Majesty's Person or Government, and of the Persons therein concern'd: And whereas he has so far abus'd his Majesty's great Clemency and Indulgence therein, that, instead of making such Confession, he hath contriv'd and fram'd false and scandalous Papers as his Informations, reflecting on the Fidelity of several noble Peers, divers Members of the House of Commons, and others, only by *Hearsay*; and contriving thereby to undermine the Government, and create Jealousies between the King and his Subjects, and to stifle the real Conspiracy: And whereas *Cardel Goodman*, one of the Witnesses against the said Sir *John Fenwick*, to prove the said Treason, lately, and since the several Times appointed for the

A.D. 1696-7. the Trial of the ſaid Sir *John Fenwick*, at one of which Times the ſaid Sir *John Fenwick* had been accordingly try'd, had it not been for the Expectation of the ſaid Diſcoveries ſo often promis'd by him, is withdrawn; ſo that the ſaid *Cardel Goodman* cannot be had, to give Evidence upon any Trial; Be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Sir *John Fenwick* be, and is hereby convicted and attainted of High Treaſon, and ſhall ſuffer the Pains of Death, and incur all Forfeitures as a Perſon attainted of High Treaſon."

The Speaker, in the next place, call'd upon the King's Council, Serjeant *Gould* and the Recorder *Lovel*, to open the Evidence they had to prove the Suggeſtions of the Bill, which were, in ſhort, no other than theſe, That the Priſoner had been indicted of High Treaſon, on the Oaths of *Porter* and *Goodman*: That to procraſtinate his Trial, he had amus'd the Miniſters with falſe and ſcandalous Papers, which he had call'd Informations: And that *Goodman*, one of the ſaid Witneſſes, was withdrawn. *Gould*, however, in the fulſome Cant of the Bar, enlarg'd on all the Circumſtances which conſtituted the Treaſon, and which, according to Law, ſhould have been prov'd by living Witneſſes: And having juſt hinted, that his Trial had been delay'd, in conſequence of his frequent Aſſurances of making a Diſcovery, infer'd from the Attempt made on *Porter* by *Clancey*, under the Countenance of Lady *Fenwick*, which he took care to recite very circumſtantially, that *Goodman* was withdrawn by *Contrivance to take off the Proſecution:* And, after throwing in theſe Words, *And thus far we* SUSPECT *Sir* John Fenwick *may be concern'd*, mention'd the Contents of the Priſoner's intercepted Letter, and then concluded with ſaying, "Theſe Things we ſhall humbly hope to prove according to our Duty, and then, according to the Order of the Houſe, leave Sir *John* to make his *Defence:*" But firſt Mr. Recorder *Lovel* was to be heard; and he more notably aſſerted, That the *Indictment* found againſt the Priſoner, was agreable to the late Act for regulating Trials; for it had been found on the Oaths of two Witneſſes to the ſame Treaſon: That *Cooke* had been convicted and condemn'd for the ſame Treaſon, by the ſame Witneſſes: That in the Matter ſworn againſt *Cooke*, it appear'd that *Fenwick* was equally concern'd; and that He did withdraw himſelf, and fled.

Harangues of the King's Council, &c.

Such was the Subſtance of their Harangues: And the next Step they took was to deſire, that one *Baker*, the King's Solicitor in that Cauſe, might be call'd in to give an Account of the ſaid Indictment: And now it was that the Priſoner's Council became (tho' but in Part) ſenſible of the Error they had committed in attending at the Bar, in conſequence of an Order ſo inſidious, which ſeeming to correſpond with the Priſoner's Prayer, was nevertheleſs ſo repugnant to it: For Sir *Thomas Powis* objected to the Method of proceeding propos'd by the King's Council: Said it was Matter of *Surprize* to them: That they did not find their Client had receiv'd the leaſt Notice of any ſuch Purpoſe, or to prepare himſelf by Counter-Evidence, if he had any: That all they came prepar'd for, was to give their Reaſons againſt the Bill, *&c.* Sir *Bartholomew Shower* alſo ſpoke to the ſame Effect, with this Addition, That as Sir *John* had no Notice to provide his Witneſſes, ſo neither had he any way to *compel them to come:* That as to the Poſſibility of their being ready to make his Defence againſt Matter of Fact, they had no Notice of the Order for bringing him to the Bar that Day, till Nine or Ten o'Clock the Night before: And that as to the Suggeſtions of the Bill, namely, That there was an Indictment: That Witneſſes had been ſworn: That one was withdrawn: That their Client had prevaricated in his Confeſſion, they were ready *ſo far* to procede in his *Defence*.

They proceed to call Evidence, which is oppos'd by the Council for the Priſoner.

A.D. 1696-7.

This Diſagreement of the Council, occaſion'd an Order for their withdrawing; and the Matter came of courſe to be debated by the Houſe, which Debate was open'd by Sir *Thomas Lyttleton* on the Court Side, who inferring, That the Senſe of the Orders of the Houſe, and the Method of proceding propos'd by the King's Council, were of a Piece; thereby acknowledg'd, in effect, That the ſaid Orders, and the Prayer of the Priſoner's Petition, were not ſo: For, ſaid He, "Sir *John*'s Petition was to be heard downright againſt the Bill: If it was your Intention to hear him to That, and to *That* only, I conceive you would not have worded your Anſwer as you did."

They are order'd to withdraw, and a Debate enſues.

But tho' an Artifice ſo unbecoming the high Pretentions of the Houſe, and ſo unfit to be employ'd againſt a Subject who had, in ſome Meaſure, thrown himſelf on the Mercy of the Government, was thus ſtrongly indicated, nobody ſtood up to expoſe that Artifice, or to ſhew how hard it was to inſiſt on the Priſoner's joining Iſſue in a Proceding which he was ſo unfairly drawn into: On the contrary, Lord *Norreys*, who anſwer'd Sir *Thomas Lyttleton*, overlooking the Order in anſwer to the Prayer of the Petition, admitted the Order to the King's Council for producing *Evidence*, was fairly worded; and only pleaded, That the Priſoner had not receiv'd timely Notice of: By which Means the Courtiers carry'd their great Point at once; Of having the Trial before them, without the Trouble of even putting the Queſtion upon it: And the whole Debate of the Day (which was extremely long, and diſcover'd a great Diverſity of Opinions, both as to the Propriety of the Bill, and the Manner of proceding upon it) terminated in theſe two Queſtions, *viz.* 1ſt. That Sir *John Fenwick* be allow'd farther Time to produce Witneſſes in his Defence, againſt the Charge of High Treaſon; and that he give in a Liſt of his Witneſſes to the Speaker: And, 2dly, That the Council, in managing the Evidence againſt him, be allow'd

The Queſtion put'd in the Affirmative.

A. D. 1696-7. allow'd to produce *Evidence* touching the Allegations in the Bill, and the Treaſons for which he ſtood *indicted*: Both of which paſs'd in the Affirmative; and an Order was made for bringing Sir *John* again to the Bar three Days afterwards.

Accordingly, on that Day, he was again brought up; but before he was admitted, the Speaker put the Houſe in Mind of the Letter which he, the Priſoner, had writ to his Lady after he was taken; and deſir'd to know whether it was their Pleaſure, that the ſaid Letter ſhould be produced before Sir *John Fenwick*, and whether the Evidence to be given by Mr. *Vernon*, (Clerk of the Council) ſhould be given while Sir *John* was at the Bar: Which, on putting the Queſtion, paſs'd in the Affirmative.

They proceed to the Merits of the Cauſe.

The Priſoner and the Council on both Sides being then brought in, Mr. Serjeant *Gould* proceed to open the Charge againſt him, as contain'd in the Indictment: Said the ſame Matters were alſo contain'd in the Bill, and prepar'd the Houſe for the Teſtimony which they had to produce in Support of it: The Indictment itſelf was then produced: After which the incorruptibly-honeſt Captain *Porter* told the ſame Story before the Houſe, which he had told ſo often in the Courts below, and had his Memory refreſh'd, and his Evidence pointed againſt the Priſoner, by the Help of ſuch leading Queſtions from the Chair, as are uſually propounded from the Bench in the ordinary Courſe of Trials; and in Aid of which, *Gould* alſo aſk'd, Whether *Cooke* was preſent at thoſe traiterous Conſultations mention'd by *Porter*? Whether *Goodman* was preſent when the Indictment was preferr'd at the *Old-Baily*? And then would have proceded to the Affair of *Clancey*'s tempering with him to abſcond, &c. but was interrupted by Sir *J. Powis*, who inſiſted, That *in Caſe of Life*, and in *Caſe where a Law was prepar'd to be made*, ſubſequent *to the* Fact, to *condemn a Man to* Death, ſtronger Evidence was requiſite, than when a Man was to be try'd by a Law in being: Whereas, what they were about to offer, was no Evidence at all, nor could be admitted any where: And whereas a Wife could not be a Witneſs for her Huſband, it was moſt reaſonable, that no Action of hers ſhould be brought in Evidence againſt him. Sir *B. Shower* alſo enforc'd the ſame Point; appealed to the Recorder *(Lovel)* whether even the *Old-Baily*-Practice aforded any ſuch Precedent: And further ſaid, "Beſides; I have one Objection more: There is no ſuch Thing *alledg'd* in the Bill: And the Order is, That they ſhould produce Evidence as to the Allegations in the Bill, and the Treaſons in the Indictment; but I never heard of any Order, that they ſhould produce Evidence concerning the carrying away of any Witneſs: And 'tis not alledg'd, That *Goodman* is withdrawn by Sir *John Fenwick*'s Privity: As to *Porter*'s being temper'd with, there is no Colour of Suggeſtion in the Bill: So that this neither being in the Bill, nor being Evidence in Law, we hope you will not admit it."

Porter's General Evidence.

He is call'd upon to give the Particulars of Clancey's tempering with him, which is oppos'd by the Priſoner's Council.

Gould, on the other Hand, in his Reply, A. D. maintain'd, ſhrewdly enough, That *it* was an Allegation in the Bill, That *Goodman* was withdrawn: And, "the Uſe we make of This, ſaid He, is to let us in, to give an Account of what *Goodman* hath ſworn, and to entitle us to read his Examination:" And *Lovel*, from the *Old-Baily* Practice, which had been appeal'd to by *Shower*, took occaſion to add, "That even in criminal Caſes, the Courts are not ſo bound up to poſitive Evidence, but that the Evidence of *Circumſtances*, with ſome *Perſons* to corroborate them, is admitted:" This did not, however, end the Diſpute: The Priſoner's Council rejoin'd; and thoſe for the King were indulg'd with a Sur-Rejoinder: After which, the Parties on both Sides being order'd to withdraw, the Houſe took up the Debate; and after ſome farther Loſs of Time therein, the Queſtion was call for, and paſs'd in the Affirmative.

and allow'd by the Houſe.

The Conſequence was, That *Porter* was call'd upon for his ſecond Narrative, which, by the Help of ſeveral Interrogatories, he went thro' with: The Record of *Clancey*'s Conviction was read in the next Place; and then one *Roe* was produc'd to teſtify, That *Dighton*, the Priſoner's Solicitor, had made him an Offer of 100 *l.* a Year, to furniſh Matter to diſcredit *Goodman*'s Teſtimony; who having given in his Teſtimony accordingly, finiſh'd all in theſe Words, "*But I don't know any Thing whereby I could have diſcredited Mr.* Goodman:" And yet Biſhop *Burnet* himſelf, who ſays, no doubt with an Eye to this very Piece of Evidence, That *firſt they gather'd Matter to defame him*, (Goodman) finiſhes the ſame Sentence thus, *in which his Courſe of Life furniſh'd them very copiouſly.*

The King's Council would then have produc'd the King's Proclamation for apprehending *Goodman*, as a Proof that he was withdrawn; but that was over-ruled by the Houſe: And their next Point was, to bring forward *Goodman*'s Examination, as taken by Mr. *Vernon*: But this was warmly oppos'd by both the Priſoner's Council: *Powis* affirming, in the moſt poſitive Manner, That the Council on the other Side very well knew, That a Depoſition taken when the Party affected by it was not preſent to croſs-examine the Depoſer, could not be admitted in a Caſe of Five Shillings Value: And *Shower* not only maintaining the ſame Thing, but putting the Houſe in Mind, That if they were not bound by the Rules of inferiour Courts, where the ſaid Depoſition could, on no Account or Pretence whatſoever, be admitted, They were nevertheleſs bound by the eternal and unalterable Rules of Juſtice, which ſuch an Admiſſion would be wholly inconſiſtent with. *Gould* and the Recorder, however, reply'd: The Former pleaded, That the Caſe was an extraordinary Caſe, and therefore it was brought into Parliament; and preſum'd *Goodman* was withdrawn by the Contrivance of the Priſoner; therefore his Depoſition was to be read: And the Latter admitting, That in

Debate on admitting Goodman's Examination as Evidence.

A.D. 1696-7. civil Cases, or Cases of Property, the Practice was not allow'd, contended for it in criminal Cases; and in this particularly, because in that Place they were not to be ty'd up to *formal Evidence*. *Powis* then rejoin'd, That the Recorder had produc'd no one Authority or Precedent for the Distinction he had made: And *Shower* having observ'd, That the Juryman's Oath was the same in criminal as in civil Cases, proceded as follows: "Now I would know whether the Form of an Oath, which the Wisdom of our Ancestors has thought fit to use for 1000 Years past, be not the most proper Direction to inform us, What shall be Evidence? Evidence *prima Facie* must be Evidence of living Persons: I am speaking for the Life of a Man, and for maintaining the Rules of Law, which I hope shall continue for ever; and one of those Rules is, That the Examination of a Person that is absent, shall not be read to supply his Testimony." This, one would have thought, might have abash'd the most confirm'd Countenance: But the Recorder was case-harden'd, it seems; for he persisted in his Distinction between civil and criminal Cases; urg'd, That in some of the latter Kind, as for *clipping* and *coining*, circumstantial Proofs, by Tools, *&c.* was sufficient for Conviction; and concluded in these Words, "We do not offer this Evidence to be as concluding Evidence as if *Goodman* was here, but as corroborating Evidence of what Captain *Porter* had said: If it did wholly depend upon this Evidence, it may be, it might have no great Weight: But since there is other Evidence, *viva voce*, and since you have been pleas'd to order us to lay before you *all* the Evidence, we humbly offer it to you, and pray it may be read."

The Council order'd to withdraw, and the Matter debated by the House.

The several Parties were then requir'd to withdraw once more, (at the Instance of the same Mr. *Manley*, who had been just before committed to the *Tower*, for making what was *thought* too large an Use of the Freedom of Speech, clam'd by the House as their unquestionable Privilege) having been first ask'd by the Speaker, Whether they insisted on their several Pleas? And having severally declar'd, That they did insist upon them; and *Manley* proceeded to justify the Requisition he had made, by saying, amongst other

Mr. Manley. Things, "God forbid we should *suppose* ourselves out of all the Rights of the Law:—I never heard any Gentleman of the Long Robe, before the learned Serjeant at the Bar, assert, That an Examination before a Justice of the Peace, could be read against any Man for his Life:—'Tis known to all who have look'd into the A, B, C, of the Law, that it was ne-

Mr. Sloane. ver practis'd."—One *Sloane*, another Lawyer, then quoted the Lord Chief Justice *Hale* for an Authority, That as a Justice had Power to examine Offenders and Informers, so those Examinations, *if the Party were dead or absent, might be given in Evidence*; and drew his Inference as unfairly, as we shall find he made his Citation, in these Words, "*So this withdrawing, by the Instigation of Sir* John Fenwick, *is a Presumption that what He* (Goodman) *swears is true.*"—Sir *Richard Temple* then deny'd the Fact, without med- A.D. 1696-7. dling with the Authority: Gave it as the Opinion of Lord Chief-Justice *Vaughan*, That tho' Parliaments were not bound by the *Forms* of Law, They were by the *Rules* of Law: And concluded with observing, That in the worst of Times, when Juries were laid aside, and Lord *Mordaunt* was try'd for Treason before the *High Court of Justice*, this Species of Evidence was not allow'd: But Sir *T. Lyttleton* (a Lord of the Treasury) having droll'd on what *Temple* had said, with a most unsuitable and therefore inexcusable Pleasantry, and triumph'd much on the Precept produced by *Sloane* from Judge *Hale*, insisted on reading the Examination, That the House might have as *much* Evidence as they could get, if they could not get *all* on which the Jury had found their Bill. On the other Hand, Mr. *Har-* *Mr.* Harcourt. *court* not only declar'd, That if the House were to pick all the Absurdities out of the Trials in the late Reigns, the Number would not excede those which the King's Council had endeavour'd to impose on the House that Day; but added, with great Shrewdness, That if there was a *certain* Rule for making use of Evidence in the Absence of the Party who gave it, there was no Occasion for an extraordinary Proceding in Parliament. Sir *Edward Seymour*, on the same Side, also said, That Bills of Attainder had been revers'd, because the Parliament who pass'd them, had not proceded according to the Rules of Law; and desir'd to be inform'd, Whether the House had ever receiv'd an Affidavit for Evidence? Mr. *James Montagu* again thought the Point so plain, that it would not bear a Debate: What *Harcourt* had suggested, That if an Examination was Evidence, the Cause might have been try'd by the Courts below, appear'd to him but the Shadow of an Objection: "For, said He, tho' it is Evidence, there are not Two Witnesses; and the Courts below require Two Witnesses in case of *Treason*." Thus it was Evidence and not Evidence: It was not Evidence in the Courts below, and yet it was Evidence in Parliament: Judge *Hales* writ only to direct the Practice of those Courts, and yet his Authority ought to be receiv'd in Parliament: For Mr. *Montagu* proceded still in these Words, "It would be admitted in case of *Felony*, and would be sufficient where two Witnesses are not requir'd expressly by the Law: And I can tell you, upon my *Reputation*, I have seen it done several Times: The learned Gentleman *(Sloane)* tells you, That my Lord Chief-Justice *Hale*'s Opinion is so, and that is grounded upon an Act of Parliament; and that I think is of greater Authority than any Judge's Opinion: And therefore I think that Objection will vanish."

Sir Richard Temple.

Sir T. Lyttleton.

Sir Ed. Seymour.

Mr. James Montagu.

Such Fallacies can Lawyers maintain upon their *Reputation!* It was now apparent, that what *Sloane* had quoted from Judge *Hale*, regarded Felony only, and consequently could have no relation to Treason: And accordingly Mr. *Robert Harley* stood up, and spoke as follows.

"I

A. D. 1696-7. *Mr.* Robert Harley.

" I look upon this Matter under your Debates, to be of the greateſt Conſequence to the Lives of the Subjects of *England*, that poſſibly can come before you: Gentlemen have given you ſeveral Reaſons for reading theſe Depoſitions: One, that it was my Lord Chief-Juſtice *Hale*'s Opinion; Another, that there is an act of Parliament for it: Now, I think, it would be proper to join Iſſue in theſe two Points: If any Act of Parliament can be produced for this, then the Debate will be at an End; but if there be an Act poſitive againſt it, then I hope you will not receive it: And if my Lord Chief-Juſtice *Hale*'s Book have not one Word relating to this, then I hope that will be no Argument: He begins his Chapter of *Evidence*, and ſays, That the Evidence to the Jury, in Caſes of *Treaſon*, muſt be two Witneſſes; and then comes to the Caſes of *Felony*: But is that any Debate before us? And he tells you, That Informations might be taken of the Perſon himſelf, but that was not by the Common Law, but was allow'd of by particular Acts of Parliament: And then tells you, That his Information, and Depoſitions before the Juſtice, were to be admitted, (but he was to be by:) But is this any thing to lead you? Have they brought any Statute that tells you, There muſt not be two Witneſſes in this Caſe? If you will take Notice of a Statute, you muſt take Notice of a Statute that is in point: If any Man ſuffers by one Witneſs, I believe all the World muſt ſay, He ſuffers unjuſtly: I think 'tis of the greateſt Conſequence to admit of Affidavits: Here it is, that the Boundaries are eſtabliſh'd for the Lives and Liberties of Mankind: And this is an Obſervation that is found in Hiſtory, That thoſe that have broke their Bounds down, it hath return'd upon them to their Prejudice: Let us not out of Hatred or Zeal againſt a guilty Man, loſe our own (*b*) Innocence."

This was plain, ſound, parliamentary Senſe, deliver'd in a proper, parliamentary way: And as far as it went, was both argumentative and concluſive: But Sir *Robert Rich*, who ſpoke next, objected, That tho' the laſt Treaſon-Act was expreſs for Two Witneſſes, the ſame Act was altogether as expreſs, That the Proceedings in Parliament, on treaſonable Matters, ſhould not be ty'd up by it: And then, ſteering a middle Courſe between thoſe who were for ſubſtituting an Affidavit in the Place of Evidence, and thoſe who were wholly for rejecting it, ſaid, That tho' it did not weigh ſo much as if *Goodman* was preſent, he could not be perſuaded to think it weigh'd nothing: That to make a common Practice of reading Affidavits, might be of ill Conſequence: That if the preſent Caſe had been a Caſe of ſmall Conſequence, he ſhould not have been for reading the Affidavit in queſtion: That he did not aim at Sir *John Fenwick*'s Blood, but the Safety of the King and the Government: That, therefore, he could not refuſe any Evidence in ſuch a Caſe, tho' never ſo ſmall, &c. A. D. 1696-7. *Sir* Robert Rich.

Mr. *Pelham*, with ſome Bitterneſs, then expreſs'd his Surpriſe, That the Subject ſhould be put on a worſe Footing in Parliament, than he found himſelf upon in *Weſtminſter-Hall*; and ſaid, That if poſitive Laws requiring two Witneſſes, were to be diſpens'd with on any Occaſion, the King's Council might as well inſiſt on their hearing any Evidence of any kind whatſoever. *Mr.* Pelham.

Lord *Cutts*, on the other Hand, call'd This, arguing againſt the Juriſdiction of the Houſe; obſerv'd, there were ſeveral Sorts of Laws, and among the reſt the Law of Parliament; and concluded in theſe Words, " The Matter was in a Courſe of Law; but upon an extraordinary Accident, and for extraordinary Reaſons, 'tis brought before you: The Accident is, the withdrawing of a Witneſs; and the Reaſon is, the ſaving of the King, the Government, yourſelves and Poſterity." *Lord* Cutts.

This call'd up the famous Parliament-Orator of thoſe Times, Mr. *John How*, whoſe very Expreſſions, for that Reaſon, if for no other, ought to be remember'd: " Either, ſays he, it (the Paper in diſpute) amounts to a Proof of High-Treaſon, againſt Sir *John Fenwick*, or it ſignifies nothing to you: If it be intended to weigh any thing, I can never agree to the reading of it; for it is only a *Hearſay*, brought to convict a Man that is try'd for his Life: But there has been one thing often urg'd, which ſeems to weigh more than all the Reaſons offer'd; and that is, your Enemies will have an Advantage, and your Government is at Stake: I don't take that to be ſo much an Argument of the Strength of the one, as of the Weakneſs and Neglect of the other: But, however, we ſit not here to patch the Failings of the one, by an unwarrantable Proſecution againſt the others: As to Sir *John Fenwick*, though he ſhould not be a good *Engliſhman*, yet his Cauſe *may* be the Cauſe of a good *Engliſhman*: The Queſtion is, Whether there be more Danger to the Government by the withdrawing of a Witneſs, and the *Mr.* John How.

(*b*) It has been over and over again affirm'd, That in the Courſe of the Debates on this extraordinary Caſe, Sir *Edward Seymour* took an Opportunity to ſay, " I am of the ſame Opinion with the *Roman* (*Cæſar*) who in the Caſe of *Catiline* declar'd, *He had rather ten Guilty Perſons ſhould eſcape, than one Innocent ſuffer*: And that Lieutenant General *Mordaunt* ſhould reply in theſe Words, " The worthy Member who ſpoke laſt, ſeems to have forgot, That the *Roman* who made that Declaration, was ſuſpected of being a Conſpirator himſelf." And there is a blind, imperfect Paſſage in *Burnet*, Vol. II. P. 189, 190, which glances at the ſame Thing: For that Prelate, in the Courſe of his Apology for this Proceeding, having cited *Cæſar*'s Oppoſition to *Cicero*'s Conduct in that Affair, as being inconſiſtent with the *Parliament* Law, and adding, " It appear'd afterwards how little Regard he (*Cæſar*) had either to Law or Liberty, tho' upon this Occaſion he made uſe of the one to protect thoſe who were in a Plot againſt the other:" Moſt abruptly and unaccountably cloſes the Section in theſe Words, *The Expreſſion was much reſented by Thoſe who were againſt this Bill, as carrying a bitter Reflection againſt them for oppoſing it*: But if the Book call'd, The Proceedings againſt Sir *John Fenwick*, is at all to be depended upon, Sir *Edward Seymour* never made uſe of any ſuch Expreſſion; *Mordaunt* never anſwer'd any Speech he did make; and this Sentiment of Mr. *Harley*'s, is the only one that comes near to that famous one of *Cæſar*.

A. D. 1696-7. the escaping of Sir *John Fenwick*, or to us and our Posterity, by the withdrawing of a Witness, and the convicting of Sir *John Fenwick* for that Reason? They give *Goodman* his full Freedom; he is gone, and now they pretend, the Fate of the Government to depend upon his Testimony: The Precedent is not much to be fear'd; for, I suppose future Governments will take care, if they think fit to use, at least not to let such a Witness go about the Streets at Liberty: But it may happen, that certain Men (for asserting the Liberties of their Country in this House) may be run upon by ill Governments, and Attempts made upon their Lives by false Witnesses: Indeed the Bill of Treason provides, That no Person shall be condemn'd without two Witnesses: We all know two indifferent ones will serve a Grand-Jury; nothing is so easy as to get a Bill found by them; yet nevertheless, before a Petit-Jury, one of these Witnesses may be so notoriously infamous, as not to be fit to be produc'd: The only way to hang the Person so prosecuted, will be then to convey that Witness away, and urge this Precedent for a Bill of Attainder: A most dangerous one it is, and such a one as I think it is the Intereſt as well as Duty of all true *Englishmen* to oppose."

Mr. Smith. Mr. *Smith*, another Lord of the Treasury, then took the Word, not to answer Mr. *How*, but apparently to return the Current of the Debate out of the dangerous Channel he had driven it into: For the Case of Colonel *Sydney* having been mention'd by Mr. *Pelham*, as a most unwarrantable one, because there was but one Witness against him, and because a Paper was made use of to supply the Place of a Second, He *(Smith)* laid hold of this Circumstance to shew, That the Question before the House, was not whether *Goodman*'s Paper should, in like Manner, supply the Place of *Goodman*, but whether it should be *read*: As if it could be read for any other Purpose? And having shot this insidious Bolt, he proceed to say, "Your Debate is extraordinary: Your Bill takes Notice of *Goodman* being gone away; and now you will not take Notice of what he has left behind; which I should the rather be satisfy'd in, because I saw a Gentleman soliciting at the Bar, (meaning *Dighton*) that did endeavour to get him away." Now this was false in fact: For what was alledg'd concerning *Dighton* was, that he had temper'd with *Roe*, in order to induce him to find Matter of *Discredit* against *Goodman*: But Mr. *Pelham* rising again, to explane what he had said of *Sydney*'s Case; and the Attorney-General rising up next, it does not appear that any particular Notice was taken of a Misrepresentation, which would not have became a Prosecutor, much less a Judge, which was the Capacity that every Member of the House, at this Time, sate in.

Trevor, the Attorney-General. What the Attorney took upon him to set forth was, That Gentlemen had suffer'd themselves to deviate from the Point before them: —That the Question simply was, (as *Smith* had stated it before) Whether the Paper should be read?—That Examinations were often read in Evidence:—That when it appear'd there was no second Witness to prove him guilty, would be the Time to debate, Whether he ought to be condemn'd without Two Witnesses:—That they might as well have debated before, whether they should suffer *Porter* to be examin'd as one Witness, because no Man is to condemn the Prisoner without Two:—That if Sir *John* was upon Trial, this Information might have been admitted, *Goodman* not being in the way:—But if it was admitted, continued he, unless there was *another* Witness produc'd, I believe the Court would tell the Jury, *Here are not Two Witnesses, and therefore you must acquit him.*" A. D. 1696-7.

Sir *William Coryton*, who spoke next, on the other Hand not only insisted on the Reasonableness of debating the Point, whether such a Paper should be admitted in Evidence, but also of rejecting it, as contrary both to Law and Justice: Enlarg'd on the Misrepresentation which had been made of Judge *Hale*'s Opinion; and corrected that Misrepresentation by observing, that *Hale* states the Difference between Cases of Treason and Cases of Felony: Maintain'd, that the Reason of admitting written Evidence in the Latter, was because it was more favourable to the Prisoner than otherwise; as giving him an Opportunity, in case of any material Difference between the said written and verbal Evidence, to expose the Inconsistency: And demonstrated the pernicious Nature of the Thing contended for, by turning the Tables, as it was easy to do, and putting Sir *John Fenwick* in the Place of *Goodman*, in which case those Informations of his must be taken for Evidence, which, in his Opinion, were great Reflections upon Persons of great Worth and Honour. *Sir* W. Coryton.

Sir *Christopher Musgrave* then stood up once more, and spoke as follows: "'Tis said, we are not ty'd up to the Rules of *Westminster-Hall*, and that Parliaments may denominate Crimes after they are committed; but I never did hear that the Parliament did take upon them to determine that to be Evidence, which is not Evidence in any Court in the World: If you read this Paper to inform yourselves, you admit that to be Evidence, which is no where else to be admitted: You are told, you are not ty'd to the Rules of inferior Courts of Law, nor Equity: If you are not bound by them, you are bound by your own Constitutions: You are told, you are not used to read Affidavits in common Cases; but if my Memory serves me right, you have always had it oppos'd in this House: Therefore I think, according to the Rules of your own House, we should not read Affidavits: Will you make a new Rule in this Case? Pray consider the Consequence of it hereafter: Suppose there come down Affidavits upon another Occasion, against a great Man for High-treason, Whether that may not be thought sufficient for you to govern your Judgments? I hope those that hear me, will have a Care of that Matter: Why, by the Parity of Reason, may not two Affidavits do by *Sir* C. Musgrave.

A. D. 1696-7. by the Help of the legiſlative Power? I would be glad to know, whether, in the Caſe of an Impeachment, any ever heard of Affidavits being read? And this is much in that Nature: And, therefore, why ſhould you admit of an Affidavit now, when the Party charg'd was not preſent when that Affidavit was taken?"

Sir J. Williamſon. Sir *Joſeph Williamſon* (whether he that was ſome time Secretary of State to King *Charles* II. or his Son, is uncertain) took upon him to anſwer *Muſgrave*, which he choſe to do rather by confident Aſſertions, than Reaſons and Arguments: Affirming, "There was a Power lodg'd in the Parliament of *England*, to make a Man guilty of Treaſon, that was not ſo before; and that even in a Reign when they came to determine what Treaſons were, *&c.*"

Mr. Chancellor of the Exchequer. Mr. Chancellor of the Exchequer *Montagu*, then ſtood up, and declar'd, He was for having the Paper read, whether an Affidavit or not, tho' he did not think it Evidence equivalent to *viva voce*: And tho' he did not think, that in like Caſes it ought to be admitted below, but alſo, That he was the more of this Opinion, from what had happen'd in the Houſe that very Day; when it had been diſputed, Whether *Porter* ſhould be examin'd, becauſe the Teſtimony of a Man's Wife was not good below: And yet, on the Examination, it was not the Teſtimony of the Man's Wife, but of a *Letter* of *his own* that appear'd againſt him; to which was added another Circumſtance, *viz.* That *Clancey* had told *Porter*, he came from *Fenwick* himſelf: So that the Evidence which was diſputed for ſuch Reaſon, *amounted to* more *when it came to the Proof.*" Now the Teſtimony of the *Letter*, which this notable Miniſter lays ſo much Streſs upon, was contain'd in the following Interlocutory.

"Mr. Serj. *Gould.* Pray what Letter was that he *(Clancey)* brought you?

Cap. *Porter.* He brought me a Letter, and *ſaid* it was writ by Sir *John Fenwick* to King *James*, on my Behalf.

Mr. *Speaker.* Did he deliver that to you?

Port. No: He deliver'd it to the Gentleman that was to go with me, one Captain *Donelagh.*

Mr. *Speak.* Why, did you not take that Letter into your own Hands?

Port. I had it, and read it before it was ſeal'd up.

Mr. Serj. *Gould.* Do you remember the Contents of it?

Port. As much as I remember was, He deſir'd his Majeſty, by reaſon my going away, was to ſave my Lord *Ayleſbury*, my Lord *Montgomery*, &c. to pardon what I had done.

Mr. *Recorder.* Who ſubſcrib'd it?

Port. It was not Sir *John Fenwick*'s Name; but they *told* me, King *James* would know who it came from."

Thus all that came before the Houſe, concerning this *Letter*, was *Hearſay* of *Hearſay*: and inſtead of any *Proof* that it was Sir *John Fenwick*'s own, we find it expreſſly acknowledg'd, That it was not ſo much as ſign'd with his Name. A. D. 16[illegible]

But with the ſame Ingenuity the Chancellor farther proceed in theſe Words, "*I* would have this Paper read, not becauſe it ſhould ſupply the Place of a Witneſs: No; but becauſe you ſee he has been indicted by the Evidence of *Goodman* and *Porter*; and the firſt is withdrawn, and *by whoſe Means you have heard*; and I would know whether *Goodman*'s Evidence did amount to accuſe him of the ſame? I do ſay, in your Power of Judgment, you are not conſtrain'd to the Rules of *Weſtminſter-Hall*: And I would ſay, that for your Conſtitution, the Courts of *Weſtminſter-Hall* are to be govern'd by the Letter of the Law: But there is lodg'd in the Legiſlature, a Power to judge theſe Crimes that are behind the Law: And I believe if the ſeveral Attainders were examin'd, there was never any Attainder that went upon a more juſt Proceding than this: I take the Crime to be a Plot with your Enemies to bring in a foreign Power: And as if that was not ſufficient, he hath made a falſe and ſcandalous Confeſſion, to bring a Diſtruſt and Jealouſy between the King and his People; and hath dallied and gain'd ſo much Time, as he hath had an Opportunity to corrupt one of the Witneſſes; and therefore, it would be hard if no Law could reach him: 'Tis ſaid, why did not you keep the Witneſs? It would be hard, after a Perſon hath made a Confeſſion for the Good of the Kingdom, that he ſhould be kept in Irons: We are debating of the Bill, while we are now only purely to ſee what is in this Paper: I ſhould not, if read, have made uſe of this, as a ſecond Witneſs; but the being an Affidavit, or not, is not material in this Point: The Commons procede upon Impeachments without Affidavits: 'Tis offer'd as Evidence: That *Goodman* was a Witneſs againſt him, you have Proof of; and that he hath been temper'd with to withdraw by the Friends of this Gentleman."

To part of this looſe Harangue, Sir *Godfrey Copley* reply'd in theſe Words, "If this Paper is to be read, I would know for what Reaſon: For if it be not intended to ſway or incline our Judgments, then I take the reading of it to be of no uſe at all: But, on the other Hand, if it is deſign'd as a Motive to ſway me, then I ſay, it comes as additional Evidence, and to ſupply the Defect of another Witneſs; and the dangerous Conſequence of ſuch a Precedent, (for, as he afterwards ſaid, it was very natural to ſuppoſe, That one Parliament might take Precedents from another) deſerves your Conſideration." And to another Part of the ſame Harangue, Sir *Marmaduke Wyvell* very truly anſwer'd, That whereas one or two honourable Perſons had urg'd, That *Goodman* had been temper'd with by Sir *John*, he could recollect no ſuch Thing; the utmoſt which had been offer'd in Evidence on that Head, being, as before obſerv'd, the Offer made by *Dighton* to *Roe*, to *diſcredit Goodman*'s Teſtimony. *Sir G. Copley.*

A.D. 1696-7. L. Castleton. Lord *Castleton* then put this plain, short Question, Whether if the Affidavit was read, it was to be read as Evidence? But could not procure as plain an Answer: For the Solicitor-General, who made the Reply, was pleas'd to substitute Evasion in the Place of Solution; by inferring, in the first Place, That as the House had order'd *Porter* to go on with the Evidence, and did agree to consider afterwards, Whether it was Evidence or not, it was reasonable to admit the Paper on the same Terms: And then, by having recourse to the Practice below, which, on the Prisoner's Behalf, was not allow'd the least Consideration, from whence he drew a home Conclusion in these Words, "So that the Question, Whether it is Evidence, must come afterwards; and if you go according to the *Rigour* of the *Law*, it must be read."

Mr. Solicitor-General.

But the House growing weary of the Debate, neither Impropriety nor Disingenuity were any longer attended to; and the most material Things offer'd by *Price*, who had distinguish'd himself by his Opposition to the exorbitant Grant which Lord *Portland* had obtain'd in *North-Wales*, and who was the last that spoke on this Occasion, were comprehended in this one Period, *viz.* "The Question is, Whether an Information taken before a Justice of the Peace, ought to be read here? If it be to introduce a new Law, and make a new Crime, then you may make a new sort of Evidence: But if this be a Crime against an Act of Parliament or Law in being, then you must take the Evidence the Law doth afford you, according to the Nature of the Crime."

Mr. Price.

The Question carry'd in the Affirmative.

The Question was now call'd for with the Importunity usual, when the House was come to the End of their Patience, and was put by the Speaker accordingly, in these Words, That the Information of *Cardel Goodman*, taken upon Oath 24th of *April*, 1696, be read; upon which the House dividing, it appear'd, that the Ayes were 218, the Noes, 145.

Goodman's Examination read, and the Evidence of the Grand-Jury taken.

The several Parties being then call'd in, *Goodman*'s Examination was read, being the same already recited P. 639: After which certain of the Grand-Jury who had found the Bill, were brought forward, to give in as Evidence, the Evidence which has been given to them by *Porter* and *Goodman*: And tho' this was oppos'd by the Prisoner's Council, for these Reasons, Because a Bill of Indictment was but an Accusation; because a Bill of Indictment could not be given in Evidence for the least Crime soever; because there could be no Resort to the Evidence on which it was founded; because it was part of the Juryman's Oath not to disclose the same; and because it was against the very Fundamentals of Law, the House were pleas'd to receive it from the Mouths of Two of the said Grand-Jury, whose Names, *Gracedieu* and *Meade*, deserves to be enroll'd in the Black List of *Volunteer-Betrayers*.

Debate on the Question for reading the Record of Cooke's Conviction.

The Record of *Cooke*'s Conviction, was the next Piece of Evidence insisted upon; but it being dark by this Time, the Parties were again directed to withdraw, Candles were order'd, and a Motion was made to adjourn, which pass in the Negative, by 163 against 141.

A.D. 1696-7.

The Parties being then recall'd, and the Record again insisted upon, the Council for the Prisoner objected, That if such Evidence was admitted, the Trial of one Person in the same Company would be a Trial of all; and that it could not be expected, that They, who undertook only to defend Sir *John Fenwick*, should come prepar'd to answer the Charge against *Cooke*. The King's Council, on the other Hand, maintain'd, That such Objections were fit only for the inferior Courts: That they were now to be directed by the Judgment of the House: That a Witness having been withdrawn by Artifice, it was become necessary to bring the Matter where it was, and to procede by the Means in their Power: And that the only Purpose of producing the Record, was to prove there had been such a Trial, and to come at the Evidence which *Goodman* had then sworn.

Objections of the Prisoner's Council.

They were, however, order'd to withdraw once more, at the Instance of Colonel *Granville* and Sir *Richard Temple*; the Latter of whom averring, That there was no Precedent for what had been demanded, either in Parliament or out. Sir *Thomas Mompesson*, to expose the Man who rais'd the Difficulty, not to solve it, said, "When the Duke of *Monmouth* was impeach'd, the Bill was read three Times in one Day; and that Gentleman mov'd for the Impeachment:" And Sir *Richard* reply'd, He had done so on the Testimony of Three Witnesses, who declar'd they saw him in actual Rebellion, at the Head of an Army.

Sir R. Temple. *Sir T. Mompesson.* *Sir R. Temple.*

Thus one Stretch of Power, which had been severely condemn'd by the suffering Party, was made Authority for another, when those who had been the Sufferers, had the Power of tyrannising in their Turn: And for the Sake of setting forth the Proceeding against Sir *John Fenwick* in its proper Colours, let any Man compare it with the Rule laid down by the Earl of *Warrington*, in his Censure of the Proceding against his Friend the Duke of *Monmouth*, which runs in these Words: "In case of Treason, the Law requires two Witnesses, who must be of good Reputation, indifferent to the Prisoner, and their Evidence is to be clear, and direct to the Fact, and void of all Implication: For if they are Men of evil Fame, have Malice to the Prisoner, or are brib'd, swear doubtfully either as to the Time, Place, or Manner of the Thing; any of these renders their Testimony invalid."

[*Observations on the Behaviour of the D. of Monmouth*, P. 72, 73.]

But to return:—Colonel *Granville* cut short the Personalities which Sir *Thomas Mompesson* had given rise to, by saying, in Substance, That the House might as well order all the the Trials upon the Plot to be read, as to admit the Record of one Trial to be Evidence in another:—And was answer'd by Sir *Thomas Lyttleton*, who, among other Things, said, That if nothing but exact Evidence would have satisfy'd, this

Col. Granville. *Sir T. Lyttleton.*

A. D. 1696-7. would not have been brought in: And alſo having admitted, That the Council did not produce this Record as Evidence againſt *Fenwick*, nevertheleſs inferr'd from the Points already carry'd by the *Majority*, that this ought to be carry'd likewiſe: For, continued He, "Why did you admit the Evidence of what He *(Goodman)* ſaid to the Grand-Jury? What is this but to give Evidence of what he ſaid to the Petit-Jury, wherein both the Grand-Jury and Petit-Jury have both believ'd him?"

Mr. Howe. Mr. *Howe*, on the other Hand, obſerv'd, That the Houſe had lately made nothing of *Hearſay* (alluding to the Vote of Cenſure paſs'd on Sir *John Fenwick's* Informations) and yet were now diſpos'd to take *Hearſay* for Evidence.

Mr. Harcourt. Mr. *Harcourt* on the ſame Side likewiſe ironically ſuggeſted, That if the King's Council were gratify'd in this Point, it might probably ſave a great deal of Time, and prevent any Exception to any Evidence they had farther to offer: "For, ſaid he, 'tis not in the Power of Man to offer any Thing more abſurd:—I don't believe that ever any Man heard of ſuch a Thing offer'd, as that a Record ſhould be given in Evidence againſt a Man that is no manner of Party to the Record: If there be Book, Practice, Precedent, or any Thing to juſtify it, I will ſit down, *&c.*"

Lord Cutts *and Mr.* Sloane. Lord *Cutts* and Mr. *Sloane* anſwer'd Mr. *Harcourt*: But the Former did little more than accuſe him of too much Aſſurance in his Aſſertions, and too little Clearneſs in his Deductions: And as to the Latter, having begg'd the Queſtion as unfairly as the other Courtiers had done, That it was thro' the Practice of the Priſoner, that *Goodman* was withdrawn, He proceeded to inſer, That as they had heard Evidence of what He *(Goodman)* had ſaid upon Oath before the Trial, ſo by the ſame Reaſon they might hear what he ſaid at the Trial.

Mr. Pelham. Mr. *Pelham*, having obſerv'd, That the Examination of Sir *John Fenwick* was inſenſibly become a *Trial*, and declar'd, That he would never have accepted of a Seat in that Houſe, if he had thought they had had any *Buſineſs* with Matters of ſuch a Nature, aſk'd, If any thing was more natural, than to examine whether ſuch Evidence was proper, or what any Court would allow of?

Sir W. Williams. Sir *William Williams* aſſerted the ſame in effect, that *Harcourt* had aſſerted before; and concluded in theſe Terms, "Let us conſider how many Judgments given haſtily in the late Reigns, have been revers'd: What is the Reaſon given for it? It is for receiving That for Evidence, which was not Evidence in the Law: Your Bill of Rights takes Notice of it."

The Soliciter General. The Solicitor-General then roſe up, and having *modeſtly* premis'd, That he did not think this Matter would have laſted a Quarter of an Hour; and that if Gentlemen would debate on the ſame Matter which had been twice before over-rul'd, the Fault in Point of Tediouſneſs was theirs; proceeded thus, "All that is to be prov'd by this Record is, That one *Peter Cooke* was attainted of High-Treaſon: If the Council on the other Side would have own'd *Peter Cooke* to have been attainted, you had not been troubled to have had the Record brought to the Table: But as to what they ſay, That Sir *John Fenwick* was no Party to the Record, and therefore it can be no Evidence againſt him, it is true: Of itſelf it is no Evidence againſt him: But This, as it is open'd, is to introduce the Evidence of what's ſworn by A WITNESS upon that Trial, which cannot be done unleſs that Trial be firſt prov'd by the Record itſelf:"—He alſo inſinuated the Reaſonableneſs of this Proceding from a Preſumption, That if the Priſoner could have deriv'd any Advantage from the Evidence given by *Goodman* in *Cooke's* Caſe, he would not have fail'd to make his own Uſe of it: And, to recriminate on the oppoſite Party, it muſt be ſuppos'd, he farther touch'd on *Corniſhe's* Trial, for the Sake of ſhewing, how unjuſtly the Court had refus'd him to prove a Witneſs *(Rumſey)* forſworn, becauſe his Council had not produc'd the Record of Lord *Ruſſel's* Trial, on which the Proof was grounded.

Mr. Price. *Price* took up the Argument next, and ſaid, very ſenſibly, "'Tis very much preſs'd that we ſhould read That, which when read, they ſay is not Evidence: If it be not Evidence, upon what Account ſhould they read it? But if it introduce other Evidence, This is an Ingredient, and part of that Evidence: Now ſuppoſe the Record ſhould be produc'd, and they ſhould bring Witneſſes to ſay what *Goodman* ſwore at the Trial, Would That be Evidence? No ſure: For no body *ever pretended* that this hath been admitted either at Law or in Parliament: By what Law, by what Rule, by what Meaſure of Reaſon are we then to procede in this Houſe?" He then maintain'd, that the Priſoner had an undoubted Right to bring the very Record in queſtion, if it would have avail'd him to take off *Goodman's* Teſtimony; becauſe there was no other way to do it but from what was collateral; but would by no Means allow, That ſuch a Right in the Priſoner, to produce a Record, in order to ſet aſide a Witneſs for Perjury, argued, That a Record in like Manner might be brought in Evidence againſt him for his Life; and concluded with theſe remarkable Words, "But if this Record of the Conviction of *Cooke* be brought to any Purpoſe now, 'tis to ſatisfy our Conſciences, That *Goodman* gave a good Teſtimony of that Trial: And I wonder the Serjeant *(Gould)* ſhould offer it, who is *ſworn* to offer nothing in Violation to Law."

Dr. Oxenden. Dr. *Oxenden* then did his beſt to prove, That the Determination of this Queſtion was comprehended in that of the Former for reading *Goodman's* Examination: "For, ſaid He, did we not receive what he had depos'd upon Oath before a Juſtice of the Peace? Was it receiv'd becauſe it was taken in writing, or becauſe it was his Evidence? Now they offer you an Evidence of his that

A. D. 1696-7. was not put into writing; but they will prove it by Witneſs: What is the Difference? If it had been taken down in writing, it muſt have been admitted as the ſame before."

Sir M. Wyvell. But this Queſtion of his was completely anſwer'd by Sir *Marmaduke Wyvell*, who ſaid, The Depoſition was againſt Sir *John Fenwick*, but the Evidence againſt *Peter Cooke*: And Mr. *Attorney-General*, with much ſeeming Candour, endeavour'd to compromiſe the Diſpute, by ſaying, "I do agree with thoſe Gentlemen that have ſpoke of this Matter, That the Conviction of *Cooke*, nor any Evidence upon his Conviction, can be Evidence againſt Sir *John Fenwick*: I don't pretend that This is; nor do I believe, that This is offer'd upon any ſuch Conſideration: But 'tis one of the Allegations of the Bill, That ſeveral of theſe Gentlemen were preſent at this Conſult of which Sir *John Fenwick* is accus'd: Therefore, I ſuppoſe the Council for the Bill, did offer this Record to make good that Allegation; and ſo I think it may be properly offer'd."

The Attorney-General.

Sir W. Williams, Sir C. Muſgrave, Mr. E. Harley. Here Sir *William Williams* declar'd his Concurrence with the Attorney: And the joint Cry of the Weary, the Profligate, and the Deluded was, *Call them* in! *Call them* in! But Sir *Chriſtopher Muſgrave* having made a Shift to pacify that Clamour, inſiſted as ſtrenuouſly as before, on the Impropriety, Injuſtice, and Danger in point of Precedent, of reading the ſaid Paper, under any Pretence whatſoever; and was ſtrenuouſly ſupported by Mr. *Edward Harley*, on whoſe Credit the Houſe divided on the Queſtion, and it was carry'd for reading it by 181 Voices againſt 110: And then a ſubſequent Queſtion being put from the Chair, Whether it ſhould be read as Evidence, Mr. *Robert Harley* urg'd, That the Council themſelves deſir'd no more, than that it might be read, to prove, That *Cooke* was attainted, and no more; to which the Houſe agreeing, the Parties were again call'd in, the Record was read, and the King's Council proceded to make their Uſe of it, which was to call ſome of the Jury, who ſerv'd on *Cook*'s Trial, to *affirm*, That *Goodman*'s Evidence did prevail to convict the ſaid *Cooke*: But this was oppos'd by *Fenwick*'s Council, who inſiſted, That *Fenwick* being no way concern'd in the ſaid Trial, and for that Reaſon having no Perſon preſent at it to hear, obſerve, or croſs-examine the Witneſſes, &c. ſuch Sort of Evidence ought no more to be receiv'd in that Place, than in any other: And *Shower*, in particular, ſubmitted it to the Conſideration of the Houſe, Whether it was juſt, That the Evidence againſt one Perſon only, ſhould conclude againſt Another, ſtanding at a different Bar, in defence of his Life: Or, indeed, whether it ſhould be receiv'd againſt him? Adding, "Every Man's Defence is ſeveral; and as we oppos'd the reading of the Record before, ſo we do alſo oppoſe the calling any Witneſs upon it, for the ſame Reaſon." A. D. 1696-7.

The Queſtion carry'd in the Affirmative.

Cooke's Jury call'd for as Evidence.

The Debate thereon.

Here *Lovel*, the Recorder, took the Word, and ſaid, They call'd thoſe Witneſſes only to prove, That what *Goodman* had confeſs'd in his Examination, he had ſworn before a Jury:—But was cut ſhort by a Motion for the Parties to withdraw, which brought the Matter in diſpute before the Houſe.

Mr. Manley. Mr. *Manley* open'd the Debate with theſe Words: "I thank *God* I have that Regard for the Laws of *England*, and for every *Engliſhman*'s Life, that when I ſee any Thing attempted againſt them, I muſt give my Teſtimony againſt it." And having touch'd in his way, on the Inſufficiency of *Goodman*'s Evidence, even in the firſt Inſtance, becauſe materially contradicted, concluded in almoſt as uncourtly a Manner, as before, when the Majority did him the Honour to ſend him to the *Tower*: For, ſaid he, "They tell us we are not to be guided by the Rules of *Weſtminſter-Hall*: But we are to be govern'd by the Rules of Juſtice: And we are not at this Time of Day, to ſeek a Way to the (*i*) King's Favour, by voting againſt a Criminal for High-Treaſon."

Mr. Sloane. Mr. *Sloane*, who ſtood up next, and who, tho' ſitting as Judge in this Caſe, acted againſt the Priſoner through the whole, as the moſt Proſtitute of Advocates; did, indeed, admit, That the Indictment and Conviction of *Cooke*, as it ſtood ſingly, was no Evidence againſt *Fenwick*: And, ſaid He, *If they will produce* Goodman *now, it ſhall be no Evidence* againſt him: But then he inſiſted, as *Goodman* was withdrawn, by the Means of *Fenwick*'s Friends and Agents; and as that was the ſame Thing as if it had been done by himſelf, it was material, tho' not concluſive, for the Houſe to hear what he had ſaid when he was upon Oath.

Sir C. Muſgrave. Sir *C. Muſgrave*, on the contrary, declar'd, That This was harder than all the reſt: That the Examination and the Record they had admitted being in writing, could not be falſified: Whereas the Repetition of a Teſtimony upon Memory, was of all Expedients the moſt fallacious: That the Miſtake of a Word, alter'd the Nature of the Thing: And that, conſequently, as no Streſs could be laid upon it, it was to no Purpoſe to have recourſe to it, &c. He alſo aſk'd in what Caſes ſuch reflected Teſtimony had been ever given? And *Sloane*, in a confus'd, almoſt unintelligible Manner, anſwer'd, That the Thing was warranted by every Day's Practice, when a Witneſs was dead, and a Reference to his Teſtimony was thought neceſſary:—"But, added he, I will not ſtrain it:—We do not deſire to hear it as concluſive Evidence,—but only in this Senſe; Here is a Witneſs *ſuppos'd* to be carry'd away by the Priſoner's Means: And therefore, is it not neceſſary to hear what he ſaid before he was deluded and carry'd away?" Sir. C. Muſgrave.

It was anſwer'd, That whatſoever of the Kind

(*i*) It has been ſaid, and is generally believ'd, That his Majeſty had a perſonal Animoſity to the Priſoner.

A. D. 1696-7. Kind was done in ſome Caſes, nothing of the Kind was ever done in criminal Caſes:

Sir T. Lyttleton. And the ſtaunch Sir *Thomas Lyttleton* reply'd, "Why in this Caſe you have hear'd the Grand-Jury what he ſwore before them already; and what Objection is there more againſt hearing what he ſwore upon the Indictment?"

Mr. Gery. One Mr. *Gery* then obſerv'd, That when any Man was allow'd to give in Evidence upon Memory, what another Perſon had ſworn before, he was always put upon his Oath, and was liable to Proſecution in caſe he gave a falſe Teſtimony: Whereas in the preſent Caſe, no Oath was adminiſter'd; and no Remedy was to be had, if the Priſoner's Life was taken away, by an imperfect or injurious Repreſentation.

Mr. Commiſſioner Smith. And now even Mr. Commiſſioner (of the Treaſury) *Smith* ſeem'd to have a relenting Qualm upon him: For he expreſs'd a Doubt, Whether, after all, he ſhould give his Conſent to the Bill, unleſs ſome Expedient could be found to put the Witneſſes upon their Oaths: Said, That as Matters ſtood, they were only to ſit in Judgment upon Probabilities: Acknowledg'd, It was a difficult Thing for any Man to charge himſelf with what had been ſworn at a former Trial: As alſo, That, ſeeing there were two or three Witneſſes who confronted *Goodman*'s Teſtimony, it was a Wonder almoſt how *Cooke* could be found guilty: But then he took care to make a Court-Inference at laſt: For, having preſum'd that the ſame Witneſſes would be produc'd againſt *Goodman*'s Evidence again, he from thence inferr'd the Reaſonableneſs of hearing what *Goodman* had ſaid for himſelf.

Mr. Howe. On the other Side, Mr. *Howe* undertook to prove, That the Houſe could not receive any Information from ſuch Evidence, as was not in its own Nature credible: "I know not, ſaid he, whether theſe Witneſſes are to be brought or not: But I have heard that *Cooke*, after he was condemn'd to dye, without any Apprehenſion of being ſav'd, did, upon the Sacrament, declare, That *Goodman* was not upon the Place at that Time he ſwore himſelf to be there: I have heard ſince, that the ſame Divine that gave him the Sacrament, Dr. *Wake*, when he heard he had again contradicted that, ſo ſolemn Declaration, had ſuch an Abhorrence of the Proceedings on all Sides, that he would go to him no more:" Adding, "I can't think we can have Information from thoſe Perſons who, I ſuppoſe, did not think of giving Evidence in this Trial; and therefore did not take Notice ſo particularly of what he ſaid; and if ſo, 'tis loſing your Time."

Here the Queſtion being call'd for, the Speaker ſtated it to the Houſe: But Sir *Godfrey Copley* inſiſting to be heard, it was wav'd; and what he ſaid was to this Effect, "That if it had been made appear Sir *John* had taken off any Evidence, he ſhould have conſented to the ſupplying it, as well as it could be ſupply'd: But that not being the Caſe, and the Precedents of this very Day having ſo quick an Operation that they were already quoted to authoriſe one another, he could not help being apprehenſive of the Uſe that might be made of them, nor oppoſing them for that Reaſon." And that the laſt Word might not be on the adverſe Side, Sir *Henry Dutton Colt* wound up the Bottom of the Debate in this round Manner: "I believe no one Gentleman doubts, that *Cooke* was convicted upon the Evidence of *Goodman*: If they do, I would know the Reaſon of it: For upon the laſt Act, there are to be two Witneſſes to the ſame Treaſon: There were but Two poſitive Witneſſes againſt him for Treaſon, and they were *Porter* and *Goodman*: I think, therefore, he was convicted upon the Evidence of *Goodman*: What then needs any Perſon to remember any *Particulars* that paſs'd at the Trial, if they remember, on the whole, That he was convicted by the Evidence of *Porter* and *Goodman*?"

A. D. 1696-7.

Sir G. Copley.

Sir H. Dutton Colt.

The Queſtion was then put, and being carry'd in the Affirmative by 180 Voices againſt 102, the Parties were call'd in; the Jurymen were put on the Uſe of their Recollection; and the Firſt not only faltering in his Evidence, but, when call'd upon for Particulars, profeſſing he could remember no more, a Second was introduc'd, and after him a Third, whoſe Memory was good enough to make up all the Defects of the two Former. Mr. Serjeant *Gould* then mov'd, That Mr. *Vernon* might be deſir'd to produce the intercepted Letter from Sir *John*, which, he ſaid, falſly, was directed to his Lady; call'd it a Verdict of the Priſoner's againſt himſelf, and undertook to give the Import of it in theſe Words, "That Sir *John* look'd upon himſelf as having no Defence, but depended only upon a Contrivance with the Jury; and he adviſes to work with ſome Perſons of the Jury, who were to ſtand it out and ſtarve the reſt, and ſo by that Means to ſave him." He then acknowledg'd, That they could not produce *Webber*; for tho' he was taken with Sir *John*, there being no Charge againſt him, he had taken the Benefit of his *Habeas Corpus*, and was not to be found; but added, They were ready to produce one *Fowler*, who had receiv'd the Letter from *Webber*.

The Queſtion carry'd in the Affirmative.

Sir John's intercepted Letter mov'd for.

Here *Powis* and *Shower* once more interpos'd in Behalf of their Client, by urging, That they had not only the Authority of the Courts below, but even of the Parliament itſelf, againſt ſuch ſort of Evidence, which had been declar'd illegal, by the Act which revers'd Colonel *Sydney*'s Attainder: But *Gould* and *Lovel* would not allow the Caſes to be parallel, and ſtrenuouſly contended for its being admitted as *concurring Evidence*, to ſhew, that the Priſoner thought his Caſe ſo *deſperate*, that nothing but indirect Means could ſave him: —Only when *Fowler*, who receiv'd the Letter from *Webber*, had, in the Courſe of his Examination, acknowledg'd himſelf dubious, Whether the Priſoner, tho' in the ſame Room, could ſee the Letter deliver'd; and *Shower* had inſiſted, That, before they could make any Uſe of it at all, they muſt, at leaſt, prove it to be the Priſoner's Hand-writing, by a Com-

But not inſiſted on.

A. D. 1696-7. Compariſon of Hands: They did not think fit to lay any farther Streſs upon in; but concluded their Evidence with a Deſire, That Mr. *Vernon* might be induc'd to give an Account of the ſeveral Adjournments of the Trial; which was, however, on ſome Pretence or other, poſtpon'd till the next Day: And the Council for the Priſoner were call'd upon to enter on his Defence: But they ſeverally pleaded Incapacity, after twelve Hours Attendance, to deliver the many weighty Things they had to urge, on Matters ſo very *new* to *Lawyers*.

This caus'd a new Order for their withdrawing; which being obey'd, Mr. *Smith*, who had ſo lately put on ſuch a Maſk of Candour, declar'd *againſt giving an Opportunity to any Man to practiſe with Witneſſes*; and call'd for the Priſoner's Liſt of Witneſſes, if any ſuch had been deliver'd in: But the Speaker ſignifying, He had receiv'd no ſuch Liſt, the Houſe came to a Reſolution, late as it was, to hear ſuch Evidence as the Priſoner had to produce that Night: But as to the Obſervations of his Council, to give them Time, Till —To-Morrow—: Which being imparted to the ſaid Council, they declar'd, They had no Evidence at preſent to produce, but the Copy of a Record: And being once more withdrawn, Mr. *Chancellor* of the *Exchequer* took Advantage of this Acknowledgment to urge, That ſince the Gentlemen had no living Witneſſes then to produce, it would be giving them too much Advantage to receive any ſuch at any other Time, ſeeing the whole Meaning of the *Chicanry* of the Council, was to get Time to reply; Mr. *Dighton* having heard the Evidence: And not ſatisfy'd with this unmerciful Plea to deprive the Priſoner of all Reſource, he not only call'd upon the Houſe to order *Dighton* into Cuſtody, (who was there by Leave of the Houſe, in the Capacity of Solicitor for the Priſoner, and conſequently was under their Protection) that he might be anſwerable for the Subornation which, he ſaid, had been prov'd on him by *Roe*; but complain'd of it as an unprecedented Thing, That in a Matter of ſuch *Moment*, wherein the *Government* was concern'd, the Priſoner's Council ſhould entertain them for ſix or eight Hours together with Delays. So that the Priſoner's Caſe was indeed ſo *deſperate*, that it was thought almoſt criminal to defend him.

It was then, among other Things, reſolv'd, That the Priſoner ſhould be brought up again at Twelve o'Clock the next Day; and that the Houſe would hear no other Witneſs in his Behalf, unleſs ſuch as were to prove the Record his Council had to offer.

The next Day, at the Time appointed, the Houſe being render'd as full as poſſible, by a formal Summons by the Mace of all the Members attending the Courts below, the Priſoner was brought to the Bar; and Sir *T. Powis*, after a ſhort Apology for himſelf, enter'd on his Defence, under three ſeveral Heads, *viz.* The Manner of the Proceding: The Matter alledg'd in the Bill upon which he was to make his Defence: And the Proofs of the Matter ſo alledg'd, which had been call'd Evidence. A. D. 1696-7.

The Priſoner's Defence by his Council.

On the firſt of theſe Heads he premis'd, That tho' Laws *ex poſt Facto* were Laws, they were hard ones: That a Law of that Nature, to detain certain (k) Perſons in Priſon, *had* paſs'd laſt Seſſions, which affected the Liberty of the Subject: That the Bill at preſent under Conſideration, in like Manner, affected the Life of the Subject: That Precedents were of a growing Nature; and that to prevent their growing familiar, he thought they ſhould not be over eaſily obtain'd.

He then proceded to ſay, That the Perſon concern'd in the ſaid Bill, was not only forth-coming, in order to be try'd by the ordinary Methods of Juſtice, but was actually under Proceſs, had pleaded, and was ready to ſtand Trial: That if there was ſufficient, legal Evidence againſt him, as the King's Serjeant had inſiſted, there was no Reaſon why he ſhould be depriv'd of the Benefit of ſuch a Trial, as was the Birth-right of every Subject: And that if there was not ſufficient, legal Evidence, he thought the want of ſuch Evidence, was a very odd Reaſon for the Bill.

Here he took occaſion to expatiate on the Antiquity, Regularity, and Impartiality of Trials by Juries; as alſo to obſerve, that even the very Regicides, notwithſtanding the Notoreity of the Fact charg'd upon them, had the Benefit of ſuch a Trial: And after a Variety of Inſtances of the Tenderneſs of the Laws, even in Caſes of Outlawries, came down to That ſo lately paſs'd for regulating Trials in Caſes of Treaſon, in order to touch on what was ſo very extraordinary, *viz.* That the very Parliament which paſs'd that Law, ſhould alſo paſs another for putting a Perſon to death without any Trial at all.

For his next Topic, he took in the whole Field of Attainders: Admitted there had been many, but inſiſted there had been very few reſembling This: Affirm'd the Weight of them had fallen principally on Outlaws and Fugitives: And that whenever they had fallen on Perſons forth-coming, the Caſes of ſuch Perſons were never mention'd but with a Cenſure as heavy as the Sentence they had inflicted.

Having then ennumerated ſeveral Attainders which had been revers'd, becauſe they were unjuſt, he came to his ſecond general Head, under which he obſerv'd, That in all Courts of Juſtice, the Perſon accus'd is to make his Defence *Secundum Allegata & Probata*: That it was not enough that a Matter was prov'd, which was not alledg'd, or that it was alledg'd without Proof: And hence he argu'd, That by no Law whatſoever, were they concern'd to defend him farther than he was accus'd: Now "This Bill of Attainder, ſaid he, as it is drawn, and now ſtands before you, doth not ſo much as alledge or ſay, That Sir *John Fenwick* is guilty

(k) Accus'd of being concern'd in the Aſſaſſination-Affair; but not on ſuch Evidence as would have ſerv'd to convict them.

A.D. 1696-7 guilty of the Treaſon whereof he was indicted; and that hath prevented us from producing Witneſſes to That, and ſeveral Matters which the King's Council have enter'd upon:" And his Concluſion from hence was, "That the Priſoner's being guilty, was not then the Queſtion, becauſe it was not charg'd upon him."

Proceding then to what *was* alledg'd: As, That he was indicted: That he had prevaricated in order to gain Time: And that having by ſuch his Prevarications gain'd Time, one of the Witneſſes was withdrawn, He obſerv'd, That an Indictment might be laid againſt the moſt innocent Man in the World: That if the Prevarications had been prov'd, which had not been done by any one Witneſs, not the leaſt Ingredient of Treaſon could be infer'd from them againſt the Priſoner: And that as to the withdrawing of the Witneſs, the Bill did not ſo much as alledge it was by the Means, Procurement, or even the Privity of Sir *John Fenwick*: So that if the ſame Witneſs had died by the Hand of *God*, there would have been as good a Reaſon for attainting him.

Laſtly, deſcending to what the King's Council had call'd Proofs, he ſubmitted it to the Judgment of the Houſe, Whether in a Caſe which was to be made capital by a ſubſequent Law, more palpable Evidence was not requiſite, than in any Caſe cogniſable by any Law already in being; whereas the King's Council had introduc'd Evidence to Matters not alledg'd in the Bill, which was not agreable to Juſtice, and defective Evidence to what was:—*Porter*, he obſerv'd, was not upon Oath; and there was no Place in the World where Evidence in capital Caſes was admitted, unleſs upon Oath: And he urg'd, That if it was not their *Courſe* to adminiſter an Oath, it was a good Reaſon why the Bill ſhould not have begun there: He then inſtanc'd the Manner of proceding in Lord *Strafford's* Caſe; and concluded, That nothing could be more ſevere, than to paſs Sentence of Death on a Man, to corrupt his Blood, and confiſcate his Eſtate, on Parole-Evidence: The Parole-Evidence of ſuch a Man as *Porter*; of late, by his own Confeſſion, of ſo villanous a Diſpoſition as to be engag'd in a Crime of the blackeſt Nature:—A Convert not to the Dictates of his Conſcience; but a Coward ruſhing from the Danger at that Time, and now even drudging for a Pardon!

Paſſing, in the next Place, to *Goodman's* Paper, as ſworn before *Vernon*, he would not allow it even to be an *Examination*, much leſs Matter of Evidence, becauſe the Man had never been examin'd; and what he thought fit to ſet down therein, was only what he thought moſt likely to make himſelf uſeful as a Witneſs: And he maintain'd, That the ſaid *Goodman's* Evidence in the Caſe of *Cooke*, where *Fenwick* was neither Party nor preſent, could not be made uſe of as Evidence againſt *Fenwick*, without violating the fundamental Rules of Law and Equity, which requir'd the Witneſs to be examin'd before the Face of the Priſoner, that the Latter might have all poſſible Advantages againſt the Former, as well to juſtify his own Innocence, as to expoſe and diſcredit the Evidence brought againſt him:—Nobody could be *ſure* that *Goodman*, if forthcoming, would have ſworn the ſame againſt *Fenwick* as he had done againſt *Cooke*: His Confidence might fail him: He might be diſconcerted by a better Defence: And if any one, upon the Strength of Imagination only, ſhould preſume the contrary, it might alſo be preſum'd, on the Priſoner's Side, That what *Goodman* ſwore againſt *Cooke*, was to ſave his own Life: And having thereby found an Opportunity to get out of the way, his Conſcience prompted him to make uſe of it, that he might not be oblig'd to repeat his Perjuries:—This, however, he inſiſted on, That neither did the Bill alledge, nor any ſort of Evidence prove, that the Priſoner had been the Means of his withdrawing: That *Clancey's* Attempt on *Porter*, tho' never ſo flagrantly prov'd, furniſh'd no Proof with reſpect to *Goodman*; but even the Proofs in that Caſe, was nothing but *Hearſay*, with reſpect to *Fenwick*, and ought to weigh no more: That as to *Dighton's* Attempt on *Roe*, it was to find Matter to diſcredit *Goodman's* Teſtimony, which was going on a Suppoſition, That he would appear, and conſequently imported the quite contrary of what had been often (tho' groundleſsly) aſſerted, That *Fenwick* was anſwerable for his withdrawing. A.D. 1696-7

Here he alſo took occaſion to ſay, That *Roe* was ready to anſwer for himſelf, if call'd upon: And then, recurring to the Indictment, he took Leave to aſſert, on the Authority of a Book in his Hand, (*Hawle's*, the Solicitor-General's Remarks on the Caſes of *Ruſſel*, *Sydney*, *Armſtrong*, *Corniſh*, &c.) That the Matter, as in the ſaid Indictment laid, and as far as it had been offer'd to be there prov'd, did not amount to Treaſon.

The Indictment ſays, continued He, "That there was a Conſpiracy and Agreement to call in a Foreign Power, and to that Purpoſe *to ſend Charnock* to *France*; but the Indictment does not ſay, That *Charnock was ſent*; only that there was a Meeting, and an Agreement, and a Conſpiracy, to *ſend* him: And I appeal to you, Whether it be prov'd that he *was ſent*? For Mr. *Porter* ſays no more, But that there was a Meeting at the *King's-Head*, and he nam'd Sir *John Fenwick* to be one who was preſent; and there it was, he ſays, agreed, That *Charnock ſhould* be ſent into *France*: Now, if there was nothing more than an Agreement and Conſpiracy to do it, and no farther Act, but ſuch a Meeting to do it, but the Perſon was not actually ſent, or at leaſt, not prov'd to be ſent; then, from this learned Author's Opinion, I inſiſt upon it, That This is not a ſufficient Overt-Act of Treaſon. In the late Caſe of my Lord *Ruſſel*, whoſe Innocency is vindicated by this Author, he takes Notice, That a Conſpiracy or Agreement to levy War, is not Treaſon, without actual levying War; and of that Opinion was my Lord *Coke*, and my Lord Chief-Juſtice *Hales*. A Con-

A. D. 1696-7. Conſpiracy or Agreement to call in Foreign Forces, unleſs actually done, or a Perſon, at leaſt, actually ſent, or ſomething more than a bare Agreement for that Purpoſe, is the ſame as a Conſpiracy to levy War: And in the Caſe of my Lord *Ruſſel*, the Proof being only, That he, and others, met together, and agreed to ſeize upon the Guards, and levy War, which he never actually did, it is inſiſted upon by this Author, That that was not Treaſon; for that Indictment went no farther: And therefore my Author ſays, "Shew me where ſuch an Accuſation was ever agreed to be more than a Conſpiracy to levy War? And that ſuch a Conſpiracy was ever agreed to be Treaſon within the Statute of *Edward* III. till within theſe few Years."

Sir, now I muſt humbly ſubmit it to you, Whether this be any Thing more? And for the Purpoſe, you will pleaſe to conſider, What this preſent Bill in Parliament, and what that Bill of Indictment recited in it is: For it is not, That *Charnock* was *ſent* into *France* to ſolicit foreign Forces; but only, That Sir *John Fenwick* was at a Meeting, where they did agree ſo to do: Calling in foreign Forces, is levying War; but Conſpiracy to levy War, is not Treaſon, unleſs it be actually done: A Conſpiracy to call in foreign Forces, is nothing more: And therefore I humbly inſiſt upon it, That neither by this Bill, or by the Indictment recited in it, or the Proofs offer'd before you, any thing is charg'd, but only an Agreement at that Meeting mention'd by Captain *Porter*, a ſingle Perſon, and he not upon Oath, to call in foreign Forces: For he only ſays farther, That *Charnock* told him he had been in *France*: I ſhall not trouble you any further; we have not thought fit to produce Witneſſes, for the Reaſons I have offer'd: For that we do not find, that Sir *John Fenwick*, throughout the Bill, is charg'd with being guilty of Treaſon; and we are not willing to enter upon the Defence of a Matter not charg'd upon him: I hope, Sir, you will not make a Precedent, That where a Perſon is indicted, and ready to abide his Trial in the ordinary Courſe of Juſtice, as Sir *John Fenwick* now is, that he may be taken out of the Hands of the ordinary Judges, and be brought to this Bar, to receive his Trial here.

A Matter of this Nature may be of very great Conſequence: We know at preſent upon what Ground we ſtand; for by the Statute of *Edward* III. we know what is Treaſon; by the two Statutes of *Edward* VI. and the late Act of Treaſon, we know what is Proof; by the Statute of *Magna Charta*, we know how we are to be try'd *per legem terræ & per Judicium Pariũ*, that is, a Peer by his Peers, and a Commoner by a Jury: But if Bills of Attainder come into Faſhion, we ſhall neither know what is Treaſon, what is Evidence, nor how, nor where we are to be try'd: Sir, I ſubmit it to you, and hope this Bill ſhall not paſs."

Here he clos'd his Plea; and not to follow his Collegue *Shower*, who took the Word next, over the ſame Ground again, it will be enough to obſerve, That the moſt material of his Suggeſtions were thoſe that follow, *viz.* "That, ſuppoſing it reaſonable to have an Act paſs'd, That *Goodman*'s Depoſitions ſhould be read at the Trial, in caſe he himſelf was not forth-coming, it cou'd not be ſuppos'd reaſonable, to put him in a worſe Condition, becauſe of *Goodman*'s Abſence, (which there was no Evidence to prove he was anſwerable for) than if he was there:—And yet ſuch, in caſe the Bill paſs'd, would be the Caſe: For if *Goodman* was forth-coming, the Priſoner might have had his Trial by Jury; might have had the Benefit of Challenges and Exceptions to the Array; might have challeng'd an Account of Favour, if any of the Grand-Jury had been empannell'd; would have had his legal Exceptions to the Teſtimony of the Witneſſes; might have had thoſe Witneſſes examin'd upon Oath; might have given Evidence upon Oath in anſwer to it, *&c.* All which he was depriv'd of." A. D. 1696-7.

The King's Council reply'd according to their Privilege in the Courts below; tho' if they had wav'd it for this once, the Failure would, perhaps, have been no Detriment to their Cauſe:—But if any Idolater of this Reign, thinks himſelf depriv'd of any Matter of Conſolation, by being depriv'd of their Speeches, let him have Recourſe to the *State-Trials*, and he will be ſilenc'd, if not ſatisfy'd.

The Parties being withdrawn, and the Cauſe once more before the Houſe, Mr. *Ruſſel* ſaid, *I think this may be a proper Time to aſk Queſtions*; and began with ſtating Such, as he thought would be moſt conducive to his own Vindication, as to the Charge brought againſt him, Of ſending Intelligence to King *James*: And was follow'd by Colonel *Crawford* for himſelf, Colonel *Godfrey* for the Earl of *Marlborough*, Mr. *Brydges* for the Duke of *Shrewſbury*, Colonel *Granville* for his Father the Earl of *Bath*, Mr. *Boſcawen* and Lord *Coningſby* for Lord *Godolphin*, and Sir *Ralph Delaval* for himſelf: Upon which Mr. *Howe* took occaſion to ſay, "I do not oppoſe Sir *John Fenwick*'s being examin'd to this Paper: But it might have been more to your Credit, if you had examin'd him before your Vote upon it: But here are a great many Gentlemen riſe, to queſtion a Man to that which he does not pretend to any Proof of, nor is any way to the Purpoſe: It may be poſſible Sir *John Fenwick* may never have ſeen any one of the Perſons nam'd in the Paper, and yet all in his Paper be true: The beſt way for ſaving your Time is, I conceive, to have the ſeveral Parts of the Paper that do concern theſe Gentlemen, read to him, and to aſk him, Upon what Grounds he gave the King each particular Information? This will lead him into all that he knows of the Matter, which is pretended ſo much to be deſir'd."

Mr. Ruſſel moves to have the Priſoner queſtion'd on his Information.

Mr. Howe.

But this Propoſal of Mr. *Howe*'s, did not ſuit the Diſpoſition of the Majority, who were only for reading the ſeveral Names contain'd in the Paper; and ſeverally queſtioning

A. D. 1696-7. ſtioning Sir *John*, as to what treaſonable Matter he ſeverally knew of each: Accordingly, the Houſe having reſolv'd, at the Inſtance of that acute Lawyer Mr. *James Montagu*, That neither while he was under Examination, nor when he ſhould be order'd to withdraw, his Council or Solicitor ſhould attend him, Sir *John* was brought to the Bar alone; and was, by the Speaker, requir'd to act the ſtrange Part of becoming an Informer, againſt Perſons who, in one Houſe or other, were either ſitting, or to ſit, upon him as Judges: But ſo much of the Snare as was ſet for him under this Method of proceding, he had the good Fortune to avoid, by perſevering in his former Reſerve; and urging the Danger he ran, while under a double Proſecution, if any thing ſhould eſcape him which might be turn'd to his own Prejudice.

He is queſtion'd accordingly, but continues on the Reſerve.

The Houſe being thus again at a Fault, the Priſoner was again remov'd, and a Motion was made for Mr. *Vernon* to give his Evidence, concerning the Artifices us'd to poſt-pone the Trial; which being agreed to, Sir *John*, his Council, *&c.* (that *Forms* might not be wholly unobſerv'd) were all re-admitted, to hear one of his Judges act the Part of an Evidence againſt him, as he had been requir'd to act the Part of an Evidence againſt certain of his Judges before: And what Mr. *Vernon* deliver'd, tho' not over clearly, was to this Effect, *viz.* That the frequent Adjournments of the Seſſions at the *Old-Baily*, for ſix or ſeven Weeks together, beſt made it appear his Trial had been put off: That Sir *John*, as he took it, was committed to the *Tower* on the 19th of *June*: That the *firſt Application* made by Lady *Mary Fenwick*, was on the 30th: That her Petition was, That he might have ſome Friends come to him, to adviſe him *how* to make his Application to the King: That ſhe firſt *propos'd*, That ſome body ſhould be ſent over from Sir *John* to the King, upon ſome Matters of Importance; not declaring what *they* were, but only ſaying, ſhe was told, there were ſuch Matters:—She had a proper Perſon to ſend, and would acquaint the Lords-Juſtices with the Man, if he might have Leave to go:—That ſhe afterwards ſaid, She could not produce a Perſon ſo *ſoon*: [*By the way no Time was as yet ſpecify'd*] That on the 2d of *July* ſhe came and offer'd to go herſelf; ſaying, If it was not as much for the King's Service as Sir *John*'s Benefit, ſhe would not go: That having obtain'd Leave to go, ſhe would have capitulated, That the Trial ſhould be put off till her return: That tho' the Lords refus'd This, becauſe her Return would depend on her own Pleaſure, they engag'd to appriſe the King at the ſame Time of her Intentions, and to poſtpone the Trial till they had an Anſwer: That a Paſſage having been order'd for her, ſhe deſir'd to ſpeak with Sir *John* in private, in order to her Journey: That the ſame Night ſhe came back again, and ſaid ſhe had conſider'd of it, and would not go; for which ſudden Alteration of Purpoſe, ſhe aſſign'd ſeveral Reaſons: That on the 7th of *July*, a certain noble Lord, (the Duke of *Devonſhire*) then of the Regency, acquainted the other Lords, That he had been deſir'd by the Earl of *Carliſle*, to go to Sir *John Fenwick*, he having been very earneſt to ſpeak with him; and their Lordſhips agreed to acquieſce in what his Grace ſhould think fit to do in that Matter: That his Grace went the ſame Day to Sir *John*: That on the Morrow, the Lords-Juſtices having another Meeting, his Grace imparted to them the Contents of what Sir *John* had ſent to the King, which He, Sir *John*, did not chuſe to have imparted any other way: That it was the 7th of *Auguſt* before his Majeſty's Anſwer was receiv'd; and his ſaid Anſwer was, That his Majeſty had not receiv'd any great Satisfaction by the Meſſage, and that Sir *John* ſhould be try'd: To which the Duke added, That his Majeſty, in his Letter to him, had been pleas'd to direct, That what Sir *John* had farther to ſay, ſhould be ſent to him in writing: That it being conſider'd the Judges being at this Time on their Circuits; and alſo, that the King expected to hear again from Sir *John*, [which in caſe of a Trial would have been a moſt unreaſonable Expectation] his Grace undertook to make another Viſit to Sir *John*; and, it was to be ſuppos'd, did receive ſome new Matter from him, which he ſent to his Majeſty:—That it was *September* before the Anſwer to this was receiv'd, at which Time his Grace was at *Bath*: That this, conſequently, took up ſome little Time more: And it appear'd, at laſt, his Majeſty's Expectations were, That Sir *John* ſhould prove what he had ſaid: And that he ſhould, moreover, manifeſt his Ingenuity, by confeſſing what he knew of any other Deſigns againſt the Government: That on the 10th of *September*, He, Mr. *Vernon*, was directed to repair to Sir *John*, and communicate to him, by Order of the Lords-Juſtices, his Majeſty's Pleaſure: That Sir *John*'s Anſwer was, He had no more to ſay, or to that Effect; and he muſt provide for his Defence as well as he could: Adding only, That if he could ſpeak once more with the Duke, he ſhould be glad to do it: That his Grace being ſtill at *Bath*, Directions were again given for bringing on his Trial: That, in the mean Time, his Grace did, however, return to Town, did again repair to Sir *John*, and brought an Account from him, That he was ready to make out what he had ſaid to the King; and in the mean Time was ready to give Satisfaction to the Lords-Juſtices: That hereupon He (Mr. *Vernon*) was ſent to him with a Paper, requiring him to prove what he had already ſaid to the King; and that he dictated an Anſwer, which their Lordſhips thought fit to be ſent to the King: That his Arraignment was at that Time fix'd for the 17th of *September*, but was put off again, for the Sake of knowing the King's farther Pleaſure: And that before his Majeſty's Anſwer came, it was, he believ'd, the Beginning of *October*.

Mr. Vernon's Evidence concerning the ſeveral Delays of the Trial.

Thus it appears, by Mr. *Vernon*'s own Evidence, That from the 7th of *July*, to the 10th of *September*, the Affair was wholly in their own Hands, and none but themſelves were

A. D. 1696-7. were anſwerable for the Delays they complain'd of: As alſo, That if, inſtead of giving way to another Interview between the Duke and Sir *John*, they had taken him at his word on the 10th of *September*, viz. That he had nothing more to ſay, he might have been arraign'd on the 17th, according to the Directions then ſaid to be given: And yet, tho' the Matter of Fact concluded thus apparently in Favour of the Priſoner againſt the Allegations in the Bill, which plac'd all theſe Delays to his Account, his Council drew no manner of Advantage from it; but, on the contrary, acquieſc'd in the Charge; and contented themſelves with ſaying, That he had done no more than was uſual on the like Occaſions, and what could not, by any Rule of Law, be interpreted into Treaſon.

which his Council drew no Advantage from.

Debate in committing the Bill. And now the whole Matter being before the Houſe, the Bill was read a ſecond Time, and an unuſual Pauſe enſuing, the Speaker aſk'd, If he ſhould put the Queſtion for committing it? But as if this had been the Signal waited for, a vehement Debate was

Sir T. Dyke. inſtantly open'd by Sir *Thomas Dyke*, who declar'd againſt the Queſtion: And tho' we have been already ſo copious on this Subject, we cannot excuſe ourſelves from inſerting two or three remarkable Paſſages which occurr'd in the Courſe of it, and which may poſſibly ſerve, to put the Colour of this irregular Tranſaction out of the Power of Controverſy for the Time to come.

The Solicitor-General. *Hawles*, the Solicitor-General, who of all Men living it leaſt became to drive ſo extraordinary a Point in ſo extraordinary a way, having urg'd in the Courſe of his inſidious Plea, That the Houſe, in the preſent Caſe, were to act both as Judges and Jury; as Judges, in deciding what Crime the Fact amounted to; and as Jury, in ſumming up the Proofs, not only according to the Law of Evidence, but the Dictates of Conſcience; Mr. *Harcourt* reply'd as follows.

Mr. Harcourt. "I have often heard this call'd a Trial, and that we are the Judges: The Gentleman that ſpake laſt gave us another Title, and told us we were the Jury alſo: I know no Trial for Treaſon, but what is confirm'd by *Magna Charta*, *per Judicium Parium*, by a Jury, which is every *Engliſhman*'s Birth-Right, and is always eſteem'd one of our darling Privileges, or *per Legem Terræ*, which includes Impeachments in Parliament: But if it be a Trial, 'tis a pretty ſtrange one, where the Perſon that ſtands upon his Trial hath a Chance to be hang'd, but none to be ſav'd: I can't tell under what Character to conſider ourſelves, whether we are Judges or Jury-Men? I never heard of a Judge, I am ſure not of a Jury-Man, before, but he was always upon his Oath: I never heard yet of a Judge, but had Power to examine Witneſſes upon Oath, to come to a clear Sight and Knowledge of the Fact: I never heard of a Judge, but if a Priſoner came before him, the Priſoner was always told, he ſtood upon his Deliverance; and he had not only a Power to condemn the Guilty, but to ſave the Innocent: Have we this Power? Suppoſe, upon ſuch a Trial as this (if it muſt be call'd ſo) it may ſo happen, that a Perſon that comes before us, ſhould be the innocenteſt Man in the World; what Judgment is it that we can give, for ſo much as ſuch a Perſon hath made his Innocency fully appear? Is the Speaker, by his Warrant, to ſend him back again to *Newgate*? You can't diſpoſe of him otherwiſe, tho' you were ſatisfy'd of his Innocency: But in ſuch a Caſe, the Party muſt undergo a double Trial, which is contrary to all Rules I have heard of: If I am a Judge in this Caſe, I beg Leave to tell you, for my own Juſtification only, what a Definition I have met with of a Judge's Diſcretion: My Lord Chief-Juſtice *Coke* ſays, 'Tis *Diſcernere per Legem*; and by that Diſcretion I beg Leave to conſider this Caſe. If Judges make the Law their Rule, they can never err; but if the uncertain, arbitrary Dictates of their own Fancies, which my Lord *Coke* calls the crooked Cord of Diſcretion, be the Rule they go by, endleſs Errors muſt be the Effect of ſuch Judgments.

A. D. 1696-7.

As to this particular Caſe, I did expect from the Gentleman that ſpoke laſt, that he would have told you there was a plain Evidence why you ſhould go on to the paſſing of this Bill; but inſtead of that, I am ſurpriz'd to hear a thing mention'd; That in parliamentary Proceedings, a Man may be hang'd by one Witneſs, which certainly is not to be taken for granted.

As to this particular Caſe, I would take Captain *Porter* as upon his Oath for Suppoſition-ſake: You have then one Witneſs againſt Sir *John Fenwick* of High-Treaſon; and, with your Leave, I deſire to examine what you have more in this Caſe.

Yeſterday you voted a Paper to be read, *Goodman*'s Narrative, or Examination; 'tis a different Caſe now: Now you have it before you to determine upon: Yeſterday the Queſtion was only for hearing: Let Gentlemen now conſider how far they ought to believe it, and the other Evidence we have: And firſt, there is ſome Evidence, that *Clancey* temper'd with *Porter*, and gave him a Sum of 300 *l.* and ſo they would infer, becauſe *Porter* was temper'd with, to be gone, therefore *Goodman* was. It was told us farther, (and I deſire I may be inform'd if I am miſtaken) That *Clancey* ſaid, he came from Sir *John Fenwick*; and afterwards my Lady *Mary Fenwick* ſaid, ſhe would make good what *Clancey* had ſaid; and from theſe Arguments they preſume, that Sir *John Fenwick* knew of it: Give me Leave to tell you a Rule I never heard contradicted, That Preſumption is to be made in favour of Life, but we are not to preſume a Man guilty: Becauſe *Porter* was temper'd with by another, becauſe he ſaid it was by Sir *John Fenwick*'s Order, ſhall we preſume Sir *John Fenwick* did it? Is *Hearſay* to be Evidence? Or is a Man to be had to the Gallows upon Preſumption? How often, and with how much Reaſon, have we heard Exclamations againſt Judgments, upon Preſumptions, *Innuendoes*, conſtructive, accumulative Treaſon, &c.

Gentlemen, there is ſome farther Evi-

A.D. 1696-7. dence; and that is, of what was ſworn at *Cooke*'s Trial; and ſome Gentlemen thought fit to have the Record read, and an Examination of what was ſworn there. I can never go ſo far as to think it reaſonable, That what Evidence hath been given in one Caſe, ſhould affect another Man: But all this is to be anſwer'd, by calling it parliamentary Proceedings: No doubt 'tis no Evidence in the Courts below, but they are mention'd with ſome kind of Diſdain, as very inconſiderable: In this Caſe, I beg Leave to ſay in their Vindication, That whatever the Rules of *Weſtminſter-Hall* are, 'tis not therefore Reaſon becauſe 'tis a Rule, but becauſe 'tis Reaſon, and Reaſon approv'd of by long Experience, therefore 'tis a Rule; and if they make their Rules for that Cauſe, I hope This is a Cauſe why we ſhould imitate them: But I would not have thoſe Rules thought Matters of Form, but Subſtance; or more properly part of the Law itſelf.

Upon the whole Matter, if no Gentleman will give us a Reaſon why this is Evidence, but it muſt be taken for granted, here is but one Witneſs, and that not upon Oath; and if we are to come to our parliamentary Diſcretion to ſupply that Defect, the Want of the Other, 'tis a Diſcretion I will diſclaim all the Days of my Life: And I hope you will reject the Bill."

Sir T. Lyttleton. Again; Sir *Thomas Lyttleton*, as if to ſhew, That a corrupt *Whig* makes the moſt pliant Courtier, having pronounc'd, That a Parliament ought not to ſtand on ſuch little Niceties, nor be bound by the little Formalities of other Courts, when the Government was at ſtake; Mr. *Howe* took occaſion to ſay, That he was of the Opinion of a Member who had declar'd, He had rather be try'd by twelve Men than four hundred; not only becauſe of the Challenges without ſhewing Cauſe, which in ſuch Caſe he had a Right to, but becauſe he might except to any one of the Pannel, who had any particular Animoſity againſt him; and I ſuppoſe, continued He, Sir *John Fenwick* would deſire Thoſe he has nam'd in his Paper, might not be Judges: Whether that Paper were true: And whether he ought to be attainted, for delivering it to the King? He alſo ſaid, That, Self-evident as the Power of Parliament was, it was under the ſame Reſtraint as the King's, of which *Bracton* had declar'd, *Hoc tamen non poteſt facere, quod non poteſt juſte facere*: That to do a Thing of this Nature, becauſe the Parliament had Power to do it, was a ſtrange way of Reaſoning: That what was Juſtice and Equity in *Weſtminſter-Hall*, was Juſtice and Equity every where: That if Gentlemen were to be guided by their private Opinions, they might have proceeded to the Queſtion on the Caſe, without any Evidence or Proofs at all: That one bad Precedent in Parliament, was of worſe Conſequence than a Hundred in *Weſtminſter-Hall*, becauſe private or perſonal Injuries, did not forecloſe the Clames of original Right; whereas a Parliament could ruin the Nation beyond Retrieve, becauſe it could eſtabliſh Tyranny and Miſery by Law.—He then touch'd

Mr. Howe.

on the Evidence; reminded the Houſe, That A.D. three Witneſſes had ſworn upon *Cooke*'s Trial, that *Goodman* was not at the Place of Meeting; and obſerv'd, that even from *Porter*'s Teſtimony, it was doubtful, whether he was there at the preciſe Time of the treaſonable Conſultation: After which he proceeded in theſe remarkable Words: "The Conſequence of This, Gentlemen ſay, they do not fear: I believe if Sir *John Fenwick* had been told, when he was Major-General of King *James*'s Army, that I ſhould come here to ſit upon his Life, he would have laugh'd at it, and thought it as impoſſible as Men in great Poſts now may think the like Fate ever like to befall them: But the contrary has happen'd; and I have ſeen Parties perſecute one another with ſuch Violence, that at one Time or another every body hath been in Danger of a Proceding of this ſort againſt them, which ſurmounts all we can think of, extends beyond all Pardons, and will reach beyond the Act of Indemnity: *God* knows who may be ſerv'd ſo, notwithſtanding all the Acts of Indemnity. Sir, there is one Thing that is ſaid farther, which the Gentleman at the Bar concluded with as a ſubſtantial Argument, That we do not aim at Sir *John Fenwick*'s Blood, (*God* forbid we ſhould) but at his *Confeſſion*: You here read the Bill once, and twice; will commit and paſs the Bill, (Sir *John Fenwick* not confeſſing) and ſtill this is not to aim at his *Blood*: Perhaps this Man knows no more of this Matter; yet is he as it were *rack'd* even to Death from Reading to Reading, becauſe he does *not* confeſs; and at laſt he comes to be drawn, hang'd, and quarter'd, inſtead of High-Treaſon, for *not confeſſing* it.

This I take to be the moſt dangerous Part of all the Arguments that have been urg'd: For I muſt tell you, That, according to my *private Opinion*, I do believe, that Sir *John Fenwick* does *know* of *no more* Perſons concern'd, (nor does he pretend he *knows* all that he ſays.) But the great Argument is, Take care of your Government. In the firſt Place, they muſt ſuppoſe the Safety of the Government depends upon his Execution; Or why do they uſe it as an Argument? But how does it appear the Government would be in danger by not paſſing this Bill? Do you want Exemples of Puniſhment to deter Men? No; you have had lawful Proof againſt four or five Perſons, and they have been executed: Here are Exemples made, that no body for the future may preſume to conſpire together, and hope not to be executed: What is the Reaſon of this Bill then? Why, there is a Plot going on: Sir *John Fenwick* hath been impriſon'd theſe ſix Months and more, and will you hang him becauſe there is a Plot now going on? What Conſequence is that? Do you think that he knows any thing of it? It may have been ſtarted ſince his Confinement; ſo that as to what is preſs'd of his Confeſſion, I know no one Thing would be gain'd by it that could be uſeful to the Government: Will you then proceed to a Bill of Attainder, unleſs the Matter be of the greateſt Conſequence? The Preamble of the

A. D. 1696-7. Bill for attainting the Duke of *Monmouth*, gave a ſubſtantial Reaſon for it, That he was in Arms, and could not be brought to Juſtice: That imply'd, that if he could have been brought to Juſtice, they would not have attainted him: For my own Part, could I approve this way of proceding, which I take to be both unjuſt and dangerous, my *private Opinion* ſhall never guide me in ſuch a Caſe; 'tis not the ſame thing with That my worthy Countryman put in Matter of Religion; my *private Opinion* does not affect *other* Perſons: If I miſtake in That, I only ſuffer, tho' it be ſome Juſtification, being the Rule appointed by *God* for us to go by: But where *private Opinion* may be a Pretence to exerciſe private Malice, Revenge, Avarice, and Ambition, to the Deſtruction of Others, 'tis no way fit Mankind ſhould be mutually ſubjected to the One, who are ſo much inclin'd to the Other: Law has therefore been appointed for the common Safety of all our Lives, Liberties, and Eſtates; a certain Rule by which we ever thought we held them, and without which we ought not to loſe them: If that Rampart be torn down, and the arbitrary Power of *private Opinion* eſtabliſh'd in its room, be that plac'd where it will, 'tis a greater Blow to our Conſtitution, than any we have hitherto been threatned with: It is not, I fear, in my Power to reſtrain it; but I think it yet better to *ſuffer* by it, than *conſent* to it."

Mr. Finch. It was yet farther remarkable, That in the Courſe of the Debate, Mr. *Finch*, who had been Solicitor-General in part of the two preceding Reigns, and who had ſo often diſtinguiſh'd himſelf both by his Speeches and Pleadings, fell into ſuch a Diſorder, as he was endeavouring to detect and expoſe the iniquitous Nature and pernicious Conſequences of this Bill, that he was unable to procede:—But having declar'd, That his Head would not ſuffer him to trouble the Houſe any farther, ſat down in Confuſion.—

Sir R. Temple. But what he fail'd in, Sir *Richard Temple* abundantly ſupply'd: For, having obſerv'd, That nothing could be more dangerous than the Precedent they were about to ſet, except the Arguments us'd in ſupport of it, he proceded to ſay, "I muſt confeſs, 'tis a new Doctrine to me, That the Laws that are made by the Parliament, are to be no Rule and Guide to this Houſe: Sir, the Birth-right we have, is in our Laws; and I did ever think till now, That the Laws were not only made for *Weſtminſter-Hall*, but for all the Subjects of *England*; and eſpecially, that they were to be a Rule to the Parliament that made them, till they ſhould think fit to alter them.

Here have been great Miſtakes between the Power of Parliament and the Juriſdiction of it: The Power of Parliament is to make any Law, but the Juriſdiction of Parliament is to govern itſelf by the Law; and this, give me Leave to ſay it to you, hath been the Opinion of all your Anceſtors, and the Method they ever uſed: Shall we make a Law here in a particular Caſe againſt all the Laws of *England*? 'Tis *Ultimum remedium & peſſimum*: You may uſe it in a Caſe of abſolute Neceſſity, but otherwiſe it may be a Precedent to over-turn all.

There are ſeveral Things in making this Precedent, that overthrow all the Laws and Liberties of *England*: Firſt, you are paſſing Judgment upon a Man, upon one Witneſs: I have heard a ſtrange Debate to Day.

There is another Thing that is extraordinary: Here you are going to paſs an Act without any Trial at all; for to ſay This is a Trial before you, the Commons, is a Miſtake: You never did aſſume a Juriſdiction of trying any Perſon, nor can you: You may, for your own Information, hear what can be offer'd; but 'tis not a Trial where Witneſſes are not upon their Oaths. There is no manner of Power or Juriſdiction can be pretended for you to try me: That is a Second Thing: All the Bills of Attainder you have had, have been in three Caſes, where the Perſons have been either dead or fled, or have been without the Compaſs of the Law, and could not be brought to anſwer: And you have had ſome Bills of Attainder after Trials had in *Weſtminſter-Hall*; but never a one of Thoſe have been call'd Trials, and they have been generally revers'd.

There is another Thing in this, that I think of a moſt dangerous Conſequence; and that is, That you are making way, for what I know, by this Precedent, for a Rack; for 'tis ſaid, This is to force a Man to be an Evidence: Why, give me Leave to ſay to you, 'Tis a new way not known in *England*, that you will hang a Man unleſs he will confeſs or give Evidence: But I think 'tis ſomething more than a Rack; for here is drawing, hanging, and quartering in the Caſe: And I do not think this Proceding will make him an Evidence with any Credit or Reputation to this Houſe; nor am I of Opinion that he can diſcover any thing worth ſuch a Precedent.

Now give me Leave to ſay one Thing as to the Juriſdiction of Parliament. It hath paſſed here for current, That the Parliament hath a Power to declare what they will Treaſon, tho' ſo by no other Law: 'Tis the greateſt Miſtake in the World: I heard a great Debate upon this, upon my Lord *Clarendon*'s Caſe: And it is plain, that that Statute relates only to Caſes brought from inferior Courts to Parliament: For it ſays, "That if any other Caſe ſuppoſed Treaſon, which is not in that Statute ſpecify'd, doth happen before any Juſtices, the Juſtices ſhall tarry without going to Judgment of the Treaſon, till the Cauſe ſhall be ſhew'd and declar'd before the King and his Parliament, Whether it ought to be judg'd Treaſon, or other Felony;" I ſpeak to the Juriſdiction the Parliament has by that Statute: 'Tis, that if the like Treaſons (for at Common Law there was a great many Treaſons) ſhould fall out, and be brought before inferior Courts, of which they doubted, whether they were Treaſon or no, then they ſhould be brought before the Parliament, to judge whether they were Treaſon or Felony: But how ſhall they judge? By the Laws in being: And who is this Judgment in? Not in the Parliament by *Bill*, but only in the Houſe of Lords:

A. D. 1696-7. Lords: Much less is it, That you may judge That to be Treason in this House, that was not so by the Law before: So that give me Leave to say, therefore, there is no such Power reserv'd to the Parliament, to declare any thing Treason that is not Treason before.

I must say, 'tis of the last Consequence, that we should make a Law in a particular Case, to take away from him all the Liberty that belongs to a Subject: Some Gentlemen talk of the great Favour he hath had at this Bar; I know not what to think of it; I am sure you allow'd the King's Council such Privileges as I never see before; and that was to offer That for Evidence, which every body acknowledg'd was not so; and I do not think any body would think it a great Favour to be heard in this Manner, especially to Things not in the Bill.

'Tis said every Man must go according to his private Opinion, 'tis not said Judgment neither: But if we sit here to judge, we sit to judge him according to the Laws of *England*, and then we must judge him according to legal Proof: Will you set up a Judgment that is not only not ty'd to the Rules of *Westminster-Hall*, but is not ty'd to the Laws of the Land, and attaint a Man without a legal Trial, without legal Evidence, and upon one Witness, when the Law says you shall have two; and after all, say 'tis a reasonable Proceding?

Lord Digby. It is also worth remembring, That Lord *Digby* clos'd his Speech with a Suggestion, That if it had not been for the Vindication of the Persons accus'd by *Fenwick*, the Parliament would never have been troubled with that Matter, tho' the Safety of the Government was alledg'd as the Pretence for bringing it there. That Mr. *R. Harley* said, He would never draw a Curse upon himself and his Posterity for removing so antient a Lawmark, as that which had been so long establish'd by the Laws: That no Man should suffer for Treason, except on the Testimony of two Witnesses: And that Colonel *Granville* express'd himself as follows.

Col. Granville. "Sir, I would not presume to trouble you at this time of Night, was the Debate upon a less Subject than it is: But since you are going to pronounce Judgment in a Case of Life and Death, and we are told this House is above any Rule, and that we have no Precedent comes up to the Case in question, but that every Gentleman is to find out private Rules to walk by, I think it my Duty to declare by what Rule I shall govern myself in this Matter; which is this: I will deal with Sir *John Fenwick* to Night, as I would have Mankind deal with me, if I was in Sir *John Fenwick*'s Place: Now, if I was indicted of Treason, and not allow'd any Trial, nor the Benefit of making my Defence according to the known Laws of the Land, I should think my Blood unjustly spilt, let me be never so guilty.

I shall not pretend to talk of your Power, which certainly hath no other Bounds but your Justice and Discretion; but I hope you will never exert the extraordinary Power that is lodg'd in you, but in such Cases as will meet with Approbation abroad. Sir, I hear our Proceedings upon this Bill of Attainder call'd a Trial, but I cannot think it any; and, with Submission, I do think we are a very unfit Court to determine this Matter: We sit in so many Capacities, 'tis hard to distinguish in what Capacity we act: Some of us are Witnesses, some are Prosecutors, some Others are accus'd: 'Tis hard to be accus'd, and to be a Judge at the same Time: I am sure I am as much concern'd as if I was accus'd myself, being so nearly related to one that is; and it is for his Innocence and Honour that I think myself bound to oppose the passing this Bill: For as no Resentment shall make me do any thing that is unjust, so I fear nothing that he can say, and I scorn to stop his Evidence, by cramming a Bill of Attainder down his Throat."

But notwithstanding all that was urg'd, or could be urg'd, by a *Tory*-Minority, such *Tories* had Court-Favour render'd the *Whigs*, and so determin'd were They to pay any Price for that *Favour*, that after the Debate had continued till near Eleven o'Clock at Night, it was resolv'd by a Majority of 182 against 128, that the Bill should be committed.

Committed it accordingly was to a Committee of the whole House: On the 20th it was carry'd thro' that Committee, and receiv'd that dreadful Addition, *Of which Treasons the said Sir* John Fenwick *is guilty*, under the Title of an Amendment: On the 23d it was reported, and order'd to be engross'd; and on the 25th, after another long and obstinate Debate, in which the *Tory*-Lawyers of the House, as the Prisoner's Council had before done, adopted the Principles, Authorities, and Arguments of the *Whigs*; and the *Whigs* avail'd themselves of the Subterfuges and Quirks of the *Tories*, the Bill was finally pass'd by 189 Voices against 156.

The Bill sent up to the Lords. All that now depended on Them, was to send it up to the Lords, which was done by the Hands of one Mr. *Norris*, who had reported it from the Committee to the House: And tho' it might be presum'd, That Those who told Notes so well in the House of Commons, might calculate as well in the House of Lords, there was still some room to hope, That their Lordships, in a Cause of so very delicate a Nature, would have been above holding up the Train of the Commons.

Nor ought it to be unremember'd nor unacknowledg'd, that, notwithstanding the visible Growth of Corruption and Prostitution, a glorious Stand was, on this delicate Occasion, made in that House, against the Torrent which has since so fatally and irresistibly borne down all before it.

Indeed, The Spirit to which that Stand was owing, seems to have been as unpleasing to the Courtiers of those Times, as it was favorable to the Rights and Clames of the Subject: For Bishop *Burnet* having said, The Debates on this Occasion were the hottest, and held the longest, of any that ever he knew; adds, in a plaintive Tone, "The Lords took a very extraordinary Method to force all their absent Members to come up:

Burnet's Complaint of the Spirit which appear'd upon it.

They

A. D. 1696-7. They ſent Meſſengers for them to bring them up, which ſeem'd to be a great Breach on their Dignity; for the Privilege of making a Proxy, was an undoubted Right belonging to their Peerage: But thoſe who intended to throw out the Bill, reſolv'd to have a full Houſe."

As to the Debates which aroſe among their Lordſhips, it may be ſurmis'd, they were in ſubſtance pretty much the ſame with Thoſe which had been exhauſted in the Commons: But, whether they were or not, the partial Account given by the Prelate juſt quoted, is the only account we have of them; and That is not worth a Repetition.

It muſt then ſuffice to obſerve, That never was the Court harder drove than upon this Occaſion; and that never did any Court before perſiſt ſo obſtinately in a Meaſure ſo manifeſtly odious to ſo great a Part of the Nation: For out of One Hundred and Twenty-nine Lords Spiritual and Temporal, the united Intereſts and Paſſions of the King and his Miniſters, could carry a Majority but of Seven, on paſſing the Bill: And no leſs than Forty-one, of whom Eight were Biſhops, join'd in the following Proteſt, which the *Hiſtorian of his own Times* has, more politically than honeſtly, entirely over-look'd.

The Proteſt againſt it.

We whoſe Names are underwritten do diſſent, for the Reaſons following.

Becauſe Bills of Attainder againſt Perſons in Priſon, and who are therefore liable to be tried by Law, are of dangerous Conſequence to the Lives of the Subject; and, as we conceive, may tend to the Subverſion of the LAws of this Kingdom.

Becauſe the Evidence of Grand-Jurymen, of what was ſworn before them againſt Sir *John Fenwick*, as alſo the Evidence of the Petty-Jurymen, of what was ſworn at the Trial of other Men, were admitted here; both which are againſt the Rules of Law; beſides that they diſagreed in their Teſtimony.

Becauſe the Information of *Goodman* in writing was receiv'd, which is not by Law to be admitted; and the Priſoner, for want of his appearing Face to Face, as is requir'd by Law, could not have the advantage of croſs-examining him.

And it did not appear by any Evidence, that Sir *John Fenwick*, or any other Perſon employ'd by him, had any way perſuaded *Goodman* to withdraw himſelf; and it would be of very dangerous Conſequence, that any Perſon ſo accus'd, ſhould be condemn'd: For by this Means a Witneſs, who ſhould be found inſufficient to convict a Man, ſhall have more Power to hurt him by his Abſence, than he could have had if he were produc'd *viva voce* againſt him.

And if *Goodman* had appear'd againſt him, yet he was ſo infamous in the whole Courſe of his Life, and particularly for the moſt horrid Blaſphemy which was prov'd againſt him, that no Evidence from him could or ought to have any Credit, eſpecially in the Caſe of Blood.

So that in this Caſe, there was but one Witneſs, *viz. Porter*; and he, as we conceive, a very doubtful one. A. D. 1696-7.

Laſtly: Becauſe Sir *John Fenwick* is ſo inconſiderable a Man, as to the endangering the Peace of the Government, that there needs no neceſſity of proceding againſt him in this extraordinary Manner.

Huntingdon, Thanet, N. Dunelm', R. Bath and *Wells, Craven, Carliſle, Nottingham, H. London, Gil. Hereford, Willoughby, Kent, R. Ferrers, Granville, Fitzwalter, Hallifax, Lindſey, P. Winton', Arundell, Lempſter, Hereford, Carnarvon, Jonat. Exon', Jeffreys, Northumberland, Abington, Hunſdon, Chandos, Scarſdale, Normanby, Weymouth, Tho. Menev', Dartmouth, Suſſex, Northampton, Bath, Tho. Roſſen', Briſtol, Leeds, Rocheſter, Leigh, Wiloughby de Broke.*

But tho' the ſaid *Hiſtorian*-Biſhop has over-look'd this remarkable Proteſt, he has ſtarted another Affair, which in part grew out of *Fenwick*'s Caſe, alike for the Sake of exculpating the Duke of *Shrewſbury*, and blackening the Earl of *Monmouth*; but, as uſual, neither tells the whole Truth, nor confines himſelf to nothing but the Truth, nor even ſo models the Story he tells, as to clear it of Inconſiſtency.

According to him, There was one *Smith*, a Nephew of Sir *William Perkins*, who had, for ſome Time, been in Treaty at the Duke of *Shrewſbury*'s OFFICE, pretending he could make great Diſcoveries, *&c.* And had ſent many dark and ambiguous Letters to the Duke's *Under Secretary, (Vernon)* containing only Hints and Scraps of Stories; had exacted a *Promiſe*, not to be made a Witneſs, yet never offer'd any other Witneſs, nor told where any of Thoſe he inform'd againſt were lodg'd, or how they might be taken; was always aſking more Money, bragging what he would do if he were well ſupply'd, and ſeeming to think he never had enough: "Indeed, continues his Lordſhip, *before* the Conſpiracy broke out, he had given ſuch Hints, that when it was diſcover'd, it appear'd, that he muſt have known much more of it than he thought fit to tell. One Letter he wrote *Two Days* before it was intended to have been put in *Execution*, ſhew'd, He muſt have been let into the Secret very far (if this was not an Artifice to lay the Court aſleep) For he ſaid, That as Things ripen'd, and came near Execution, he ſhould certainly know them better." His Lordſhip then throws in a Suggeſtion, That it was not improbable He was one of the *Five* whom *Perkins* had undertaken to furniſh, for aſſiſting in the Aſſaſſination; and that he hop'd to ſave himſelf by this pretended Diſcovery, in caſe the Plot miſcarried: And adds, "The Duke of *Shrewſbury* acquainted the King with his Diſcoveries; but nothing could then be made either of them or him: When the whole Plot was unravell'd, it was then manifeſt from his Letters, that he muſt have known more of it than he would own." But if it is extremely ſtrange, Burnet's Account of Smith's remarkable Caſe.

A. D. 1696-7. that these Hints of his should have contain'd so much of the Secret, and yet that *nothing* could *be made* of them or him, it is not less strange, That the King should have been made acquainted with them by the Duke, as the Bishop also asserts he was, and yet should be capable of entertaining any ill Impressions of his Grace for concealing them, as the Sequel seems to indicate:" Upon the whole, therefore, says his Lordship, he rather deserv'd a severe Punishment, than any of those Rewards, which he pretended to. He was accordingly dismiss'd by the Duke of *Shrewsbury*, who thought that even this *Suspicious Behaviour* of his *(Smith)* did not *release* him (the Duke) from keeping the Promise he had made him. *Smith*, thereupon, went to the Earl of *Monmouth*, and possess'd him with bad Impressions of the Duke of *Shrewsbury*, and found him much inclin'd to entertain them: He told him, That he had made great Discoveries, of which the Duke would take no Notice; and because the Duke's ill Health had oblig'd him to go into the Country, *Two Days* before the *Assassination* was intended, He put this Construction upon it, That he was willing to be out of the way when the King was to be murder'd. To fix this Imputation, he shew'd him the Copies of all his Letters; *all* of which, but the *last* more especially, had the Face of a *great Discovery*: The Lord *Monmouth* carry'd This to *Court*; and it made such *an Impression there* [which, one would think, had been impossible, if the said Discovery had been already imparted to his Majesty] that the Earl of *Portland* sent *Smith* Money, and entertain'd him as a Spy; but never could, by his Means, learn any one Piece of Intelligence: When this happen'd, the King was just going beyond Sea; so *Smith*'s Letters were taken, and seal'd up by the *King's Order*, and left in the *Hands* of Sir *William Trumbal*."

Corrected from Smith's own Memoirs.

Such is the Bishop's Story: But there is a Book still extant in the Name of *Smith*, under the Title of *Memoirs of Secret Service*, by the Help of which his Lordship might, if he had thought proper, have render'd it more accurate, and of course satisfactory: For therein it appears, by several short Letters from the Duke to *Smith*, that his Treaty was with his Grace in *Person*, not merely with his *Office*: That it was open'd in *November* 94: That he was really acquainted with the State of King *James*'s Court, because he writes largely of the *Middleton* and *Melford*-Factions, under the several Titles of *Compounders* and *Non-compounders*: That he gave Information of the Arms hid in his Uncle *Perkyns*'s House, which were afterwards seiz'd: That on the 2d of *February* the Duke sent him a Bill for Twenty Pounds, and a Dismission from any farther Service: That by the Dint of his own Importunity, he was again retain'd: That his Grace agreed to take him into pay at Twenty Pounds a Quarter: That all the Money he receiv'd of the Duke, amounted but to Eighty Pounds: And that, tho' his Discoveries are not altogether so circumstantial, as a Secretary would A. D. have been glad to have them, there is scarce one of his Letters from the 16th of *December* 1695, that does not throw some material Light on the Design: Thus in his Letter of that Date he says, The late King had dismiss'd most of his Officers, but then it was in order to have their Service here: And that without Money, he shall not be able to keep up the necessary Interest in *Goodman* and *Porter*'s Party. In another of *December* 23, he says, Commissions were come over, and that the Malcontents had receiv'd Instructions to prepare and be in readiness against the Junction of the *Toulon* and *Brest* Squadrons: And in a Postscript,—That the Business of the Descent had been confirm'd to him, by the Person who deliver'd out the Letters: That the Instructions were in the Hands but of few Persons; and that the Forces intended for the Invasion, were not to meet till the Fleet had left *Toulon*. In another Letter of *January* 5, he makes use of these Words, "Yesterday I was desir'd to get a List of the Forces and Colonels Names here; and also it was enquir'd into what Number of Guards did usually attend his Majesty when he goes abroad: The Intention of this, I do not as yet know: I believe it is of bad Consequence; therefore, it is necessary to double the Number, and that quickly too." *January* 10, he certifies, That the Person employ'd formerly about the *La Hogue*-Business, was come over to manage the Concert now: In a subsequent Conference with Mr. *Vernon*, he specifies that Major *Holmes* was the Person, and that he went down to Sir *William Perkyns*'s as soon as he came over. On the 24th, he made an Offer of being instrumental to the seizing Major *Holmes*, which was afterwards declin'd by Mr. *Vernon*, for want of sufficient Evidence to justify the holding him. *February* 7, he earnestly desir'd an Audience of the Duke, urging, "The Storm now coming is so violent, concerted, and sudden too, that it will be a great Work to prevent it:" Which Audience being granted on the 10th, he inform'd his Grace, That Sir *George Barclay* was engag'd in the Affair as well as *Holmes*: That they had a Design upon the King; as also to seize or surprize the Guards: That *Ferguson* was concern'd in it: That *Melfort* was the principal Manager in these Undertakings, *&c.* Being requir'd in a Letter from *Vernon*, dated the 12th, to put his Informations in *writing*, he did so: These Informations are dated the 14th, the very Day that *Pendergrass* made his first Appearance as a *Discoverer* to the Earl of *Portland*, and contain, among other Particulars, the following:—"But the Affair of the greatest Expedition, and not yet communicated but to a Few, and they to be Undertakers, is This, To *carry off* the *King*, and that quickly too: There *will be at least* Sixty commission'd officers to do it: When they have beat the Guards, They are to force the King to ride with Them, and a Vessel is ready to carry him to *France*: The Orders,

21

A. D. 1696-7. as they say, are not to abuse his Person: And when the King is there, (for the Vessel will be over in a few Hours) whilst the Nation is in a Consternation for the Person of the King, then the *French* will appear, and bring over the late King."

Now, that this perfectly agreed with *Charnock*'s Notion, That to *seize* the King in his *Winter-Quarters*, was a military Action, altogether justifiable by the Laws of Arms, is apparent: And, if it is altogether as apparent, That, if the *Design* was communicated to none but *Undertakers*, and he was really in the *Secret* of the *Design*, he must have been one of the *Undertakers* himself; it ought to be be remember'd, That he made no Scruple of informing the Duke, that he intended to appear as such among the Conspirators, in order to get at the Bottom of their Design, and so much the more effectually to defeat it: That he demanded 50 *l.* to buy a Horse, and equip himself for the Service; and that Mr. *Vernon*, by his Grace's Order, did actually offer him 20 *l.* which he refusing at first, as too little, and afterwards demanding, They, in their Turn, refus'd to part with it.

But neither was this the *last* Letter, which *more especially had the Face of a great Discovery*: For being requir'd to be still more particular, on the 19th he farther inform'd his Grace, That the Number of the Conspirators who had undertaken the *Seizure* were *Fifty*: That they had bought Horses and Furniture: That on receiving Intelligence of the King's Purpose to go Abroad, they were to be dispos'd by Twos and Fours at the Inns of the adjacent Villages, habited as Country Gentlemen: That besides this Body, they were to have another of Twenty-five Footmen in ambuscade: And that among the Persons employ'd, were *Barclay*, who had the chief Command, Major *Holmes*, Captain *Charnock*, Captain *Porter*, *Chambers* and *Boyce*.

But, notwithstanding the *Face* of a *great Discovery*, which these Letters wore, and the concurrent Testimony which the Government had receiv'd in this Interval, from *Fisher*, *Pendergrass*, *Porter*, &c. the Answer to these Letters was, That the Duke was going out of Town for three or four Days, and he thought it would be Time enough to consider of his (*Smith*'s) Demands at his Return: So that it must be concluded either, That the Intelligence given as above to Lord *Portland* and Sir *W. Trumbal*, was not communicated to the Duke of *Shrewsbury*, which would prove the King plac'd no Confidence in him; or that his Grace had very little Zeal for his Master's Service or Safety.

It is true, that *Smith* appear'd extremely careful, not to impart any Circumstance that might put it into the Power of the Government to force him to turn Evidence, which he had expressly provided against; and in his Conferences both with the Duke and his Deputy, stood more on the reserve, than was consistent with his Professions in his Letters: But then it is also as true, That his Grace so apparently starv'd the Cause, that *Smith* had some Reason to husband his Intelligence, for fear of being starv'd himself, when he could be no longer of any Service. A. D. 1696-7.

But when *Smith* was induc'd to publish his *Memoirs of Secret Service*, one *Richard Kingston*, a Clergyman, set forth an Answer to it, under the Title of, *A modest Answer to Captain* Smith's *immodest Memoirs*, &c. in which he not only asserts and maintains, That the said Book was writ by *Tom Brown*, a facetious but scurrilous Writer of those Times, but also, That the Letters inserted therein, to the Duke of *Shrewsbury* and Mr. *Vernon*, were in *several Places corrected, amended, alter'd, and several Additions made to them*, as he could prove by the very Copy sent to the Press, which had been deliver'd into his Hands by *Smith*'s Printer and Bookseller:—And with this Impeachment on *Smith*'s Character and Ingenuity, we shall leave the Merits of his Case in Suspence, till we have brought forward another Scene of Sir *John Fenwick*'s Tragedy, in which both Lord *Monmouth* and *Smith* were Parties, and by the Means of which the Latter, as we shall see, was first brought on the public Stage. *The Charge of one* Kingston *against* Smith.

And here it is necessary to make another Reference to the very busy, very notable, *Historian of his own Times*, who proceeds with his Tale in these Words.

" This Matter [of *Smith*'s, that is to say] lay quiet, till *Fenwick* began to make Discoveries: And *when Lord* * * * [*Monmouth*] understood, that he had not nam'd himself (about which he express too vehement a Concern) but that he had nam'd Lord *Shrewsbury*, it was said, That he had enter'd into a Negotiation with the Dutchess of *Norfolk*, that she should, by *Fenwick*'s Lady, encourage him to *persist* in his Discoveries; and that he dictated some Papers to the Dutchess, that should be offer'd to him, as an *additional* one; in which, many little Stories were related, which had been told the King, and might be believ'd by him: And by these, the King might have been dispos'd to believe the rest of *Fenwick*'s Paper: And the whole ended in some Discoveries concerning *Smith*, which would naturally occasion his Letters to be call'd for, and then they would probably have had great effect. The Dutchess of *Norfolk* declar'd, That he had dictated all these Schemes of his to her, who copied them, and handed them to *Fenwick*; and that he had left one Paper with her: It was short, but contain'd an Abstract of the whole Design; and referr'd to a larger one, which he had only dictated to her: The Dutchess said, she had placed a Gentlewoman, who carried her Messages to *Fenwick*'s Lady, to overhear all that pass'd; so that she both had another Witness, to support the Truth of what she related, and a paper left by him with her. She said, That *Fenwick* would not (*l*) *be guided by him*; and said, he would not *Burnet's Account of Lord Monmouth's Practices on Fenwick, and of Smith's Examination before the Lords.*

(*l*) Turn to Page 687, Col. 1. and also to Mr. *Tindal*'s Continuation, Vol III. P. 337. where he asserts, That *Fenwick* was advis'd and induc'd by the Earl of *Peterborough* (at this Time Earl of *Monmouth*'s only) to set up a *Counterplot*, by *impeaching several of the King's best Friends*.

A.D. 1696-7. not meddle with *contriv'd* Diſcoveries: That thereupon this Lord was highly provok'd: He ſaid, if *Fenwick* would follow his Advice, he would certainly ſave him; but if he would not, he would get the Bill to paſs: And, indeed, when the Matter was depending, he ſpoke two full Hours in the Houſe of Lords, in favour of the Bill, with a peculiar Vehemence. *Fenwick*'s Lady, being much provok'd at this, got her Nephew, the Earl of *Carliſle*, to move the Lords, that *Fenwick* might be examin'd, concerning any Advices that had been ſent him, with relation to his Diſcoveries: And upon this, *Fenwick* told what his Lady had brought him; and thereupon, the Dutcheſs of *Norfolk*, and her Confident, were likewiſe interrogated, and gave the Account which I have here related: In concluſion, *Smith*'s Letters were read, and he himſelf was examin'd: This held the Lords ſeveral Days: For the Earl of *Portland*, by the King's Orders, produc'd all *Smith*'s Papers: By them it appear'd, that he was a very *inſignificant Spy*, who was always inſiſting in his old Strain of aſking Money, and taking no Care to deſerve it."

Thus we are to ſuppoſe, That we have the whole of the Caſe before us, with reſpect to the Duke of *Shrewſbury* and *Smith*; and from ſuch a Proof of *Fenwick*'s Abhorrence of falſe Accuſations, and his Ingenuity in diſcovering the Practices try'd upon him, find ourſelves ſtrangely embaraſs'd as to the Affair of his Informations, which had been ſo peremptorily pronounc'd Falſhoods and Forgeries by the Houſe of Commons.

further corrected.

But we are now to ſhew, That this was not the whole of *Smith*'s Affair: While the Duke was abſent, he had, as he ſays himſelf, been importunate with Mr. *Vernon*, to be introduc'd to his Majeſty, and had complain'd of ill Uſage; after which, on his Grace's Return, he was ſweeten'd with the ſame Note of 201. which had been offer'd him before, and which made up the abovemention'd 801. But then he was, at the ſame Time, requir'd to give up one *Hewet*, a Meſſenger to the Party, from whom he had procur'd much of his Intelligence; and accordingly did furniſh ſuch Inſtructions for the taking him, that he was taken the next Day: And now he was not only frown'd upon, as often as he made his Appearance at the Secretary's Office, but was ſeiz'd at his Lodging by a Meſſenger, accompany'd with ſeveral Soldiers, together with his Papers; but, having, by a happy Preſence of Mind, or the Effect of a ſtrong Perſuaſion, That his Patron would not have treated him in ſo rough a way, acquainted the Meſſenger, there was another Captain *Smith*, who lodg'd in the ſame Neighbourhood, and over-borne him with Aſſurances, That He could not be the Perſon intended by his Grace, the Meſſenger apprehended the other, and took off the Guard, which he had till then left on him and his Papers: The Warrant was nevertheleſs againſt him; and he was again ſeiz'd the next Day by the ſame Meſſenger at *White-Hall*, where he was at Dinner: What was propos'd by this Treatment, was to oblige him to confront *Hewet*, notwithſtanding the Promiſe given him, That he ſhould not be made a Witneſs. To obtain his Liberty, he did confront *Hewet*: And having ſo done, offer'd to confront *Ferguſon* (who was alſo taken with *Hewet*) but this was declin'd: And after another officious but vain Attempt, for Leave to viſit his Uncle *Perkyns*, while under Condemnation, in order to draw a full Confeſſion from him by the Hope of a Pardon, the Door was wholly ſhut againſt him; and he was diſmiſs'd with Reprimands, for having complain'd of the Duke's Behaviour; tho' his Grace, according to Biſhop *Burnet*, did *not think himſelf releas'd from keeping the Promiſe he had made him*: Upon this, he apply'd to the Duke of *Norfolk*, under whom he had ſerv'd as a Captain, and afterwards, to the King's new Favourite *Keppel*, to be introduc'd to his Majeſty; but without effect: At laſt, reſolving to make a perſonal Puſh, he repair'd to *Kenſington*, and finding the Earl of *Monmouth* in waiting, as a Lord of the Bed-Chamber, made his Addreſſes to him; who would undertake for no more than to report his Name and Buſineſs: In ſhort, the King being on the Point of ſetting out for *Flanders*, He was told, his Majeſty could not ſee him; but if his *Buſineſs prov'd of Conſequence*, he was to be introduc'd to Sir *William Trumbal*: To furniſh out this Proof, he gave his Letters and Minutes to his Lordſhip, who having read and conſider'd them, did accordingly introduce him to Sir *William Trumbal*, who, if *Smith* deſerves any degree of Credit, wonder'd the King had never been made acquainted with his Services, and declar'd he himſelf had never heard the leaſt mention of them. His Papers being looſe, he then tranſcrib'd them in a Book, in order of Time: "And both the Originals and the Book (being, ſays *Smith*, the Proof of my Correſpondence, and undeniable Demonſtration of the Reality of my paſs'd Services) were ſeal'd up in Two Parcels, and deliver'd [to *Trumbal*] in the Preſence of the ſaid Earl. The Intention and Deſign of delivering up the ſaid original Papers into the Secretary's Hand, was not only to prove the Truth of my Book, but to ſecure them from any Attempt."

Upon the King's Return, *Smith* grew importunate for an Audience, and at length obtain'd one on the 10th of *November*, being introduc'd by the Earl of *Portland*; and having preſented to his Majeſty the Book of Correſpondence, "went away fully ſatisfy'd with the Honour he had receiv'd, and the Belief, [theſe are the Words of his own Memoirs] that his Majeſty was ſenſible of the Truth and Greatneſs of his Services."

Thus far this *inſignificant Spy* was countenance'd by his Majeſty himſelf, (a Circumſtance which the *Hiſtorian of his own Times* has carefully forgot) and, waiting ſoon after on Mr. Secretary *Trumbal*, was told by him, in the Preſence of Lord *Monmouth*, That his Majeſty was very well ſatisfy'd with the Accounts

A.D. 1696-7. counts he had given him: and had commanded him to enquire, What he moſt lik'd, whether to ſerve in the Army, or in any other Employment? To which he added as of himſelf, That ſome Money would be order'd him for the preſent: But that Money being ſcarce, little muſt ſerve, till more came in.

What occur'd next, was a Note from the ſame Secretary (who ſeems to have been no more than Lord *Portland*'s Shadow in that high Office) directing him to repair the ſame Evening to that Lord at *Kenſington*: He did ſo: His Lordſhip made him a Preſent of Fifty Guineas; and Sir *William* afterwards told him, when the Funds were ſettled, his Majeſty would reward him well for his paſt Services.

receives a Preſent of fifty Guineas.

He had afterwards another Notice from Sir *William* to wait on Lord *Portland* at *Kenſington*, concerning a Protection which he had ſolicited to ſkreen him from his Creditors; and was aſſur'd by him, he ſhould have a farther Supply of Money in a few Days.

And whether ſuch a Series of Conſiderations ſhewn to ſo inconſiderable a Man, was ſhewn to him out of ſtark Gratitude, for his having been the *firſt Diſcoverer* of the Plot, in which caſe he can be no longer eſteem'd an *inſignificant Spy*; or becauſe he had now the ſuperior Merit of acting the Part of an Accuſer of the Duke of *Shrewſbury*, the Sequel will beſt inform us.

Some other ſtrange Circumſtances in his Story.

In his Introduction he takes occaſion to intimate, That he had chang'd his Lodgings, at the Inſtance of Lord *Monmouth*, "leſt "the Ducheſs of *Norfolk* ſhould force him "to diſcover himſelf and his Correſponden-"ces, ſhe having had ſome Informations "of his Intelligence from ſome of her Huſ-"band's, the Duke of *Norfolk*'s Family; "and This, continues He, was ſome Months "before his Lordſhip's Controverſy with "the ſaid Ducheſs in the Houſe of Lords."

In his Preface, he alſo drops another odd Circumſtance, *viz.* That ſcarce any body knew his Lodging but Lord *Portland* and Sir *William Trumbal*: And it is for that very Reaſon, that he ſeems to wonder, That when he was in Expectation of a ſecond Supply from that Lord, he ſhould be attack'd by a Warrant from the Houſe of Peers, and brought in Cuſtody to that Bar; being, as he ſays, altogether ignorant of the Reaſon that induc'd their Lordſhips to attack him: *Burnet*, as we have ſeen, admits, That *Smith*'s Papers were produc'd by the Earl of *Portland* in the Houſe of Peers, by the King's Order: *Smith* declares, They were brought by Sir *William Trumbal*, ſeal'd up in the ſame Form he had left them in his Hands, and broke open in the Houſe: And it is ſcarce to be imagin'd that they were produc'd, merely to prove him an *inſignificant Spy*, at a Time when he was actually retain'd by the King himſelf, under the joint Patronage of the Lords *Monmouth* and *Portland*, and Mr. Secretary *Trumbal*: Beſides, the Duke of *Shrewſbury* himſelf, being call'd upon by the Houſe to lay before them the Letters he had receiv'd from *Smith*, and not being able, as he inform'd their Lordſhips, in *writing*, (for he was ſtill (*m*) *indiſpos'd*, and in the Country) to recover them, made ſo fair an Uſe of his Recollection with regard to the Contents of thoſe Letters, with an Exception to *Dates*, that the ſaid written Paper, which was ſet forth in print by *Smith* himſelf, is the ſtrongeſt Authority imaginable in favour of *Smith*, tho' calculated for a quite contrary Purpoſe, and the fulleſt Refutation of what the Biſhop, and that other *Hiſtorian of his own Times, Kingſton*, before-mention'd, has urg'd againſt him: For therein his Grace acknowledges all the great (*n*) Points before enumerated: So that if *Tom Brown* did alter any of *Smith*'s Phraſes, it is manifeſt he offer'd no Violence to the Senſe.

A.D. 1696-7.

Laſtly:

(*m*) It is here to be obſerv'd, That as Biſhop *Burnet* often writ more than he knew, ſo Biſhop *Kennet* knew more than he writ; as may be gather'd from the following Paſſage, which he has ſlid into his Notes, and which is a new Authority againſt Thoſe who ignorantly maintain, That the *Tories* were the only Malcontents of theſe Times.

"In Truth, the greateſt Enemies to the Intereſt of the Government, were the capricious and diſobliged Friends of it: They had not found their Accounts agreeable to their Hopes: they had not obtain'd the laſt Favour they aſk'd of the King: or they had not found their Opinion and Advice anſwering always to his Judgment; or ſuch a *One* was a *Man they could not act with*; or they were denied to have their *own Man*: or they thought themſelves ſo *neceſſary* to the Government, that they might preſume to ſtand upon their *own Terms*: or at beſt, they were weary of Trouble and Hurry, and thought it ſome *Honour* to leave the Court, when it was only Indolence to enjoy themſelves: And theſe ſort of *Abdicating Courtiers*, did his Majeſty *more Diſſervice*, than any who oppoſ'd his Title and Adminiſtration from the Beginning."

(*n*) Which is, no doubt, the Reaſon why the Biſhop does not take the leaſt Notice of it: But Mr. *Tindal*, not entering into his Lordſhip's *Reaſons* for that Omiſſion, has inſerted it in his Notes, and *yet* makes uſe of the Biſhop's Text: So that he falls into the Inconſiſtencies which his Lordſhip was ſo cautious to avoid. But let the Reader judge from the Paper itſelf, which was as follows.

To the Lord Keeper.

My Lord, *Exford*, 13th of *Jan.* 1696-7.

"Having receiv'd the Commands of the Houſe of Lords, to lay before their Lordſhips what Letters I receiv'd from one *Smith*, in *February* laſt; or in caſe I had kept none, then to acquaint the Houſe with what I can remember was contain'd in them: I am very ſorry not to be able ſo fully to comply with their Lordſhips Directions as I wiſh I could; for having heard long ſince, that this Man did pretend to great Merit for his Diſcoveries, and had, on ſeveral Occaſions, in a very unhandſome Manner, complain'd of me, I did then endeavour to collect what Letters he had ſent me, that I might judge how his Intelligence appear'd when put together: for as it came to me, I could make little of it: But I found I could retrieve ſo few, and thoſe generally of an old Date, (when I had more Value for his Intelligence than I had afterwards) that I am almoſt certain I have none of thoſe Letters left, which their Lordſhips deſire to ſee. I ſhall therefore apply myſelf to give them the beſt Account I can of what he did inform, that is moſt material at this Time: which I am the better able to collect, becauſe *ſeveral Things* he then mention'd fell out ſo *true*, that I was ſurpris'd how he could know them, and not more, till I underſtood he had his *Intelligence* from one *Hewet*, a Youth that liv'd with Major *Holmes*'s Brother, (I think) and was about that Time often employ'd to wait on Sir *George Barcley*: by which Means he had opportunity to *gueſs* or *overhear* Particulars, which otherwiſe I ſuppoſe he might not be truſted with. I remember in Winter, *Smith* writ very poſitively of an *Invaſion* intended from *France*, which was to break out at the Arrival of the *Toulon* Fleet: and that many Gentlemen of Quality and Officers were ſent from *St. Germains* on that Deſign: He nam'd Mr. *Henry Brayne*, my Lord *Montague*'s Brother, at one Time: at another, Sir *George Barcley*, *Holmes*, *Coaster*, and others: Then he gave Hints of ſome great Deſign, which he ſhould ſoon diſcover the Bottom of: and afterwards grew more particular, that it was to *ſeize* the King's Perſon, and nam'd *Barcley*, *Charnock*, *Holmes*,

A. D. 1696-7.

Laſtly: *Smith* himſelf, as if conſcious he had acted the Part of an Evidence againſt the Duke of *Shrewſbury*, makes ſome Apology for having laid open the whole Affair in the Courſe of his Examination, by pleading the Obligations of his Oath: *Hewet* alſo, one of his Intelligencers, was brought to confront him at the Lords Bar, on his Grace's Behalf; not, indeed, to ſhew that his Evidence was in any reſpect untrue, but only, that he had procur'd it all at ſecond Hand; which ſhews plainly enough, That there were Two oppoſite Currents at Court at this Time: And how earneſtly both the King and his Favourite impell'd one of them, (tho' it was overborne by the other, not thro' the Inſignificancy of *Smith*, but the Blaſt which gave ſuch a Shock to the Credit of Lord *Monmouth*) may be collected not only from the Paſſages already before us, but from that out of *Burnet*, which follows: "The Earl of * * * [*Monmouth*] was upon the Accuſation and Evidence above-mention'd, ſent to the *Tower*, and turn'd out of all his Employments. But the Court had no Mind to have the Matter farther examin'd into: For the King ſpoke to myſelf to do all I could to ſoften his Cenſure, which he afterwards acknowledg'd I had done. I did not know *what* NEW *Scene of Confuſion might have been open'd by him in his* OWN EXCUSE." The Biſhop alſo adds, That *it was believ'd the Loſs of his Places was ſecretly made up to him:* And tho' *Smith*, immediately on the Diſgrace of his Patron, was forbid the Court, by way of Sacrifice to the Duke of *Shrewſbury*, he was the very next Winter, on threatning to lay his whole Caſe before Parliament, taken into pay as a Spy upon the *Jacobite*-Party Abroad, had one Hundred Pounds advanc'd to him, and was promis'd a Monthly Remittance; which being never paid, he return'd in ſuch a Diſpoſition, as render'd him a fit Inſtrument for the Malcontents, who made uſe of him accordingly, as we ſhall ſee in its Place.

And now we are at length come to the Cataſtrope of *Fenwick*'s Tragedy, for whom there was no longer any Hope: For as he had incens'd ſome of the leading Grandees at Court, by his *Informations*, ſo it is plain, he had put himſelf out of the Reach of Mercy, by refuſing ſo obſtinately to cloſe with the Earl of *Monmouth*'s Propoſition to become a a falſe Witneſs againſt thoſe very Men, in depoſing more than he knew, or than was in his Power to verify. According to *Burnet*, however, he nevertheleſs made Application to the Throne for a Reprieve, and endeavour'd to intereſt the Lords on his Behalf: But all the Anſwer he could obtain was, That the Succeſs of his Suit would depend on the Fulneſs of his Diſcoveries: The ſame Author alſo aſſerts, That for ſome Days he ſeem'd to be in Suſpence what Courſe to take: That he deſir'd to be ſecur'd, That nothing which he confeſs'd ſhould turn to his own Prejudice: That the Lords, by Addreſs to the King, deſir'd they might be at Liberty to make him that Promiſe, which was readily granted: And that upon this he farther deſir'd to be aſſur'd of a Pardon, on making a full Confeſſion, without being oblig'd to become a Witneſs; to which their Lordſhips return'd an ambiguous Anſwer to this Effect, That he had to do with Men of Honour: That he was therefore to rely on their Diſcretion: That their Mediation for him, would be ſuitable to the Sincerity and Importance of his Diſcoveries: That according to his Behaviour hitherto, it was more reaſonable for him to confide in their Candour, than for them to confide in his, *&c.*

But this being the ſame Language which had been us'd to him all along, he now ſaw plainly, That he had no other Choice but Death or Infamy; and gallantly preferr'd the Former. In what Place, by what Perſon, after what Form, Sentence was pronounc'd upon him, or whether in Virtue of the Act, ſuch a Ceremonial became unneceſſary, and it was in the King's Breaſt to carry it into execution, when, where, and how he pleas'd, is not remembred: But executed he certainly was by the Ax (in Complement to his Rank, and Alliance with the illuſtrious Family of the *Howards*) on *Tower-Hill*, *January* 28; and, as *Burnet* acknowledges, behav'd with great Decency and Compoſure: The ſame Writer alſo ſays, "At the Place of his Execution, he deliver'd a Paper in writing, wherein he *did not deny the Facts that had been ſworn againſt him*, but complain'd of the Injuſtice of the Procedure, *&c.*" But how he dar'd to ſay ſo falſe a Thing, in a Book ſo ſolemnly dedicated to the

Fenwick executed.

[Vol. II. p. 195.]

A Fallhood of Burnet's, concerning the Paper he left.

---

and others, as employ'd in the Villany; and that at the ſame Hour this was to be executed, a general Riſing was to be in all the Counties of *England*. He was different in his Accounts about the Manner of ſeizing the King: Sometimes Mr. *Lelia*'s Lodge near *Richmond* was to be attack'd, and the Walls ſcaled by the Foot, whilſt he was there: Sometimes an Attempt of the like Nature was to be made on *Kenſington*-Houſe: and at other Times, the King was to be ſet upon going to, or coming from *Hunting*. Near to the Day the Aſſaſſination was intended, he was very earneſt for Money to buy a Horſe and Equipage; upon which I deſir'd Mr. *Vernon* to talk with him, if he knew, of his own Knowledge, any Perſon engag'd in ſuch a Deſign: For being never able to bring any thing in Confirmation of what he aſſerted, from whom he had it, or at what Time it was to be executed, I *ſuppoſed* there was no Truth in the Story; or, if there were, I might *poſſibly have ſet him out to be engag'd in it.* He gave Mr. *Vernon* no Satisfaction upon diſcourſing with him, but proceeded in his Promiſes to him, That nothing could be attempted, but he would give him or me an Account of it: When the whole was brought to Light, and it appear'd he was not enough in the Secret to have prevented it, I intended, notwithſtanding, to have done ſomething for him, and at his own deſire conceal'd his Name, to give him an Opportunity, as he pretended, to apprehend *Chambers*: In the mean Time I had an Account, that in very public Places he began to threaten he would complain of me to the Parliament; whereupon I neither thought it ſafe nor decent to have any more to do with him.

What I receiv'd relating to the Attempt on his Majeſty's Perſon, or the Invaſion, I always gave the King an Account of it, whilſt *I was able to assist on him*; but being much indiſpos'd, I had his Majeſty's Leave to go into the Country for a few Days, where I remain'd till I was commanded back upon the happy Diſcovery of that horrid Deſign.

This, my Lord, is all I can collect on the Subject that Lordſhips are pleaſed to command: I beg the Favour it may be communicated to the Houſe, and am,

My Lord,

Your Lordſhips moſt, &c.

SUNDERLAND.

A. D. 1696-7. the *God* of Truth, and when the Paper itſelf was extant to bear Witneſs againſt him, who is ſo deeply vers'd in the Frauds and Forgeries of Courts, as to be able to ſolve? The very Words of *Fenwick* (after declaring himſelf of the Church of *England*, as by Law eſtabliſh'd, &c.) are Theſe.

confuted by that Paper.

"As for what I am now to die, I call *God* to witneſs, I went not to that Meeting in *Leaden-Hall-Street*, with any ſuch Intention as to invite King *James by Force* to invade this Nation; nor was I, myſelf, provided with either Horſe or Arms, or engag'd for any Number of Men, or gave *particular Conſent* for any ſuch Invaſion, as is *moſt falſly ſworn againſt me.*

I do alſo declare, in the Preſence of *God*, That I knew *nothing* of King *James*'s coming to *Calais*, nor of any *Invaſion* intended from thence, till it was publicly known: And the only Notion I had that ſomething might be attempted, was from the *Toulon* Fleet coming to *Breſt*.

If there be any Perſons whom I have injur'd in Word or Deed, I heartily pray their Pardon, and beg of *God* to pardon thoſe who have injur'd me; particularly thoſe who with great Zeal have ſought my Life, and brought the Guilt of my innocent Blood upon this Nation; no Treaſon being prov'd upon me.

I return my moſt hearty Thanks to thoſe noble and worthy Perſons who gave me their Aſſiſtance by oppoſing this Bill of Attainder, without which, it had been impoſſible I could have fallen under the Sentence of Death: *God* bleſs them and their Poſterity; though I am fully ſatisfy'd they pleaded their own Cauſe while they defended mine."

And now let the moſt partial Advocate for the *Hiſtorian of his own Times*, defend his Veracity any longer if he can!

There was alſo another material Article in the Paper, which he cannot be excus'd for paſſing over in Silence, *viz.*

"I alſo call *God* to Witneſs, That I receiv'd the Knowledge of what is contain'd in thoſe Papers that I gave to a great Man, that came to me in the *Tower*, both from Letters and Meſſages that came from *France*; and he told me, when I read them to him, That the Prince of *Orange* had been acquainted with moſt of thoſe Things before."

For the reſt, it conſiſted of the two following Paragraphs, and a ſhort Prayer.

"I might have expected Mercy from that Prince, becauſe I was inſtrumental in ſaving his Life: For when about *April* 95, an Attempt form'd againſt him, came to my Knowledge, I did partly by Diſſuaſions, and partly by Delays, prevent that Deſign; which I ſuppoſe was the Reaſon that the laſt villanous Project was conceal'd from me.

I pray *God* to bleſs my true and lawful Sovereigns, King *James*, the Queen, the Prince of *Wales*, and reſtore him and his Poſterity to this Throne again, for the Peace and Proſperity of this Nation, which is impoſſible to proſper till the Government is ſetled upon a right Foot."

At the ſame Time alſo, that the Act of Attainder againſt *Fenwick* receiv'd the Royal Aſſent, another Act of the like Nature paſs'd againſt *Barclay*, *Holmes*, and nine more, who were fled from Juſtice, in caſe they did not ſurrender themſelves on or before the 25th of *March*, then next enſuing; and to detain in Cuſtody, without Bail or Mainprize, *Counter*, *John Bernardi*, *Robert Caſſels*, *Robert Meldrum*, *James Chambers*, *Robert Blackbourne*, and ſuch other Perſons as ſhould ſurrender themſelves, or be apprehended, againſt whom there was Evidence upon Oath, of their being concern'd in the late barbarous and bloody Conſpiracy, until the 1ſt of *January*, 1697-8, *unleſs they ſhould be ſooner bail'd by Order of Council.* A. D. 1696-7. *Another Act of Attainder.*

Thus was the Government fortify'd on all Hands as ſtrongly as it could be fortified by the Force of Terrors: For in the preceding *October*, before the leaſt Whiſper of this barbarous and bloody Conſpiracy had taken Air, one *Thomas Pyke* was hang'd at *Tyburn* for High-Treaſon, in going to *France*, according to Sentence paſs'd on him at the *Old Baily*; and in the very next Month one *Vaughan* underwent the ſame Fate, for having commanded a ſmall Privateer called the *Loyal Clancarty*, in the Service of *France*.

But, how odious ſoever the Service of *France* was juſtly held, and what Severity ſoever was us'd in puniſhing thoſe who enter'd into it, the ſame Solicitude was not ſhewn to render that of *England* proſperous.

The Conduct of the Navy examined.

At the very Opening of the Seſſion, the Commons reſolv'd themſelves into a Committee of the whole Houſe, under the ſolemn and ſpecious Pretence, of conſidering the State of the Nation; but in Reality to oppreſs Sir *George Rooke* by the ſame Weight of Majority which fell ſo heavily and fatally on poor *Fenwick*: For the whole Drift of their Enquiries regarded only this ſingle Queſtion: Why the *French Toulon* Squadron was not intercepted in its Way to *Breſt*? And *Rooke* was the Perſon pitch'd upon to anſwer it: Accordingly, he was order'd to attend, underwent a long Examination, was oblig'd to produce Copies of all the Orders he had receiv'd, the Letters he had ſent, the Journal he had kept; and, afterwards of all the Letters which had paſſed between him and the Secretary's Office: On the producing theſe, he was again examin'd, as were alſo Sir *Cloudeſley Shovell* and Admiral *Mitchel*, whoſe Orders and Inſtructions, together with an Account of all the Intelligence receiv'd by the Admirals from Time to Time, concerning the ſaid *Toulon* Squadron, were taken into Conſideration next: And when the Public, after ſo much Amuſement and Expectation, were become impatient for a ſuitable, Iſſue a Motion for Candles put an End to the whole Proceeding; it may be preſumed with the Conſent of all Parties; for the Houſe adjourn'd, and it was heard of no more.

Report of the Committee on Trade.

In the ſame Interval alſo a Committee was appointed to inſpect the Trade of the Kingdom, who made a very ſeaſonable and ſenſible

A. D. 1696-7. sensible Report to the House, in which the Dearness of Labour, the Exportation of Wool (properly called the selling the Trade instead of the Commodities of the Kingdom) the Running prohibited Goods, the pernicious Practice of Stock-Jobbing, and the Neglect of our Fisheries, are set forth as the principal Reasons why the Commonwealth was not in so flourishing a State as had been expected, and might be attain'd; and the Encouragement of our Plantation Trade, particularly in Sugars, Tobacco, and naval Stores, were earnestly recommended to the Consideration of Parliament.

Votes and Addresses on the Loss at Newfoundland.

Nor did Those concern'd in the *Newfoundland* Trade, and who had suffered greatly by the Attack which the *French* had made on our Settlements, *&c.* in those Parts, the Summer preceding, fail to remonstrate their Case in a Variety of Petitions, which were referred to a Committee, and after Examination, produced the following Resolutions, *viz.* "That the Trade to *Newfoundland* doth very much promote Navigation, increase Seamen, and is of great Profit to this Nation, and of Advantage to us in the Balance of Trade. That the great Losses sustain'd in the *Newfoundland* Trade, were occasion'd through Want of a sufficient Number of Men of War to secure its Harbours, and to protect the Fishery. That an humble Address be presented to his Majesty, That a competent Number of Men of War and Land Forces be sent as soon as conveniently may be to regain the lost Harbours in *Newfoundland*, to cruise on that Coast, to guard the Fishery, and annoy the Enemy trading to those Parts."

The King's Answer.

Such an Address was accordingly presented, and the Answer his Majesty was pleased to return was to this Effect, "That he had and would take all imaginable Care for retrieving so beneficial a Trade."

Nor was this the only public Reprimand which the Government receiv'd from this Parliament after their own Hearts, on the Behalf of our suffering Trade; notwithstanding that Boast of *Burnet*'s formerly touch'd upon, That our Affairs at Sea went well this Year: For a little Fleet of Merchant-Ships from *Ireland* and the West of *England* to *Flanders* having fallen into the Hands of the Enemy in their Passage from *Spithead*, about the Middle of *February* the Owners petition'd the House of Commons for an Enquiry into the Affair, and made it appear, that timely Intelligence of the Enemy's Purpose had been communicated by one Mr. *Bowen* to one Mr. *Brightman*, Secretary of the Admiralty: Upon this both *Brightman* and *Bowen* were order'd to attend: The latter produc'd a Letter from *Ostend* dated the 5th *O. S.* giving an Account, That the *Dunkirk*-Squadron was gone out, in order to lie in wait for the said Merchant-Ships; and said, He had receiv'd it the 8th; as also, that he had given an Abstract of it to *Brightman* on the 9th; and the said Letter having been read, the House came to the following Resolution, *viz.* That the said Letter was a sufficient Ground for the Lords of the Admiralty, to communicate the Intelligence it contained to the Port of *Dover* and other Ports, for the better Security of Trade: But tho' a notorious Neglect was thus unanswerably proved on the Admiralty-Board, and the Nation incurr'd such a Loss by it, no Censure was pass'd either on their Lordships or their Secretary.

Petition of the Owners of certain Merchant Ships taken by the Enemy.

Some Points were also brought before the House, which seem'd to be levell'd personally at the King: Of this Kind was the Calling for the Copies of the Dockets of Grants of Crown Lands, and Sums of Money during the preceding Year; which was done merely for the Sake of exposing his Majesty's Profusion to his foreign Favourites, *Zuyleſtein* whom he had created Earl of *Rochford*, and *Bentinck* Earl of *Portland*: But the Latter, appris'd of their Purpose, prudently enough took Care to sacrifice a Grant by Tally of 24,571 *l.* 5*s.* 4*d.* as a free Gift to the Envy of the House, and thereby made his Peace for the present: For these Copies of Grants were accompany'd with a Certificate signifying, That his Lordship had voluntarily vacated the said Grant: And to make him some Recompence in Honour, for this Drawback (if it was not a Feint) on his other Acquisitions, as also to shew how determin'd he, the King was, to distribute his Favours his own Way, his Majesty, soon after, was pleas'd to bestow the Garter upon him.

Grants of Crown-Lands &c. call'd for.

Address against Colonel Villiers.

Another of these Points was This: Colonel *Villiers* presuming on the Protection of a favourite Lady at Court, had made bold with the Pay of his Regiments, had refus'd to come to any Account with his Officers, and committed various Irregularities, which brought on a Complaint against him in the House of Commons, and that again produc'd an Address to his Majesty, who was pleas'd to answer, That he would give Order to have the Accounts stated, and that Right should be done.

The remarkable Case of Conrade Greibe.

Lastly: The Petition of one *Mary Greibe* having been presented to the House, and referred to a Committee, the said Committee in their Report set forth, That *Conrade Greibe*, the Husband of the said *Mary Greibe*, having undertaken to deliver two Petitions in Behalf of certain Officers and Soldiers turn'd out of Count *Steinbock*'s Regiment to the King and Parliament, was the Day before seiz'd by one *Kitson*, a Messenger, by Warrant from Mr. Secretary *Trumbal*, charging him with *treasonable Practices*: That he was kept ten Days in the said Messenger's House; during which Time he had often been refus'd an Examination: And that at last, about Two or Three o'Clock in the Morning, he was taken out of the Custody of the said Messenger by a Party of the *Dutch* Guards, who carry'd him on board a *Dutch* Vessel, from whence he was convey'd to *Brussels*, where he was thrown into a Dungeon and subsisted on Bread and Water only.

What follow'd, was a Resolution for an Address, That his Majesty would be pleas'd to cause the Informations against *Greibe* to be laid

A. D. 1696-7. laid before the Houſe, and ſuch an Addreſs was prepar'd and preſented accordingly; to which he was pleas'd to return a written Anſwer to the following Effect. "That upon the Diſcovery of the late Conſpiracy againſt his Perſon and Government, the ſaid *Greibe* was taken into Cuſtody amongſt other *ſuſpected Perſons*, as concern'd in that Plot; and, about the ſame Time, ſeveral Informations being ſent and deliver'd to his Majeſty, whereby he appear'd to be a very *dangerous Perſon*, his Majeſty thought it for his Safety not to ſuffer him, being an *Alien*, to continue longer in this Kingdom; and did order the Duke of *Wirtemburgh*, who was then going for *Flanders* to tranſport him thither, in order to ſend him to the Elector of *Brandenburgh*, his natural Prince, which was done accordingly, and the ſaid *Greibe* was deliver'd to the General of the ſaid Elector, who was by him appointed to receive him.

Thus the Informations, required by the Addreſs, were not only refus'd, tho' in a Manner ſome what indirect, but under the Cover of the *Plot*, one of the moſt arbitrary Actions was acknowledged to the Teeth of the Legiſlature, that ever had been committed in *England*. The Man, tho' an *Alien*, was accountable to the Laws, while a Sojourner here, and therefore, was entitled to their Protection; nor was there any one Plea in the Anſwer, which could ſatisfy a conſcientious Man, that either ſuch an extraordinary Exertion of Power, or the Apology for it, became the Character of a *Deliverer*. The Commons, however, affected to be ſatisfied; or at leaſt acquieſced in Silence; for no more was ſaid of the Affair.

Tokens that the Commons were in Diſgrace with the People.

But even the Commons themſelves had, for ſome Time paſſed, been grown gradually more and more odious and contemptible in the Eyes of the Public: And of This they were made ſenſible by ſeveral Incidents which occurr'd in the Courſe of this very Seſſion. For a Committee having been appointed to enquire into the Abuſes of Priſons, they were appriſed by two ſeveral Witneſſes, That one *Tilly*, at that Time Warden of the *Fleet*, and accuſed of acting arbitrarily in his Office, had boaſted of bribing a Committee of Parliament, in order to obtain the Act, by which he had been enabled to purchaſe the ſaid Office of an Infant, in whom the Right lay; and had ſaid, That Commons, Lords, Judges, Privy-Counſellors, and all, were to be induced, by *palming*, as he phras'd it, to do any Thing: They were alſo appriſed by two other Witneſſes, that one *Francis Duncomb* had alſo reported, he had diſtributed Money to ſeveral Members; and when This was reported to the Houſe it was ordered, that both *Duncomb* and *Tilly* ſhould be taken into Cuſtody: It alſo appears, by the Journal of the Houſe, That one *Markham*, and one *Glover*, were, about the ſame Time, accuſed of having ſpoke *ſcandalous Words* of the Houſe; and that the Houſe did not think proper to procede with the Rigour uſual in the like Caſes againſt them; becauſe of the turbulent Spirit which, at this Time, rag'd amongſt the Populace. It is true, they A. D. 1696-7. did make an Order for taking the Former into Cuſtody; but it does not appear, That it ever was executed: And when the Queſtion was put, with Regard to the Latter, it paſſed in the Negative; and to conceal what had happen'd, an Order was made, That the ſaid Queſtion ſhould not be printed in the Votes.

It is, however, proper to obſerve, That this turbulent Spirit did not ariſe immediately, either from theſe Informations, or the Reſentment they cauſed in the Houſe: All Perſons converſant in Trade, either practically or ſpeculatively, were, at this Time, divided in their Opinions, as to the Introduction or Prohibition of *India* Silks: And a Bill had been brought into Parliament to reſtrain the Wearing them: At the Head of Thoſe who embrac'd the former Opinion, appeared Dr. *Davenant*, ſo juſtly famous for his political Writings; and on this Occaſion it was, That he ſet forth his Eſſay on the *Eaſt-India* Trade: But, how rational ſoever his Opinions were in general, ſo loud was the popular Cry on the other Side, that they could not be heard without Doors, tho' they had their full Weight within: And when it appeared, that the Bill was likely to be drop'd, the Populace were let looſe to *Tumultuous Application in behalf of a Bill.* enforce it by the Dint of Clamours and Importunities, if not of Menaces and Violencies: But tho' the Houſe was in a Manner inveſted by the Mob, (as the *Eaſt-India* Houſe had alſo been) who had taken Poſſeſſion of all the Paſſages leading to it, they would not ſuffer themſelves to be forced from their Purpoſe: On the Contra- *Order and Vote thereon.* ry, They ordered the Sheriffs, and Juſtices of the Peace for *Weſtminſter* and *Middleſex*, to diſperſe theſe outrageous Suitors; they reſolved, That the inciting and encouraging any Number of Perſons to come in a riotous Manner, either to hinder or promote the paſſing any Bill depending before the Houſe, being againſt the Conſtitution and Freedom of Parliament, was a high Crime and Miſdemeanor; and they appointed a Committee to enquire who were the Authors of this Tumult, which, in a ſolemn Addreſs to the King, the Company of Weavers thought fit both to diſown and expreſs their Deteſtation of.

But as if to make amends for the Loſs of *Account of Bills loſt.* a Bill ſo popular as this were, Two others altogether as unpopular, was loſt with it, *viz.* A Bill for a general Naturalization; and a Bill for regulating printing Preſſes; by which among other Things it was provided, That no News-Paper ſhould be publiſhed without a Licence, under certain Pains and Penalties therein mentioned.

Several other Bills were alſo loſt of different Natures, which, for very obvious Reaſons, deſerve to be mentioned; as, A Bill to prevent the Buying and Selling of Offices and Places of Truſt, which was one of the crying Sins of theſe Times; for the public Service was generally bought and ſold with them: A Second, To prevent the undue Marriages of Infants: Which ought rather to have been to prevent the Marriages of

A. D. 1696-7. Infants as undue: A Third, To settle and regulate the Trade to *Africa*: And a Fourth, To encourage the Woolen Manufacture of *England*, and to prevent the Exportation of That of *Ireland* to foreign Parts.

But of all the Bills which met with this Fate during this Session, That for regulating the Elections of Members to serve in Parliament created the most Speculation: The Gentlemen, who compos'd the Minority, observing, that many of the *Court-Phalanx* were mere *Adventurers*, who had scarce a visible Livelihood to exempt them from Parish Persecution, entertained a Notion, not altogether unplausible, That the Votes of these Parliament-*Switzers* contributed more to their Daily Bread than their Prayers; and thence inferr'd, that Men of Property were the most likely to act as Men of Principle, or true Representatives of their Country: These, at least, were the Pretences for the Bill; which provided, That none but such as were Land-Owners to a certain Value, should be in a Capacity of serving. The Court, on the other Hand, who knew most and best the Importance of Corruption, and the Expediency of defending every Out-work and Approach which led to it, set all their Engines at work to defeat it, tho' they proceeded in the House of Commons at least with all the Caution imaginable: For they harangu'd on the Danger of prescribing the Qualifications of Candidates, and of such an apparent Encroachment as This was on the Liberties of the Electors: Enlarg'd on the Reasonableness of leaving the Nation at perfect Freedom, in a Proceeding which regarded their Freedom most: And argued, "That it seem'd both unjust and cruel, That if a poor Man had so fair a Reputation, as to be chosen, notwithstanding his Poverty, by Those who were willing to pay him *Wages*, he should be branded with an Incapacity, because of his small Estate: That Corruption in Elections, was rather to be apprehended from the Rich, than from the Poor, *&c.*" They also stimulated the People in many Parts of the Kingdom, to petition against it, because it seem'd calculated to incapacitate Merchants, who were Men of Property, tho' not Land-Owners, from sitting: But this Objection was remov'd by a Clause which provided, That any Merchant, being a natural-born Subject of *England*, who was worth 5000*l.* in real and personal Estate, might be elected; under this Restriction, That no Man should be esteem'd a Merchant for having Money in the Bank, or any other Company: And this Expedient appearing to be satisfactory without Doors, the Bill was pass'd, and sent up to the Lords, who thought fit to reject it on the second Reading; the Number on the Division being 62 against 37: And of the Latter, 14 entering their Protest for this Reason, *viz.* Because They conceiv'd the Provision made in the Bill, to *be most agreeable to the Constitution and true Interest of this Kingdom.*

Burnet.

and Bills pass'd.

And now all that remains, in order to bring the Session to a Close, is to specify such national Bills as have not been touch'd on already, and yet did receive the Royal Assent, *April* 1, and *April* 16, when the King put an End to it, *viz.* An Act for punishing Mutiny. An Act for enlarging High-ways. An Act for preventing Frauds in Brewers, *&c.* An Act for the Relief of Creditors. An Act for lessening the Duty on Tin and Pewter exported, and granting an equivalent Duty on Drugs. An Act to make perpetual, and render more effectual, an Act to prevent Delays at the Quarter-Sessions. An Act to enforce the Act for the Increase and Encouragement of Seamen. An Act for raising the Militia for the Year 1697. An Act for the further Encouragement of the Manufactures of Lustrings and Alamodes, and for preventing the Importation of the same. An Act for the better Observation of the Course antiently us'd in the *Exchequer*. An Act for the easier obtaining Partitions of Lands held in Coparcenary, *&c.* An Act for the Supply of some Defects in the Laws for the Relief of the Poor. An Act for the more effectual Relief of Creditors in Cases of Escapes, and for preventing Abuses in Prisons and pretended privilege Places. And an Act to restrain the Number and ill Practices of Brokers and Stock-jobbers, which in the Preamble of the said Act, were said to be such as were not only extremely prejudicial to the public Credit of this Kingdom, and to the Trade and Commerce thereof, but such, as if not timely prevented, might ruin the Credit of the Nation, and endanger the Government itself.

A. D. 1697.

As to the gracious Speech from the Throne, it was as follows.

King's Speech.

"*My Lords and Gentlemen,*

Having given my Assent to the several Bills you have presented to me, I am now to return you my hearty Thanks for what you have done this Session; which has been carried on with great Prudence, Temper, and Affection.

At the Opening of the Session, I told you how sensible I was of the Difficulties to be struggled with, which were of such a Nature, that, I will freely own, the Hopes I had of our being able to overcome them, were founded only upon the Wisdom and Zeal of so good a Parliament.

My Expectation has been fully answer'd; you enter'd upon the Business with so much Chearfulness, proceeded so unanimously, and have at last brought Things to such a Conclusion, that we may hope to carry on the War with Success, in case our Enemies do not think it their Interest to agree to an honorable Peace: And so effectual a Provision being made for supplying the Deficiencies of former Funds, (which is the best Foundation for re-establishing of Credit) I doubt not but in a short Time it will have a very happy Effect, to the universal Ease and Satisfaction of my People.

The Circumstances of Affairs making it necessary for me to be out of the Kingdom for some Time, I shall take care to leave the *Administration of the Government*, during my Absence, in *the Hands of such Persons as I can depend upon.*

A. D. 1697. *My Lords and Gentlemen,*

I have nothing more to ask of you, but that you would carry down the same good Disposition into your several Countries, which you have expres'd in all the Procedings of this Session."

Now, of Two Bishops that have writ the History of these Times, one *Burnet*, makes no mention at all of this Speech; and the other, *Kennet*, who gives it *verbatim*, takes no care to point out those remarkable Words, *I shall take care to leave the Administration*, &c. to the particular Attention of his Readers: And yet they relate to one of the most memorable Incidents in his Reign; namely, his Majesty's taking that very Lord *Sunderland* into his Service, who was so justly obnoxious to all Parties alike, both for his violent Councils, and acknowledg'd Treacheries to King *James*: As we have already seen. He had been long a distinguish'd Favourite, but hitherto had prompted only behind the Curtain; and now when he was brought forward to act a principal Part on the public Theatre, it was held requisite for the King, on this solemn Occasion, to make use of some such Expressions as should amount to a Declaration, That he himself would be responsible for his Fidelity.

Lord Sunderland *made Lord Chamberlain, and out of the Lords Justices.*

Whether they were at first understood or attended to, at this Distance of Time is hard to be determin'd: But when it was known the Earl of *Dorset* had been induc'd to take a large Sum of Money, in lieu of the Lord Chamberlain's Place, to make room for him at Court, and he was appointed one of the Lords Justices in the King's Absence, it must be concluded, That they were no longer a Mystery to any Body; and that the Reflections made on such an Avowal of so intimate a Connection, were suitable to the Occasion.

That it was a Step extremely mortifying to the *Whig*-Undertakers at Court, can scarce be doubted; and probably the long and fierce Opposition, which they maintain'd against the Act of Grace, in part arose from their Apprehensions of his Ascendancy, and their Resolution of throwing all manner of Obstacles in his way.

In virtue of a Compromise with the Whig *leaders.*

From Circumstances it moreover appears, That with all the Weight the King could throw into his Scale, his Admission into the Service, was the Result of a sort of Compromise: For at the same Time the Lord-Keeper *Somers* was made a Lord, and farther dignify'd with the Title, Power, and Pre-eminence of Lord High Chancellor; and Admiral *Russel* was not only created Earl of *Orford*, but also appointed one of the Lords Justices, tho' to make room for him, Lord *Godolphin*, first Commissioner of the Treasury, who had been of the Regency the two preceding Years, was left out.

This is all that can be trac'd from such Vestigies as Time has left us of our Court-History at this Crisis: And, indeed, of our domestic Concerns in general, we have nothing more to add that deserves a Place in History: For *Scotland* was all this while intent on nothing but the Establishment of their new *India*-Company, in Conformity to the Charter they had receiv'd, and in contempt of the Displeasure of *England*: And as to *Ireland*, to say, That the Marquis of *Winchester*, Lord *Galway*, (now made an Earl) and the Lord Viscount *Villiers*, were associated in the Government there, with the Stile and Title of Lords Justices; and that Mr. *Methuen* was appointed Lord Chancellor of that Kingdom, in the Room of Sir *Charles Porter*, who did not long survive his Antagonist *Capel*, is to say nothing: For as long as a Period is undistinguish'd by new Measures or Incidents, it derives no new Colour from new Names. A. D. 1697.

But then, before we resume the Thread of Foreign Affairs, some Notice must be taken of an Occurrence, that was just hinted at in the Close of that Section which treated of the Conduct of our Marine, during the last Summer.

It was hinted, that Sir *Cloudesley Shovel* had been sent with a Fleet to look into *Brest*, on a Suspicion, that the Enemy were making Preparations there for a Descent; and that tho' the said Suspicion was groundless, they nevertheless did send a Squadron to Sea, on a very important Errand.

M. Pointis's Expedition to the West-Indies.

That Squadron consisted of seven large Men of War, about ten Frigates, Victuallers, Tenders, &c. mann'd with 2260 Seamen, and 1750 Soldiers, under the Command of M. *Pointis*, who had form'd a Scheme three Years before of waging a sort of piratical War in the *Spanish West-Indies*, and with the Permission of his Court, had induc'd several private Persons to be Adventurers in the Charge, for the Sake of being Sharers in the Profits.

We are told King *William* himself was the Person who by his own Sagacity, not the Goodness of his Intelligence, first discover'd the real Destination of this Squadron: But upon what Authority this Incense is offer'd to his Majesty's Memory, is not over-easy to trace: And was the Fact ever so notorious, it would follow, That his Foresight was of little Use to his Affairs, as will presently be seen. [*Lives of the Admirals*, Vol. III. P. 202.]

It appears by Admiral *Nevil*'s Papers, That towards the latter End of *September*, he had Orders to get ready a Squadron for the *Mediterranean*-Service; and that by the End of *October*, the said Squadron was in such Readiness, that he waited for nothing but sailing Orders: That by these sailing Orders he was to make the best of his way to *Cadiz*, there to remain till he should receive farther Notice from *England*: That on the 3d of *November* he did actually set sail with the *Cambridge*, *Rupert*, *Pembroke*, *Warwick*, and *Blackwall* Men of War, as also two Fireships: That on the 17th, Mr. Secretary *Trumbal*, by Letter, order'd him to co-operate with the Consul at *Cadiz*, and his Majesty's Minister at *Madrid*, in demanding the Restitution of certain *English* Merchant-Ships trading to *Barbary*, which, in Contravention of the Treaties subsisting between the two Nations, had been taken by the *Spaniards* as lawful Prize, because

Admiral Nevil *sails for* Cadiz.

They,

A. D. 1697. They, the *Spaniards*, were at War with the *Moors*, and their Men condemn'd to the Gallies; (which, by the way, manifeſted plainly enough, that *Schonenburgh's* Affair was not forgot at either Court) That by a general Inſtruction, dated *November* 30, ſign'd and counterſign'd by the King, and accompany'd with a Letter from *Trumbal*, requiring him to keep the ſaid Inſtruction ſecret, he was order'd to uſe his utmoſt Diligence in fitting out the ſaid Squadron for a Voyage of *ſome Length*; and in particular to furniſh them with as much Wine and Oil as they could ſtow: That in a more particular Inſtruction, alſo ſign'd and counterſign'd by the King, and dated the next Day, *December* 1, by the Preamble of which it appears Mr. *Neville* was advanc'd to the Rank of a Vice-Admiral, it is ſaid the King had receiv'd ſeveral credible *Advices*, that the Squadron fitting out at *Breſt*, under the Command of the Sieur *Pointis*, was deſtin'd for the *Weſt-Indies*, there to inſult ſome of his Majeſty's or the King of *Spain*'s Territories: That on the Credit of theſe Advices, he was directed by the ſaid Inſtruction to make the beſt of his way to *Madeira*, there to join or wait the Arrival of ſuch of his Majeſty's Ships as ſhould be order'd to re-enforce him; after which he was directed to procede with his whole Strength to *Barbadoes*; and in caſe the Enemy's Fleet were not at *Martinico*, to go in queſt of them to the *Leeward-Iſlands* and *Jamaica*; ſending, in his way, a Frigate to *Porto-Rico* and St. *Dominigo* for Intelligence of them, as alſo of the *Spaniſh Flota* and *Galleons*: If the ſaid Frigate brought him Advice, that the Enemy were making any Attempt on the King of *Spain*'s Territories, or the ſaid Galleons and Flota, he was to repair to their Relief without Loſs of Time; and upon meeting with the Enemy, he was to take, burn, ſink, or otherwiſe deſtroy them: For the better Performance of which Service, he was authoris'd to take under his Command all ſuch Ships of War as he ſhould meet with in thoſe Seas, *&c.* In caſe of receiving no Advice of the Enemy, he was to make an Offer to the chief Governor of the *Havannah*, of convoying the ſaid Flota to *Cadiz*; and to inform him, he had been ſent into thoſe Seas for their Security: And, laſtly, if the Flota and Galleons were already ſail'd, and there was no Probability of overtaking them; or the *Spaniards refus'd to ſail in Company with them*, and he was aſſur'd the Enemy had no conſiderable Strength in thoſe Seas, he was then to make the beſt of his way back to *England*.

Receives Orders to prepare for a ſecret Expedition.

An Abſtract of thoſe Orders.

It farther appears by the ſaid Admiral's Papers, that he receiv'd theſe Inſtructions on the 21ſt of *December*: That he apply'd himſelf immediately to obey them: That he inform'd Sir *William Trumbal*, his Ships, being built for cruiſing, were not capable of much Stowage: That he was not able to procure the (*o*) Reſtitution of the *Engliſh* Merchant-Ships taken by the *Spaniards*, and confiſcated for trading with their Enemies the *Moors*: That Wagers had been publicly laid at *Cadiz*, that he was bound to the *Havanna*, to convoy the Flota and Galleons home to *Cadiz*: That the Duke *d'Alberquerque* (whom he repreſents as an Enemy to the *Engliſh* Nation) nevertheleſs came on board his Ship, to impart a Secret to him, as he ſaid, by his Catholic Majeſty's Order; namely, That his ſaid Majeſty had receiv'd Advice from his Miniſter at the *Engliſh* Court, That the Admiral had Orders to tranſport 4000 Foot from *Milan* to *Catalonia*; and to be inform'd, what Quantity of Proviſion would be neceſſary for their Subſiſtance: That he ſet ſail from *Cadiz*, without the *Dutch* Men of War lying there, on the 9th of *January*: That on the (*p*) 12th he open'd his Orders in preſence of his Captains: That on the 16th following, being in ſight of *Madeira*, he diſpatch'd an Expreſs to Sir *William Trumbal* with Advice thereof: As alſo, that in hope the Ships appointed to re-enforce him, were already arriv'd, he had diſpatch'd the *Warwick* before him, with Orders to the Commanders of them to join him immediately, he having receiv'd Intelligence, before he left *Cadiz*, that M. *Pointis* had ſet ſail from *Breſt* with his Squadron: That in another Letter to the ſame Miniſter, dated the 20th, he gave him to underſtand, a Fleet of twenty-ſeven Ships had been ſeen from the North Part of the Iſland, ſtanding to the Southward: That on the 15th of *February*, he farther inform'd him, the ſaid Fleet was *Pointis* Squadron; and complain'd bitterly, that he ſhould be detain'd for twenty-ſeven Days together, in Expectation of the Ships that were to join him; beating, ſaid he, *our Ships to Pieces*, (for he kept his Squadron at Sea all the Time) *ſplitting our Sails, ſpending our Proviſions, and giving the Enemy Opportunity to do what they liſt*: That he repeated thoſe Complaints again and again, as well to the Lords of the Admiralty, as to the Secretary's Office: And that, notwithſtanding all he could urge, it was the 20th of *March* before Rear-Admiral *Meeſe*, who was appointed to command under him, arriv'd, who had been but *fourteen* Days in his Paſſage, whereas the Admiral had waſted *ſixty* in waiting for him; when, as he told the Secretary himſelf, he did not expect to wait *five Hours*.

Comes in ſight of Madeira.

where he continues for forty Days, expoſtulating a Reinforcement.

But 'tis remarkable, his final Orders were not ſign'd by the King till the 10th of *February*, almoſt a Month after he had reach'd his Station; and theſe final Orders, being nevertheleſs

(*o*) I have the Tranſlation of a very ſtrong Remonſtrance to his Catholic Majeſty on this Occaſion now lying before me; as alſo an original Letter to the Admiral, in the Name of all the Factory, for the Protection he had given, and the Favour he had ſhewn them.

(*p*) Notwithſtanding which Mr. *Burchet* talks of his convoying the *Turkey* Fleet, and forty-five other Merchant-men, in concert with Rear-Admiral *Evertzen*, and three *Dutch* Men of War, in their way home, before he ſet ſail for *Madeira*. And the Author of the *Lives of the Admirals*, taking *Burchet* for his Authority, computes it was about the Middle of *February* when he came upon his Station.

A. D. 1697. nevertheleſs accompany'd with a Letter from *Trumbal*, preſſing him to uſe his *utmoſt Care and Diligence*, that no *Time ſhould be loſt*, inſtead of aſſigning any Reaſon to account for the Time which had been loſt already, it ſo far provok'd the Admiral, that in his Reply he made uſe of theſe very words, "I wiſh you had been as earneſt with the People at home: Then, poſſibly, we might have prevented a great deal of Miſchief, which I am afraid is done, before the Date of this Letter: And you may depend upon it, that M. *Pointis* is returning home before this Time, and may be at *Breſt*, or ſome other Port in *France*, as ſoon as I am at the *Havannah*, having a long way to run. I have cruis'd now off of this Iſland two Months and four Days, to the Amazement of all People, eſpecially the *Portugueſe*, who are a jealous People, and have kept a ſtrong Guard along ſhore ever ſince my coming here."

In ſhort, the Ships which compos'd the Re-enforcement, were the *Breda*, *Trident*, *Ruby*, *Briſtol*, *Sunderland*, *Lincoln*, *Dolphin*, *Scarborough*, *Goſport*, and *Biddeford*; as alſo the *Blaze* and *Lightning* Fireſhips; and *four Dutch* Men of War, the *Leo*, *Hollandia*, *Leyden*, and *Utrecht*: But of theſe only the *Briſtol*, which carry'd the Rear-Admiral's Flag, and the *Lightning* Fire-ſhip, came up, the reſt being diſpers'd in a Fog off of the Iſle of *Wight*: This was a new Affliction to the Admiral; and, as if to increaſe it, the Wind, which had been all this while at E. came about to W. This, however, did not hinder him from perſuing his Inſtructions, in making the beſt of his way to *Barbadoes*, the Place of general Rendezvous; and he did make the beſt of his way accordingly; as we ſhall ſee in its Place; for Time now calls upon us to reſume the Thread of our foreign Negotiations.

and ſets ſail for Barbadoes.

Foreign Affairs. The verbal Anſwer of the *Imperial* Court to the Miniſters of *England* and *Holland*, before cited, (P. 678.) having been tranſferr'd by them to their Principals, and the *Imperial* Miniſters at the *Hague* having roſe in their Demands on M. *Callieres*, the Miniſter of *France*, the ſaid Miniſters (of *England* and *Holland*) were directed to renew their Importunities with his *Imperial* Majeſty, to accept the Mediation of *Sweden* without Reſerve, and name a Place for holding the Congreſs; and on the 8th of *January*, N. S. did preſent a Memorial accordingly; in which, having premis'd in the Name of their Maſters, That ſuch Expedients might be eaſily found, as would ſerve to remove all Obſtacles on the two great Points of acknowledging King *William*, and reſtoring *Luxemburgh*, they proceede to complain, in ſome ſort, of the ſaid new Demands, and of the new Explanations touching the Preliminaries requir'd of the *French* Miniſter by the Emperor's expreſs Orders; adding, That the ſaid Miniſter, M. de *Callieres*, had not only, on his own Part, teſtified much Surprize at a Step ſo altogether unexpected, but declar'd, that the King his Maſter would even be more ſurpriz'd than He: That there was not the leaſt Hope to be entertain'd of his Majeſty's Compliance, but, on the contrary, it was to be fear'd he would look on ſuch a Procedure as a Mark of the Repugnance and Averſion of the Allies to Peace: That the King and the States, having examin'd with Attention all theſe Circumſtances, and all that was farther to be apprehended, in caſe theſe new Difficulties ſhould give occaſion to the Prolongation of ſo bloody a War, could no longer excuſe themſelves from repreſenting ſeriouſly, tho' reſpectfully to his *Imperial* Majeſty, the little Proſpect there was of Succeſs in theſe Demands, as alſo the Expediency of receding from them, and of concurring as ſoon as poſſible with the ſaid King and States; that the Preliminaries and the Declaration which his Moſt *Chriſtian* Majeſty was to make thereon, and which was already in a manner agreed upon, might be ſettled without delay: And that to this End they beſought him to ſend immediately to his ſaid Miniſters at the *Hague*, the Powers and Inſtructions neceſſary for bringing the Affair to ſuch a happy Determination, as had been ſo long and ſo ardently deſir'd, *&c.*

A joint Memorial of the Engliſh *and* Dutch *Miniſters at* Vienna *to the* Imperial *Court.*

The *Imperial* Court, on the other Hand, in their Reply dated the 17th, did not fail to juſtify themſelves, and to recriminate on *France*: The Emperor, they ſaid, had ſhewn the utmoſt Readineſs to accept the Mediation of *Sweden*, and had even nam'd a Place *(Aix la Chapelle)* for opening the Congreſs; and it was owing to the ambiguous Anſwers of *Callieres* himſelf, that the Negotiations had been ſo long delay'd: To evince which, his *Imperial* Majeſty again declar'd, That if, in caſe of any Failure on the Side of *France*, in the full and entire Re-eſtabliſhment of the Treaty of *Weſtphalia*, his *Swediſh* Majeſty would give to the Emperor and Empire, and in general to all the Allies, the Guaranty he had promis'd, he was of Opinion the Mediation ought to be accepted by all the Parties concern'd without Delay: So that if his *Britannic* Majeſty and the States were of the ſame Mind, as he hop'd they were, the Time and Place of Meeting might be fix'd without any Difficulty: But then he alſo expreſs'd his Reliance on the good Offices of his *Swediſh* Majeſty, and the Zeal and good Faith of the Allies, as well for obtaining the full Reſtitution of *Lorrain*, (without which the Ends and Purpoſes of the Peace could never be obtain'd) as alſo a Recompence for ſuch Damages and Pretentions as the other confederated Powers had to urge, or had ſuſtain'd: And he argued, that the Succeſs of their Negotiations, would in a good Meaſure depend on the Firmneſs of their Union, and the Concurrence of their Efforts in the Support of each other, agreeable to thoſe Conſiderations which were the Baſis of their Confederacy, *&c.*

The Emperor's Anſwer.

But with what Reluctance ſoever the *Imperial* Court embrac'd the Overtures of Peace, and how obſtinately ſoever they inſiſted on ſuch previous Conceſſions in favour of *Spain* and *Lorrain*, as they knew would not be granted, in hope of breaking off the Conferences, it was on the 4th of *February* agreed

A.D. 1697. *The Mediation of Sweden accepted by the Allies.*

by all the Miniſters of the Allies aſſembled at the *Hague*, except the Miniſter of *Spain*, (who demanded that *France* ſhould, by way of Preliminary, agree to reſtore all the Places nam'd in a Liſt of Re-unions, which he preſented to the Aſſembly, and which were almoſt innumerable) to accept the Mediation of *Sweden*; and the next Day M. de *Caunitz*, the firſt *Imperial* Miniſter, made an Offer in form of the ſaid Mediation to M. *Lillieroot*, the Plenipotentary of *Sweden*, in the Name of all the Allies, *Spain*, as before excepted.

On the 10th, the full Powers of the ſeveral Miniſters having been reciprocably communicated and examin'd in the Preſence of the Miniſter-Mediator, and M. *Dykveldt*, M. de *Callieres* propos'd the following Preliminaries, *viz.*

Preliminaries offer'd by France.

1. That the Treaties of *Weſtphalia* and *Nimeguen*, ſhould be the Baſis of the preſent.

2. That *Straſburgh* ſhould be reſtor'd to the Empire in the ſame Condition as when taken by his Majeſty.

3. That *Luxemburgh* ſhould be reſtor'd to *Spain* in its preſent State.

4. As alſo *Mons* and *Charleroy*.

5. And the Places in *Catalonia* taken ſince the Peace of *Nimeguen*, in the State in which they were taken.

6. That the City and Caſtle of *Dinant* ſhould be reſtor'd in like manner to the Biſhop of *Liege*.

7. That all Re-unions made ſince the ſaid Peace, ſhould be made void.

8. That *Lorrain* ſhould be reſtor'd according to the Conditions of the ſaid Peace.

Under certain Qualifications,

After which, the ſaid Miniſters repairing to the Houſe of M. *Borel*, who being indiſpos'd, could not be preſent at the Mediators, the ſaid M. *Borel* and M. *Dykveldt* gave the Mediator to underſtand, in the Preſence of M. *Callieres*, who confirm'd the ſame, in the Name of the King his Maſter, That it was agreed, the moſt *Chriſtian* King ſhould acknowledge the Prince of *Orange* King of *Great Britain* on the Concluſion of the Peace, without any Difficulty, Reſtriction, Condition, or Reſerve: The ſame two Miniſters alſo ſignify'd, That whereas, in the ſecret Negotiation, when the Reſtitution of *Straſburgh* was diſcours'd of, it was always added by M. de *Callieres*, Or the Alternative of an Equivalent, at the Choice of the King of *France*, They had as often added in their Turn, Or an Equivalent, at the Choice of the *Emperor*: And again, That, in diſcourſing of the Reſtitution of *Luxemburgh*, they had, in like manner, added, Or an Equivalent, which the King of *Spain* ſhould propoſe to the Choice of the King of *France*: All which, and ſuch other Matters as were thought of ſufficient Moment, being reduc'd to writing, were ſign'd as the *Protocole* of the Negotiation by the Miniſter Mediator; with the Addition of another Article, which took place on the 15th following: For the Miniſters of the Empire and *Spain* taking Offence at the Relaxations admitted on theſe ſeveral Heads, the ſame two Miniſters of the States

which give Offence to the Emperor and Spain.

then declar'd, That as often as M. *Dykveldt* made his Report to the Congreſs of the Allies at the *Hague*, of what had paſs'd between M. de *Callieres* and him on that Subject, they had always proteſted againſt admitting any Equivalent for either of theſe Places, as the ſaid M. *Dykveldt* had always told M. de *Callieres*, in the Preſence M. *Borel*.

A.D. 1[illegible]

But this little Rectification was not ſufficient to render the Preliminaries of *France* palatable to the reſt of the Allies: On the contrary, when they were communicated to them, each had his Objection; and All, the Malcontents that is to ſay, agreed, That inſtead of an Act of Acceptance, they ought to return an Act of Reſervation: Accordingly, ſuch an Act was propos'd, and preſented to the Mediator by M. de *Caunitz*, in the Name of all, ſetting forth in Subſtance, That the Emperor and Empire inſiſted on the Benefit of the two Treaties in their full Extent, according to the Explanation of *Nuremburgh*; and, over and above, of all the ſeveral Declarations of his *Swediſh* Majeſty, and even of his Guaranty, in caſe the Moſt *Chriſtian* King ſhould ſtart any new Difficulties in the Courſe of the Conferences: That the Elector of *Cologne*, in quality of Biſhop of *Liege*, demanded Reſtitution of the Caſtle and Duchy of *Boullon*, and of the City and Caſtle of *Dinant*, in its preſent State, together with all its Appertenancies and Dependencies, Artillery, Stores, &c. That with regard to the Intereſts of his *Catholic* Majeſty, his Plenipotentiary ſtill maintain'd, That he could not receive the two Treaties in queſtion for the Baſis of the Negotiation, becauſe the Crown of *Spain* had no Concern in the Former; and the Latter was infinitely ſhort of the *Pyrenean*, for the Re-eſtabliſhment of which all the Allies had ſolemnly engag'd themſelves, and the King himſelf, as well as for the public Good, became a Party in the preſent War: That for theſe Conſiderations, he, the ſaid Plenipotentiary, reſerv'd, urg'd, and demanded the Renewal of the ſaid Treaty; and, over and above, declar'd, That, on condition *France* reſtor'd all the Places belonging to the King his Maſter, ſhe had poſſeſs'd herſelf of, and particularly thoſe comprehended in the Re-unions, of which he had deliver'd in a Liſt in writing, then, and on that Condition only, he was ready moſt chearfully to accept the Mediation propos'd, &c. That as to what regarded the Reſtitution of *Lorrain*, the Queen-Dowager of *Poland*, (alſo Ducheſs-Dowager of *Lorrain*) as Gourdian of the Duke her Son, had ſet forth, in writing, many important Reaſons, why ſhe could not conſent to the ſaid Reſtitution on the Terms of the Treaty of *Nimeguen*, which had never been accepted by the late Duke, and which had even been revok'd by the Moſt *Chriſtian* King.

Act of Reſervation by the Allies.

Laſtly: The ſubſcribing Plenipotentiary, in his own Character, earneſtly ſupplicates the high Allies, to conſent to nothing which ſhould interfere with the full and entire Reſtitution of *Lorrain*, which they were bound by the Articles of the Confederacy to procure;

A. D. 1697. cure; but on the contrary, to renew their good Offices with his *Swedish* Majesty, to procure Conditions more suitable to the just Demands of the said Plenipotentiary, by seduously representing to him, That in so doing, he would greatly contribute to the Advancement of the Peace: It not being in the Power of the Allies to accept of an Accommodation, without a Breach of the Confederacy, in which the Duke of *Lorrain* is not to the Extent of his Demands, comprehended.

And for a Close of all, he said, That all the Allies, as well in general as particular, reserv'd all their Rights and Pretentions against the Most *Christian* King; and more especially for Reparation of all the Wrongs they had sustain'd during the War, which they should expose more at large in the Course of the Conferences: But these Difficulties remov'd, and Concessions made, They were ready, one and all, to open the Conferences, *&c. &c.*

Thus the Conferences were open'd with a sort of Ruffle, which shew'd the Allies were divided amongst themselves; and which, consequently, gave the *French* as much Advantage over them in the Cabinet, as they had found in the Field: The Place of holding the Congress, became also the Subject of farther Altercations: The *Imperial* Court had nam'd *Aix la Chapelle*, as we have seen, and other Cities in the Empire; perhaps, foreseeing that *France* would not concur: *France*, on the other Hand, had nam'd the *Hague*; and the *Maritime* Powers had not only concurr'd, but importun'd the Emperor to do the same: His *Imperial* Majesty, nevertheless, refus'd in his Turn; and tho', as Bishop *Kennet*, and Mr. *Tindal* after him, state this Dispute, one would think it was soon over, the contrary is true: The *Imperial* Ministers stiffly maintain'd their Ground, and affected to admit of no Temperament, unless *France* would adhere to the Declarations which she had made in *Sweden* and *Holland*, with regard to the Treaties of *Westphalia* and *Nimeguen*, and which, they pretended, She had already departed from:—This is evident by the Answer deliver'd to a Memorial of the *English* and *Dutch* Minister at *Vienna*, *March* 14, by the Count de *Zevl*: As also by a Memorial of the *Imperial* Plenipotentiaries at the *Hague*, to the Minister-Mediator, dated the 28th, in which they insist, in the strongest Terms, That the preliminary Declaration of M. de *Callieres*, was both in Matter and Manner totally different from Those just cited, and demanded another Declaration conformable thereto: In the Congress of the Ministers of the Allies, moreover, held the same Day at the *Hague*, the Pensionary of *Holland*, having acquainted the Assembly, that M. *Lillieroot* had made him a Visit, in order to concert with the Allies all the preparatory Measures for opening the Negotiation, took occasion to complain of the Backwardness of the *Imperial* Court in giving their Consent, That the Congress should be held at the *Hague*: And all the Answer he receiv'd from the *Imperial* Minister present, M. de *Straatman*, was, That they expected to receive their Orders on that Head, by the next Post.

Difficulties in naming the Place of Congress.

Complain'd of by the Grand Pensionary.

A. D. 1697.

It is true, a sort of provisional Agreement had been made by the rest of the Powers concern'd, That *Newburgh*-House, belonging to his *Britannic* Majesty, in the Village of *Ryswick*, situated between the *Hague* and *Delft*, should be the Place of Meeting: That the *French* Ministers should take up their Residence at the last of those Places, and the *Imperial* continue at the Former: Messieurs de *Harlay*, de *Crecy*, and de *Callieres*, the Plenipotentiaries of *France*, were arriv'd; and M. *Lillieroot* desirr'd himself as Mediator, to clear the way to Business, by a previous Settlement of all that belong'd to the Ceremonial, and all that was requisite to Dispatch: But, notwithstanding all this, the *Imperialists* came to no Decision as to the Place of Treaty; and the *French* as obstinately refus'd to make any farther Concession in point of Preliminary: But as on the one Hand, they adher'd to the Letter of the Offers made by M. de *Callieres*, at the *Hague*, *February* 10, so on the other, they would pay no Regard to what had been offer'd at any other Time or Place.

The French intractable.

It was the 10th of *April* when this Refusal was made; and on the 20th following, the *Imperialists* deliver'd a Paper to the Mediator, which they affected to call the *Ulterior* of his *Cæsarean* Majesty; in which they put him, the Mediator, in Mind, That they had been so far from admitting the Offers of *Callieres*, That his *Imperial* Majesty would not have accepted the Mediation at all, if the King of *Sweden* had not consented to guaranty the preceding Declarations of *France*: That, even supposing the Offers of M. de *Callieres* were in effect tantamount to the said Declarations, the Embassadors of *France* ought to have made no Difficulty of using the very same Expressions in the Former which had been us'd in the Latter: That, however, they themselves, as well as the Embassador-Mediator, could not be ignorant of the notable Difference in point of Sense between the one and the other: That it was impossible to conclude the Peace on any Grounds, but the full Contents of the Treaties so often nam'd, and full Reparation for all the Acts of Encroachment committed since: And that, therefore, as well in regard to the Promises of his *Swedish* Majesty, as what became the Charge he was invested with, the Embassador-Mediator would do well to enforce the Justice of their Demand to the Embassadors of *France*, and employ his good Offices to obtain the Satisfaction requir'd, in order to remove every remaining Obstacle, *&c.*

The Imperialists deliver in a Paper which they call their Ulterior.

What the Operation of this *Ulterior* was, we can no otherwise trace than by the mediatorial *Project* which it gave rise to, and which was in Substance as follows: That the Ministers of his *Britannic* Majesty, and of the *States-General*, having been appriz'd by the Embassador-Mediator of what had pass'd on both Sides, thought themselves oblig'd

A Project deliver'd by the Mediator in the Name of the Maritime Powers.

A. D. 1697. oblig'd to remonſtrate to the *Imperial* Miniſters the Danger of breaking up the Conferences, in caſe the Two Parties perſiſted in their ſeveral Reſolutions; in which Caſe, the Advantage contain'd in the Offers made by M. *Callieres*, would not only *be loſt*, but it might become extremely difficult to re-commence the Negotiation; and ſo much the more ſo, as the Operations of the Campaign might quite change the Face of Affairs, and with it the very Grounds of an Accommodation: That the ſaid Miniſters wiſh'd his *Imperial* Majeſty might obtain full Satisfaction in his Requiſitions; yet, believing it was ſcarce to be obtain'd at preſent, or, at leaſt, previous to the Opening of the Congreſs, they could not help letting him know, They thought it would be for his Service, and for that of all the Allies, as alſo conformable to the good Intentions which his *Imperial* Majeſty had always expreſs'd for the Common Cauſe, and the Repoſe of *Europe*, for his Embaſſadors to open the Congreſs, and in the Courſe of the Conferences, to treat of the Innovations made, and the Re-eſtabliſhments to be inſiſted upon, ſince the ſaid Treaties, inſtead of inſiſting upon them by way of Preliminary; the ſame Miniſters at the ſame Time declaring, That their Maſters would jointly and ſeperately do their utmoſt to obtain the ſaid Re-eſtabliſhments in full, as alſo of the Duke of *Lorrain*, which ſhould be treated of among the foremoſt Points of the Negotiation; and promiſing, That with regard thereto, They would fulfil, precifely and religiouſly, all the Obligations they were ſubject to in virtue of their Alliances.

Thus the Embaſſador-Mediator, in his own Character, and with regard to the Guaranty of the King his Maſter, was wholly ſilent; and the *Maritime* Powers, tho' Parties, acted, in effect, as Mediators: And in the Collection of Acts and Memorials relating to this Treaty, ſuch Papers as ſerve to explane the vaſt Demands of the Emperor and *Spain*, are inſerted next to this *Project*, as if to expoſe the unreaſonableneſs of breaking off the Conferences, becauſe the *French* refus'd to grant them in the Lump.

And yet Biſhop *Burnet* is pleas'd to ſay, the *French* were *reſolv'd to have a Peace at any Rate*. It is true, the languiſhing Condition in which the King of *Spain* had lain all Winter, had inſpir'd them with nearer Thoughts of procuring that ſplendid Crown for a Prince of the *Bourbon* Race: Their Practices upon the *Spaniſh* Miniſters and Grandees, in favour of the young Duke of *Anjou*, were frequently diſcours'd of in the Pamphlets and News-Papers of thoſe Times: And their Inclinations to Peace, did ariſe in a good Degree from that Cauſe: But then it is plain, They would not purchaſe ſuch an Acquiſition on one Side, at the Expence of ſuch a Sacrifice on the other.

All the Parties have an Eye on the Spaniſh *Succeſſion.*

And it is alſo true, That the Emperor had an Eye to the *Spaniſh* Succeſſion, as well as *France*: That he had plac'd his Hopes, in a good Degree, on the Continuance of the preſent Alliance, and of the War in conſequence of it; and that the Proſpect he had of a powerful Ally againſt the *Turks*, in the Perſon of the *Czar Peter*, as alſo of giving a King to *Poland*, and of maintaining the War upon the *Rhine* on a more equal and vigorous Footing than it had hitherto been, in conſequence of the Aſſociation form'd by the Princes and Powers of the *Six Circles*, by which they engag'd to bring an Army of 60,000 Men into the Field, had encouraged him to treat in ſuch Language at leaſt, as if all the Powers of the Earth could not induce him to alter his Purpoſes: Nor is it altogether improbable, that he drew ſome additional Advantage from the Death of *Charles* XI. King of *Sweden*, which happen'd about this Time, in the 42d Year of his Age: The young King was a Minor; he had large Poſſeſſions in *Germany*; and the Countenance and Favour of the Head of the Empire, *is* occaſionally of great Conſequence to the Members, as it ſerves either way to facilitate or traverſe their Claims and Pretenſions.

Death of the K. of Sweden.

This, however, is certain, That the News had ſcarce reach'd the *Hague*, before the Embaſſador-Mediator expreſs'd himſelf in Terms of more than ordinary Regard for his *Imperial* Majeſty, and the *Imperial* Miniſters made a Conceſſion in a Compliment to him, which the *Engliſh* and *Dutch* Miniſters had labour'd for in vain; as may be gather'd from a Propoſition, which the ſaid Embaſſador-Mediator made as a Peace-Offering of his *own*, on the 4th of *May*, N. S. and the Anſwer to it, which was return'd the next Day: For the Propoſition was to this Effect, *viz.* That, whereas his *Imperial* Majeſty refus'd to accept the Preliminaries offer'd by M. de *Callieres*, but on the contrary, ſtill inſiſted on a new Declaration, conformable to the Reſolutions of the *States-General* of *September* 3. That, whereas, alſo, the *Imperial* Embaſſadors had importun'd him, the ſaid Embaſſador-Mediator, to uſe his utmoſt Endeavours to procure ſuch a Declaration from the Embaſſadors of *France*, which he had accordingly uſed, tho' without Succeſs: And that, whereas, on the other Hand, the Plenipotentiaries of the *States* had, with great Earneſtneſs, preſs'd him to open the Conferences as ſoon as poſſible, for very important Reaſons, under a Promiſe, That, during the Negotiation, they would ſupport the Pretentions of his *Imperial* Majeſty with all their Weight, and procure him all the Satisfaction in their Power:—He, the ſaid Embaſſador-Mediator, had frequently remonſtrated to the Embaſſadors of his ſaid *Imperial* Majeſty, the indiſpenſable Neceſſity of opening the Conferences without Delay, and did now again moſt earneſtly beſeech them to do the ſame; hoping They would at *laſt* yield to the Conſiderations which had obſtr'd him to be ſo importunate: Adding, "That he was now to much the more urgent, becauſe he had juſt receiv'd Diſpatches from his Court, containing the dying Sentiments of his late Royal Maſter, viz. That He had perſever'd to the laſt in *his* Purpoſe to keep his Faith with all *his* Allies inviolably; as alſo, to fulfil the Guaranty which he had promis'd.

A Propoſition made by the Mediator, in favour of the Emperor in the Name of his Succeſſor in the Conferences.

A. D. 167 promis'd, and the ſeveral Declarations he had made thereon: That, feeling the Approaches of Death, he had earneſtly recommended the ſame Thing to his Succeſſor, in the Preſence of many Perſons; and had commanded, with his laſt Breath, That ſuitable Aſſurances ſhould be made to his Allies, and eſpecially to his *Imperial* Majeſty, as a natural Effect of that cordial Sincerity which he had always obſerv'd towards him: And, finally, that his Majeſty now reigning, who had inherited the ſame Inclinations for, and Attachments to, the Intereſts of his *Imperial* Majeſty, and the common Good of the Allies, together with a ſufficient Strength to carry his laſt Will into execution, deſir'd to manifeſt the ſame Sincerity in all Things."

Accepted by the Imperialiſts under certain Reflections.

And the *Imperial* Miniſters in their Anſwer to it, having again declar'd, That, except on the Baſis they had hitherto contended for, the Peace could never be concluded, at laſt ſoften their Tone, and procede in theſe Words, "Nevertheleſs, the Embaſſadors of his *Imperial* Majeſty, of their own proper Motion, and without any Order to that effect, conſent, as a Favour to the Allies, as alſo, for the Sake of that Harmony which his ſaid Majeſty deſires to maintain with them, and more particularly, as well in Conſideration of the repeated Inſtances of his Excellency the Mediator, as for the Advancement of Peace, That the Conferences ſhould be open'd without any farther Delay: Declaring themſelves ready to treat with the ſaid Lords Embaſſadors, (of *France*) conjointly with thoſe of the High Allies; without any Prejudice, however, to the ſaid Demands, founded on the Conventions of the general Alliance, the Declarations of his ſaid *Imperial* Majeſty, and the Pretenſions of the other Allies, which are thus to be referr'd to the Negotiations of the Peace; the ſaid Embaſſadors perſuading themſelves, that this Reſolution of theirs, will not fail to be favourably receiv'd and approv'd by his *Imperial* Majeſty, in conſideration of his ſaid Allies, and of the Peace, which he deſires above all Things; as alſo, that the High Allies on their Side, will not be wanting to ſupport his Pretenſions, according to their Promiſe: And in like manner, They expect from the Endeavours and Guaranty of the Mediator, all the Zeal, and all the Equity imaginable, in the Maintenance of the Rights of his ſaid Majeſty, or rather of all the Allies in general."

And they are open'd accordingly.

The *Spaniards*, it ought to be obſerv'd, had already made a like Declaration: And thus all the ſeveral Parties being ſo far agreed, the 9th following was appointed for opening the Congreſs in form, and it was that Day open'd accordingly.

But before we can follow the Thread of Buſineſs tranſacted therein, it will be neceſſary to find room for an Incident or two, which Impartiality requires to be interwove, as a Part of our own Story, *viz.*

A Manifeſto for Force to the Prince of King William.

When the Diſcourſe of a general Peace began firſt to be talk'd of in the ſeveral Courts of *Europe*, a Paper was diſpers'd, it is ſaid, (improbably enough) from that of *France*, of a mix'd kind, as being partly ſerious, partly ironical, under the Title of, A *Manifeſto* of *William* III. King of *England*, &c. And tho' writ in the Nature of a profeſs'd Apology for that Prince, and a bitter Recrimination on King *Lewis* and King *James*, containing equal Matter of Accuſation againſt them All, and even of his Holineſs Pope *Innocent* XI. into the Bargain: For his Majeſty, the ſuppos'd Author of the Piece, being made to open it, with a Complaint, That the King of *France*, and his Partiſans, call'd him Tyrant and Uſurper, and had laid to his Charge not only the *Rebellion* of the *Engliſh*, as the juſt Defence of their Liberties is opprobriouſly call'd, but alſo all the *Diſorders* of *Europe*, is, in the next Place, made to throw ſuch a Light on the public Tranſactions for ſome Years paſt, as ſerve to ſhew, That either Folly or Wickedneſs were the true Sources of them all. Thus he charges King *Lewis* with taking ſecret and indirect Meaſures with the Grand Signior, in order to break the Courſe of Succeſſes which the Emperor, the King of *Poland*, and the States of *Venice* had annually obtain'd over the Latter: And with procuring the Cardinal of *Furſtenburg* to be made Co-adjutor to the Elector of *Cologne*, in order to ſecure him the Succeſſion to that Electorate; or, in caſe of a Diſappointment, to furniſh him with Pretences to carry Fire and Sword into *Germany*, for which, at the ſame Time, he alſo made the neceſſary Preparations: He then admits, that the Cardinal was legally choſen, and accuſes the late Pope of Partiality, for deciding the Election againſt him: But nevertheleſs ſpeaks of the Behaviour of the *French*, in breaking the Truce of twenty Years, on this ſingle Provocation, (tho' the Ducheſs of *Orleans*'s Clames on the Eſtate of the Elector-*Palatine*, her Father, was made the Pretence) and laying waſte the Palatinate, in Terms full of Horror; and from the juſt Indignation of the *German* Princes thereat, deduces the Convention of *Auſburgh*. He then makes a Tranſition to the Affairs of *England*, and expoſes the Folly of King *James* in following the Track of King *Lewis*, without his Power; that is to ſay, in forming a Plan to convert his Subjects to his own Religion, by the Terror of a Standing Army: Affects to call it a Piece of ill Fortune, That the *Engliſh* Malcontents ſhould invite him to be their Head, when he had rais'd a numerous Army to ſupport the Intereſt of Pope *Innocent* XI. againſt Cardinal *Furſtenburg*; which ſaid Pope had ſolicited his Aid, had enter'd into an Alliance with him, had remitted large Sums of Money to him, and had undertook, in caſe he became his Champion againſt the over-grown Greatneſs of *France*, to raiſe him to the Summit of human Glory: Talks with the ſame viſible Air of Affectation, of his Expedition to *England*, as if it aroſe only from a Motive of Conſcience, for the Glory of *God*, and out of a Goſpel-Principle of Good-will to Men: Makes a Merit of adviſing his Uncle and Father-in-Law to withdraw, as if nothing but his Flight could have ſav'd him from

A. D. 1697. the Fate of his Father; and avers, That the *Engliſh* forc'd him to accept the Crown, whether he would or not. Then, returning to the Topic he had ſet out with, *viz.* The Reproaches heap'd on him by King *Lewis*, he rips open the whole Life of the Latter, to ſhew, that there was not a Species of Perfidy, Rapine and Cruelty, that he was not as guilty of as any of his Neighbours: And, laſtly, having declar'd, That ſuch were his Connections, and ſuch his Reſolutions, that no Force either could or ſhould wreſt the Sceptre out of his Hand, he concludes, nevertheleſs, with a Strain of Generoſity that turns the whole into Ridicule; namely, That, for the Sake of reſtoring Peace to *Europe*, and eſtabliſhing ſuch a Plan of Power, as ſhould keep the Balance for ever even, he was ready to reſign the Three Crowns of *England*, *Scotland*, and *Ireland*, to King *James* and his Son, and to return to *Holland*; there to diſcharge the Duties of the Stadtholderſhip in quiet, during the Reſidue of his Days; provided, King *Lewis* would, on his Part, contract his Ambition within the Bounds of the *Pyrenean* Treaty, of which he had never obſerv'd any one Article, and annul all Thoſe which his own Exceſſes, and the Difficulties of his Neighbours, had given riſe to ſince."

Remarks upon it.

The whole of this Piece is ſtill (*q*) extant; and is beſt confuted by the Driſt of the Conferences already ſpecify'd: For, inſtead of entertaining the leaſt Thought of abdicating in his Turn, for the Sake of Peace, we have ſeen, that the Acknowledgment of his Title by *France*, and conſequently the perpetual Excluſion of King *James*, was proviſionally ſecur'd, as the *ſine qua non* of the Negotiation: Nor, in fact, could the *French* Court have given a more authentic Earneſt of their Sincerity in that Point, than their precluding that unfortunate Prince from ſending a Miniſter to the Congreſs; which was ſo much the ſtronger Proof of his being already abandon'd, becauſe a Miniſter-plenipotentiary of the Duke of *Lorrain*, who was in the ſame State of Deprivation, tho' not by the ſame Means, was admitted on the ſame Terms as if his Maſter had been actually poſſeſs'd of his Dominions, and had already enter'd a ſolemn Proteſt againſt all that ſhould be agreed to the Prejudice of the Houſe of *Lorrain*, in virtue of the Treaty of *Nimeguen*, which the late Duke had never ſubmitted to, or of the pretended Preliminaries offer'd by M. de *Callieres*. And it is, beſides, not unworthy Recollection, That, from the Moment his Moſt *Chriſtian* Majeſty gave up the Point which he had valued himſelf ſo much upon, namely, the redreſſing the injur'd Majeſty of Kings, both his Majeſty King *William*, and his Colleagues the States, became, in ſome Meaſure, the Advocates of *France*, and ſhew'd a Diſpoſition of courting her good Graces, at the Expence of the Emperor and the reſt of the Allies.

That, however, King *James* might not be plung'd at once into utter Deſpair, nor King *William* at once exempted from any farther Mortification, two Papers, in King *James*'s Name, were ſuffer'd to viſit the Public, before the opening of the Congreſs: the firſt of which was called a *Manifeſto*, or *Remonſtrance*, and the other a *Memorial*, addreſs'd to the Catholic Powers of *Europe*; and the laſt, a *Summary Memorial* to the *Proteſtants*. In the Preamble of the firſt, it was ſaid, He had not addreſs'd himſelf, and the Juſtice of his Cauſe, to the confederate Princes before, becauſe he thought, that Truth itſelf would not be able to prevail againſt the Prejudices of the Times; and becauſe he thought their Eyes were too much dazzled with the Hopes which they had entertain'd of prevailing by the Means of the Prince of *Orange* againſt *France*: But that now, when Time had diſcover'd the Vanity of his Projects, and the Calamities brought upon *Europe*, had oblig'd the Powers concern'd to think ſeriouſly of an Accommodation, he could no longer conceal the Reaſons which ought to induce them to contribute to his Re-eſtabliſhment, without failing in his Duty to *God*, to himſelf, his Son, and his People.

This was the Subſtance of his Preamble, tho' deliver'd in the Third Perſon: And in the Sequel, he aſcribes all his Sufferings to his Religion; which was no ſooner diſcover'd, ſaid He, but it gave riſe to the Perſecution againſt him: Of his peaceable Acceſſion to the Throne, notwithſtanding, he ſpeaks very feelingly in the next Place; and adds, That his Government was ſo juſt and moderate, that it procur'd him the Affection and Eſteem of all good Men: His pardoning all Thoſe who had endeavour'd to exclude him from the Throne, as ſoon as he had got poſſeſſion of it, the Wealth and Happineſs his People enjoy'd during his Halcyon-Reign, and the good Correſpondence he preſerv'd with all the Princes his Neighbours, are the Topics he then proceeds upon: After which, making a ſort of Acknowledgment, That he could not diſſemble his Zeal for the *Catholic* Religion, but, nevertheleſs, denying that he offer'd any Violence to the Religion eſtabliſh'd by Law, he goes on to ſay, That the Faction having now receiv'd new Life, renew'd their League with the Prince of *Orange*, and at the ſame Time poiſon'd his People with falſe Rumours, That his Intentions were to introduce the *Catholic* Religion by Force: That the Thing, however, which determin'd the ſaid Prince to put his Deſigns into Execution, was the Birth of the Prince of *Wales*, which not only ſet him at a farther Diſtance from the Crown, to which he had aſpir'd in being, but augmented the falſe Fears which had been propagated on account of Religion: That hence it follow'd, he no ſooner ſet Foot in *England*, than the greateſt Part of the Nation revolted: That his Majeſty was abandon'd and betray'd by his Officers, his Domeſtics, and even his own Children; and that

(*q*) It was publiſh'd on a Folio Half-Sheet, and is now to be ſeen in the Appendix of *Boyer*'s Life of King *William*.

A.D. 1697. that the Princes his Confederates, againſt the Right of Nations, drove his Miniſters from their Courts, and treated his Majeſty as a declar'd Enemy, without any previous Declaration, or any the leaſt Pretext capable of juſtifying a Proceding ſo contrary to the ſaid Right of Nations, and the Reſpect reciprocally due to crown'd Heads: That his Majeſty, thus unworthily treated by the whole World, and expos'd to ſuch imminent Danger in the Cuſtody of the Prince of *Orange*, who kept him Priſoner under a ſtrong Guard, had no other Place of Refuge left but *France*, whither, not without great Difficulty and Danger, he had caus'd his Queen and his Son to be convey'd before: That if the Cauſes of this ſtrange Invaſion of all Laws, divine and human, were to be inveſtigated, they would be found no other than ſo many Calumnies publiſh'd for ſo many Truths, in the Declaration of the Prince of *Orange*, and echo'd by the Mouths of his Emiſſaries; namely, That he had violated the Laws of the Land: That he had prepar'd and acknowledg'd a ſuppoſititious Heir to his Crown: That being Guaranty to the Treaty of *Nimeguen*, he had not fulfill'd the Conditions of that Guaranty: And that he had enter'd into a ſecret League with *France* againſt the Houſe of *Auſtria*:—That theſe Calumnies were all ſo groſſly falſe, that barely to name them, was ſufficient to expoſe them: That with regard to the Firſt, every Body knew, That by the fundamental Laws of *England*, the Kings of *England* were anſwerable for their Actions to none but *God* alone: That, however, his Majeſty had done nothing but what had the Sanction of thoſe Laws: That all who were acquainted with the *Engliſh* Conſtitution knew, that, in all doubtful Caſes, it belong'd to the Twelve Judges to decide what the Law was; and that it was the Duty of the Subject to ſubmit to ſuch their Deciſion: That he had done nothing without their Approbation: That in caſe they had prevaricated, they had been liable to Puniſhment: And that ſome of theſe being impriſon'd ſince the Revolution, for the Opinions they had given before it, even the Prince of *Orange* himſelf, knowing they had done nothing but their Duty, and having anſwer'd all his own Purpoſes, which was only to blacken his Majeſty, had not puniſh'd any one of them: That as to the Second Calumny, it was ſo black, ſo baſe, ſo atrocious, and ſo inconſiſtent with common Senſe, that even thoſe who in the Invention manifeſted ſo little Senſe of Conſcience or Shame, durſt not bring the Matter to Examination, as they had promis'd, even before a Parliament of their own Creatures, for fear of expoſing their own Wickedneſs: That as to the Third, it was impoſſible to ſhew, that either the King or his Brother, in whoſe Reign the Treaty of *Nimeguen* was made, was included in it as Guaranty: That on the contrary, the States, the King of *Spain*, and the Emperor, ſeverally made their Peace with *France*, at ſeveral Times: That the Embaſſadors of the ſaid King *(Charles)* officiated therein, only as Mediators, and did not ſo much as ſign the ſaid Treaties: That conſequently his Majeſty was no ways oblig'd to guaranty the ſaid Treaty; and that if he was ſo oblig'd, it could neither be prov'd that he had ever contraven'd it, or that he had ever been call'd upon by the confederate Princes to fulfil it: That, indeed, it was true, there was a defenſive Alliance ſubſiſting between *England* and the States, which He, King *James*, had ratify'd on his Acceſſion to the Throne, and which He had never violated; whereas the States, inſtead of aſſiſting him againſt every Invader, had enabled the Prince of *Orange* to invade his Dominions, while *Van Citters*, their Miniſter at *London*, all the while aſſur'd his Majeſty, His Maſters would religiouſly maintain a good Correſpondence with him, and the Prince of *Orange* continued to write the moſt reſpectful Letters to him; that is to ſay, to the very Inſtant that he was ready to put his Deſign in Execution: That as to the pretended League with *France*, Lord *Sunderland* himſelf, in his Apology, had declar'd he knew of no ſuch Thing: And that when his Moſt *Chriſtian* Majeſty made him an Offer of conſiderable Succours, he choſe to reject them, that he might not be liable to the leaſt Imputation of having enter'd into any ſuch League: That it was alſo true, that the confederate Princes having importun'd him to join with them in a League againſt *France*, he had declin'd it; as holding it equally diſhonorable to break with a Prince, to whom he was nearly allied in Blood, without any juſt Ground of Complaint, and diſadvantageous to his People, to involve them in a War, which he foreſaw was likely to prove ſo ruinous to *Chriſtendom*: And that this Firmneſs of his it was, which had both prejudic'd them againſt his Majeſty, and diſpos'd them to believe the Fable of the ſecret League, which had now been ſo effectually exploded: That falſe as all the Allegations brought againſt him were thus manifeſtly prov'd, it was nevertheleſs theſe Falſhoods which had ſtirr'd up his Subjects againſt him, and reduc'd himſelf and his Family to ſo wretched a State: That, conſequently, Accuſations of a very different Nature, and ſupported by very different Proofs, ought to have been producible, as the only Inducements fit to engage Princes, ſo zealous for Religion and Juſtice; as the Emperor and the King of *Spain* had always appear'd, to become the Confederates of an Heretical Uſurper, in ſo enormous an Action as the dethroning a lawful King, a *Catholic*, his Uncle, and his Father-in-Law: That the only Gloſs which could be ſet on a Procedure ſo viſibly unjuſt was, to ſuppoſe, That thoſe Princes were firſt deceiv'd by the falſe Repreſentations of their Miniſters: And, Secondly, That all they had in View, was to force *England* into a War with *France*, without examining the Means by which the Prince of *Orange* undertook to bring it about: That in Charity it ought to be ſuppos'd, if they had known what his Purpoſes were againſt the ſacred Perſon and Crown of his Majeſty, they would not have given him their Countenance: For it was true, that even the *Hollanders* themſelves, Enemies as they were by A.D. 1697.

their

A. D. 1697. their Conſtitution to Monarchy, did not lend their Troops to the ſaid Prince, but under an expreſs Declaration, which they diſtributed to all the foreign Miniſters at the *Hague*, except Thoſe of *England* and *France*, "That it was upon condition he ſhould neither dethrone the King, nor alter the Succeſſion:" That if, therefore, they thought themſelves oblig'd to cover their Conduct under ſuch a Salvo, much more was to be expected from monarchical and hereditary Princes, who, on ſuch Occaſions, were involv'd in one common Cauſe: For in caſe the factious Subjects of any of them, aſſiſted by ſome Aſpirer, who could not live unleſs he reign'd, ſhould think themſelves authoris'd to accuſe their Sovereign, and that Aſpirer was to be countenanc'd by the Princes his Neighbours, none of them could be ſafe on their Thrones: A Spirit of Rebellion would be propagated every where: And Malcontents of all ſorts would not only make their Example a Warrant for their Conduct, but would be enabled to make Exemples of their Sovereigns, to diſpoſe of their Crowns at will, and thereby to unhinge the Security of Government every where: That, nevertheleſs, if his Enemies ſhould avail themſelves of the Neceſſity which They had brought on him to abandon his Dominions, in order to ſave his Life, and urge it as a reaſonable Plea for depriving him of his Crown, no doubt, that very Plea would convince all reaſonable Perſons of their unjuſt Procedure: For no ſuch Perſon could help ſeeing, That this was making a Jeſt of Sovereignty; and adding an Inſult of the moſt enormous Kind, to Injuries not to be vindicated: That, therefore, it was to be preſum'd, That all Sovereigns, feeling their own Majeſty violated in That of the King, would reflect on the Uſage he had undergone with a ſuitable Indignation; and that the Confederate Princes in particular, knowing the Eyes of all *Europe* were now upon them, and beginning to be already convinc'd of the Miſrepreſentations and Falſhood which had ſurpris'd them into ſuch Prejudices againſt his Majeſty, would act as their Safety, their Honour, their Conſciences, and the Good of the *Catholic* Religion requir'd, in contributing all in their Power to his Re-eſtabliſhment."

This, ſo far, was the general Drift and Tendency of this ſpecious Piece: And as to what remains, it conſiſts of a feeble Attempt to ſhew, That the State of the poor *Catholics* under King *William*'s Government, was ſuch as requir'd the Intervention of all *Catholic* Princes for their Relief: That for the ſaid Princes to adhere to his Intereſts, merely becauſe they look'd upon him as an irreconcileable Enemy to *France*, was to act in a Manner irreconcileable to the Dictates of their holy Religion, and to render themſelves unworthy of *God*'s Bleſſing: That the frank and generous Offers of the Moſt *Chriſtian* King, for the Sake of Peace, when the Superiority was ſo viſibly on his Side, was alone ſufficient to prove, That the Allies had nothing farther to apprehend from his Power, and conſequently were in no need of perſevering in their Attachments to the Prince of *Orange*, &c. That if, however, the contrary was true, it was abundantly more reaſonable for the Allies to take the neceſſary Meaſures for preſerving the Balance of Power with a lawful King, both by Intereſt and Inclination concern'd in the maintaining it, than with an Uſurper, who could no otherwiſe thrive than in the Midſt of Troubles and Confuſion: That to ſet *this Point* in the cleareſt Light, they need only ſet the Conduct and Character of the one, in oppoſition to thoſe of the other; on which Suppoſition, they would find in *James* a Rectitude of Heart, and a Tenderneſs of Conſcience worthy of a Prince; and in *William*, an Ambition without Bounds, ready to ſacrifice all Conſideration to the Attainment of his Ends: And that upon the whole, he could not, without Indignation, liſten to the Expedients which had been talk'd of by ſome, to accommodate his Affairs; namely, of leaving the Prince of *Orange* in poſſeſſion of the Crown for Life, on condition it ſhould be ſecur'd on his Death to the Prince of *Wales*; as if it was poſſible for his Majeſty, with a ſafe Conſcience, to abandon the Juſtice of his Cauſe, together with his Duty to *God*, to his Poſterity, and to his Subjects, by authoriſing and legitimiſing what a tumultuous Aſſembly, without Authority, had enacted in favour of an Uſurper, and againſt *the Religion*: For in ſo doing, he himſelf ſhould become the Inſtrument of reverſing the Conſtitution of a Monarchy, which had always been hereditary, of depriving the Prince his Son of his Succeſſion by Right, of expoſing him to the Inconveniencies of a Subſtitution every way injurious to his Perſon, and of rendering him dependent on the Humour and Caprice of a Parliament for his Elevation, which, when legally aſſembled, never had any Power to alter the Succeſſion, &c.

A. D. 1697.

With regard to the *Summary Memorial* addreſs'd to the *Proteſtant* Powers, we are told, it took its Riſe from ſome Signs of Diſpleaſure manifeſted by them, at their being over-look'd in the Former: And it ſeems reaſonable to think, That it was the Reſult of an After-Thought, not only becauſe it was ſubſequent in point of Time, but alſo becauſe that ſome Pains are taken in the Preamble of it to ſhew, That all which had been ſaid to the *Catholic* Powers, equally regarded the *Proteſtants*, whom he, King *James*, could by no means look upon as Enemies irreconcileable to him and his Intereſts, or as wholly unconcern'd in the Breach of every fundamental Law, divine and human, violated in his Perſon. The Decalogue it proceeded to ſay, the Obſervance of Oaths, the Obedience due to lawful Sovereigns, and to the Laws of Society, were equally binding to all who call'd themſelves Chriſtians, and even to Nations the moſt barbarous: Since the famous Confeſſion of *Auſbourgh*, before Sect of *Proteſtants*, except Enthuſiaſts and Madmen, had dar'd to deny theſe Obligations, &c. Nor was it ever permitted in *Sweden*, *Denmark*, *Germany*, or any *Proteſtant* hereditary Government, to promulge any other

A Summary Memorial of his to the Proteſtants.

other Doctrine touching the Obedience due to Sovereigns, than that which had always been receiv'd in *England*, except in Times of Revolution: So that all *Proteſtant* Princes were oblig'd to acknowledge, That all the vain Pretexts us'd by the Prince of *Orange* to colour his Uſurpation, were altogether as repugnant to the Religion they profeſs, as to the *Catholic*: As alſo, that the Conſequences to be apprehended from ſo pernicious an Example, were not more dangerous to the *Catholics* than to them.—It Treaties confirm'd by the moſt ſolemn Oaths, (proceeded the *Memorialiſt*) the moſt ſolemn Recognitions of neighbouring Princes by their Embaſſadors, by their Letters, and by other public Acts, are of no force, there is no Prince living who can be ſure of enjoying peaceably his own Eſtates, or of bequeathing them to his Heirs:—It is by the public Faith only of ſimilar Acts, that moſt Part of the *Proteſtant* Princes of *Germany* hold the great Poſſeſſions which once belong'd to the Church, but which have ſince been ceded to them by the Treaties of *Weſtphalia*, &c. and yet if a powerful and ambitious Emperor, under a Pretence that theſe Uſurpations were contrary to the fundamental Laws of the Empire, and the original Contract between the Emperors his Predeceſſors, and the Churches ſo diſpos'd of; as alſo, that the Pope had enter'd his Proteſt againſt thoſe Treaties, ſhould vacate the ſeveral Capitulations which had been made concerning them, his Conduct in ſo doing, would be more juſtifiable than that of the ſaid *Proteſtant* Princes, in maintaining the pretended Abdication of his Majeſty, the Vacancy of the Throne in conſequence thereof, and the tranſferring it to a Stranger: Becauſe hereditary Succeſſion was more antient in *England*, than in any of the Electorates and other States of *Germany*:—Neither could any of the ſaid *Proteſtant* Princes and States deny, That they had complemented the ſaid King on his Acceſſion to the Throne, and on the Birth of the Prince of *Wales*; that they had enter'd into Treaties with him, *&c.* Now, Theſe are the moſt ſolemn Acts which could paſs between crown'd Heads, and contain'd the ſtrongeſt Obligations which could be laid on Men:—How then could they excuſe themſelves for having broke their Faith to his Majeſty, and united with his Enemies againſt him, without any previous Declaration of War, without the leaſt Cauſe of Complaint, or, as it ſhould ſeem, the Shadow of any, ſeeing, that ſince the Revolution, they had aſſign'd none; and the very ſame Treaties were ſtill ſubſiſting, which they had contracted with his Brother? Whence it was obvious, his Majeſty had obſerv'd them religiouſly; and conſequently they had no Pretext to violate them:—However, if his Majeſty had furniſh'd any ſuch Pretext, what could they impute to his Son as a Reaſon for abandoning him as they had done? When, according to the Tenor of all Treaties between Kings, their Heirs were as well comprehended in them as themſelves? Would they take Advantage of the pretended *Suppoſition*? The Prince of *Orange* himſelf had not dar'd to bring ſo audacious a Calumny to the parliamentary Teſt he had promis'd in his Declaration: But it was not to be believ'd, that any one of thoſe Princes any otherwiſe regarded that Chimera, but as a Complication of Impudence and Wickedneſs: Notwithſtanding which, They had acted in all Reſpects, as if it was a Fact not to be doubted; and had thereby eſtabliſh'd a Precedent, which might draw the moſt pernicious Conſequences on all crown'd Heads. An Aſpirer, ſupported by a Faction within, and Alliances without, may any where find himſelf in a Condition to ſtruggle for a Throne not only with the Heir, but even the Poſſeſſor, under the ſame Preſumption, That He was not the Son of his (r) Father. Of all the Princes of *Europe*, there was not one whoſe Birth was not more liable to be call'd in queſtion, than that of the Prince of *Wales*; becauſe there was not one who was born in the Preſence of ſo many Witneſſes, *&c.*—It is true, Rumours were at firſt ſpread abroad of ſecret Leagues, which his Majeſty had contracted with the *Catholic* Princes for the Extirpation of the *Proteſtant* Religion: But there was no Body then living, who could remain unconvinc'd of the Falſihood of them, ſeeing that Eight Years were elaps'd ſince the Papers of his Secretaries had been in the Hands of his Enemies, who in all that Time had not found the leaſt Proof of any ſuch League; no not with his Moſt *Chriſtian* Majeſty:—Indeed, the Manner in which the other *Catholic* Princes had abandon'd him, and the little Concern they had ſhewn for the Intereſt of the Church their common Mother, were ſufficient to manifeſt, That his Majeſty could not take any Meaſures againſt the *Proteſtants*, with whom thoſe Princes were ſo cloſely ally'd, even before his Majeſty came to the Throne.—It ſeems, therefore, reaſonable to conclude, That it would be more for the Honour of the *Proteſtant* Princes, to remove the Calamities brought upon all *Europe* by the Uſurpation in *England*, than to confirm it, as they were now labouring to do, by a Treaty of Peace, founded on a Baſis altogether as unjuſt:—For, if the *Catholic* Princes are altogether inexcuſable, for the indirect Part which they have taken in this Deſign, the *Proteſtants* are not leſs ſo; becauſe the Obligation of thoſe Laws, divine and human, which condemn ſuch Invaſions, are common to all *Chriſtians* alike: And if the preſent Power of the Prince of *Orange* had inſpir'd the *Proteſtants* with Sentiments different from Thoſe they formerly profeſſed, they would, nevertheleſs, do well to conſider, that they had no better Foundation

A. D. 1697.

(r) Probably this Arrow was meant to glance at King *Lewis* himſelf, whoſe Birth had a thouſand Times over been call'd in queſtion.

A. D. 1697. Foundation than the Life of one ſingle Man; after which the Crown would deſcend to other foreign Princes, even tho' the phantom Laws, on which that pretended Succeſſion was founded, ſhould be ſtill in Being:—But after ſo many Examples, which are to be found in the Hiſtory of *England*, it was reaſonable to think, the Nation, as it had twice already done in the Courſe of Thirty-ſeven Years, would return to its antient Laws, and its true Maſters: For this laſt Revolution being founded on the ſame Principle, and the Violation of the ſame Laws, would naturally have the ſame Iſſue: In which the *Proteſtants* would experience the Vanity of all the Treaties they had made with an Uſurper, which would become like Thoſe they had made with *Cromwell*:—Theſe are the Reflections thoſe Princes ought to make, and which ought to direct them to the Choice of better and ſurer Means to re-eſtabliſh the Peace of *Europe*, than thoſe hitherto propoſed; which being founded on the ſame Injuſtice, as had prov'd a Viſitation to all *Chriſtendom*, could not but be ruinous, ſooner or later, to Thoſe who had labour'd with all their Might to eſtabliſh it, *&c.*'

Such were the Paper-Batteries which this unfortunate Prince brought to play againſt a Confederacy, form'd at his Expence, depending on the Continuance of his Excluſion; and againſt a Prince that was the Head, Heart, and Hand of that Confederacy: A Prince who in the Cabinet had out-reſin'd him, in the field had ſubdu'd him, and who had entrench'd the Throne he had acquir'd by all the Expedients which the Wit of Man could deviſe to render it inacceſſible.

Nor were even theſe Paper-Batteries left unanſwer'd: For the firſt, as being the moſt circumſtantial, was not only adverted upon, Paragraph by Paragraph, but alſo in a more compendious way, by a more maſterly Hand, and that both in *French* and (*s*) *Engliſh*: Nor was the laſt ſuffer'd to paſs thro' the World without a proper Comment: And in all theſe *Anſwers to theſe Pieces.*

(*s*) In the Year 1703, a Quarto Pamphlet was alſo publiſh'd under the Title of, *A Memorial, drawn up by King William's ſpecial Direction, intended to be given to the Treaty of Ryſwick, juſtifying the Revolution, and the Courſe of his Government; in anſwer to two Memorials that were offer'd there in King James's Name.* In the *Preface* of which we are inform'd, That, upon King *James*'s preſenting his two Memorials, it was thought neceſſary to prepare a Memorial in anſwer to them; which was intended to be given, in King *William*'s Name, to all the Miniſters that were then at the *Hague*. The Memorial was thereupon thus drawn up by his Majeſty's own Direction, he explaining himſelf upon every Particular; and the draught was examin'd by him, and, by his Orders, carried to ſome of the worthieſt Miniſters that our Nation produc'd in that Age, and carefully reviſ'd and corrected by them: But when it was reſolv'd to tranſlate it into *Latin* and *French*, in order to the communicating it, his Majeſty had Advice from the *Hague*, That King *James*'s Memorials were ſo little conſider'd there, that the offering an Anſwer to them, would give them ſome Credit; and that, without that, they had none at all. That the Draught was therefore, order'd to be written over again, in another Style, not in his Majeſty's Name, but as the Anſwer of a private Hand to thoſe Memorials; and ſo to be printed: Yet, before this could be done, another Advice came, to let the Matter quite alone, and to leave thoſe Memorials to ſleep in that Neglect under which they were fallen. The Matter reſted upon this; but, theſe Papers being drawn up by ſuch an Authority, and containing ſuch a full, tho' ſhort, Vindication of the Revolution, it was afterwards thought proper to publiſh them. The Anſwer to the *firſt Memorial* to King *James*, begins with obſerving, "That the King of *Great Britain* does not wonder to ſee a Prince, who has, for ſo long a Time, fought to take away his Life, in the blackeſt Methods, endeavour, now likewiſe, to attack his Honour, even in the undeceiteſt Expreſſions; of which the late Memorial is full. The late King, while he was in *Ireland*, did, himſelf, concert with one *James* the way of murdering the Kings But, to render was his Majeſty of the Honour of a Perſon ſo nearly related to him, that he gave Order to ſuppreſs that Matter: tho' the authentical Proofs of it are yet extant, in Letters, and other Papers, taken in the late Earl of *Tyrconnel*'s Cabinet. *Grandval*'s Confeſſion is well known: and *Sir John Fenwick* did lately claim Merit, by his diverting another Deſign to murder the King, purſuant to a Commiſſion, that, tho' it was not come over, yet was affirm'd to be ſign'd by the late King: His having laid the Deſign of murdering the King a Year ago, and his having ſent over Perſons, and a Commiſſion to that Effect, have been ſo undeniably proved, that all *Europe* is ſtill full of Horror at it: At ſuch Practices, Heathens would be aſtam'd: The purſuing them, Year after Year, deſerves ſeverer Words, than the King thinks fit to uſe, even after ſuch a Provocation: ſuch Regard is had to the high Birth, and the Rank which that Prince once held in the World. The King had the beſt Reaſon to have expected ſuch Practices from the late King, becauſe, tho' he had him ſo long in his Power, he did him no Hurt, nor put him under any Reſtraint: He refus'd to hearken to the Advices that many gave him, of ſecuring his Perſon, till a general Peace ſhould be made: or, at leaſt, till *Ireland* ſhould be reduced: Some who offered thoſe Advices, are now in the late King's Intereſt: and can, if they pleaſe, inform him of the Truth of this Matter: The late King himſelf deſir'd to be attended by ſome of the *Dutch* Guards, when he went to *Rocheſter*, and ſent to the Count de *Solmes* to that effect; who immediately order'd it, without any Direction from the King, who was not then come to *London*: When the King knew of it, he ſent Orders to thoſe Guards to wait about the late King, in what Manner he himſelf ſhould command: And it was viſible to thoſe who were about him at that Time, that he was all the while as much Maſter of himſelf, as when he was ſerv'd by his own Guards." The whole Progreſs of Affairs, as they paſſed between his Majeſty and King *James*, is laid open; and it is remarked, that King *William* "did not come to *England* on Deſign to dethrone that King, but declaring a full Purpoſe to leave the Care and Settlement of the Nation to the Parliament: And when ſome Lords were ſent to him by the late King, to aſk him, what it was that he propoſed, his Anſwer was, That he deſir'd that the Adminiſtration of the Government might be brought into a State conformable to the Laws then in being: ſo that no Perſons, who were under legal Incapacities, might continue in public Offices or Truſt; and that a Parliament might be call'd, and ſit in full Freedom, both Armies being at an equal Diſtance from it; that ſo proper Remedies might be applied to all the Diſtempers, into which thoſe violent Councils had thrown the Nation: By this, it appear'd how firmly the King had adher'd to his *Declaration*. During this Negotiation, and after the King had Notice given him, what the King's Demands were, he, upon Reaſons beſt known to himſelf, threw up all, and abandon'd the Government, and left his Army looſe upon the Nation, and the Rabble upon the City of *London*, and withdrew himſelf: By which he did all that in him lay, to caſt theſe Kingdoms into moſt violent Convulſions, and expoſe'd even his own Friends to all the Hardſhips, that might have been apprehended from enrag'd Multitudes: For, if the Providence of *God*, and the natural Gentleneſs of the People of *England*, had not prov'd effectual Reſtraints, this Nation had become a Scene of Fire and Blood; which the Enemies of this Kingdom perſuaded the late King to venture on, rather than to ſtay, and ſuffer a Parliament to inquire into the Cauſes of the Miſeries the Nation was fallen under, and to ſecure their Religion and Properties. Upon this, the Peers of the Nation, which had, till then, adher'd to the late King, finding themſelves abandon'd by him, declar'd, that the King would aſſume the Adminiſtration of this Infolent Government; which he conſented to do, till a Convention of the States ſhould be brought together, to give it a full and legal Sanction: He did take a moſt particular Care, that the Elections ſhould be carried on with all poſſible Freedom; and only without Violence and Threatenings, but even without Recommendations, or any ſort of Practice, how much ſoever Innocent ſoever: The like Care he uſed at their Meeting, when they met: Every Man argued and voted in the great Deliberations, then on foot, both with Freedom and Safety: So did the King ſpeak to any Perſon, or ſuffer any to ſpeak in his Name, to perſuade, much leſs to threaten them, who ſeem'd ſtill to adhere to the late King: However, he was obſerving the Promiſes he had made in his Declaration. It was thought a Remiſſneſs, and a Neglect of the Public too much, to interpoſe or move to alter the Laws Abuſes as he then did: The *Convention* coming to a full Reſolution, and judg'd, That the late King had broke the original Contract, upon which this Government was at firſt founded, and, after that, had abandon'd it; ſo that it was neceſſary for them, being thus forſaken by him, to ſee to their own Security: And, as they judg'd, That the late King's Right to govern them was ſuch,

1697. theſe ſeveral Pieces, not only the Adherents of King *James* were treated with an Overflow of Bitterneſs and Contempt, but even King *James* himſelf; as if he had equally forfeited all Right both of Juſtification and Recrimination; and as if his very Complaints were not worth a Hearing: His Intrigues with Father *la Chaiſe*, by the Intervention of his Secretary *Coleman*, were render'd as black as poſſible, (that is to ſay, it was ſuppos'd they had the Deſtruction both of our Laws and Religion, and even the dethroning the King his Brother for their Object) in order to juſtify the *Excluſion-Bill*: His ſeiſing the Revenue at his Acceſſion: The Cruelties exercis'd by his Command in the Weſt, on the Followers of *Monmouth*: His diſpenſing with the Laws: His Practices on the Univerſities: His High-Commiſſion-Court; and, in general, all the Violences and Follies of his Reign, were, in the next Place, urg'd againſt him as ſo many Proofs, That he had been the Inſtrument of his own Misfortunes; and that neither his Subjects nor his Children had fail'd in their Duty to him, till his Extravagancies of all Sorts had diſſolv'd the Tye:—It was alſo ſtrongly inſiſted, That his Deſertion was voluntary: That the Government was diſſolv'd: That the Nation had a Right to provide for itſelf: That in beſtowing the Crown on their Deliverer, they had done no more than what Juſtice, Wiſdom, and Gratitude requir'd: And that it was utterly inconceivable, They ſhould ever again ſubmit to the Bondage they had eſcap'd. Proceding to the Birth of the (pretended) Prince of *Wales*, nothing was omitted that had the leaſt Tendency to blaſt it as *ſuppoſititious:* To ſhew why it had not been examin'd in Parliament, agreeable to the Prince's Declaration, it was ſaid, in ſhort, That the Government having taken a different Form, ſuch an Examination was no longer neceſſary: To expoſe the Vanity of making this Appeal either to the *Catholic* or *Proteſtant* Princes of the Confederacy, ſufficient Care was taken to explane how much it was againſt the Intereſts of Both, that he ſhould ever recover his Crown: And, laſtly, to convince the whole World how utterly impoſſible it was, That he ever ſhould, and into what a State of Deſperation he was fallen, the ſtrongeſt Light that could be collected, was thrown on the Preliminary, by which *France* engag'd to abandon him, and to acknowledge King *William* without Reſerve, upon the Concluſion of a Peace. A. D. 1697.

The Congreſs open'd.

Thus hung the Controverſy at the Opening of the Conferences, which took place on the 9th of *May*, N. S. at *Newburgh*-Houſe, before ſpecify'd; whither the Embaſſador-Mediator firſt repair'd, and was follow'd, at ſome little Diſtance of Time, by the *Bavarian* Miniſter firſt; then by the Embaſſadors of the States-General; after whom arriv'd the *Imperialiſts*:—The *Spaniards* came next, and were follow'd by the *Engliſh*; to whom ſucceded ſeverally the Miniſters of *Cologne* and *Liege*, *Saxony*, *Brandenburgh*, *Lorrain*, the Circle of *Franconia* and *Wirtembergh*; and after all Theſe, the Embaſſadors of *France*.

What paſs'd at this Meeting, was no more than a formal Communication, firſt of the new Power which the Embaſſador-Mediator had receiv'd from his Court to the ſeveral Miniſters preſent, and then of their ſeveral Powers to him; and for ſeveral Days after, nothing material was tranſacted, except in making ſuch Regulations as were held neceſſary for the Sake of Method, Order, and Diſpatch; of which Thoſe for abridging the Ceremonial as much as poſſible, were not the leaſt material.

A Declaration of the Lorrain *Miniſter.*

On the other Hand, the Miniſter of *Lorrain*, who was wholly under the Direction of the *Imperial* Court, even while theſe neceſſary Regulations were under Debate, preſented a Declaration to the Mediator, importing, in ſubſtance, That, ſince all the Remonſtrances he had made for a new and more favourable Preliminary, in relation to *Lorrain*,

---

ſunk, ſo they did not think it was neceſſary or incumbent on them to examine that, which the whole Nation, in general, as well as the King, in particular, had juſt Reaſon to call in queſtion, concerning the *Birth* of the *pretended Prince of Wales*. When the late King had quite diſſolv'd the Tie of the Nation to himſelf, they thought they had no further Concern upon them to inquire into that Matter; and therefore they thought it fit to let it remain in that juſt Doubtfulneſs, under which the late King's own Method of Proceedings had brought it: Beſides that, a particular Care had been taken by the late King, to cauſe all thoſe who had been in the Management of that Matter, or were ſuſpected of having a Share in the Artifices about it, to be carried over into *France*; ſo that it was not poſſible to come at thoſe Perſons, by the interrogating of whom Truth might have been found out: The King expreſs'd no ambitious Deſires of mounting the Throne: The Addreſſes of both Houſes, and the State of *Europe*, which ſeem'd *deſperate* without a *mighty Support* from *England*, determin'd him in that Matter: But, as he can appeal to *God* of the Sincerity of his Intentions, who alone knows them, ſo he has an infinite Number of Witneſſes, who ſaw and can juſtify his whole Conduct in the Progreſs of that Revolution, if it were fit for him to appeal to them."

In the Anſwer to the *Second Memorial* of King *James*, it is obſerv'd, in Juſtification of the Revolution, that, "nothing was done in the Progreſs of it, but that which he made inevitable by ſome Act or other of his own: It went not upon falſe Suggeſtions, nor barely upon the Pretences of redreſſing particular Grievances, or ſome doubtful Oppreſſions, much leſs on the ambitious Deſigns of his Majeſty, that are ſo often and ſo maliciouſly repreſented as the true Cauſes of the Revolution: It was the late King's open throwing off the Reſtraint of Law, and his ſetting about a total Subverſion of the Conſtitution, that drove the Nation to extreme Courſes: The Oaths of Allegiance can be underſtood only in the Senſe limited by law, and ſo they cannot be conceiv'd to bind Subjects to a King, who would not govern them any longer, unleſs he might be allow'd to do it againſt Law: A Revolution ſo brought about, carries in it no Precedent againſt the Security of Government, or the Peace of Mankind: That, which an abſolute Neceſſity inforc'd at one Time, can be no Warrant for irregular Proceedings at any other Time, unleſs it be where the like Neceſſity ſhall require the like Remedies: But, ſince the late King thinks fit to reflect on the Oaths of Subjects, he ought alſo to remember the Oath, which he himſelf ſwore at his Coronation, to defend the Church of *England*, and to maintain the Laws; to neither of which he ſhew'd any Regard in his whole Government, but ſet himſelf to overturn both. The many Alterations that have been made in the Succeſſion to the Crown of *England*, upon Occaſions that were neither ſo preſſing nor ſo important as thoſe of late were, ſhould have oblig'd thoſe, who penned this *Memorial*, to be more reſerv'd and leſs poſitive in affirming Things ſo contrary to the known Hiſtory of this Kingdom: Theſe Revolutions were confirm'd by Laws, which were not afterwards upon ſucceeding Changes repeal'd, for they continue ſtill in force; nor was the Crown of *England* ever reckon'd to be ſuch a Property to thoſe who held it, that they might uſe it or diſpoſe of it at Pleaſure, as the *Memorial* ſeems to ſuppoſe."

A. D. 1697. *Lorrain*, had been disregarded, he could no otherwise attend the Congress than to insist on such a Preliminary, as the Preliminary general to a general Peace, which the High Allies, if they duly consider'd their Engagements, could no otherwise procede to negotiate, without Prejudice to their Honours, Dignities, Words, Promises, and Obligations; and which, consequently, he, the said Minister, on the Behalf of his Principals, must for ever protest against, *&c.*

Proposals of the Imperialists. This Paper was dated the 15th of *May*, and the 22d following the *Imperial* Ministers presented their Proposals, or rather Demands, to the Mediator, of which the most remarkable were the following, That *France* should restore to the Empire all she had taken from it since the Peace of *Munster*, whether by Force or Pretence of Right; especially *Friburgh*, with its Appertenances, in its present State; as also *Brisac*, *Philipsburgh*, *Hagenau*, *Weissenbourg*, and *Landau*, together with all their Artillery, Magazines, *&c.* That she should annul and abrogate all which had been done under the Pretence of Unions and Re-unions; as also, every other Innovation since the Execution of the Peace of *Munster*, under what Pretence, or in what Manner soever: That to prevent all future Contests, References, and Arbitrations, it should be agreed and determin'd by the present Treaty, openly and explicitely, That the King and Realm of *France* should be content with the antient Districts of the Three Bishopricks, according to the Cession of *Munster*, as the full and whole of what belong'd to them; as also, with the several Rights, Powers, Preeminences, and Jurisdictions therein, formerly claim'd and exercis'd by the House of *Austria*, &c. That all the Estates and Sovereignties of the Palatine-House shall be restor'd, without any Exception whatsoever, either on the Behalf of *France*, or the Duke and Duchess of *Orleans*: That all the Commanderies and Effects belonging from all Antiquity to the *Teutonic* Order, and usurp'd by *France*, should be restor'd to the Grand Master, *Francis Lewis*, Prince Palatine, and Bishop of *Worms*: That, over and above the Town and Castle of *Dinant*, the Duchy of *Bouillon*, together with the Town and Castle, usurp'd from the Church of *Liege*, after the Peace of *Munster*, and during the Neutrality, should be restor'd to the Elector of *Cologne*, as Bishop and Prince of *Leige*: That all Damages sustain'd in particular either by the Emperor or Empire, should be repair'd; and a just Satisfaction should be given to the several Circles for their Charges, Losses, Sufferings, *&c.* by the Invasions of *France*: That Security should be given for the full and entire Restitution of the several Places in question, together with all their Dependencies, Archives, Magazines, *&c.* in ten Days after the Ratification of the Peace: That *France*, neither directly nor indirectly, shall make, or cause to be made, any Innovation in the Fiefs and other Rights of the Empire in *Italy*: That the Restitution of *Lorrain* should be one of the first Articles of the Peace, in the Manner demanded by the Plenipotentiary of *Lorrain*: That *France*, by and in consequence of the several Restitutions to be made by the Peace, of Places, Persons, *&c.* should acquire no new right upon, or against any other: That nevertheless all Benefices ecclesiastic, conferr'd, as well during the War, as before it, should remain to the present Incumbent: Lastly, That Satisfaction should be given to the other Confederates involv'd together with the Emperor and Empire in the present War, as to their several Pretensions, whether already made or to be made; and that all and every one of the said Confederates should be free, not only to confirm the general Peace, and every Article of it by reciprocal Alliances, but also to invite or receive the Accession of other Powers, not already Parties in it.

These Propositions on the Behalf the Emperor and Empire, were also follow'd by such Explanations, Clames, Demands, Enforcements, *&c.* as the several Princes concern'd thought requisite for the Support of their respective Interests.

And of Spain. On the 27th the Ministers of *Spain* presented also their Demands, consisting of Fifty-six Articles, all founded on a Pre-supposition, That the Cities of *Roses*, *Gironne*, *Palamos*, and all the other Places occupy'd by the *French* in *Catalonia*; as also *Luxemburgh*, *Mons*, *Charleroy*, &c. in the *Low-Countries*, in their present State, together with all their Artillery, Magazines, Fortifications, Appertenances, Re-unions, *&c.* and in general, all that could be demanded in Virtue of the Treaty of *Nimeguen*, were comprehended in, and to be restor'd to his *Catholic* Majesty by the Preliminaries offer'd by M. de *Callieres*, as the Basis of the Peace: But then these Demands were not restrain'd to the Limits of that Treaty: On the contrary, they included all that was included in the *Pyrenean* Treaty; and that in a Strain so precise, and seemingly so firm and unalterable, as if it was in their Power to command what they clam'd; and as if the Exhibition of Right was all that was necessary to the obtaining it.

And also of the Dutch. Much about the same Time also, the *Dutch* Ministers made their Proposals, which were altogether as simple and brief, as those of *Spain* were complicated and redundant: For they only propos'd, That Peace between his Most *Christian* Majesty and the States-General, might be restor'd on such Terms as were most suitable to the present State of Affairs: That in order thereunto, there might be a Treaty of Commerce, Navigation, and Maritime Affairs between the Two Powers, which they were ready to enter upon immediately: And that in the general Treaty, the Allies, as well as Themselves, might be severally included to their Satisfaction.

Now what this Difference of Language and Manner imply'd, those vers'd in political Matters, will scarce want the Key of the Negotiation to discover: These desir'd nothing but Peace, and to graft the Interest of their Trade upon it; whereas Those who had commenc'd the War only for the Sake

A. D. 1697. Sake of Recoveries and Reſtitutions, did not care to compound their Loſſes, and leave the common Enemy as formidable as ever.

Anſwer of the French Miniſters. But however this may be, on the 1ſt of *June* the Miniſters of *France* put in their Anſwer, which was addreſs'd alike to Thoſe of the Emperor and *Spain*, and was alike artificial and intimidating: For tho' is was call'd an Anſwer, it contain'd a Queſtion which was not very eaſy to ſolve: Said They, in effect, "Before it is poſſible for us to reply to the Propoſitions we have receiv'd, we muſt know whether the Preliminaries offer'd by M. de *Callieres*, are accepted or not? If the Former, the ſaid Propoſitions cannot be taken into Conſideration: If the Latter, the ſaid Preliminaries are no longer in Being, and we muſt procede on a Footing entirely new."

Capacity is always of uſe; but never makes ſuch a Figure as when ſupported by Power and Vigour: The *Imperialiſts*, if aware of this Turn, diſcover'd more Ingenuity than Firmneſs, in the Reply they made to it: For, having taken three Days to deliberate upon it, on the fourth they ſignify'd, That as the Articles in queſtion contain'd part of his *Imperial* Majeſty's Demands, and had been accepted for the Sake of having what was deficient in them ſupply'd, they did, nevertheleſs, perſiſt in demanding a circumſtantial Anſwer, Article by Article, as Equity and the neareſt way to Peace neceſſarily requir'd.

Rejoinder of the Imperialiſts.

and of the Spaniards. On the ſame Day alſo the *Spaniards* put in their Rejoinder, which was to the ſame Effect, tho' more amplified and inter-tiſſued with apparent Signs of Anxiety and Perturbation: And as if conſcious they were not ſtrong enough of themſelves to procure the Relaxations they contended for, they call'd upon the Mediator, as alſo upon the *Dutch* Miniſters, to ſupport them in their Clames, becauſe it was more immediately thorough them that the preliminary Declaration had been made.

French deliver a Liſt of Places not comprehended in the Treaty of Nimeguen, It ought not, however, to be forgot, that the Embaſſadors of *France* did ſo far condeſcend to argue the Matter with thoſe of *Spain*, that they deliver'd in a Liſt of Places occupy'd by the King their Maſter before the Treaty of *Nimeguen*, tho' comprehended in the *Spaniſh* Clames, which, conſequently, according to their Reaſoning, were not ſubject to Litigation, within the Meaning and Intention of their Preliminary: But the *Spaniards*, in the Margin of that very Liſt, did on the Spot enter ſuch Exceptions to the Liſt, as at once expos'd the Injuries their Maſter had ſuffer'd, and the Reaſons they had to inſiſt on Redreſs: For of the whole Number of Places it contain'd, but three appear'd to have been in the Poſſeſſion of *France* before the ſaid Treaty.

which is excepted to on the Spot by the Spaniards.

And now, agreeable to the famous Maxim of *Hobbes*, no ſooner had Reaſon declar'd againſt the *French* Miniſters, than they alſo declar'd againſt Reaſon, by delivering in a new Paper to the Mediator, in which they avow'd a Reſolution not to admit any Demand or Propoſition, contrary to the Articles of the ſaid Preliminary; or to agree to any one Point, which either had, or might be urg'd, beyond the Letter of the ſaid Treaty of *Nimeguen* and That of *Weſtphalia*: And ſignify'd, in the moſt explicate Terms, That if there was any ſerious Intention to re-eſtabliſh the Peace, the Negotiation muſt turn on ſuch Points only, as were poſterior to thoſe Pacts; or ſuch as the Alterations of Times and Circumſtances, had made it requiſite to change.

The French again inſiſt on the Letter of their Preliminaries.

All this while the bloody Buſineſs of the Field proceded, as if, in general, no Dependence was plac'd on Negotiation and Treaty-work; or, at leaſt, as if all the Articles were to be engrav'd with the Point of the Sword.

Proceedings of the Campaign.

The firſt Motions, as uſual, were in *Flanders*: For the *French*, towards the End of *April*, having entertain'd a Deſign of taking poſſeſſion of the ſtrong Camp of *Deynſe*, and having aſſembled a conſiderable Body of Forces for that Purpoſe, the Elector of *Bavaria*, who had Intelligence of it, alſo took the Field to prevent them; and by an equal Mixture of good Conduct and good Fortune, carried his Point: For tho' a Party of the *French* were firſt in Poſſeſſion, they were not ſtrong enough to hold it; and before the Enemy were in a Condition to diſlodge him in their Turn, he had fortify'd his Lines in ſuch a Manner, that they did not think it adviſable to attempt it.

Elector of Bavaria prevents the French at Deynſe.

But as this was a Meaſure purely defenſive, it produc'd no Conſequence: King *William* was ſtill in *England*; nor does it appear, that the Confederates had as yet concerted any regular Plan for the Conduct of the Year: The *Germans* apprehending, and not altogether without Reaſon, That they were in danger of being overpower'd, by the additional Troops which *France* was now at leiſure to bring againſt them upon the *Rhine*, in conſequence of the Peace of *Italy*, and perhaps already ſomewhat diſguſted at the joint Advances of the *Maritime* Powers towards a Peace, appear'd extremely backward to furniſh ſuch a Force for the Service of the *Low-Countries*, as might balance That of the Enemy: And on the other Hand, when King *William* did arrive in *Holland*, (which was on the 27th of *April*, O. S.) he ſeem'd to beſtow more Attention to the opening of the Congreſs, than the opening of the Campaign: For, having continued ſome Days at the *Hague*, he removed firſt to *Zuleſtein*, and then declar'd a Purpoſe of proceding from thence to *Loo*: But, having receiv'd Intelligence, that the Enemy had inveſted *Aeth*, he repair'd on the 20th of *May*, N. S. to *Breda*, and from thence iſſued out his Orders on all Sides, for the drawing together ſuch a Force, as might raiſe an Expectation at leaſt, that his Purpoſe was to raiſe the Siege.

The Germans *dilatory as uſual.*

King William *more attentive to Peace than War.*

But take the Field on hearing the French *had inveſted* Aeth.

But then the Execution of theſe very Orders, ſerves to ſhew in how unprepar'd a State he was, for ſo great an Enterprize: The Elector of *Bavaria*'s Forces were ſtill at *Deynſe*; his own were encamp'd at *Bois-Seigneur-Iſaac*; and it was provided, that the two Armies ſhould join at *Hall* or St. *Quintin-Lannock*;

A. D. 1607. *Linnock*; as alſo, that they ſhould be reinforc'd on the way, by the *Brandenburg* and *Liege*-Cavalry, for the Foot were ſeveral Days March behind: And as for the Forces under the Landgrave of *Heſſe*, and thoſe of *Lunenburgh* and *Munſter*, which alone were computed at 22,000, they were ſcarce in Motion, and could not poſſibly come up, till a good Part of the Campaign was over.

Is join'd by the Elector of Bavaria. Accordingly, on the 24th, the King in Perſon join'd the Army; on the 26th the Elector of *Bavaria* came up, after a very fatiguing March: And when the two Armies took poſt at *Iſeringhe*, they conſiſted of 119 Battalions, and 280 Squadrons, amounting, as it was ſaid, to near 100,000 Men.

[L. Gazette. No. 3288]

To no Purpoſe. But tho' they talk'd of nothing leſs than raiſing the Siege, the Enemy knew they had nothing to apprehend from them: For while M. *Catinat*, aſſiſted by M. *Vauban*, carry'd on the Approaches with an Army of between 30 and 40,000 Men, Meſſ. de *Villeroy* and de *Boufflers*, with upwards of 90,000 more, were ſo poſted, as to render it in a manner impoſſible for an inferior Force to ſuccede in ſo deſperate an Enterprize: And beſides the Diſpoſition thus made to cover the Beſiegers, M. de *Tallard* and M. de la *Mothe*, had each of them a flying Camp under his Command; the one between *Ypres* and *Furnes*, and the other between the *Sambre* and the *Meuſe*.

The two Armies ſeperate again. Thus the joint Army of the Confederates having continued long enough at *Iſeringhe*, to be convinc'd, that nothing ſenſible could be done for the Relief of the Place, on the 31ſt broke up and ſeperated; King *William* directing his Courſe to *Braine-le-Chateau*, and the Elector of *Bavaria* returning to his former Poſt at *Deinſe*.

Burnet's Apology for it. Biſhop *Burnet*, having acknowledg'd the Place was ill furniſh'd, in order to colour the Conduct of his Majeſty on this Occaſion, proceedes in theſe Words, "And the bad State both of our Coin and Credit, ſet the King's Preparations ſo far back, that he could not come in *Time* to relieve it:" And according to Biſhop *Kennet*, his Majeſty openly declar'd, "He would not ſacrifice a Man for "the Relief of a Place which the *French* "muſt be oblig'd to give up by the Peace." But if his Majeſty did make this open Declaration, it ſeems not a little ſtrange that he ſhould make ſo haſty a Puſh to aſſemble his Army, and advance ſo far to diſcover the Strength and Diſpoſition of the Enemy: —Becauſe he could have made no Attempt of any kind, which would not have coſt him *many Lives*: And that he actually did come up *Time* enough to relieve the Place, in contradiction to *Burnet*, we have already ſeen: Beſides, tho' the Place was reduc'd to a State of Deſpondency, by the Seperation and Retreat of the confederate Army, it nevertheleſs held out till the 5th of *June*, (tho' his Lordſhip is pleas'd to add, it was faintly defended by the Governor, for the ſame Reaſons, which indue'd King *William* not to attempt its Relief) when the Beſiegers were on the Point of making a general Aſſault, and the Gariſon, in ſuch Caſe, had nothing to expect but unavoidable Deſtruction: And in the Letter of his Moſt *Chriſtian* Majeſty to the Archbiſhop of *Paris*, requiring him to celebrate a ſolemn *Te Deum*, on the Surrender of the Place on the 7th, (when the Gariſon march'd out with all the Honours of War, except Cannon) the Caſe, as he ſtates it, appears very different from the State given of it by the ſaid Right Reverend Hiſtorians:—For it was thus, in Subſtance, that Monarch expreſs'd himſelf, "Couſin, the Propoſitions of Peace which I caus'd to be made, a long Time ſince, not being accepted, tho' extremely favourable, I choſe to give the confederated Princes ſufficient Time to conſider and underſtand their own Intereſts, by ſuffering my Armies to continue in a State of Inactivity during the laſt Campaign: But the little Uſe they have made of my Forbearance, has oblig'd me to reſume a Spirit of Enterprize, to the End, They may be convinc'd, it is not from a Contumation of the War they muſt hope for Peace: It was with this View I order'd my Couſin *Catinat* to lay Siege to *Aeth*, which tho' one of the moſt conſiderable Places in the *Netherlands*, held out but thirteen Days, after the Trenches were open'd:—In vain the principal Leaders of the confederate Forces brought into the Field a greater Strength than they had ever brought into the Field before:—They no ſooner came in view of the Place, than they were convinc'd of the Impoſſibility of relieving it:—This Conqueſt is ſo much the more agreeable to me, becauſe obtain'd with ſo little Loſs, and becauſe I have reaſon to conclude from ſo proſperous an Opening of the Campaign, that, if my Enemies perſiſt in refuſing the advantageous Terms I have offer'd them, out of a ſincere Deſire to re-eſtabliſh the public Tranquility, *God*, who knows my Sincerity, will continue to pour the like Bleſſings on my Arms, which he has hitherto pour'd upon them: In confidence whereof, I have order'd that *Te Deum*, &c.

The Place capitulates. But how much ſoever this Royal Mandate ſerves to waken the Credit of our Two Hiſtorians, it is nevertheleſs certain, that the Troops of *Heſſe*, *Munſter*, and *Lunenburgh*, and no leſs than eight Regiments from *England*, which were to have join'd the Confederates, and which his Moſt *Chriſtian* Majeſty ſeems to ſuppoſe had already join'd them, were not as yet arriv'd: So that, while the Siege laſted, King *William* had not the Uſe of thoſe Numbers which King *Lewis* places to his Account.

It is true, they did arrive ſoon after, but not Time enough for his Majeſty to undertake any thing offenſively, before the Enemy were at Leiſure to find him full Employment.

A Project of the Enemy to reduce Brabant, defeated. On the contrary, when only the *Lunenburghers* were come up, his Majeſty receiv'd Advice, that all the three Armies of the Enemy were in Motion, that their Purpoſe was to get Poſſeſſion of the Camp at *Anderlech*, from whence they had formerly bombarded

A. D. 1697. barded *Bruſſels*, &c. in conſequence of which, not only that City, but alſo *Vilvord*, and *les Trois Trous*, muſt have fallen into their Hands: And the Meaſures he took upon it, ſeem'd to argue, That his Reſolution was to act on the Defenſive only: For tho', by cauſing his Forces to decamp on the 22d (of *June*) in the Evening, and to continue their March all Night long thro' the Wood of *Soignies*, his Dragoons, and two Brigades of Foot, made a hard Shift to prevent the Enemy, by ſeizing the Poſt about Ten o'Clock the next Morning, and the reſt of his Army came up to ſuſtain them the ſame Day; his next Care was to fortify every dubious Approach with ſufficient Entrenchments, as well for the Security of his Camp, as for the City he undertook to cover: Nor when the Reſt were actually arriv'd, which was ſoon after, did he attempt any thing beyond a general Forage, which was done, under all the Precautions imaginable: And that he might derive no Credit from thence, within a Day or two, the Enemy perform'd the like in ſight of the confederate Army, with as much Succeſs, and as little Diſturbance.

Such was the Face of the Campaign in *Flanders*: And as it was in all Reſpects ſo much to the Advantage of *France*, we are not to wonder at the Air of Preſcription which they put on in the Courſe of the Conferences at *Ryſwick*.

Progreſs of the Conferences at Ryſwick.

And, not to be too minute in following the Negotiation Step by Step, by the Beginning of *July*, the Embaſſadors of each Side had viſited and re-viſited: Thoſe of the Emperor and *Spain*, at the Requiſition of the *French*, had reſpectively deliver'd the Hint of a Project for ſhortening the Proceſs, and the Latter had given a civil but firm Reply, by Word of Mouth, importing, in general, an Approbation of that Proceſs; but adding, That ſince *Spain*, which was ſo deeply concern'd in the Event, had ſtill her Reſerves, it was impoſſible for them to explane themſelves any farther, till the Allies were all of one Mind: That, nevertheleſs, they would venture to inſinuate, That tho' it was abſolutely neceſſary to adhere to the Treaty of *Nimeguen*, yet in the Courſe of the Conferences, ſuch Explanations on certain Points might poſſibly be made, as would leave no juſt Cauſe of Imputation againſt them, for not having done their Endeavour to ſatisfy the Allies: That if the Diſpoſition on their Side was ſincere towards a Peace, they would probably obtain it ſooner by that Channel than any other, if they made a proper Uſe of it: That hitherto they had receiv'd no Order but to expedite the Peace as faſt as poſſible, notwithſtanding the preſent Superiority of his Majeſty's Arms, and the farther Proſpect of Succeſs which lay open before him; and that for their Parts, they had loſt no Opportunity of diſcharging their Commiſſion.

All this was reported to the Miniſters of the Allies by the Mediator, on the 3d of *July*, and on the 9th following, the Embaſſadors of *Spain*, ſtill under the Cover of all their former Reſerves, conſented to receive a Project of Peace from Thoſe of *France*. A. D. 1697.

But when Matters were brought to this Iſſue, all *Europe* was ſurpris'd with the opening a new and very extraordinary Vein of Negotiation near *Hall*, in the Sight of the two Armies, between the Marſhal de *Bouffliers*, and the Earl of *Portland*, each accompany'd with a ſplendid Train of General Officers, Perſons of Diſtinction, &c. And in reciting this Incident, our two Right Reverend Hiſtorians, *Kennet* and *Burnet*, differ irreconcileably: For the Latter is expreſs, That the Marſhal *deſir'd* the Conference, (tho' his own Account of what paſs'd at it, partial as it is, apparently makes againſt him) whereas the Former declares, The Earl, as from *himſelf*, demanded it: The *Gazette*, on the other Hand, only ſays, They met by *Agreement*; but, in avoiding to ſay who made the *Advance*, according to all political Reaſoning, ſufficient indicates the Truth. *Interſetted by certain Field Conferences between* Bouffliers *and* Portland.

But however this may be, it is certain they had Five Conferences, tho' Biſhop *Kennet* ſays but Four, *viz.* on the 10th of *July*, N. S. the 15th, the 20th, the 26th, and the 2d of *Auguſt*: What paſs'd in the Three firſt, paſs'd in the open Field; but in the Fourth, the two Negotiators, after a Debate of two Hours, retir'd to a Houſe in the Suburbs of *Hall*, where they call'd for Pen, Ink, and Paper, and employ'd an Hour longer, no doubt, in reducing to writing, what they had ſettled in the Field: And, as undoubtedly, it was at the Fifth and laſt Conference that this important Paper was reciprocally ſign'd; which, according to the Right Reverend Author laſt quoted, contain'd an Adjuſtment of ſeveral Points, that the Plenipotentiaries at *Ryſwick* would not have adjuſted in a Year.

As to the Subject-Matter of theſe Conferences, no ſatisfactory Account has been given of it to this Day: *Burnet*, indeed, would have had the World believe, That he was in the Secret of it, as may be gather'd from what follows: "The Lord *Portland*, (ſays He) told me, himſelf, That the Subject of thoſe Conferences, was concerning King *James*: The King *(William)* *deſir'd* to know [and yet, according to him, the Marſhal *Bouffliers deſir'd* the Conference] how the King of *France* intended to diſpoſe of him? And how he could own him, and yet ſupport the other? The King of *France* would not renounce the protecting him, by any Article of the Treaty: But it was agreed between them, That the King of *France* ſhould give him no Aſſiſtance, nor give the King any Diſturbance on his Account: And that he ſhould retire from the Court of *France* either to *Avignon* or *Italy*: On the other Hand, his Queen ſhould have 50,000*l.* a Year, which was her Jointure, ſettled after his Death; and that it ſhould now be paid her, He being reckon'd as dead to the Nation: And in This the King very readily acquieſc'd: Theſe Meetings made the Treaty go on with *more Diſpatch*, this tender Point being once ſettled." And this, no doubt, was the Story impos'd on the World at that Time: For even the *Burnet's Account of thoſe Conferences, as given to him by Lord* Portland.

A. D. 1697. Gazette Account, No. 3312.

the *London-Gazette* informs us, That Lord *Portland*, by his Majesty's Order, had acquainted the *Imperial* and *Spanish* Embassadors, "That for what related to his Majesty and his Kingdoms, all Matters were so far adjusted with *France*, That his Majesty was satisfied his Concerns would occasion no Delay: And that his Majesty desir'd the Emperor, and the rest of the Allies, would likewise contribute what depended on them, to the speedy finishing that great Work."

Remarks on the whole.

But it is scarce supposable, that the Managements to be observ'd with regard to King *James*, whose Interests had been so apparently given up by the very Preliminaries of the Treaty, were the only Points discuss'd, in the Course of a Procedure so altogether extraordinary: It was not for the superior Ability of Lord *Portland*, but the superior Confidence plac'd in him by the King, that he was selected for this distinguishing Commission: And surely such Points as have been recited, might have been entrusted to the Earl of *Pembroke*, Lord *Villiers*, and Sir *Joseph Williamson*, his Majesty's Plenipotentiaries at *Ryswick*, who had infinite Reason to complane of a Preference so altogether inexcusable, and which left nothing to them but the mere Formalities of a Negotiation.

But the Truth is, that his Majesty was not on very cordial Terms at this Time, either with the Emperor or *Spain*; and, in proportion as he grew out of Humour with them, and with the War on their Account, the more natural it became for him to conciliate the good Graces of King *Lewis*, which could be done no way so well, as by helping to give the Negotiations now depending a *French* Bias, or by co-operating with the *French* Court in some Practice on the *Spanish* Succession: And some Writers have suggested, That these Field-Conferences turn'd principally on that Hinge: But then it must be understood, That they procede upon Presumption, rather than Information: And that no Concert could then be made, but what was eventual: For the House of *Bavaria*, in Virtue of the Renunciation made by *France*, was next in that Succession; and the Electoress was then so near her Time, that she was brought to Bed of a Son, three Days after the last Field-Conference: And probably that very Incident put a Stop to those Jealousies, which such a seperate Proceeding could not fail to excite, notwithstanding all the plausible Things which Lord *Portland* could urge to the Allies in Extenuation of it: For, whatever the Agreement was, his Majesty either thought himself so restrain'd by, or plac'd such a Dependence on, it, that the very next Day after it was completed, he left the Camp, and repair'd to *Loo*, there to consume the rest of the Summer in Repose.

And now, having so far dispatch'd this remarkable Intersection, it may be expected, that we should again return to the Congress: But in the very Interval of these Field-Conferences, Advice was receiv'd of a new Incident, which will previously require our Attention.

A. D. 1697. Intrigues of the several Parties in Poland.

The Death of the King of *Poland* had, as usual, expos'd the Crown to Sale: And, so dazzling a Thing is a Crown of any Sort, that there was no want of Bidders for it. Of These the Princes *James* and *Alexander*, Sons of his late Majesty, were foremost; and as it was natural they should, had all the Countenance, and all the Assistance that the Queen-Mother could give them: But the being oblig'd to leave *Warsaw* under a Pretext, that her Presence had a Tendency to over-awe the Election, being also at Variance with the Court of *France*, having only a provisional Connection with that of *Vienna*, and having no positive Assurance of Support from any foreign Power, but the *Czar*, (who was at this Time accompanying his own Embassadors *in cog.* to the *Hague*) it was obvious, that there was Room enough for other Pretenders; and that in case of a warm and potent Opposition, all her Efforts might be fruitless.

On this Presumption, therefore, it was that Don *Livio d'Odeschalchi*, Nephew of the late Pope *Clement* XI. became a Competitor; and as the Crown was to be a Purchase, offer'd not only all that was in Power, but much more, to obtain it.

But all Apprehensions on his Account, were immediately suspended by the Appearance of a much more formidable Rival, *Louis de Bourbon*, Prince de *Conti*, who was recommended to the *Poles* by the Abbè de *Polignac*, the Minister of *France* at *Warsaw*, in all the advantagious Colours his whole Stock of Eloquence could furnish, (not without an Interspersion of Invectives on the Queen, and by Rebound on her Family) and yet more powerfully by the Distributions he was enabled to make among the Grandees, by way of Earnest of his Royal Master's Munificence: The *Primate*, who, to speak in *English* parliamentary Language, was the returning Officer, he had the Address to make sure of first; and then made use of his Authority and Exemple to influence Others: So that, in consequence of their joint Endeavours, the *French* Party soon became so considerable, as almost to defy all Opposition.

The Court of *Vienna*, on the other Hand, which was altogether as attentive to, and as much concern'd in, the Issue as the Court of *France*, could not so easily resolve who to favour: The young Duke of *Lorrain*, who set up as a known Dependent on the Emperor, was the Person whose Interests they were the most cordially inclin'd to espouse: But neither was the Queen-Dowager to be render'd wholy desperate, nor were the Pretentions of the Princes of *Neuburgh* and *Baden*, who also declar'd themselves Candidates, to be wholly slighted.

But, if the Rival-ship of so many Princes, who had all their Clames upon his *Imperial* Majesty, embarrass'd his Councils, when the Elector of *Saxony* made his Appearance on the same List, it was reasonable to think, that the Embarrassment was in part remov'd: Neither of the Three *Former* were in a Condition to out-bid *France*; and the *Imperial* Treasury

A.D.1697. Treasury could ill afford to supply that Defect: But the Elector was not only able to bear the Expence of the Purchase, but in case of any Contest, could bring a sufficient Force into the Field, to make good the Efforts of his Partizans.

How doubtfully soever then the *Imperial* Ministers might think it advisable to behave among such a Diversity of Competitors, it must be suppos'd, that they plac'd their Reliance chiefly on him, and that they took their Measures accordingly.

It is certain, that about the Beginning of *March* he repaired to *Vienna*; that he continued there till the End of *May*; and that when he departed, instead of proceding to *Hungary*, to resume the Command of the *Imperial* Army, he returned to *Dresden*, in order to collect a Body of Forces, with which he pass'd thro' *Silesia*, and presented himself on the Frontiers of *Poland*: Count *Fleming*, his Minister at *Warsaw*, having also in this Interval, prevail'd with the Pope's Nuncio to recommend him to the *Poles*, as the fittest Person in *Europe* to be their King; and also undertaken for his Reconciliation to the Church, that his Religion might not be urg'd as a Bar to his Promotion.

M. *Fleming*, also, on behalf of his Master, engag'd, That his Electoral Highness would pay the Crown Debts, and the Arrears of the Army: That he would reduce *Caminiec* at his own Charge: That he would annex the *Ukrain*, *Walachia*, and *Moldavia* to *Poland*: That in case of a War, he would, upon Requisition, assist the Republic with 6000 Men at his own Charge: That he would resettle their Coinage, restore their Trade, re-establish their Fortresses, *&c. &c.* And, lastly, that he would sign their *Pacta Conventa* without reserve.

But tho' such considerable Offers from so considerable a Prince, influenced many and stagger'd many more, their Operation was not strong enough to extinguish the Hopes of any one of the Competitors: On the contrary, all their Agents were Night and Day employ'd, in interesting Heaven, Earth, and Hell itself in their respective Interests.

The French favour them severally.

At length, however, after a Course of Intrigues and Incidents scarce to be ennumerated, the Day of Election came; the several Candidates were propos'd by the *Primate*, except the Prince of *Baden*; immediately the Field rung with the Counter-Acclamations of the several Parties; and while the Suffrages were taking, it being soon apparent, that the Duke of *Lorrain*, the Princes of *Newbergh*, and *Baden*, and *Odescalchi* were thrown entirely out of the Question; that the Contest lay between Prince *James*, the Elector of *Saxony*, and the Prince of *Conti*; and that the Latter of These had a Majority against Either of the Former; the Two Former join'd Interests, or rather, the *Sobieski*-Interest was thrown into the *Saxon* Scale by the Mediation of the Crown-General *Jablonowski*; in Virtue of which Management, That of *Conti* kick'd the Beam.

But weaker than the rest united.

But the *Primate*, whose Office it was to declare the Election, was so far from admitting the Legality of any such subsequent Compromise, that he withdrew from the Field, protesting against it, and refusing to hear of any Temperament: The united Party which remain'd, and which were now under a Necessity of justifying one Irregularity by committing many more, hereupon sent a Deputation to the Bishop of *Cujavia*, a zealous Partizan of the *Sobieskies*, to officiate in the *Primate*'s stead, who excus'd himself for that Day, in order to deliberate on some Expedient to be made use of on the next.

A.D.1697.

Accordingly, his Advice was taken, and all Manner of Practices were try'd to gain the *Primate* and his Party, but without the desired Success; for the utmost he could be brought to, was to relinquish the Prince of *Conti*, provided the Adversary would relinquish the Elector: But they being in every respect the strongest, as having the Crown-Army to depend on within the Kingdom, and another Army of *Saxon* Auxiliaries upon the Frontiers, would not hear of any such Proposal: So that when the Palatinates re-assembled the next Day, the same Schism continued, the same Confusion ensued; and upon the Issue, the *Primate* proclam'd the Prince of *Conti* in a tumultuous way; and then, repairing to the Cathedral, which he found shut against him, by order of the Pope's *Nuncio*, and which he caus'd to be broke open, in Defiance of that Order, caus'd *Te Deum* to be sung, for an Act which threaten'd to involve a whole Kingdom in all the Calamities of a Civil War.

The Primate proclaims the Prince of Conti.

Such a Tool is Religion in the Hands of Churchmen and Politicians!

On the other Hand, the Bishop of *Cujavia* proclam'd the Elector of *Saxony*, sung *Te Deum* on the Spot, as also again in the Cathedral afterwards, on finding the same Doors open to them, which had admitted their Antagonists; the Crown-General caus'd all the Artillery round the City to be thrice discharg'd; and on the next Day the same Party met again in the Field of Election, and deputed 100 Gentlemen on Horseback with an Invitation to M. *Fleming*, to repair thither, or perhaps to be his Guard; notified to him, on his Arrival, the Choice they had made, and receiv'd his Acknowledgments in his Master's Name.

The Bishop of Cujavia for Elector of Saxony.

The next Measure to be taken, was to draw up the *Pacta Conventa*, which the new King was to sign: But first, in order to make a new Effort, whether any Impression might be made on the *Primate* and his Party, a Conference was demanded, and agreed to, but to no other Purpose than to make the Breach wider, if possible, than it was before: So that the *Saxons*, being at last convinc'd, that the Controversy was not to be decided in an amicable way, nam'd Three of their Party to invite the King into *Poland*, sent a Body of Forces to secure the Crown, and not only order'd the necessary Preparations to be made at *Cracow*, for the Coronation, but solicited the *Czar*, who had sent a Letter to the Nobility, which the *Primate* had suppress'd, to furnish them with an Army of Auxiliaries, in case of Need,

A. D. 1697. and made all the other Diſpoſitions in their Power to ſecure their Point, in caſe of an Appeal to the Sword.

Nor was the *Primate* and M. de *Polignac* wanting on their Parts, as well to authenticate what they had already done, as to maintain it at all Extremities, by all the Countenance, and all the Aſſiſtance that could be deriv'd, from the Power, Credit, and Influence of *France*.

Thus *Poland* had Two Kings at once, for each had that Title beſtow'd on him by his reſpective Party; and while the Courts of *Paris* and *Conſtantinople* acknowledg'd the Prince of *Conti*, thoſe of the Confederates did the ſame by the Elector of *Saxony*: In like Manner alſo, when the News was ſeverally brought to the ſeveral Armies in the Field, a triple Diſcharge, in Honour of one Pretender, was anſwer'd by a triple Diſcharge from the Enemy, in Honour of the Other: And at the Congreſs, all the Artifices imaginable were reciprocably practis'd, by both Parties alike, to eſtabliſh and deſtroy each others Intelligence, and the airy Caſtles built upon it.

This Incident without any apparent Operation at Ryſwick.

But, however the political Pack was cut and ſhuffled at *Ryſwick*, it does not appear that this Incident made any material Alteration in the Courſe of the Game, either in King *William*'s or King *Lewis*'s Cabinet: For it was the Day after the firſt Field-Conference, that the News reach'd both Camps; and yet the Two Negotiators continued their Meetings regularly, as we have ſeen, and brought them to a ſatisfactory Iſſue, as if what had happen'd in *Poland*, was a Matter of no Conſideration in *Flanders*.

Indeed, if the Earl of *Portland* had no more in Charge than what was contain'd in the Project preſented two Days before the firſt Meeting to the Mediator, by the *Engliſh* Embaſſadors, the *French* themſelves could not have deſir'd a Peace with *England* on cheaper Terms; and, conſequently, it was not their Intereſt to make the leaſt Heſitation in accepting it.

The Intereſt of France to make up with England on the Terms propos'd.

What thoſe Terms were.

According to that Project, which conſiſted of fourteen Articles, drawn up in *Latin*, by Mr. *Prior*, the Secretary of the Embaſſy, nothing was to be done but to abſtain from any farther Hoſtilities, to forgive and forget the paſt, to make reciprocal Reparation and Reſtitution, recall all Letters of Marque and Reprizal, and ſuch other Generals (with an Exception to one long Article concerning the Principality of *Orange*) as ſeem'd to indicate, That the two Nations had been fighting all this while, without any Cauſe of Complaint againſt each other, or having any Purpoſe to ſerve to each others Detriment.

The *Dutch* alſo in their Project, which was deliver'd in five Days before that of the *Engliſh*, confin'd themſelves as cloſely as poſſible to the Treaty of *Nimeguen*:—But then they took care to demand Reſtitution of the Ships and Merchandizes of their Subjects, ſeiz'd in the Ports of *France*, in the Beginning of the War: And alſo to carry on a Negotiation for the Re-eſtabliſhment of their Commerce, while this Project yet lay upon the Table. A. D. 1697.

And thus it becomes more and more apparent, that the way to Peace between the *Maritime* Powers and *France*, was open and free from any material Encumbrance: For as to the Diſpoſal of King *James*'s Perſon, or the Queſtion, How his Moſt *Chriſtian* Majeſty could *own one* King of *England*, and yet *ſupport another?* mention'd in the fabulous Hiſtory above quoted, they were Points that could not be propos'd, much leſs inſiſted upon, without a Violence not only to Generoſity and Hoſpitality, but even to Humanity.

But, to put this Matter out of the Reach of Controverſy, Poſterity need only be inform'd, That on the 8th of *June*, N. S. above a Month before Lord *Portland* and M. de *Boufflers* met, King *James* diſcover'd the Senſe he had of his own deſperate Condition, by ſetting forth a Third Manifeſto, addreſs'd to all the Princes and Powers of *Europe*, in his own Name, Stile, and Perſon, under a Preamble to this Effect, *viz.* "That, after ſo long and ſo calamitous a War, ſeeing all the Parties concern'd in it on the Point of ruſhing into a Peace without his Participation, he found it high Time to employ the only Method in his Power for the Conſervation of his inconteſtable Right, by a ſolemn Proteſt againſt all that ſhould be concluded in prejudice to it: That it was not his Purpoſe to enter into any Diſcuſſions of what had befallen him, becauſe the Notoriety of it had render'd it needleſs, and becauſe it could not be ſuppos'd that any could doubt the Juſtice of his Cauſe." After which, his Misfortunes, Prejudices, and Reſentments, prompted him to procede as follows: "It is not the Condition to which we have been reduc'd, ſince the Prince of *Orange* depriv'd us of our Crown, which is our ſole Affliction: For the Love of our People is ſo rooted in us, that we cannot, without Sorrow, behold their Riches and their Blood waſted in the Support of ſo unrighteous a Cauſe: And if a Peace ſhould be made to our Prejudice, They muſt be abandon'd as a Prey to thoſe Strangers they are become ſubject to, as long as the Uſurpation (ſuch as before, is the injurious Term made uſe of) ſubſiſts: We have alſo felt a ſenſible Regret in not being able to follow both our Inclinations and our Intereſts, in maintaining the Peace of *Chriſtendom*, and preventing the Calamities brought upon it by the War: And as our Enemies have ſpread falſe Reports of a ſecret League between us and *France*, we declare, upon the Word of a King, we never did make any ſuch League with that Crown, or with any of the Confederates engag'd in the preſent War. *King James's Proteſt againſt the Peace, &c.*

We beſeech thoſe Princes to conſider how dangerous the Example they give, may prove to themſelves, and that the Caſe of all Sovereigns is implicated in ours: We make it our Demand, that they would contribute to re-eſtabliſh us in our Kingdoms; that they would reflect on the Glory they would derive from a Reſolution ſo conformable to the Intereſts of

A. D. 1697. of those who have an Inheritance in their Dominions: And, lastly, that they would ponder, whether the most antient Treaties are not the most solid, and whether the Peace would not be more secure under our Guaranty, than under that of a Prince who has neither Right nor Succession; Since, if he had Children, they stand excluded even by the pretended Settlement made since the Usurpation?

Nevertheless, as we see the Confederate Princes will accept that Usurpation, as the Basis of the present Peace, we are indispensably oblig'd by what we owe to ourself, our Posterity, and our People, to make the best Provision we can, that our Silence shall not be taken for an Acquiescence, to the Prejudice of our Self, our lawful Heirs, and our Crown.

It is for this Reason, therefore, that we solemnly protest, in the best Form that we can, against all that may or shall be negotiated, regulated, or stipulated with the Usurper of our Realms, as being void of all rightful and lawful Authority.

We profess, in particular, against all the Treaties of Alliance, Confederacy and Commerce with *England* since the Usurpation, as being in like manner null, for want of the like Authority, and consequently no ways binding either to our lawful Heirs and Successors, or our Subjects.

We also protest in general against all Acts whatsoever, which, directly or indirectly, confirm, authorise, or approve the Usurpation of the Prince of *Orange*, the Acts of his pretended Parliament, and all others tending to reverse the fundamental Laws of our Realms touching the Order of Succession.

Lastly: We again protest and declare, That no Defect of Form shall redound to the Detriment of our Self, our lawful Heirs, our Crown, or our Subjects; we reserving by these Presents, seal'd with our great Seal, all our Rights and Clames, which do remain, and shall remain, in their full Force, and which no Extremity shall oblige us to renounce or compound; protesting once more, That neither before *God* or Man are we answerable for the Evils which the Injustice done, or to be done, us, may hereafter bring on our Kingdoms, and upon all *Christendom*. Given at St. *Germains*, &c."

Thus it is plain King *James* had nothing left to hope, and consequently King *William* had nothing to fear: As also, That nothing being stipulated in favour of the Nation, but barely an Acquiescence on the Part of *France*, in what they had done for their own Deliverance, there was no national Point of Negotiation left, which might not as well have been treated at the Congress by the *English* Embassadors, who had a constitutional Authority under all the Forms of Office, from the Council-Board to the great Seal of *England*, as in the Field by Lord *Portland*, the King's Privado, a Foreigner by Birth, under no better Sanction, perhaps, than a verbal Instruction, or, at least, such a written Order, as in doubtful Cases, military Men sometimes venture to insist upon for their own Security. A. D. 1697.

What, therefore, the Agitations of the *Jacobite* Party in *England* were, during these Field-Parlies, or whether they were weak enough to flatter themselves, that any reversionary Provision would be made in the Treaty for the Re-establishment of their Interests, (as some Authors have asserted) is not worth an Enquiry: And with this clear Insight into the Nature and Direction of our own Affairs, (which now for the first Time, in this Reign, and for Reasons already made apparent, were no longer intimately blended with those of the Confederates) we may dispense with some Part of our Minuteness in recounting the Sequel of the Negotiations.

The French deliver in their Project of Peace.

On the 20th of *July*, the *French* Embassadors deliver'd in their Project of a general Peace; that is to say, with the Emperor and Empire, *Spain*, and the States: For *England* was not mention'd, tho' Room was left for her being comprehended in it: The Contents of it were in general agreeable to the Preliminaries, tho' far short of the Demands of the Confederates: And yet, presuming on her own superior Power, the apparent Distraction among the Allies, and very probably the Advances at that very Instant making to her by *England*, the accompany'd this Project with a Declaration, That it was to be accepted by the last Day of *August*; or, if not, she should hold herself as much at Liberty to recede, as the Allies to refuse; and to make such Alterations in her Conduct, as the State of her Affairs should warrant, and the Good of *Christendom* require.

But limit the Time for acceptance.

This Project was reported to the Allies by the Embassador-Mediator, together with some verbal Explications of it; to which he added, in the Name of the *French* Ministers, That they were in earnest dispos'd to facilitate the Peace with all their Powers; and that there was nothing they desir'd more, than to see a thorough good understanding re-establish'd between the King their Master, and the High Allies: M. de *Caunitz*, on the other Hand, was altogether as polite in his Acknowledgments: But said, An Affair of such Importance requir'd a suitable Time of Deliberation; and excus'd himself in the most express Manner, from paying any the least Regard to the Restriction of Time, prescrib'd by the *French*.

Which Limitation the Imperialists pay no regard to.

And here, in order to account for the different Conduct, that began now to be observ'd by the *Imperialists* and *Spaniards* in the Course of the Negotiations, it is fit to touch on their different Circumstances, with regard to the Prospect of the Campaign.

State of the War on the Rhine.

The *Imperialists*, as if by way of Precaution against the ill Effects of their own Tardiness, had very early in the Spring drawn a Line between *Mentz* and *Frankfort*, cover'd with a suitable Number of Redoubts: They had also strengthen'd their Lines at *Eppinghen* with additional Works; and along the *Necker*, the *Rhine*, and the *Main*, took all the Precautions possible, to fortify and protect every Pass, that the Enemy might not

A. D. 1697. not find it eaſy, nor think it prudent, to make ſuch Incurſions as they had formerly done, before the *German* Forces were in a Condition to take the Field.

On the other Hand, apprehending, as before hinted, that the Enemy would this Year redouble their Efforts, they thought it adviſable to make ſuitable Preparations for their Reception.

Thus no ſooner was it underſtood at *Vienna*, that the Marſhal *de Choiſeul*, who had the Command on the *Rhine*, had left *Paris*, in order to draw his Army together, than the Prince of *Baden* order'd a Junction of the *Imperial* Forces, which lay in three ſeveral Bodies at *Eppingben*, *Sintſheim*, and *Dermentz*, at *Bruchſal*, where he arriv'd himſelf on the 22d of *June*.

But all theſe Meaſures, which had ſuch an unuſual Aſpect of Enterpriſe and Vigor, were in effect but ſo many Precautions: For when the Prince receiv'd Advice, that the Enemy had paſs'd the *Rhine* on the 4th of *July* at Fort *Lewis*, and taken Poſt near *Raſtadt*, tho' he did advance with his whole Army to *Muckenſturm*, which was not above a *German* Mile from the Enemy's Camp, he made no Effort to force them to an Action: On the contrary, when they retreated, as they did on the 18th, to another ſtrong Poſt between *Raſtadt* and Fort *Lewis*, he gave them no material Interruption: Again, when the *French*, after ſeveral Days of total Inaction, made a Motion downwards to *Straſburgh*, he mov'd upwards towards *Bruſchal* and *Philipſburgh*: In ſhort, the *French* were left to repaſs the *Rhine* at their Leiſure at *Straſburgh*; and before he ventur'd to do the ſame at *Mombach*, in order to inveſt the Fortreſs of *Ehrenburgh*, he call'd in the Margrave of *Bareith*, with the Body of Forces under his Command, to his Aſſiſtance; that, in caſe the Marſhal came up to intercept him, he might be in a Condition to give him Battle, without being forc'd to raiſe the Siege.

Thus if the *French* were not ſufficiently ſtrong, or did not think it adviſable to face the *Germans* on even Terms, the *Germans* were not over ſolicitous to face the *French* on any other: And the Reaſon is obvious: For a Miſtake in the Field on either Side, would have had a very ſenſible Operation on the Conferences at *Ryſwick*; and when a Peace was at hand, there was no Time either for Rectification or Atonement.

And in Catalonia. But if the *Germans* had a Superiority in the Field, which their over Caution would not ſuffer them to make any notable Uſe of, the *Spaniards* were ſcarce in a Condition to defend themſelves in *Catalonia*, tho' eas'd of the War in *Italy*.

For *England* and *Holland*, being no longer in a Humour to cover their Coaſts with a ſufficient Fleet to keep the Enemy in Awe, tho' the Parliament of *England* had, by a ſolemn Vote, ſtamp'd ſuch a Value on that Service, the Enemy reſolv'd to make their Uſe of that Opportunity to reduce *Barcelona*, and thereby convince his *Catholic* Majeſty, That, under the preſent Imbecility of his Councils, and all the other Reſources of his Government, a Peace with *France* was of more Conſequence to him, than the pretended Friendſhip of all the Powers of *Europe* beſides. A. D. 169

Accordingly, towards the latter End of *May*, the Duke de *Vendome* repair'd to the Army, and immediately advanc'd towards that of the *Spaniards*; while the Count *d'Eſtrees*, with a Squadron of Men of War, and another of Gallies, made the beſt of his way to ſhut up the Port of *Barcelona* by Sea: So infatuated, ſo remiſs, or ſo treacherous the Viceroy of *Catalonia* having been in the Execution of his Charge, that he had not taken the leaſt Precaution on that Side, for the Security of the Place, tho' he had all the Reaſon in the World to expect, it would be attack'd, and none, that it would be reliev'd.

As the *French* Army approach'd, the *Spaniards* retir'd; and the Prince of *Heſſe-Darmſtadt*, who had cover'd their Rear on that Occaſion, threw himſelf into the Town, with a ſtrong Body of Troops, while the reſt took Poſt behind the River *Lobregat*, to wait for a Reinforcement, and then to act as Occaſion offer'd.

The Place was inveſted on the 12th of *June*, the Trenches were open'd on the 16th, and the Batteries began to play both by Sea and Land: But tho' the *French* at firſt reckon'd they ſhould reduce it in twelve or fourteen Days, it was ſo ably, gallantly, and reſolutely defended by the Prince of *Heſſe*, that it prov'd one of the moſt difficult and bloody Enterprizes which had been any where undertook during the whole Courſe of the War: Nor, perhaps, had it ſucceeded at laſt, if M. *Vendome* had not obtain'd Intelligence, probably from ſome corrupt *Spaniard*, of a Concert form'd between the Prince of *Heſſe* and the Viceroy, to fall upon the Beſiegers, the one with his Army, the other with the Garriſon, at the ſame Inſtant; of which Intelligence he made ſuch notable Uſe, that, inſtead of being ſurpriſ'd himſelf, he ſurpriſ'd the Enemy, put them to the Rout, and entirely defeated their Purpoſe.

But, how intrepidly ſoever the Garriſon ſuſtain'd the Preſſures, Dangers, and Loſſes of ſo vigorous a Siege, it was foreſeen, They would be oblig'd to capitulate at laſt; and while this Foreſight grew every Day more and more clear and deciſive, another encouraging Piece of Advice was receiv'd from the *Weſt-Indies*, That *de Pointis*, not diſcovering any Likelihood of ſurpriſing the Galleons, which was his principal Errand, had fallen upon *Carthagena*, had carry'd the Place by the Help of the *Buccaneers*, and had carry'd away a Treaſure almoſt ineſtimable.

But as a Thread of our own Story is interwove with This, it will be incumbent on us to follow it ſomewhat circumſtantially, as we happen to be furniſh'd with the proper Authorities from Admiral *Nevil*'s Journals, *&c.*

We left the ſaid Admiral on his way to *Barbadoes*, the Place appointed for the general Rendezvous of his Squadron, who was no

A. D. 1697. no ſooner got within the Reach of the Trade Winds, than he made for that Port with all the Sail he could ſpread: And having run 400 Leagues in that Manner from *Madeira*, diſpatch'd the *Briſtol* before him to the Governor of *Barbadoes*, with a Requiſition, That he would immediately ſend a Sloop to *Martinico* for Intelligence of the Enemy: On the 17th of *April* he arriv'd there himſelf with his Squadron, and found all the miſſing Ships, except the four *Dutch* and the *Goſport*, which did not arrive till the 26th following, already at Anchor.

On the 26th, he ſet ſail again, tho' the Sloop which had been ſent to *Martinico*, return'd without Intelligence: On the 4th of *May* he had a Conference with Colonel *Codrington*, Captain-General of the *Leeward-Iſlands* at *Antigua*, who was of Opinion, *de Pointis*'s Deſign was againſt St. *Domingo*; the *French* having, for ſome Months paſs'd, been employ'd in cutting a Road a-croſs the Iſland, to the *Spaniſh* Settlements on the other Side: On the 5th, having held a Council of War, it was reſolv'd to make for *Point d'Aguada*, on the North Side of *Porto-Rico*, being the Place where the Flota always ſtops for Refreſhment in their way from *Spain*: On the 8th, he receiv'd Intelligence from the *Brandenburgh* Factory, on the Iſland of St. *Thomas*, That the Enemy's Squadron conſiſted of, One Ship of ninety Guns, but having only ſeventy-four mounted, two of ſeventy, mounting but ſixty-four each, one of fifty-ſix, one of fifty-four, two of forty-four each, one, a *Spaniſh* Prize, of forty-ſix, one of thirty-ſix, one of thirty-eight, two Fly-Boats laden with Ammunition, one Bomb-Ketch, and ſix Tenders, having on board 2000 Land-Forces, beſides their *Marine* Complement; and to which were added, from *Petit-Guavas* and *Martinico*, ten Privateers, large and ſmall: That according to their own Computation, they reckon'd themſelves able to make a Deſcent with 4500 Men; and that they ſet ſail from *Petit-Guavas* the 10th of *March*, O. S. The ſame Day this Intelligence having been conſider'd in a Council of War, it was reſolv'd to make for *Jamaica*, and to ſend a Ship for Intelligence into St. *Domingo* in their way; which laſt Purpoſe, the Weather being bad, was afterwards found impracticable.

On the 15th, however, they fell in with a Sloop belonging to *Jamaica*, off of the Eaſt End of that Iſland, by which the Admiral receiv'd Information of a flying Report, which prevail'd there, That de *Pointis*'s Squadron had been ſeen before *Carthagena*: And the next Day, while his Men were replenifhing the Ships with Water in *Port-Royal* Harbour, Advice came from *Porto-Bello*, to Sir *William Beeſton*, Governor of *Jamaica*, That they were Maſters of the Place: That they came before it on the 13th of *April*: That they began to bombard it the ſame Day: That on the 15th, they reduc'd the Caſtle of *Bocca-Chica*: That on the 18th, they became Maſters of Fort St. *Lazaro* by Aſſault, after four ſeveral Efforts: That, nevertheleſs, it was the 29th before they carried the Suburbs: That proceeding then to batter the City, the Inhabitants preſs'd the Governor to ſurrender, which he refus'd, but was at length oblig'd to capitulate: That after three Parties, the Articles were completed: That on the 3d of *May*, the *French* took Poſſeſſion of the Place, and preſerv'd ſo ſtrict a Diſcipline in relation to the Inhabitants, that a Soldier was executed only for an Attempt to plunder a *Mulatto* Woman of a Ring: And that the Loſs to the *Spaniards* was computed at ten Millions (*t*).

A. D. 1697.

De Pointis reduces, ſtorms, and abandons Carthagena.

Thus it appear'd, They were much too late for Prevention, tho' not for Chaſtiſement; which became the Purport of the Admiral's next Reſolution.

Accordingly, on the 20th, he ſet ſail from *Port-Royal*, in order to fall thro' the Leeward Channel for Expedition-ſake, which he had firſt caus'd to be extremely well buoy'd: But the Land Breeze dying away, he was forc'd to come to Anchor, before he had got thro' all the *Keys*, as they are call'd, and was detain'd there for five Days together; the Sea-Breeze, during that whole Interval, blowing Night and Day, which had never happen'd in the Memory of Man before.

Nevil *ſails in queſt of him.*

Is detain'd five Days on the Coaſt of Jamaica.

And while he lay in this diſagreeable Situation, he receiv'd Intelligence, by an *Engliſh* Sloop from *Porto-Bello*, That on the 18th, ſhe ſail'd from that Place in company with the Galleons, being eighteen in Number; and that on the 20th, ſhe left them in the Night, ſteering N. N. E. for *Jamaica*, to furniſh themſelves with Proviſions, their ſeveral Crews being almoſt ſtarv'd, and not having a ſufficient Stock remaining to carry them to the *Havannah*: Upon which the Admiral gave Orders for the Squadron to be reduc'd to half Allowance of Bread, that he might be able in part to ſupply their Neceſſities, and appointed two Sloops to look out for them, with Orders to acquaint them, That he was going down to *Carthagena* againſt the Enemy; and that on his return, he ſhould join them at *Jamaica*.

At length a ſmall Land-Breeze ſpringing up, he made a ſhift to get clear of the *Keys*: On the 27th, the Ships to windward made the Signal of ſeeing Ships ſtanding to the Northward; upon which the Admiral, and his whole Squadron, ſtood after them with all the Sail they could make, taking it for granted they were the Enemy, as indeed they were, and as the next Morning it became apparent: The Signal was now given to chaſe; for M. de *Pointis* had no Inclination to ſtake the Booty in his Poſſeſſion,

Comes up with and chaces him for three Days.

(*t*) 40,000,000 of Livres, according to ſome Writers, 9,000,000 according to de *Pointis* himſelf, and according to Mr. *Campbell*, Author of the *Lives of the Admirals*, upwards of 20,000,000, or even 1,200,000 *l.* Sterling.

A. D. 1697. sion, againſt Honour in proſpect; and for that Reaſon exerted all the Seamanſhip he was Maſter of to effectuate and ſecure his Retreat: But Accidents of various Kinds were of more Service to him than all his Skill: For when the *Warwick*, which fell in with them firſt, began to fire on the firſt Ship that fell in her way, it ſoon appear'd, that with all the Canvas ſhe could ſpread, ſhe could not keep up with her, and, therefore, was forc'd to take up with a Fly-Boat, loaded with (*u*) Ammunition, which ſtruck at the firſt Shot: When alſo the *Briſtol*, *Trident*, *Goſport*, and *Newcaſtle* were come up, and the firſt was actually within Gun-ſhot of de *Pointis* himſelf, who fired ſeveral Times at her, Night fell, not a Star was to be ſeen till Nine o'Clock, and the Weather grew ſqually: Of all theſe Circumſtances the Enemy took Advantage, tack'd about to the S. W. and thereby oblig'd *Nevil* and his Squadron to do the ſame: They did ſo, and ſtood after them with a ſtout Sail all Night: When Day broke, (the 29th) the Gale freſhen'd, the Sea grew rough, and it appear'd de *Pointis* had ſhot above two Leagues a-head: This ſhew'd, that, notwithſtanding the Turbulence of the Weather, not a Sail could be ſpar'd: And now they had more Reaſon than ever to curſe the Tardineſs which had kept them ſo long on the Coaſt of *Madeira*, expos'd to the perpetual Aſſaults of Wind and Weather: For now, when all in a Manner depended on Maſts, Yards, and Rigging, it appear'd, All were unfit for ſuch hard Service: The Top-Maſts of the *Briſtol*, *Southampton*, and *Trident*, as alſo of the Admiral and Rear-Admiral, were carry'd away; and the only Acquiſition of that Day's Chace, was another ſmall Veſſel taken by the *Warwick*. However, when the Evening came on, the *Rupert*, *Goſport*, *Colcheſter*, *Sunderland*, and one *Dutch* Man of War, were ſtill cloſe at the Heels of the Enemy; and as they kept on the ſame Tack all Night, the Admiral expected to ſee them engag'd by Morning: —But his Expectation was again deceiv'd: —For in the Morning, the Weather being as boiſterous as before, de *Pointis*, with five Sail more, were about four Leagues a-head of him, and only three of his own Squadron, *viz.* the *Sunderland*, *Pembroke*, and *Goſport*, in ſight; all which were alſo fallen a-ſtern, having either loſt their Top-Maſts, or ſplit their Sails:—The Admiral, nevertheleſs, continued the Chace with the ſame Ardor as before, and gain'd ſo much on de *Pointis*, that he made no doubt of coming to Blows to him:—But firſt his Main-ſail gave way, then his Fore-ſail and Fore-top-ſail; and the like Misfortunes ſucceſſively befell every other Ship in his Squadron:—So that the whole Day was ſpent in a Succeſſion of Expedients, all equally vain and fruitleſs: For in the following Night, they wholly loſt ſight of the Enemy; and on the Morrow, the Admiral could diſcover but two Ships in ſight of his whole Squadron, with which he repair'd to *Carthagena*, the Place of general Rendezvous in caſe of Seperation, and was there join'd the next Day, towards the *Evening, by Rear-Admiral *Meeſe*, and ſix other Ships, in no ſmall Diſtreſs; for all their Sails had been blown away: And the Admiral, after obſerving, That the far greater Part of the Squadron, after this Miſadventure, were oblig'd to ſail with Jury-Maſts, adds, *Each Ship having but one allow'd, coming ſuch a Voyage as This to look for an Enemy.*

But his Top-maſts, Sails, &c. grow weary.

He alſo complains of the Unkindneſs of Sir *William Breſton*, who, when ſolicited by the Captains of the three Men of War on that Station, to ſend out one of Them to lye off of *Hiſpaniola*, to give him Notice, That the Enemy were gone to Leeward, (in which Caſe he might have water'd at Cape *Tiberoon*, as they had done, and ſurpris'd them at their Moorings, before *Carthagena*) anſwer'd, That the Squadron was now come too late, and that They might have ſtaid at home for any Good they were like to do: "So, continues the Admiral, I do judge "there was not a Penny to be got: For I "perceive the Governors between the Tro-"picks, never ſend a Flag of Truce, or a "Letter of Intelligence, but They ſend a "Cargo with it."

Complains of Governor Breſton.

The Reader may, notwithſtanding, recollect, That on the 8th of *May*, the Admiral had this very Piece of Advice from *Petit-Guavas*; ſo that his not taking a Meaſure, which he himſelf afterwards pronounc'd to be ſo reaſonable, is rather to be aſcrib'd to a Miſtake in Judgment, than to a Defect of Intelligence.

The Admiral, however, upon the whole, comforts himſelf with a Perſuaſion, That if de *Pointis* had met with any of the Misfortunes, in either Maſts or Sails, which he met with, they muſt have been fatal to him: And, That his falling in with the Enemy, and chaſing them out of the way, was a Means of preſerving the Galleons: For, ſays he, They came out of *Porto-Bello* but two Days before de *Pointis* left *Carthagena*, and they were oblig'd to come up as high as *Carthagena*, before they could ſtretch over to weather the Shoals.

Carthagena plunder'd a ſecond Time by Freebooters.

But to return: The Admiral ſtay'd three or four Days before *Carthagena*, which was now in a more miſerable Condition, than when the *French* left it: For the *Privateers* had return'd two Days afterwards, had put ſeveral of the Inhabitants to the (*w*) Torture, to make them diſcover their Wealth, and had, beſides, committed all Manner of Diſorders:—And, having refitted his Ships, as well as their ſeveral Stores would allow, on the 4th of *June* he put to Sea again, and the

(*u*) But having alſo on board as much Silver, according to the Author of the *Lives of the Admirals*, as was worth 20,000 *l.*

(*w*) In revenge, as they gave out, of the ill Treatment they had receiv'd from M. de *Pointis*, who gave them but 40,000 Crowns for their Share of the Plunder! And upon this ſecond Viſit, it is ſaid, They ſqueez'd out of the Inhabitants 1,000,000 Crowns in Money, and more than as much in rich Goods.

A. D. 1697. the ſame Day fell in with the reſt of his Squadron, which had taken one of the Privateers of forty-ſix Guns, and 420 Men, including Negroes and Mulattoes, off of *Rio-Grande*: In the four or five following Days, he alſo ſent a Detachment of Ships againſt the reſt of them, which deſtroy'd ſeveral: And on the 19th came to Anchor off of Cape *Donna-Maria*, in order to Wood and Water his Squadron for *Cadiz* or *England*.—Theſe are his own Words in the Abſtract of his Journal, ſent to the Secretary of State and Lords of the Admiralty, (with which laſt he conſtantly correſponded, tho' he never receiv'd one Order from them) and, adding, as he does immediately after, That he cannot imagine where the Galleons are, it ſeems reaſonable to conclude, That as yet he had come to no Reſolution concerning them.

Indeed, in the very ſame Day's Minutes, he complains, That his Ships were ſickly, That he had loſt ſeveral Captains, That his Proviſions began to fail, That he had heard nothing of the four Months Supply which had been promis'd him in *February*, That he was in doubt how the *Newcaſtle* and *Colcheſter*, which he had order'd back to *Jamaica*, would be able to get thro' the Windward-Paſſage, being very foul, and in want of every Thing, *&c.* And having, in the Courſe of his Minutes, acknowledg'd the Receipt of a Letter on the 22d, from Governor *Beeſton*, urging what great Service it would be to *Jamaica*, to deſtroy the Town of *Petit-Guavas*; as alſo, that he had the ſame Evening detach'd Rear-Admiral *Meeſe* with nine Ships on that Service; on the 1ſt of *July* he concludes his ſaid Abſtract with a Specification, That he was then ſtanding for *Jamaica*, to *get out the Ships from thence, and did then deſign directly for the* Havannah, *tho' he had then no certain Intelligence of the Galleons.*

By the ſame Ship which carry'd this Diſpatch home to *England*, Rear-Admiral *Meeſe*'s Account of his Expedition to *Petit-Guavas*, was alſo ſent, and which was in Subſtance as follows, *viz.* That, having draughted 897 Men out of his nine Ships, and diſpos'd 250 of them on board a Tender, 100 in the *Goſport*, and the reſt in his Boats, and being come within ſixteen or ſeventeen Leagues of the Place, he order'd the Ships to keep out of Sight till the next Morning, (which was the 27th) on a Suppoſition that he ſhould ſurpriſe the Town that Night; but, finding it impoſſible to row ſo far in ſo ſhort a Time, he ſent them farther Orders not to appear till the 28th: That having landed 400 of his Men a Mile to the Eaſtward of the Town, between Three and Four o'Clock in the Morning, he himſelf, accompany'd with ſeven of his Captains, led them on, without waiting for the reſt: That juſt at Day-break they enter'd the Place, and march'd directly on to the Court of Guard, a ſtrong Stone Houſe, defended by a Breaſt-work, on which, however, there was but one Piece of Cannon mounted: That having forc'd this Place, and diſpers'd the Guard, they ſecur'd, in the next Place, two Batteries of four Cannon each: That in this Interval, the Inhabitants retir'd on all Sides to certain ſhrubby Places, of which the Town was full, and from whence they kept firing with ſmall Arms and Pateraroes, till they were, at ſeveral Attacks, diſlodg'd and routed: That in this Interval, his Men, who had behav'd extremely well as long as they continued ſober, grew drunk and mad, and being no longer to be kept under Command, broke into the Houſes, and loaded themſelves with Plunder: That hereupon, fearing he ſhould not have fifty ſober and ſerviceable Men left, he found himſelf under a Neceſſity to ſet fire to the Town, much ſooner than he intended, and without being able to fulfil any Part of his own Purpoſe, which was to have employ'd two Parties of choſen Men, under the Command of two Captains, in making a regular Search for all that was valuable, and to make a general Depoſite of the whole, for the common Profit of all the Adventurers (*x*): That in the whole of the Attempt, they had about thirty Men kill'd, and as many wounded: That of theſe they loſt but one in their Retreat: For every Houſe having a Quantity of Gun-powder in it, and all being on fire at once, they blew up ſo faſt, that the Enemy could not venture thro' the Ruins to fall upon them: That they had three Ships in the Harbour, and one that ſtood off to Sea, none of which they could take, becauſe the *Goſport* and the Tender never could come up; nor even their own Boats, till it was too late to make any other Uſe of them than to re-embark, in order to recover their Ships, which they did the next Morning: And that the gallanteſt Thing perform'd in the whole Enterpriſe, was perform'd by one *Wicket*, a Volunteer, who with eight Men beat thirty of the Enemy out of a Trench, and kill'd their Officer at the Head of them.

Surpriſal of Petit-Guavas by Rear-Admiral Meeſe.

And now the Squadron being re-united, the Admiral proceded towards *Jamaica*, according to the Advice he had ſent to *England*: And being arriv'd on the Coaſt, inſtead of complaining of Governor *Beeſton*, he was forc'd to court his Aſſiſtance, to procure a Supply of Proviſions for his Ships; nay, even to countenance a Practice he had before condemn'd, namely, to take in Goods on a trading Account, as an Inducement: And in the Governor's Anſwer to the Admiral's Letter, the true Spirit of a fordid, ſhrewd, rapacious Man of Office, is manifeſted in Capitals:—For, having thank'd him for conſenting to take on board the ſaid Goods, which, ſaid He, artfully enough, may be of ſervice to the King in his Cuſtoms, as well as a Kindneſs to the People, he proceeds to make a great Merit

A. D. 1697.

Extract of a remarkable Letter from Governor Beeſton to Admiral Nevil.

(*x*) Which, it was preſum'd, would have been very conſiderable, the Place being very rich, both in Merchandiſe and Treaſure: And the Privateers (as the Rear-Admiral was inform'd) having two Days before, depoſited there as much Gold, as four Mules could carry, out of the Spoils of *Carthagena*.

A. D. 1697. Merit, of his perſuading a certain Merchant to victual the Ships, on condition that He, the Governor himſelf, would ſupply 5 or 600*l.* towards it; which he pleaded Inability to do, except he borrow'd the Money; urging, That the War had render'd that Place ſo poor, and yet ſo chargeable, that he did not get the Expences of his Table; and that he, moreover, ran a great Riſque in taking up ſuch a Sum, becauſe the Victualling-Office, as he was inform'd, had no Credit.—Such a Variety of Pretences had he found out to colour the extravagant Profits which he had before-hand reſolv'd to derive from the Job!—But this was not the moſt remarkable Part of his Letter: For the next Paragraph was conceiv'd in theſe very Words, "I am, Sir, of your Opinion, that the *Spaniards* will not let you go into the *Havanna*: And I know their jealous Humour ſo well, that I believe the Galleons have as much fear to come under your Fleet as the *French*; but you need not, nevertheleſs, go to *Virginia* for Wood and Water, which is always a difficult Place to deal with, but may go into *Mattanſas*, twelve Leagues from the *Havanna*, and right againſt the Gulph's Mouth, where you may ride with great Safety, and Wood and Water, and that excellently good, at your Pleaſure; and whither the *Spaniards* will come to furniſh both you and *themſelves*: I am ſorry to find you have not People that know theſe Parts of the World better, and to acquaint you with the Conveniencies or Inconveniencies of them."

The Admiral ſails down to the Havanna.

But tho' the Admiral's own Opinion was thus confirm'd by *Beeſton*, he thought himſelf oblig'd by his Inſtructions, to make the Experiment; and had Reaſon to conclude, That ſuch a Squadron would not have been ſent ſo far to the Aſſiſtance of an Ally, without ſome previous Concert, or Aſſurances, that ſuch Aſſiſtance would be accepted.

Accordingly, having refreſh'd and refitted his Squadron as well as he could, he fell down to the *Havanna*, and when lying off the Coaſt, ſent in one Mr. *Onelly* with a Letter to the Governor, a Second to the Commander of the Galleons, and a Third to one Mr. *Blakiter*, a *Britiſh* Subject on board the ſaid Galleons, who had ſent an Account of the Loſs of *Carthagena* from *Porto-Bello*, to a Correſpondent at *Jamaica*, and of whom the Admiral himſelf had ſome perſonal Knowledge.

His Letters to the Governor, and the Commander of the Galleons, &c.

In the two Former Letters, the Admiral barely notify'd, That he was come into thoſe Seas for the Security of the Galleons, in their Return to *Cadiz*; and being in great want of Water and other Refreſhments, deſir'd to be admitted with his Squadron into the Port of *Havanna*, in order to be properly fitted for ſo long a Voyage: But in the Third to Mr. *Blakiter*, he not only inſerts a Brief of what was committed to his Charge, and of what had happen'd to him ſince his Arrival in thoſe Seas, but alſo a Piece of Intelligence, which he ſaid, came by the laſt Advices from *England*, *viz.* That M. *Chateau Renaud* was fitting out fifteen Men of War at *Breſt*, in order to intercept the Galleons: And he concluded with ſaying, That he had ſent his Inſtructions by the Bearer, to let him know how earneſtly the King preſs'd him for the Security of the Galleons.

Theſe Inſtructions, it is farther to be obſerv'd, were given to *Onelly* in writing; and, excepting what was Recital, were as follow: That, in caſe, to obviate his Demand of being admitted into the Port, the Governor ſhould propoſe the Bay of *Mattanſas*, he was to urge, That there was no riding there for great Ships without great Hazard: That the Water was brackiſh, unleſs they went three Miles up the River for it: And that having cut away their Boats, while they were in purſuit of M. de *Pointis*, they could, in ſuch Caſe, make but one Turn in twenty-four Hours: That by the Law of Nations, Ships in Diſtreſs like theirs, had a Right to demand Admiſſion for Relief and Succour, provided they departed in twenty-four Hours: That in order to remove all Suſpicions, he would ſend five or ſix Captains aſhore, to ſerve as Hoſtages for the good Behaviour of the Fleet; or rather than fail, he would become a Hoſtage himſelf: That he was ready to furniſh a Ship laden with Powder, Ammunition, and ſmall Arms, for the Supply of *Carthagena*, which they were wholly deſtitute of, and for want of which, they would be daily expos'd to the Inſults of the Privateers: That in caſe all this fail'd, to aſſure the Governor, their Neceſſities were ſo great and urgent, that the Admiral was willing to preſent the Governor with a Regalio of 2000 Pieces of Eight, for the Favour requir'd: That farther to illuſtrate the Equity of his Intentions, he had ſent the Inſtructions he had receiv'd from the King his Maſter: And, laſtly, that the Interdiction of his *Catholic* Majeſty, againſt the Entrance of all Ships, was to be underſtood of all trading Ships only; and conſequently his Ships being Men of War, were not included in it.

All theſe ſeveral Papers were dated *July* 23, O. S. were deliver'd the ſame Day, and were anſwer'd the next, by the Governor of the *Havanna*, to this Effect, That he was in general extremely well diſpos'd to diſcharge all the Obligations of Hoſpitality both towards him and the Ships under his Command; but that the King his Maſter's Orders being poſitive, not to admit any Ships, tho' belonging to the Allies, under any Pretence whatſoever, he did not dare to diſpence with them: That as to what correſponded both with his Duty and Inclination, to ſerve him under the Head of Refreſhments, the more than ordinary Scarcity which then reign'd in that Port, and which had been of late encreas'd by the Arrival of the Galleons, had made it extremely difficult for him to make his Compliances ſuſtable: That, however, he had call'd a Council of War, who had given their Conſents, that his Squadron ſhould be invited to enter the Bay of *Mattanſas*, which was eaſy of Acceſs, capable of receiving his whole Squadron, tho' more numerous than it was: That he was ready to furniſh him with Pilots, if he ſtood in Need of them: That

The Governor refuſes to admit him into the Harbour.

when

A. D. 1697. when there, he should be supply'd with all the Refreshments in their Power, with an Exception to Bread, or Bread-Corn of any kind: That it should be his Endeavour, to convince him how much he was his Servant in all Things: And that his only Regret was, That he could not answer his Expectations in all Things.

and the General of the Gallicons to accompany him to Europe.

The same Day also, the General of the Gallcons very civilly acknowledg'd the Admiral's Letter: But withal signify'd, That, not having receiv'd the King his Master's Orders to accept the Offer of an *English* Convoy, nor even the least Notice concerning it, he purpos'd to call a Council of his principal Officers, to which he should invite such of the Trade, as were most interested in the Freight entrusted to his Charge, and would send him a decisive Answer with all possible Speed: And the very same Day he gave the Admiral to understand, by another Letter, That the said Council had met: That they appear'd to be highly sensible of the Favour design'd them: And that they were wholly of Opinion, That for want of proper Orders and Instructions, it could not be accepted; which Refusal, for that Reason, they hop'd would not be interpreted any Breach of the good Correspondence subsisting between the Two Crowns.

On the Receipt of these two Letters, and Mr. *Onelly*'s Report from *Blakiter*, the Admiral, tho' all was so conformable both to his own Expectation and Governor *Beeston*'s Surmises, either fell into a violent Passion, or thought it expedient to behave, as if the Provocations he had receiv'd, were sufficient to justify the highest Resentment: For in his Reply he not only testify'd the highest Surprize at the Reception he had met with, but complain'd, That they had treated him and his People as if they were *Turks* and *Moors*, rather than *Englishmen* and *Christians*, in denying them Water, when they had sail'd so many hundred Leagues only for their Service: That *Onelly* had committed a Mistake, in saying he wanted either Bread or Flour: That he wanted only Water: That it was impossible for him to be supply'd in a suitable Manner in the Bay of *Matanzas*: That he had again sent to the General of the Galleons for his final Answer: And that, in case he persisted in his Refusal, he should that very Night leave their Island, according to the Instructions he had receiv'd from the King his Master, to seek Water among the *Indians*, from whom he expected more Friendship and Hospitality, than he had found among the *Spaniards*.

The Admiral resents it highly.

but in vain.

This produc'd another Letter from the Governor, in which he appears sufficiently sensible of the Admiral's Reproaches, but nevertheless commits not the least Trespass on the Rules of Prudence and Moderation: "The Disposition, said He, in substance, that I endeavour'd to manifest, was of the most cordial and friendly Kind: I thought I had convinc'd you, That if what you ask'd had depended on me, you would have been gratified to your own Wish:—I thought the becoming Regard, so great a Subject as you are shew'd to the King your Master's Orders, would have led you to infer, that as unreserved an Obedience was due to mine:—I call'd a Council before I answer'd your former Letter; and, notwithstanding the Warmth of your Expressions, I call'd another before I answer'd This, the Majority of whom were of the same Opinion as before:—I am therefore doubly oblig'd, as well by their Resolution, as by the Duties of my Office, to abide by my former Answer, tho' in every Thing else, I am STILL at your Devotion."

A. D. 1697.

At the same Time also, the General of the Galleons signify'd in writing, That if the Choice lay in him, he would gladly have accepted the obliging Offer he had made him: But that as he was not Master, to oppose or dispense with the King's Commands, he had no more to say, But that He, the Admiral, might persue his Voyage, when he pleased, and that he was extremely mortify'd in not being able to bear him Company.

And now being at last convinc'd, that the Resolution of the *Spaniards* was not to be shaken, and that all the Purposes of the Expedition were at an End, with a heavy Heart, and a distemper'd (y) Body, the Admiral shap'd his Course for *Virginia*, where he arriv'd on the 7th of *August*, and dy'd soon after.

He arrives at Virginia, and dies.

Rear-Admiral *Meese* had also dy'd soon after the Affair of *Petit-Guavas*, so that the Command devolv'd on Captain *Dilkes*, as Senior Captain, under whose Conduct the Squadron was afterwards brought to *England*, in a Condition altogether miserable; which was so much the more to be regreted and deplor'd, as the Expence and Loss was balanc'd by no Acquisition either of Profit or Honour.

And, what render'd the whole Affair so much the more grievous to the Public, *de Pointis*, after his Escape out of the Hands of Admiral *Nevil*, made for *Conception*-Bay in *Newfoundland*, where he and his Squadron arriv'd about the 20th of *July*, in as foul, as sickly, and almost as weather-beaten a State, as ours return'd in to *England*.

De Pointis arrives at Newfoundland.

But, how miserable soever that State upon the whole was, and in what Need soever they stood of Refreshments, it is scarce to be suppos'd, they would have ventur'd to have come upon that Coast, if they had not either rely'd on the usual Improvidence of our Court, or the superior Vigilance and Activity of their own.

It was but the Summer before, as we may recollect, That a Fleet of Privateers had laid

(y) In a Letter to his Lady, dated from *Barbadoes*, soon after his Arrival there, he takes occasion to say, That he felt no Symptoms of Sickness or Disorder, nor had any Apprehension of any.

A. D. 1697. laid waſte our Settlements in that Iſland; and in the Winter following, the Sufferers had apply'd to Parliament for ſuch a Squadron to be ſtation'd on that Coaſt, as might be ſufficient to preſerve them from the like Viſitation for the future.

On the other Hand, as the Succeſs of theſe Privateers had diſcover'd our Weakneſs in thoſe Parts, the *French* came to a Reſolution to ſend thither a ſtrong Squadron the next Year, whether to reduce the Town of St. *John*'s, and render themſelves ſole Maſters of the Fiſheries in thoſe Seas, or merely to eſcort *de Pointis* and his Treaſure home to *France*, we have not a ſufficient Light to make an abſolute Determination: But of whatever kind the Reſolution was, it is reaſonable to think M. *de Pointis* was not a Stranger to it; and if ſo, we are not to wonder, that having now but five Ships with him, he took this Courſe, in hope of falling in with ſuch a Force, as would be able to give him Protection, till he reach'd the Ports of *France*.

It ſo happen'd, however, that when he came to anchor in *Conception*-Bay, the *French* Squadron deſtin'd for this Service, was not arriv'd; and on the contrary, an *Engliſh* Squadron, under the Command of Captain *Norris*, who ſail'd from St. *Helen*'s *April* 17. was already at anchor before St. *John*'s, which was alſo gariſon'd with a Body of Land Forces, under the Command of Colonel *Gibſon*.

Of *de Pointis*'s Arrival, Captain *Norris* had immediate Advice, and ſoon after, of all the Particulars relating to the Ships under his Command: But whatever Inclination he had to make ſuch an Uſe of it, as became a Man of Spirit and Enterprize, he either did not think himſelf (z) ſtrong enough for ſuch an Attempt, or reſtrain'd by his Orders, which contain'd no Proviſion for any ſuch Incident, and for that Reaſon, he choſe to adviſe with the Land-Officers, who were aſſociated with him in the preſent Service: Accordingly, ſeveral Councils of War were held, conſiſting of Eleven Land-Officers, and Thirteen Sea-Officers, in which the Expediency of going in queſt of the Enemy, was ſeveral Times debated, and (thro' an Exceſs of Caution) as often determin'd in the Negative by all the Former, and five of the Latter, which made the Majority ſixteen to eight.

Lives of the Admirals, Vol. III.

Reſolution of an Engliſh Council of War there not to attack him.

Thus an Enemy who, not unlikely, had been permitted to plunder an Ally, that the Booty he had made, might fall to the Share of the Avenger, had the good Fortune to eſcape a ſecond Time, without being put to the Trouble of firing a Gun: For no ſooner was he convinc'd that *Neſmond* was not within thoſe Seas, than apprehending the *Engliſh* might recover their Wits, or reſume their Courage, he ſet ſail for *Europe*, under ſuch a Direction, no doubt, as ſeem'd beſt calculated to fall in with the Company he had been diſappointed of. A.D. 1697.

Nor was even This the laſt remarkable Circumſtance in their Story: For on the 14th of *Auguſt*, deſcrying, when they were within a few Days Sail of their own Coaſt, ſome large Ships to Leeward of them, they were raſh enough to bear down upon them, no doubt, on a Preſumption, That they were *Neſmond*'s Squadron.

He falls in with an Engliſh Squadron.

But ſo it happen'd again, that theſe Ships were five *Engliſh* Men of War, *viz.* Two of Eighty Guns, two of Seventy, and one of Forty, under the Command of Captain *Harlow*, who had been detach'd from the Channel's Mouth by Rear-Admiral *Mitchell*, to cruiſe in the Soundings; not to intercept an Enemy, but to fall in with ſuch of our Merchant-Ships, as were homeward-bound, that the Public might not conclude, That they went to Sea without any Purpoſe at all: And it is accordingly acknowledg'd in the *Gazette*, No. 3317, That when *Harlow* made up to Windward to meet with the Enemy, it was on a Suppoſition, That they were ſome of Theſe: So that both Parties were alike diſappointed, and alike ſurpris'd into an Engagement: For an Engagement enſued, which laſted from Three in the Afternoon, within two Thirds Gun-ſhot, till towards Six in the Evening; about which Time *de Pointis*, being convinc'd of the Indiſcretion he had committed, in expoſing ſuch a Treaſure as he had acquir'd to the Chance of War, made a Signal for tacking; and in ſo doing, preſented *Harlow* with one of the moſt inviting Opportunities, that ever a Favourite of Fortune was entruſted with: For but one of the *French* Ships would *ſtay*, and even that one was ſo diſabled in her Main-top-maſt-head, and by the Downfall of the Yard, that tho' ſhe kept her Wind, ſhe quitted the Line, which, it is confeſs'd, threw *de Pointis* himſelf into ſome Diſorder. —But *Harlow*, tho' he made the Signal for tacking likewiſe, took (*a*) Time to ſet his Main-ſail, that he might be ſure his Ship would *wear*; in conſequence of which Precaution, *de Pointis* had Leiſure both to complete his Tack, and alſo to cloſe his Line again: After which, ſo much better Sailers were the *French* Ships than ours, or, according to Mr. *Burchet*, ſo much cleaner were their Bottoms, after ſo long a Voyage, that they diſtanc'd ours in almoſt what Proportion they pleas'd; ſo that, ſays the ſame Author, they could lower a Yard or a Top-maſt at pleaſure, to hinder their coming by the Board. [Burchet.]

And thus, after a Chace which was continued all that Night, all the next Day and Night, being the 15th, and Part of the 16th, M. *de Pointis* had the Pleaſure of a new Deliverance,

(z) His Squadron conſiſted of four Fourth Rates, two Sixth Rates, two Five-ſhips, two Bombs, and a Ketch.

(a) It is obſervable in the *Gazette* Account of the Loſs, that *Harlow* had but one Man kill'd on board his Ship, and five wounded; whereas the *Defiance* had fifteen wounded, the *Reſolution* ſix kill'd and fourteen wounded, and the *Devonſhire* eleven kill'd and eleven wounded: As alſo, That in a ſubſequent *Gazette*, an Advertiſement was ſet forth by the Admiralty, acknowledging the Receipt of a Letter, which contain'd ſeveral Things in relation to the ſaid Engagement, and inviting the Writer to make good his Evidence before the Board, by a Promiſe of Rewards and Preferments.

A. D. 1697. *And arrives at Brest.*

liverance, and on the 19th arriv'd at *Brest*, without any farther Moleſtation; which, when it became public, was in *England* ſo much the worſe reliſh'd, becauſe the *Paris* Article in the *London-Gazette*, had prepar'd the Minds of the People for a very different Iſſue; ſometimes by foreboding ill Succeſs to him, becauſe nothing had tranſpir'd concerning him, and ſometimes by intimating he had fallen into *Nevil*'s Hands, and had been ſtripp'd of a great Part of his Plunder.

But the creating falſe Hopes and Expectations, and ſetting falſe Gloſſes on real Facts, was the leaſt exceptionable Part of our Marine Conduct, as we ſhall now, for the Sake of throwing the whole into one View, farther evince: Tho', with regard to the argumentative Drift of this Section, (which was to illuſtrate the different Situations of the *Germans* and *Spaniards*, and thereby account for their different way of treating at *Ryſwick*) all that we thus procede to interject, may be reaſonably call'd a Digreſſion.

General Remarks on our Naval Conduct.

In what the *French* Naval Power conſiſted, as to Number of Ships, Tonnage, Guns, Seamen, *&c.* and how it was diſtributed as to the *Mediterranean* and *Ocean*, it is utterly inconceivable, that either our Cabinet or our Admiralty-Board ſhould be ignorant, after the War had laſted a Year; and if not ignorant, it is almoſt inconceivable, That they ſhould make ſo little uſe of their Knowledge.

The diſpatching *Nevil* to the *Weſt-Indies*, was either a Meaſure of the King's own, or of his favourite Miniſter *Sunderland*'s, which he did not ſuffer to paſs thro' the Admiralty, and for that Reaſon perhaps it was, That he was ſuffer'd to beat the Seas in ſight of *Madeira*, for ſo many Weeks together, in Expectation of the Reinforcement he was there commanded to wait for.

For what regarded the Coaſt of *Spain*, the *Mediterranean*, *African*, and *Eaſt-India* Services, no farther Proviſion was made, than was compris'd under the Head of Convoys for our Merchant Ships, employ'd in thoſe ſeveral Trades, which were ſeldom ſtrong enough to render them worth waiting for.

The ſlight Squadron ſtation'd at *Newfoundland*, under *Norris*, was the Effect of an Application to Parliament, and a parliamentary Addreſs to the Throne.

Then as to all the other Services, they were either totally neglected, or ſo imperfectly provided for, as to render them the Deriſion of our Enemies, and the Grievance of the Subject.

And as to the great Conſideration of All, namely, The applying ſo vaſt a Superiority, as the *Maritime* Powers were now Maſters of, to the Blocking up of the Enemy's Ports, and deſtroying their Commerce, it was this Year leſs attended to than ever.

Ruin of our Newfoundland Trade.

But to exemplify ſuch of theſe Points as need Exemplification, in *Gazette* No. 3281. a Piece of Intelligence is dated from *Falmouth*, *April* 17. importing, That one of our Merchant-Ships from the *Groyne*, had been chac'd by five Ships under *French* Colours, two of which were of ſeventy Guns each: Again, in *Gazette* No. 3287, we are farther inform'd by a Letter from on board the *Sterling-Caſtle*, then riding at *Scilly*, That on the 29th, the ſaid Man of War, together with the *Berwick*, and the *Joſeph* Fire-ſhip, having under their Convoy ſix *Engliſh* and five *Dutch* Merchant-ſhips, homeward-bound from Cape St. *Antonio*, fell in with the ſaid five Ships, and eſcap'd only by a Feint: For the Captain of the *Sterling-Caſtle*, who acted as Commodore, having made a Signal for four of the largeſt Merchant-Men to make into his Line, and ſhewing a great Forwardneſs to engage, the Enemy, after accompanying them for ſeveral Days, and making ſeveral Motions, as if to fall upon them, thought fit to ſheer off: In this Interval alſo, that is to ſay, between the 17th of *April*, when the firſt public Intelligence of theſe five Ships was receiv'd, and the End of the Month, the *Canary* Fleet, conſiſting of thirty-five Sail, which had been ſix Weeks at Sea, got into the Channel, without falling in with them; which was happy for them, becauſe they had but two Ships of Force, *viz.* the *Defiance* and the *York*, together with the *Charles* Gally and a Fire-ſhip to protect them: *And about fifty* Sail from *Spain* and *Portugal*, having on board a conſiderable Quantity of Silver, as well as other valuable Merchandize, put into *Milford*; having reach'd that Port with no better a Convoy than two Men of War, the *Oxford* and an occaſional one, call'd the *Soldadoes* Prize: Laſtly, in *Gazette* No. 3288. we learn, That, on the 5th of *March*, four of the ſaid five *French* Men of War, fell in with our Outward-bound *Weſt-India* Fleet, almoſt as ſoon as they had clear'd the Land, under the Convoy of the *Norwich*, *Chatham*, *Sheerneſs*, *Seaford*, and *Blaze* Fire-ſhip, took the two Latter, as alſo two of the Trade, diſpers'd the reſt, (which for the moſt Part made the beſt of their way for the neareſt Ports) and after a ſmart Engagement, in which they had each of them about forty Men kill'd and wounded, ſo diſabled the two Former, that not being able to keep the Sea, they were forc'd to return to *Portſmouth*.

A. D. 1697.

And what renders this laſt Incident ſo much the more remarkable, about the Time that theſe five Ships were thus active to intercept our Convoys, Rear-Admiral *Benbow*, with ſeven Third Rates and two Fire-ſhips, receiv'd Orders to ſet ſail on a Cruiſe, and might, if it had been thought proper, have taken both the *Newfoundland* Squadron under *Norris*, which ſail'd from St. *Helen*'s on the 16th of *April*, and This for the *Weſt-Indies*, which ſail'd cloſe on the Heels of the other, under his Protection: For he himſelf ſet ſail on the 11th, and met with no Advantage of any kind till the 3d of *May*, when he fell in with this very Squadron of the Enemy, which had then juſt parted from the *Sterling-Caſtle*, &c. and the next Day, but one, made prize of the *Seaford* and *Blaze*: But, as in *Pointis*'s Caſe, his

Ships

A.D. 1697. Ships were no more a Match for the *French* in ſailing, than they were a *Match for him* in fighting: So that his Cruiſe was *neither* ſerviceable to his Friends, nor prejudicial to his Foes: And what render'd this whole Courſe of Management ſo much the more provoking, on the very Day after this ineffectual Chace, he was join'd by three Third Rates more, together with one Fourth, and one Fifth, which, for aught that appears to the contrary, were ſent out merely to re-inforce him, having neither ſerv'd as Convoys nor Cruizers:—And this formidable Squadron, which by the way was victuall'd but for a Month, having made a Shift, by the Dint of ſhort Allowance, to beat the Seas till the 18th of *May*, then came to Anchor at *Spithead*, with no other Acquiſition than a miſerable Privateer of twelve Guns.

Again: So much the more to enflame this Account, our own *Gazettes* gave Notice, while *Benbow* was yet at Sea, (tho' ſo unable for want of Proviſions to continue there) in their *Paris* Articles, That M. *Neſmond*, above ſpoken of, had ſet ſail on the 29th of *April*, N. S. (two Days after *Norris*) from *Breſt*; that M. de *Magnon* had alſo ſet ſail from *Rochfort*, with five Ships to join him; and that having met with bad Weather, the Former had been oblig'd to put into *Belle-Iſle*, and the Latter into *Rochelle*: Nor had many Days elaps'd before it was in the ſame public Manner affirm'd, That the Junction had been actually made: That the two Squadrons together made twelve Ships, (tho' they prov'd to be ſixteen) and that it was reported, They were bound for the *Mediterranean*, to co-operate with M. *d'Eſtrée*, in the Reduction of *Barcelona*: But either believing the whole of this Intelligence, or believing none of it, (which, according to the Cabinet Syſtem of this Year, was the ſame Thing: For in the *Mediterranean*, it was pre-determin'd not to interfere; and if there was no ſuch Armament, nothing could be apprehended from it) no Attention was ſhewn to it: And the Orders *Benbow* receiv'd next, which he receiv'd almoſt as ſoon as he came to Anchor, were to procede again to the *Soundings*, with four Third Rates and two Fire-ſhips, which were victuall'd for no longer than a Month at ſhort Allowance; and to call in at *Plymouth* in his way, for the *Plymouth* Man of War, as alſo the *Angleſey*, if there, together with three *Eaſt-India* Men, which (ſays *Burchet*) he was to ſee well into the Sea; which Service he duly perform'd, and in his Return, had the good Fortune to join the *Virginia* and *Weſt-India* homeward-bound Fleets, with their reſpective Convoys, and, by Orders from Vice-Admiral *Mitchel*, accompany'd them to *Plymouth*.

Sir G. Rooke ſent in a Cruiſe.

It is true, in this Interval, Sir *George Rooke*, the King's Admiral, as he might be call'd, (for, as before obſerv'd, he was kept in the Service, by his Majeſty's Firmneſs againſt all the Efforts of the *Whigiſh* Faction) came down with the great Ships to the South *Foreland*, to collect the Fleet of State, and make the grand Parade of the *Year*. A.D.

But then it was the 2d of June before he reach'd the *Downs*; it was the 10th before he reach'd *Spithead*, and it was the 23d before he was able to ſet ſail: For tho' his whole Fleet, *Dutch* as well as *Engliſh*, conſiſted but of thirty-three ſail, excluſive of the Ships under *Mitchel* and *Benbow*, (which were in all but Eleven) he could man them no higher than their middle Complement: Of theſe thirty-three, ten of the *Dutch* could ſcarce be depended on; becauſe they were to ſerve, as Convoys to their Homeward-bound Ships, before they could return to join the Fleet: And as to Proviſions, they had but a Month's Bread and Beer, Butter and Cheeſe, for a Term little longer; two Months Fleſh, and not above a Fortnight's Peaſe and Oatmeal.

And yet, notwithſtanding the Fleet was in this pitiful Condition, and the Admiralty had no preſſing Purpoſe to ſerve, either offenſive or defenſive, the Admiral had preſſing Orders from the Board to put to Sea, and accordingly did, as above ſpecify'd.

On the 25th, he was join'd by *Mitchel* and *Benbow*, off of the *Lizard*, and made for *Uſhant*, where, on the 4th of *July*, he receiv'd Information from *Benbow*, who had been diſpatch'd to look into *Breſt*, That the Enemy had but ten Ships in that Port arm'd, and ready for ſailing, under the Command of M. de *Chateau-Renault*.

After which, having detach'd the Latter of thoſe Commanders with ſuch of the Homeward-bound Ships as fell in his way, it was agreed to ſpread the whole Fleet in ſuch a Manner, as would beſt cover the Channel, and to ſend a Squadron of nine *Engliſh* and four *Dutch* Ships on a hundred Leagues Cruiſe, Weſt of *Scilly*, under *Mitchel*, in which he was to employ fourteen or ſixteen Days: "And, ſays *Burchet*, this Squadron was made thus ſtrong, leſt he ſhould meet with M. *Neſmond* in his Cruiſe, or M. *Chateau-Renault*, in his Return to *Breſt*, in caſe he was then at Sea:" So that we have here a ſufficient Avowal: That neither had the Government any Intelligence of their own, nor did they condeſcend to make any Uſe of what tranſpir'd thro' the ordinary Ducts of Communication.

For *Neſmond*, as we have already ſeen, was bound for *Newfoundland*, to ſerve as Convoy to *de Pointis*, (if not to attack St. *John*'s, as was then ſuppos'd) and had been long out of the Limits aſſign'd to *Mitchel*: Nor does it appear, that any Squadron was appointed to intercept him in his Return.

On the 21ſt of *July*, however, when Admiral *Rooke*, weary of a Cruiſe which only ſerv'd to waſte Time, and conſume the little Proviſion he had, was come within ten Leagues of the *Lizard*, he receiv'd Orders from the Admiralty to leave a ſufficient Squadron off of *Breſt*, either to block up M. *Chateau-Renault*, or give him a proper Reception in caſe he ventur'd out: But this could not be comply'd with for want of Proviſions.

A. D. 1697. visions: Notwithstanding which, when he came to Anchor in *Torbay* on the 23d, he receiv'd a Second Order, insisting not only on the former Service, but also, That some other Ships should be sent to cruise in the Bay of *Biscay*: And here began a new Squabble between the Commander at the Board, and the Commander of the Fleet: For tho' the Latter at first began to make a Disposition suitable to those Orders, by taking the Remnant-Provisions out of the great Ships, in order to victual eleven Third Rates, and two Fire-ships, for a Month, recollecting afterwards, that by so doing, he should, in a Manner, disable the whole Fleet from putting to Sea on any Emergency whatsoever, he not only suspended that Disposition, but sent up a suitable Remonstrance to the Admiralty, accompany'd with a Proposal, That the said Ships might be sent to *Spithead*, in order to be furnish'd there.

Sharp Speech between Lord Orford and him.

But in this Interval, Rear-Admiral *Mitchel* being also return'd, (tho' he had detach'd Captain *Harlow*, as already recounted, and five other Ships on other similar Services, that is to say, to convoy the Homeward-bound Trade to their respective Ports) the Board repeated their Commands, and exacted Obedience to them: So that on the 8th of *August*, Vice-Admiral *Aylmer* set sail from *Torbay* on this Expedition, but was forc'd back by tempestuous Weather: And the Admiral himself, who still continued Malcontent with the Service, (because it was attended with almost insuperable Difficulties on account of Provisions, and directed so as to make him so much the more sensible of them) and perhaps expressing his Sense of Things with more Latitude than was agreeable to the haughty, dominering Spirit of the new Lord, was order'd to *Spithead*: And the subsequent Excursions of the Year, which were form'd under a Variety of Pretences, (such as the lying in wait for M. *Chateau-Renault*, the sustaining Admiral *Nevil*, in case he had been honour'd with the safe Conduct of the Galleons to *Cadiz*, and the convoying the Homeward-bound Trade from *Spain* and *Portugal*, not one of which, by the way, was answer'd) were committed to Rear-Admiral *Mitchel*.

The Conduct on the Dunkirk Station.

Lastly: As if to complete the Absurdities and Disgraces of the Year, the keeping due Watch and Ward on the Port of *Dunkirk*, which was, at *all Times*, one of the most considerable Parts of the Channel Service, because the Safety of our *Eastland* Trade in a good Degree depended upon it, and which at *This*, in particular, seem'd to require a more than ordinary Attention, was altogether as equivocally perform'd, as any Duties already recounted; as we are now to explane.

The *French* Party in *Poland*, had publish'd a solemn Protest against all that had been done in favour of the Elector of *Saxony* by their Antagonist, and had undertaken to maintain the Election they had made of the Prince of *Conti*, provided he made his Appearance among them in Person, properly furnish'd with Money to support the Expence of such a Contest, and some few Troops, which might serve as the Root of an Army. A. D. 1697.

The *French* Cabinet had set their Hearts on a Measure that so sensibly flatter'd both their Pride and their Interest: The Prince of *Conti* himself was all Resignation to the Will and Pleasure of his Most *Christian* Majesty: It was resolv'd, That he should embark at *Dunkirk*, on board the Squadron commanded by *du Bart*: This Resolution was made public in all the *Gazettes* of *Europe*; and such of them as had always affected to deride the Politics, and to bespeak the Miscarriage of all the Purposes of *France*, made no Difficulty to assure the Public, That the *English* and *Dutch* Ships on that Station, would either prevent his putting to Sea, or make prize of him afterwards.

On the other Hand, the Admiralty here, recall'd *Benbow* from the Service in the *Soundings* under *Rooke*, to take upon him the Command of the Squadron before *Dunkirk*; as if in Acknowledgment that the Motions of *du Bart* were now of more Importance than ever, and that nothing short of the Vigilance and Activity of *Benbow*, would be sufficient to defeat them.

This Squadron, however, which had some Time before consisted of seven Third Rates, then consisted but of four; two Fourths, one Fifth, and two Fire-ships: And tho' he was soon join'd by eleven *Dutch* Ships, they were all foul as well as his own; tho' sent purposely to hold in cheque the best sailing Ships, navigated by the ablest Seamen of *France*.

Hence it follow'd, That when he propos'd to the *Dutch* Commander the making the most reasonable Disposition in his Power for obeying his Orders, (which indeed were of the *Janus*-Kind: For, as on the one Hand, they directed him to persue *du Bart*, and destroy his Ships, if possible, at any Place whatsoever, except under the Cannon of the Northern Powers, on the other, they subjected him to such occasional Commands as he should receive from the King, agreeable to a Command the Admiralty-Board had receiv'd from his Majesty to that Purpose) he, the said *Dutch* Commander, made Answer, That his Ships being foul, were not fit for a Chace: *Burchet* himself also pronounces, That it was next to an Impossibility to block up clean Ships at *Dunkirk* with foul ones: And what is to the full as extraordinary as the rest, when *Benbow* propos'd that four of the best Ships might be order'd to *Sheerness* to careen, and the rest might come to the *Downs*, not only to heel and Scrub, (which is a sort of half Careen) but to take in Water, which they greatly stood in need of, (and which last he urg'd might be done, before *du Bart*, whose Ships were haul'd within the Bason for the same Purpose, could have the Advantage of a Spring-Tide to get out again) it was at first over-rul'd, tho' afterwards admitted. And thus a Squadron which was understood to be destin'd for real Service, was no better in fact than a Squadron of Amusement: For the Admiral, having

A. D. 1697. ing, on the 17th of *August*, discover'd five clean Ships ready to sail out of *Dunkirk*, and, as it is said, believing they would push thro' the East-Channel, he alter'd his Station accordingly, and, at the same Time, gave suitable Notice to the *Dutch*: Notwithstanding which, on the 23d following, at Five in the Morning, he discover'd five Sail to the Eastward, distant about four Leagues, which prov'd to be Those he was thought to lye in wait for: And tho' he made a Feint of giving them chace, it was apparently but a Feint: For as his *ostensible* Orders were to destroy them any where, he ought to have held the same Course they did, that he might have defeated their Purpose in the North, if he could not have overtaken them while under sail: But, as we have already seen, his Ships were in no respect furnish'd for such an Expedition: And having done enough, as he thought, to justify himself, he gave over the Chace at Four in the Afternoon, with a Design to return to his Station.

Further Remarks on the whole.

And now being come to a Close of our Dispositions during the War, it may not be unuseful to add *Burnet*'s Censure upon them in his own Words, which are as follow: "The Conduct of our Affairs at Sea, was much censur'd: Yet our Admiralty declar'd themselves satisfy'd with the Account the Commanders gave of their Proceedings: But that *Board* was accus'd of much *Partiality*: On all such Occasions the Unfortunate must expect to be blam'd; and to outward Appearance, there was much Room given either to censure the Orders, or the Execution of them. The King own'd, *He did not understand these Matters*: And *Russel*, now made Earl of *Orford*, had both the Admiralty and the Navy-Board in a great Dependence on himself; so that he was consider'd almost as much as if he had been Lord-High Admiral: He was too much in the Power of Those in whom he confided, and trusted them too far: And it was generally believ'd that there was much *Corruption*, as it was certain there was much *Faction*, if not *Treachery*, in the Conduct of our Marine: Our Miscarriages made all People cry, That we must have a Peace, for we could not manage the War to any good Purpose; since, notwithstanding our great Superiority at Sea, the *French* conducted their Matters so much better than we, that we were *Losers* even in that Element, where we *us'd* to triumph most."

Thus, if any certain Conclusion can be drawn from such uncertain Premises, that celebrated *Whig*-Undertaker for the *Revolution Russel*, is made answerable by his Fellow-Labourer in the same Cause *Burnet*, the *Whig* Historian, for all the Disorders and Abuses he complains of:—But if we may have Leave to be a little more nice in our Discriminations, the King himself is not wholly out of the Reach of Censure: For if he did not understand naval Matters, it may be reasonably ask'd, Why did he aspire to the Government of a Naval Kingdom? Or when in possession of it, why, for the Sake of his own Happiness and Glory, not to insist on the Glory and Happiness of his People, did he neglect to qualify himself to discharge the high Office he had assum'd, in a Manner suitable to the Obligations of it? But it is scarce reasonable to think, that a Prince of his enterprising Genius, bred up in a Maritime Country, could be ignorant of these Matters: On the contrary, we have seen, that *Neville*'s Expedition was a Measure of his own, which the Admiralty was not suffer'd to interfere in:—We have also seen, on more than one Occasion, that the Ships in the Channel Service, were in a Manner reserv'd for his immediate Direction: And, lastly, we have seen, that on the Strength of his own Judgment, he continued *Rooke* in the chief Command of the Fleet, tho' it furnish'd the Pretence for those divided Councils, captious Orders, wilful Neglects, and a Succession of national Disappointments and Disgraces, not to mention the Partialities, Hardships, and Injuries heap'd on Individuals, which either he wanted Leisure, or Firmness, or Power to punish.

The Dantzick-Prince refusing to admit the Prince of Conti, &c.

But to return:—How open soever the Prince of *Conti* (for, agreeable to the Intelligence before given the Public, he was aboard this Squadron of *du Bart*'s) found his Passage out of *Dunkirk*, he met with Difficulties enough to bar his Entrance into *Poland*: For when he came to *Dantzick*, he found that City shut against him; for the Senate had already declar'd for the Elector of *Saxony*, and, consequently, could not hear of any other King: And tho' the Prince did land about 300 Soldiers and Officers, who made themselves Masters of *Marienbourgh*, which they began to fortify, in order to render it a Place of Arms, so slow were his *Polish* Adherents in coming in, so importunate were they for Money to defray the Charge of their Levies, and so determin'd was the Prince not to part with any, on mere Speculation, that both Parties became equally suspicious of each other: And at the long Run, notwithstanding the incredible Efforts of the *Primate*, to maintain the Election he had made, parted with mutual Disquiet.

He returns to France.

The Elector's Party, in the mean Time, had made all imaginable Use of the Advantages in their Power: They had brought him to *Warsaw*, where he had made his public Entry with all the Pomp and Splendor which belong'd to the Regal Office: They had travers'd all the Measures of the contrary Party, to retard his Coronation: They had, on the Day perfix'd, caus'd the Crown to be set on his Head by the Bishop of *Cujavia*, tho' it was the Office of the *Primate*, to perform that Ceremonial, administer the Oaths, *&c.*: And they had held a Diet to ratify all they had done: In consequence of which, the *Saxon* Minister at *Ryswick* had notify'd to the Congress in form, the Election of his Master to the Throne of *Poland*; and exhorted them not to conclude the Peace, unless *Poland* was comprehended in it.

K. Augustus crown'd.

And thus having clear'd our Way to the Congress once more, we are at liberty to observe, That *Spain*, seeing herself in a Man-

A. D. 1697. ner deserted by the *Maritime* Powers, seeing also those Powers going Hand in Hand with *France* in driving on the Peace; and being intimidated, as before hinted, with the Loss of *Carthagena* in *America*, and of *Barcelona* in *Europe*, (which, after holding out fifty-two Days open Trenches, surrender'd by Capitulation on the 10th of *July*, N. S.) whereby the *French*, in effect, became Masters of *Catalonia*, thought it high Time to quicken their Advances towards an Accommodation: Accordingly, instead of persisting any longer in their former Stiffness and Intractability, which was so ill sustain'd by the Figure they made in the Field, or being induc'd by the *Imperialists*, who found their Account in the War, and who were so much better able to defend themselves at all Extremities, they seem'd at last dispos'd to yield to the Times, and to admit of such Abatements on the Head of Re-Unions, as open'd a fair Prospect of Peace.

Barcelona surrendred.

The Ultimatum of the Imperialists at the Congress.

In the mean Time however, on the 30th of *August*, that is to say, the *Imperial* Embassadors deliver'd in a Paper by way of *Ultimatum*, importing, in general, That they adher'd to the Treaties of *Westphalia* and *Nimeguen*, so often propos'd by *France*: That they accepted of *Strasburg*, with its Appertenances: That all Things, without Exception, between the Empire and *France*, should be reduc'd to the State they were in *Anno* 1673. That on the Behalf of *Lorrain*, they were ready to listen to such Propositions, and negotiate in such a Manner, as should render it impossible for the *Most Christian* King to deprive a Prince and his Family of their Patrimony, and keep them in Exile, any longer: That the Church and Chapter of *Liege* might be restor'd to their incontestable Rights: And that they expected M. *Lillieroot* not only to give this *Ultimatum* of theirs a Place in their *Portocole*, but also to support it with his good Offices, as an *Assertor* as well as a *Mediator*.

The Emperor demands the Performance of the Swedish Guaranty.

On the very same Day also that this Paper was presented at *Ryswick*, the *Imperial* Minister at *Stockholm* presented a Memorial to his *Swedish* Majesty, setting forth, in very strong Terms, the insidious Conduct of *France*, in drawing the Allies into Treaty upon one Footing, and taking Advantage of their Disunion, to treat with them upon another; and demanding the Performance of his Guaranty.

But as this Memorial at *Stockholm* had no other Effect, than merely to give some Vent to the impotent Indignation of the *Imperial* Court, to the *Ultimatum* at *Ryswick*, serv'd only to draw from the *French* Embassadors, the very next Day but one, a Declaration, which not only serv'd to manifest their Superiority to all *Europe*, but also, to scatter Firebrands among the Allies, which could not but operate so, as to render it, in all Probability, stable and permanent: For therein they signifiy, That the Month of *August* being expir'd, which was the Term limited for the Acceptance of the King their Master's Offers, he was now entirely at Liberty to vacate them all, and to propose what new Conditions he thought fit: That, however, the same Desire which he had always entertain'd of putting a Period to the Calamities of *Christendom*, being still the only Rule of his Conduct, he should make no other Use of the Advantages in his Power, than to quicken the Re-establishment of the Repose of *Europe*: That on this Basis, he withdrew the Option he had given the Emperor, of *Strasburgh*, or an Equivalent in lieu of it; his Majesty being determin'd to unite it, together with its Dependencies on this Side the *Rhine*, to his Crown for ever; Those on the other being to be restor'd, with the same Rights and Prerogatives as before: That the Fort of *Kehl* should be restor'd to the Emperor and Empire in its present State: That the Cities of *Fribourgh*, *Brisac*, and *Philipsburgh*, should be in like Manner restor'd, on the same Conditions specify'd in the Project deliver'd by his Embassadors to the Mediator: That those specify'd for the Restitution of *Lorrain*, in the same Estate it had been held by Duke *Charles* in 1670, should be punctually executed, together with the Clauses of Explanation: That his Majesty, judging it necessary to assure the Empire, That his only Desire is to render the Peace solid, to the End it may be lasting, engages to raze all the Forts and Fortresses, and destroy all the Bridges he has on the *Rhine*, with an Exception nevertheless to that Part of the Bridge at Fort *Louis*, which communicates with *Alsace*: That in like Manner he demanded the Bridge of *Philipsburgh* should be destroy'd, the Fort built at the Foot of the Bridge on the Side of *France*, should be demolish'd, and, the *Rhine* serving from thenceforth as a Barrier, the Entrance of his Realm should be secur'd on one Hand, as he on the other Hand fortify'd himself from any Entrance into the Empire.

Lastly: That to the Offers so considerable, which his Majesty had made for the keeping of *Strasburgh*, he added the Restitution of *Barcelona*, which he promis'd to restore to the King of *Spain*, as soon as he had obtain'd the Cession of *Strasburgh* from the Emperor and Empire, which was the only Use he propos'd to make of his Conquest of one of the most considerable Cities in the *Spanish* Monarchy.

That his Majesty had made no Alteration in the Conditions he had offer'd to his *Catholic* Majesty; and was persuaded, that that Prince, sensible of the Moderation he had manifested, would not insist on the Restitution of a few Villages belonging to the Castellany of *Aeth*, necessary for the Conveniency of the Commerce of *Tournay*, and the Communication of that City with *Conde*, which his Majesty proposes to reserve to himself of all the Advantages which he might derive from the Possession of *Aeth*.

France declares that the Month of August being expir'd, he will restore Strasburgh, &c.

That, however, as it was not fit that his Majesty alone should always oblige himself to sacrifice the most considerable Advantages to the Good of the Peace, he declar'd, That if his Enemies demurr'd to the new Expedient which he had offer'd to facilitate the Conclusion of it, beyond the 20th of the current

And allows the Empire ten more Days for the Acceptance of the Peace.

A. D. 1697.

A. D. 1697. current Month, he ſhould hold himſelf at Liberty to propoſe a-new; and the Calamities of the War, ought to be laid at the Door of Thoſe who refus'd to co-operate with his Majeſty in bringing it to an Iſſue."

A Remonſtrance of the Miniſters of the Empire concerning Luxemburgh.

On the ſame Day, however, as if to balance, in ſome Meaſure at leaſt, this Maſter-Stroke of *France*, the Miniſters of the Electors and Princes of the Empire, join'd in a written Repreſentation to thoſe of *Spain*, of the Inconveniences and Dangers ariſing to the whole *Germanic* Body from the Duchy of *Luxemburgh*'s falling into the Hands of *France*, and for that Conſideration importuning the *Spaniſh* Plenipotentiaries, in the moſt urgent Terms, not to liſten to any Offer of an Equivalent for it.

And another to the States, requiring them to continue the War, &c.

The ſame Miniſters alſo repreſented to thoſe of the States-General, conformably, They ſaid, to what had been already repreſented to thoſe of *England* and *Spain*, 1. That all the World knew, That by the grand Alliance their High Mightineſſes, the Emperor, Empire, &c. were reciprocally bound each to the other, not to enter into any Negotiation, much leſs conclude a Peace, except with common Conſent; notwithſtanding which, they had learn'd, That the States, together with *England* and *Spain*, had brought their Negotiations to a Concluſion, tho' the Emperor and Empire had not ſo much as the Proſpect of a Peace in View; it being impoſſible for them ever to conclude a firm and honorable Peace on the Conditions offer'd by *France*. 2. That the ſaid high Allies might remember, that the Emperor and Empire would not even agree to the Preliminaries, till they had been aſſur'd by the Miniſters of *England*, *Spain*, and the *States*, That they would do their utmoſt to obtain in the Treaty, what was defective in the ſaid Preliminaries: That it was on the Strength of theſe Aſſurances, that the Emperor and Empire gave into the ſaid Preliminaries, and the ſubſequent Negotiations: That nevertheleſs, inſtead of carrying the Points propos'd, *France*, by her laſt Declaration, had even broke thro' the Preliminaries, and had thereby thrown the Affairs of the Allies, and particularly of the Emperor and Empire, into a worſe State than ever, and Thoſe who ought to concur in the Negotiation, into an Impoſſibility of ſo doing: That Matters being in this Situation, it was not to be doubted but their High-Mightineſſes, as well in regard of their Obligations, as the Intereſt of the Common Cauſe, would firmly abide by their Engagements with the Emperor and Empire, till the ſaid Preliminaries were fully complied with. 3. That if, contrary to all Expectations, *France* ſhould perſiſt in her Refuſal, and *Spain* abandoning her faithful Allies, ſhould make a ſeperate Peace, they beſought, in ſuch Caſe, their High-Mightineſſes to declare, whether the Empire might depend on their real Aſſiſtance agreeable to the ſaid Alliance, to the End, That They, on their Side, might take the neceſſary Meaſures for carrying on the War with Vigour, and animate the other Powers, alike intereſted in the Repoſe of *Europe*, in co-operating with them. 4. That on the Part of the Empire, they could aſſure the High Allies, That over and above the Troops of the five aſſociated Circles, conſiſting of 60,000 Men, thoſe of *Bavaria*, which made the Sixth, were alſo to be reckon'd upon, of which 4000 were already in Service; and not to mention the Troops of the Empire, and the other Allies of the Empire, which are not already comprehended in the ſaid Aſſociation, his *Imperial* Majeſty, and the other Circles of the Empire, would furniſh their Contingents for the Armament-General of the ſaid Empire; the which, provided the States made a ſuitable Effort on their Side, would compoſe an Army conſiderable enough to act offenſively on the Side of the Empire: And, laſtly, That if his *Britannic* Majeſty, together with their High-Mightineſſes, would take the ſame Reſolution of continuing the War, till *France* thought fit to grant her *own* Preliminaries, and upon that Baſis to form a ſure, general, and honourable Peace, they might, with the Bleſſing of *God*, promiſe themſelves good Succeſs.

What was the Iſſue of theſe Remonſtrances, we ſhall ſee preſently: But firſt we are to beſtow a Word or two on the Caſe of the *Proteſtant-French* Refugees in *England*, *Scotland*, *Germany*, &c. concerning whom, Biſhop *Kennet* is pleas'd to ſay, That they were at this Time no leſs diſappointed, than the Royal Exile (meaning King *James*) in *France*. "King *William*, continues his Lordſhip, having, on all Occaſions, declar'd himſelf their Protector, they reaſonably expected, That he would alſo prove their Deliverer, and never conclude a Peace with *France*, without obliging their natural Sovereign to reſtore them both to their Eſtates, and the free Exerciſe of their Religion in their own Country." Biſhop *Burnet* alſo ſurmiſes, "That the moſt melancholy Part of the Treaty was, that nothing was got by it in favour of the *Proteſtants* in *France*;" or, as the Paſſage ought to have ſtood, That they were no Part of it: And Both theſe right Reverend Politicians agree in acknowledging, That they made all poſſible Application to the King, and the other *Proteſtant* Allies, to no Purpoſe: The Latter, indeed, conſoles himſelf on this melancholy Occaſion, by adding, "But as They were no part of the Cauſe of the War, ſo it did not appear, That the Allies could do more for them, than to recommend them in the warmeſt Manner to the King of *France*:" And the Former will have it, That by the King's Direction to the *Dutch* Plenipotentiaries, the Matter was open'd at a Diſtance to Thoſe of *France*: But the Truth is, That a Memorial, founded on the Compaſſion due to Perſons ſuffering merely for Conſcience Sake, and containing an expreſs Remonſtrance in their Favour, was deliver'd to the Mediator, by the Earl of *Pembroke*, in the Name of the *Proteſtant* Allies in general: And, conſidering the divided Condition of the Allies at that Time, as alſo, that one half of them were yet more embitter'd againſt the *Proteſtant* Religion than *France* herſelf, ſuch an

Anſwer

A. D. 1697. Answer, (if any Answer was expected) as That, specify'd by *Kennet*, namely, "That as he did not pretend to prescribe King *William* any Rules about his Subjects, so he expected the same Liberty as to his own," was the only one that could have been expected on so captious an Occasion. But this Memorial was not deliver'd till the 19th of *September*, which was but the Day before the Peace was sign'd; consequently, as it is reasonable to think, was deliver'd only to amuse the Parties concern'd in it, without any serious Purpose in their Favour.

And now, the Day prescrib'd by *France* for the Acceptance of such Terms as she had also in effect prescrib'd, being come, the Embassadors of the *Maritime* Powers, together with those of *Spain*, (regarding more the Pressures their several Countries had incurr'd in the Course of the War, the Conveniencies they expected from the Re-establishment of Peace, and the Resentments they had conceiv'd against the *Imperialists*, for being so slow in making up a Quarrel which they had so ill maintain'd, than the Obligations of the *Grand Alliance*) made haste to sign a *seperate* Peace with *France*, notwithstanding all the Arguments, and all the Remonstrances of the *Imperialists* against it; who, seeing themselves on the Point of being deserted, had no Resource left but to require the good Offices of the *Mediator* on the following Heads, *viz.* "1. In procuring the best Equivalent possible for *Strasburgh*, by the Addition of *Landau*, Fort *Louis*, *Montroyal*, and *Saar Louis*, to *Brisac*, *Friburgh*, *Kehl* and *Philipsburg*; as also to procure some farther Concessions with regard to *Lorrain*. 2. In procuring a Prolongation of the Term for adjusting the Peace between the Emperor and Empire, (including *Lorrain*) and *France*, till the 1st of *November*: And, 3dly, In obtaining a reciprocal *Armistice* till that Time, of the most effectual kind; on these Conditions, That *France* should immediately withdraw her Troops out of all such Territories, as belong'd unquestionably to the Empire; without proceding to any new Exaction of any kind, or under any pretext whatsoever: That *France* should not march any other Troops either into the said Territories, or the Borders of Those in her own Possession: And that as to the rest, all Things should remain in their present State, without any Power on either Side to raise any new Fortification, or commit any new Waste or Destruction of any kind."

The Imperialists demand the good Offices of the Mediator on certain Heads.

But of these Propositions, however recommended by the *Mediator*, or enforc'd by the Allies, only the two last were listen'd to; nor Those but on condition, that the final Treaties with *England*, *Spain*, and *Holland* should be sign'd that Day, whether the *Emperor* and *Empire* sign'd or not; as foreknowing, That such a *seperate* Proceding, would not only expose the present, but serve to weaken every future, *Confederacy*: And that when such Seperation had taken place, they could humble the *Caesarean* Pride yet more securely than they had already done: Accordingly the great Business of the Day,

The Ministers of England, Spain, and the States, agree to sign the Peace:

was to give the last Hand to those several Negotiations; and Midnight came on before that great Business could be so far adjusted as to be ready for the last Hand: Besides, when all Difficulties were remov'd, and nothing remain'd but to carry what had been adjusted into Execution, a new Contest produc'd a new Embarassment: For whereas on all other Occasions, the Point of Precedency is the last Point given up, in This, the Struggle was, who should be last: The Ministers of *Spain* having dispatch'd their Treaty first, Those of the *Maritime* Powers insisted, That the *Spaniards* should sign first: But the *French* refus'd to sign with the *Spaniards*, unless the *English* and *Dutch* led the way: The *English* again made a Difficulty of giving it under their Hands, That They were the first to desert their Allies, whatever Pressures, and whatever Provocations they had to urge in their Excuse: And in this Perplexity the Affair hung, till about One o'Clock, when the *Dutch* thought fit to break the Ice, and were follow'd by the *English* and *Spaniards*, at about an Hour's Distance each from the other: So that it was Three in the Morning before the whole Transaction (which pass'd in a little Cabinet belonging to the *Mediator*) was completed: And, to procede in the Words of Bishop *Kennet*, "The *Imperial* and *Electoral* Plenipotentiaries, who most of them were all the while present in the Hall, were so far from consenting to what was done, that, on the contrary, they requir'd the *Mediator* to enter a Protestation, "That this was the Second Time that a seperate Peace had been concluded with *France*, (meaning that of *Nimeguen* for one, wherein the Emperor and Empire had been excluded) and that the States of the Empire, who had been impos'd upon thro' their own over-credulity, would not for the future be so easily persuaded to enter into Confederacies." The *Spanish* Plenipotentiaries, and particularly *Don Bernardo de Quiros*, by way of Excuse, replied, That he had a long Time been made acquainted with his *Catholic* Majesty's Pleasure, not to delay the signing of the Treaty, which had been agreed on before; and if he had obey'd those Orders, the *French* would not have taken *Barcelona*: But that having deferr'd the Conclusion of that Treaty, at the Persuasion of the *Imperial* Ministers, he had given the *French* Time to make themselves Masters of that important Place; which Success emboldened their Plenipotentiaries to change their Language, and thereby he had himself run the Hazard of incurring his Master's Displeasure.

But differ about the Order of sig'ning.

The French refuse to sign with Spain, till the English and Dutch have sign'd.

The Latter of whom sign first.

Imperialists protest against it.

The Truth is, the *Spaniards* could not but perceive, that the *English* and *Dutch* could have sav'd *Barcelona* this Year, if they pleas'd; but that they rather declin'd it, with an Intention to bring the *Spaniards* more readily to accept the Offers of the *French*: And indeed, those two Powers, having in a Manner borne the whole Burden of the War, both by Sea and Land, whereby their respectives Subjects were reduc'd to great Straits, especially as to their Trade,

A. D. 1697. it could not seem strange that they were forward to sign a glorious and advantageous Peace."

Remarks on the Preceding. How *advantagious* and *glorious* it was, it is, however, rather too soon to pronounce; tho' we may venture to pronounce in passing, That it was no great Matter of Glory, to connive at the Distresses of an Ally, in the Manner above express'd, that he might stand so much the more in need of Peace; or to sign a seperate Treaty against both the Letter and Spirit of the Grand Alliance, which in the Third and Fifth Articles, expressly provides against any such Lapse on any Pretext whatsoever; and thro' the whole Conduct both of the War and of the Negotiations of Peace, constitutes and provides for a *Common Cause*, which was never to be sacrific'd for any seperate Consideration whatsoever.

In the Light, therefore, of a *common Adventure* for a *common Interest*, the Advantage and Glory of this Transaction must be consider'd: And in the Fourth Article of the said *Grand Alliance*, together with the first seperate Article, we are furnish'd with the Particulars in which the *common Interest* was plac'd: For by the said Fourth Article, no Peace was to be concluded, till the several Treaties of *Westphalia*, *Osnabrugh*, *Munster*, and the *Pyreneans*, had, by the Help of *God*, and their united Force been vindicated, so as that all Things, Civil and Ecclesiastical, were restor'd to their former Condition, according to the Tenor of the same: And by the first seperate Article, his *Imperial* Majesty was to be assisted by the other Allies, with all their Force, in succeeding to the whole of the *Spanish* Monarchy, in case his *Catholic* Majesty dy'd without lawful Issue, and *France* should directly or indirectly oppose it.

But tho' *France* took care to make her first Offers broad enough to build a Negotiation upon, she took as much care, as we have seen, to narrow them again in the Course of that Negotiation afterwards: So that when the Preliminaries came to be specifically made, and formally deliver'd, it was apparent, That they could not be accepted on the Footing of the Grand Alliance: And yet they were accepted: And now we are to see what in general that Acceptance produc'd.

Abstract of the Treaty between France and the States. And first of the Treaty between *France* and *Holland*, It articled for an instant Cessation of Hostilities, a general Armistice, a perpetual Amity, a reciprocality of Councils, Interests, and good Offices, a general Restitution as well of all Goods seis'd and confiscated, as of all Places taken and occupied on each Side; a Renunciation of all Pretensions on each other, a Discharge of all Prisoners, a Revocation of all Letters of Marque and Reprisal, a Caution that private or particular Injuries should not be the Cause of a national Quarrel, a Proviso, That in case of a Rupture, the Subjects on each Side should be allow'd nine Months to remove their Effects without molestation, &c. By the Fifteenth Article, the Peace between the Most *Christian* King and the Elector of *Brandenburg*, of *June* 1679, was re-esta- A. D. 1697. blish'd: By the Sixteenth, the Peace between the said King and the Duke of *Savoy*, was confirm'd; and both these Articles were inserted in the Treaty with *England*; as was also the Seventeenth, in which his *Swedish* Majesty was formally compris'd: In the Eighteenth, a Provision was made on the Behalf of the Most *Christian* King, for comprising all those Powers who should be nam'd before the Exchange of the Ratifications, or in SIX MONTHS after; and in the Nineteenth, on the Behalf of the States, a like Provision was made for the Kings of *England* and *Spain*, and all their other Allies, who in SIX WEEKS after the Exchange of Ratifications, should declare themselves willing to accept the Peace: By the Twentieth, the contracting Parties consent, that the King of *Sweden*, and all other Powers acceding to it, might take upon them the Guaranty of it: By the Twenty-first, the Treaty was to be ratified, and the Ratifications exchang'd in three Weeks from the Day of signing: And by the Twenty-second, the whole Treaty, for the *greater Security*, was to be publish'd, verified, and registe'r'd by the Parliament of *Paris*.

The *Dutch* Ministers, with whom the grand Pensioner of *Holland* was colleagu'd, some time in *July*, had also the Address to perfect their Treaty of Commerce, and to carry it into Execution at the same Time: And preparatory to the Treaty between *England* and *France*, it is necessary to insert the following previous Articles, which were inserted in the Protocole of the *Mediator*, as essential Obligations on the several Parties, and which have been over-look'd by all our Historians.

Certain preparatory Articles that between England and France. The first related to a Pension, so it is call'd, for Queen *Mary d'Este*, and is couch'd in the following strange Terms: "The Embassadors of the King of *England* declare, That the King their Master has promis'd, That the Pension of about 50,000 *l.* sterling, or of such Sum as shall be found establish'd by Act of Parliament, seal'd with the great Seal of *England*, shall be paid for the future, agreeable to the said Act: And that they content the Embassador-*Mediator* shall insert the said Declaration in his *Protocole*, and shall give an authentic Copy of it to the Embassadors of *France*, in the Presence of whom, as also of the Embassadors of the States-General, the said Declaration was made." Sign'd *Lillieroot*.

The Second was call'd, An *Act* of the Embassadors of *France*; and by which they oblig'd themselves to obtain from the King their Master, a particular Full Power, to be exchang'd with the Full Power of the Embassadors of *England*, in the usual Form, at the Time of exchanging the Ratifications.

The Third and Fourth, like the Last, were Insertions in the *Protocole*, and contain'd another Engagement on the Part of the *French* Embassadors, That, finding the Treaty made and sign'd at *Breda*, was not in *French*, they would furnish in lieu of That to be sign'd at present in *French*, another in *Latin*, before the Ratification: As also,

A. D. 1697. also a sort of reciprocal Agreement, That the *French* should release such of the *French* Protestants, as they had taken on board *English* Ships; as also the Four Ministers of *Orange*: And that the *English* should release the *French* taken on board *French* Vessels, (being Fifty in Number) according to the List given in at the same Time.

Abstract of the Treaty itself. The Treaty itself consisted of Seventeen Articles, of which several contain'd such general Matters of Agreement, as have been already given in the Abstract of the *Dutch* Treaty: But in the Fourth, his *Most Christian* Majesty engag'd, not to disturb or disquiet, in any Sort, the King of *Great-Britain* in the Possession of the Realms, Countries, Estates, Lands or Governments then possess'd and enjoy'd by his *Britannic* Majesty; to that Purpose giving his Royal Word, not to assist, directly or indirectly, any of the Enemies of the King of *Great-Britain*, nor to favour, in any respect whatsoever, the Cabals, Conspiracies, or Machinations, which might be excited by disaffected or rebellious Persons, in any of his said Possessions, against him; nor, by consequence, not to aid or assist any Person or Persons, either by Sea or Land, with Arms, Ammunition, Provisions, Ships, Money, or by any other Means whatsoever, who, on any Pretext whatsoever, should disturb or disquiet the said King of *Great-Britain* in the full and free Possession of his Kingdoms, *&c.* As in like Manner, the said King of *Great-Britain* reciprocally promis'd and engag'd for himself and his Successors, without any the least Exception or Reserve, not to disturb or disquiet the said *Most Christian* King, *&c.* By the Fifth, a free Commerce was reciprocally restor'd on the old Footing: By the Sixth, a like Provision was made for opening the Courts of Justice in each Kingdom, for the reciprocal Benefit of the Subjects of both Parties: By the Eighth, Commissaries were to be appointed for settling the Pretensions of each to *Hudson's-Bay*, taken by the *French* from the *English* during the late Peace, and re-taken by the Latter during the present War, *&c.* and for regulating and settling the Limits of the Places to be restor'd by the Seventh Article, as well as such Exchanges as might be found convenient to be made; which said Commissaries were to meet at *London*, in three Months after the Exchange of the Ratifications: By the Tenth, all Ships, Merchandizes, *&c.* taken on either Side within twelve Days after the signing the present Treaty, in the *British* and *Northern* Seas as far as Cape St. *Vincent*, or in ten Weeks beyond the said Cape, and on this Side of the Equator, and within six Months beyond it, should remain to the Captors: By the Twelfth, That in case of a Rupture, the Subjects of either Prince should be allow'd *six Months* to remove their Effects: By the Thirteenth, the seperate Article of the Treaty of *Nimeguen*, relating to the Principality of *Orange*, and all other Lands and Lordships belonging to the said King of *Great-Britain*, was to be entirely executed, both in Matter and Manner; and in Consequence all Innovations and Alterations of what Kind soever, which had been made to the Prejudice of the said Treaty, *&c.* should be made and remain void and of none Effect, *&c.*: And by the Seventeenth, the Ratifications were to be exchang'd in three Weeks, to be reckon'd from the Day of signing. A. D. 1697.

The Treaty between *France* and *Spain* consisted of Thirty-eight Articles, of which we need only specify such as relate to the Restitutions: *Viz.* By Article 4. *Gironne*, *Roses*, *Barcelona*, and generally all the Places, Forts, *&c.* taken from his *Catholic* Majesty in *Catalonia* during the Course of the War, were to be restor'd in their present State, without any Reserve, or any Alteration of any kind. By Article 5, The City, Fortress, and Province of *Luxemburgh*, with all their Appertenances, were also to be restor'd in the same unreserv'd Manner: The three following Articles provide for the like Restitution of *Charleroy*, *Mons*, and *Courtray*: The next, for all the Places in general taken or occupy'd by the *French* in *Flanders*, since the Commencement of the War. By the Tenth, all the Places, Cities, Towns, Villiages, *&c.* clam'd and possess'd by *France*, in the Provinces of *Luxemburgh*, *Namur*, *Brabant*, *Flanders*, *Hainault*, &c. under the Head of Re-unions since the Treaty of *Nimeguen*, were in like Manner reconvey'd to *Spain*, according to the List of Re-unions produc'd on the Behalf of his *Catholic* Majesty, and annex'd to the Treaty itself; with a Reserve of eighty-two Towns and Villiages, according to another List also annex'd to the said Treaty: And by the same Article, the *French* Clame on this Head, was to be referr'd to Commissaries, and in case they could not agree to the States-General. By the Twelfth, these Restitutions were to be made immediately after the Ratification. By the Thirteenth, all the Cannon, Ammunition, *&c.* belonging to *France* in the said Places, were made the Property of *Spain*. By those that follow, all Prisoners were to be set free; all Records were to be restor'd; all Contributions were to cease. By the Thirty-first, the City and Castle of *Dinant* were to be restor'd to the Bishopric of *Liege*. By the Thirty-third, both their said Majesties solemnly confirm'd the late Treaty between *France* and *Savoy*, and as solemnly declar'd themselves Guarantics for the due Observance of it. By the Thirty-seventh, the Treaty was to be publish'd, verify'd, and registred in the grand Council-Chamber of Accounts, and other Sovereign Courts of his *Catholic* Majesty in the *Low-Countries*, *Castile* and *Arragon*, the Parliament of *Paris*, and other Parliaments of *France*: And, lastly, as well to This, as the two preceding Treaties between *England* and *France*, and *France* and the States-General, a seperate Article was annex'd, in which it was provided, "That his *Most Christian* Majesty should allow to the Emperor and Empire, till the 1st of *November* ensuing, for their Acceptance of the Terms of Peace last propos'd, if his *Imperial* Majesty and the Empire came to no other Agreement in the mean Time: And in case

Articles of that Treaty between France and Spain.

A further Time allow'd to the Emperor and Empire, by a seperate Article in all the general Treaties.

He

A. D. 1697. He and They, in that Interval, did not accept the said Terms, nor otherwise agree with his *Most Christian* Majesty, the said Treaties with the said several Powers, were nevertheless to be in full Force, and to have their full Effect: Nor was it lawful for either of the said Powers to contravene any Part of it, directly or indirectly, on any Pretext whatsoever."

Thus the *Emperor* and *Empire* were reduc'd to the Necessity of accepting worse Terms than were at first offer'd, by insisting more rigidly than politicly on all they had a Right to insist on; in which Circumstance the *Imperial* Plenipotentiaries were glad to accept of the Armistice which was procur'd for them at the joint Instances of the *Mediator*, and the Ministers of *England*, *Spain*, and *Holland*, and sign'd on the 22d for the Emperor, and the 23d for the Empire.

An Armistice also granted to them for the same Term.

Thus we have the great Out-line before us of this memorable Negotiation: But as to the *Secret* of it, none but such as are furnish'd with a Clue to the Court-labyrinth at *Loo*, are in a Capacity to unfold it: And This may be pronounc'd with so much the more Assurance, because the very next Day after the Peace, was produc'd the following *Act*, which was sign'd by King *William* himself at that Place, without any counter Signature of any of his Ministers, as is usual on the like Occasions; and enter'd in the *Protocole* of the *Mediator* the 24th following, *viz.*

An Act of King William's at Loo, in relation to the withdrawing the French *Troops, and Spain's Ratification of the Peace.*

"We *William* the Third, by the Grace of *God*, King of *Great-Britain*, &c. approve the Treaty of Peace sign'd at *Ryswick* the 20th of *September*, 1697, between our Embassadors and Plenipotentiaries, and Those of the *Most Christian* King; and we oblige ourselves on the Faith and Word of a King, to furnish, in the Time specified, the Ratifications pure, simple, and in the customary Terms, sign'd by our Self, and seal'd with the great Seal of *England*: And whereas Two other Treaties were concluded the same Day, with the said *Most Christian* King, the one with the *Catholic* King, and the other with the *States-General*, We, in case the said *Most Christian* King shall think fit to withdraw his Troops out of the Dominions of his *Catholic* Majesty, as well in *Flanders* as in *Catalonia*, on the Delivery of the present *Act*, promise to employ our utmost Endeavours to procure the like pure, simple, and authentic Ratifications of the said Treaties, in the Time specified therein, as well on the Part of the said *Catholic* King, as the said *States*: And if the said *Catholic* King shall make any Difficulty on his Part, or shall not comply within the said Term, We again promise, That the Treaty made between our Embassadors, and Those of the *Most Christian* King, shall nevertheless have its full and entire Effect: And we also farther engage to use our Endeavours, that the Treaty and Ratification of the said *States-General*, shall, in like Manner, be precisely executed, even tho' the said *Catholic* King shall refuse to do the same by his: In Testimony of which, and by way of Assurance on our Side of all that is therein contain'd, We have sign'd these Presents with our Hand: Done at *Loo* the 21st of *September*, N. S. 1697. L. S. *William R.*"

For what remains concerning England in particular, the Ratification under the Great Seal was dated September 25, O. S. and was counterSign'd by none of the King's Ministers but Mr. Blathwait, who acted, it seems, abroad, in the Capacity of a Secretary of State-extraordinary, tho' his Office was strictly no other than that which is now call'd Secretary at War; and when it came to be exchang'd, was objected to by the *French*, as was also the Preamble to the *English* Full-Powers, on account of the Words *Franciæ Rex*, inserted among the King's Titles in Both: The *English* Embassadors, however, took Shelter under the Treaty of *Breda*; and promis'd, That, in case the said Words were not to be found therein, they would furnish another Power, and another Act of Ratification in conformity thereto: So that an Expedient was soon found to prevent any new Litigation on that delicate but insignificant Head.

On the 22d of *October*, N. S. the Peace between *France* and *England* was proclaim'd at *Paris*, and exactly that Day Sennight afterwards at *London*: Nor ought it to be unacknowledg'd, That the Terms made use of by the *French* Court, were abundantly more polite, than Those made use of on our Side of the Water, tho' we had their Example to profit by: For in their Instrument, it was said, That a good, firm, stable, and solid Peace, together with an entire and sincere Reconciliation and Friendship, had been made and settled between the most excellent and most potent Prince *Lewis*, by the Grace of *God*, King of *France* and *Navarre*, and the most excellent and most potent Prince *William* the IIId. King of *Great-Britain*: Whereas the Preamble to the Proclamation, set forth by the Lords Justices, ran thus: "Whereas a Peace has been treated and concluded, at his Majesty's Royal Palace at *Ryswick*, between his Majesty and the *French* King, *&c.*" And for this extreme Bluntness, no other Reasons, perhaps, can be assign'd, than that which follows, *viz.* That the *French* Court, by omitting to annex these Words, by *the Grace of* God, which is universally us'd in the Titles of Sovereign Princes, to That of King *William* meant to insinuate a Stroke of Satire, which could scarce be too severely retorted.

The Peace proclaim'd at Paris and at London.

And now, that we may keep pace with the Course of the Year, and thereby manifest so much the more fully on what Grounds of Strength and Confidence the Stiffness of the *Imperial* Court, which furnish'd the *Maritime* Powers and *Spain* with their most plausible Pretext for concluding a seperate Peace was founded, it is necessary to touch on such military Events, as occurr'd in the more remote Provinces of the War.

But first we must observe, That *France* was not more solicitous to keep up a military Spirit in the *Turkish* Divan, than the Emperor to enlarge his Dominions at the Expence of

A.D. 1697. of the *Turkish* Empire: Hence it was that, in the Beginning of the Year, *Muscovy* was taken into the Confederacy on that Side, which was renew'd for three Years; and a suitable Concert was made for carrying on the War by Sea and Land, in such a Manner, as might find full Employment for all the Forces of the *Turkish* Empire.

A bloody Battle between the Venetians and the Turks.

The first of these Provinces belong'd wholly to the *Venetians*, who confin'd in themselves wholly to the Defensive by Land, that their Efforts at Sea might be so much the more formidable: But tho' the two Fleets met in the Beginning of *July*, and had two several Engagements, the Issue was neither decisive or signal enough to furnish any great Matter of Triumph on either Side.

The Muscovites victorious over the Tartars.

The *Muscovites* also, at the latter End of the same Month, obtain'd a complete Victory in the *Crimea*, over the *Tartars* commanded by Sultan *Galga*: The Fight is said to have lasted twelve Hours; and that the greatest Part of the *Tartars*, not being able to pass the River *Kalganski*, were there cut to Pieces, drown'd, or taken Prisoners.

But the Fame of this Exploit was soon eclips'd by a far greater in *Hungary*. The *Imperialists* had open'd the Campaign with an Attempt on the Town of *Bihut*, in *Croatia*, in hope of opening a Passage into *Bosnia*; but the Place being vigorously defended, and a Party of the persecuted *Anti-Romanists* in *Hungary*, either transported by the Smart of their own Sufferings, or brib'd by the secret Emissaries of *France*, at the same Time breaking into open Rebellion against the Emperor their Sovereign, and putting all the Garisons they reduc'd to the Sword, it was thought advisable to raise the Siege, in order to quench this domestic Flame; which being effectually done, the *Imperial* Army took the Field, under the Command of Prince *Eugene* of *Savoy*: And much about the same Time, or soon after, the Grand Signior, in Person, arriv'd at *Belgrade*, in order to open the Campaign; his Purpose being to fall into *Transylvania* and Upper *Hungary*.

Accordingly, his first Effort was to reduce *Titul*, in which he succeeded: But then, believing he might with as much Ease carry *Segedin*, and afterwards *Peter-Waradin*, in case he could cut off the Communication of the *Imperialists*, he posted his Army between them and the last of those Places: Prince *Eugene*, on the other Hand, having obtain'd Intelligence of all This, and having been also reinforc'd by the Troops from *Transylvania*, under the Command of General *Rabatin*, made all possible Expedition to come up with him, before he could carry his Designs into Execution: And Fortune favour'd him even beyond his Expectation: For the Grand Signior being inform'd of the prodigious Marches he took, and the Advances he made, halted at *Zenta*, threw a Bridge over the *Theysse*, which he pass'd himself with all his Cavalry, except about 2000, and order'd a double Trench to be thrown up behind his Infantry, as a Precaution for their Security, in case the Enemy came up before they could follow him, and the Bridge should be broke down behind him. A Circumstance which presented one of those inestimable Opportunities, which never ought to be presented, or over-look'd: The Prince saw it with an Eagle's Eye, and seiz'd it with a Lion's Hand: For having rang'd his Army in order of Battle, and directed them to continue their March in that Order, he put himself at the Head of eight Regiments of Dragoons, in order to make sure of some Advantage, before it was possible for the Enemy to disentangle themselves from the Snare into which they were fallen: But finding on his Approach, the same Orders still in Operation, that is to say, the Cavalry still passing over the Bridge, with an Intermixture of Baggage, and whatever else could serve to aggravate Confusion, and the Foot making the best Disposition in their Power to defend themselves, he waited till the Army came up, and having distributed the said Regiments of Dragoons to their several Posts, brought his Cannon both on the Right and Left to play on the Bridge, while he completed his Disposition for occupying every Inch of Ground to the best Advantage; which being done, and not above two Hours Day-light remaining in the Skies, the Attack was begun by the Infantry of the Flank of the Left Wing: There, under the Cover of certain Pieces of Cannon, which had clear'd the Place of the 2000 *Turkish* Horse above-mention'd posted there, had slipt between the River and the Enemy's Rear, and by so unexpected a Motion, threw it into no small Disorder: Soon after which the whole Line, as well Horse as Foot, coming up, and charging them in front with the utmost Vigour, they were not able to withstand the Shock, tho' cover'd with a double Trench, and a Barricade of Waggons: In half an Hour's Time, the *Imperialists* of the Left Wing had broke thro' all Opposition; and being briskly supported by the rest of the Front, all was Dismay and Feebleness on one Side, and all Order and Resolution on the other: So that in a few Moments more, all the Tokens of an absolute Rout were visible thro' the whole Field: And now What was before Valour, became Cruelty: The Victors would not hear of Mercy; and dreadful was the Carnage that follow'd: Those who fought were hew'd down by the Front; Those who fled were cut off by the *Imperialists* who had broke into their Rear: The Bridge, which all endeavour'd to gain, was choak'd up with dead Bodies, and Thousands threw themselves into the River, to avoid the Fury of the Sword. Never was Victory more complete; never was such Destruction made in so short a Time: The whole Field was cover'd with the Dead: Of the Enemy's Camp, all the Tents, not excepting the magnificent Pavillion of the *Grand Signior* himself, all their Stores, as well of Ammunition as of Provisions, all their (*b*) Baggage of every kind, and

A.D. 1697.

The Battle of Zenta between the Imperialists and Turks.

The Latter totally routed.

(*b*) Consisting of 6000 Waggons, 6000 Camels, 5000 Horses, 10000 Oxen, and a vast Number of other Cattle. 130 Pieces of Cannon, 500 Drums, 500 Colours, 48 Pair of Kettle-drums, and a close Carriage, in which were the Ladies of the Grand Signior's Seraglio.

A. D. 1697. and all their Cannon, Prince *Eugene* remain'd Maſter: The *Grand Signior* ſav'd himſelf by Flight, which the Night favour'd: But the *Grand Vizier* was kill'd, and the Seal of the Empire, which he always wears about his Neck, was the next Morning preſented to the Prince by a *Tranſylvanian* Commiſſary: The *Aga* of the *Janizaries*, and twenty-ſeven *Baſſaws* more, were alſo found among the Dead, of whom the Number were ſaid to amount to upwards of 20,000, beſides 10 or 12000 drown'd in the *Theyſſe*, 6000 wounded, and the Priſoners, which were not many.

To the farther Honour of Prince *Eugene*, it is alſo to be remember'd, that in point of Numbers, his Army was greatly inferior to That of the Enemy; that the Victory was not more owing to the Miſtakes of the Enemy, than to his Addreſs and Preſence of Mind in the Improvement of thoſe Miſtakes; and that he had the Happineſs to purchaſe it, at ſo cheap a Rate as of 430 kill'd, and 1593 wounded.

But, complete and ſignal as the Victory was, ſo far was the Seaſon advanc'd, (it was the 11th of *September* when the Battle was fought) and ſo much Time was requiſite to refreſh the Army, after the fatiguing Marches they had ſuſtain'd, that the Advantage of the Day was the the chief Advantage immediately redounding from it: It is true, the Prince did make an Incurſion into *Boſnia*, with little or no Interruption; but the Conqueſts he made, were ſcarce conſiderable enough to deſerve mention: So that we may now return to *Ryſwick*, where it was ſuppos'd, the News of ſo glorious and deciſive an Action, would have had no ſmall Effect on the Negotiations: But tho' his *Imperial* Majeſty immediately diſpatch'd a Courier with a Letter, ſign'd with his own Hand, to the *States-General*, containing a Brief of the glorious Succeſs of his Arms, They were not in a Humour to be ſo dazzled with it, as to loſe ſight of any one Object which made a Part of their own immediate Intereſt.

Hence, therefore, it was, That his Miniſters at the Congreſs, ſeeing the Peace was ſign'd under all the Precautions that could be taken to ſecure the Exchange of the Ratifications, or to diſſolve the Confederacy, in caſe they were not exchang'd, thought it their wiſeſt Courſe to make all the Uſe they could of the farther Term allow'd them, to convert the Armiſtice into a full and perfect Accommodation.

And this they alſo found to be ſo much the more neceſſary, becauſe the Mediatrix, *Sweden*, appear'd on all Occaſions more anxious to excuſe herſelf from the Performance of her Guaranty, in conformity to the repeated Demands of his *Imperial* Majeſty, than to fulfil it; as appears undeniably by the ſolemn Act ſign'd at *Ryſwick*, on the 30th of *October*, by both the Embaſſadors-Mediators, (for now the Count de *Bonde*, who was firſt in the Commiſſion, attended the Conferences as well as M. *Lillieroot*) to the following Effect.

A. D. 1697. "Whereas, by the preſent Treaty of Peace (wherein his *Sweediſh* Majeſty has ſuſtain'd the Weight of the Mediation) remarkable Alterations have been made in the Treaties of *Weſtphalia* and *Nimeguen*, both of which were alſo made under his Guaranty, and that of other puiſſant Sovereigns, his ſaid Majeſty has thought fit to declare by us, his underwritten Embaſſadors Extraordinary and Plenipotentiaries, That there was nothing he deſir'd with more Ardor, than to maintain the ſaid Treaties; That with this View, he had, to the laſt, employ'd all his Cares to obtain the Performance of what had been promis'd on the Part of *France*, in conſequence of which, his Majeſty firmly believ'd, that in the future Treaty of Peace, he ſhould have carey'd his Point; more eſpecially as it was notorious, That his *Moſt Chriſtian* Majeſty, during the whole Courſe of the Negotiations, did offer to put the Empire in poſſeſſion of *Straſburgh*, and all its Dependencies; That, as theſe Propoſitions were not accepted in the Time prefix'd, as *France* had taken Advantage of the Succeſſes of her Arms to alter them, and, at laſt, had concluded a Peace with the Allies, who were alſo Guaranties, together with his *Sweediſh* Majeſty; whence the Emperor and Empire had thought it more adviſable to conſent to thoſe Alterations, than to continue a bloody and doubtful War any longer; his ſaid Majeſty perſuades himſelf, that he ſhall never be accus'd, either at preſent or hereafter, of having fail'd in any of the Duties, which either as Guaranty or Mediator he was liable to: Laſtly; That, as ſome new Difficulties had alſo ariſen touching the Treaty of *Weſtphalia*, with regard to Religion, the ſaid Embaſſadors Extraordinary and Plenipotentiary of his ſaid Majeſty, did expreſſly reſerve to themſelves a Power to declare his Intentions on that Subject, within the Time limited for the Exchange of the Ratifications.

C. Bonde, N. Lillieroot."

A new Diſcovery ſtarted by the Proteſtant Princes.

The new Difficulty here alluded to, and which Biſhop *Burnet* calls a new Piece of Treachery againſt the *Proteſtant* Religion, is thus explan'd: In the Cloſe of the 4th Article of the Treaty between the Empire and *France*, (which provided, that all Places occupy'd by *France*, not belonging to *Alſace*, ſhould be reſtor'd without Exception) a Reſerve was made, That the *Roman*-Catholic Religion, re-eſtabliſh'd in the ſaid Places, ſhould, notwithſtanding ſuch Reſtoration, be continued in its preſent State: On the other Hand, the Embaſſadors of the *Proteſtant* Princes being met at the Houſe of the Plenipotentiary for *Mentz*, drew up a Memorial, and appointed four Deputies to deliver it to the Mediator; wherein they demanded, That as well at *Straſburgh*, as the other Places of *Alſace* belonging to *France*, the *Lutheran* Religion ſhould be re-eſtabliſh'd on the ſame Footing, and with all the Rights and Privileges it had enjoy'd in the Year 1624: But the *French* having at firſt demurr'd to this Demand, had in the End rejected it, with the Concurrence of the

Imperialiſts,

A. D. 1697. *Imperialists*, (in which we are to ſuppoſe the Treachery conſiſted) and had moreover peremptorily inſiſted on the Reſerve in the Fourth Article above ſpecify'd: It was thus Things ſtood on the laſt 30th of *October*, when the Peace was to be ſign'd under that plauſible Act of the Mediators: For as the Emperor and *France* were equally determin'd to ſhew no Favour to the reform'd Religion, ſo the *German* Princes of that Religion, either to manifeſt their Reſentment, or in hope of obtaining ſome Conceſſion, would not ſuffer their Miniſters at the Congreſs to become Parties in that Signature: The Pretence of Refuſal was want of Orders, but the Truth was want of Will.

who refuſe to ſign.

This Counter-ſtep on that Side, did not, however, hinder Thoſe on the Other from making the beſt of their way to their Journey's End: For the *Imperial* Miniſters having conferr'd with the *French* on what had happen'd, the Latter took occaſion to declare, That the Signature needed not to be delay'd on that Account: And that the ſaid Princes ſo refuſing, ſhould enjoy the Benefit of the Armiſtice, during the ſix Weeks limited for the Exchange of the Ratifications; during which Interval, they ſhould be oblig'd to ſignify, either there or at *Ratiſbon*, whether They choſe to accede or not: But then if they did not, in that Interval, ſo ſignify their Acceſſion, purely and ſimply, They alſo declar'd, The War ſhould be renew'd againſt them, notwithſtanding the Articles of the Treaty in their Favour, which in ſuch Caſe, and as far as regarded them, ſhould be of none effect; tho' remaining altogether as valid with reſpect to the other Eſtates of the Empire, as if it had been accepted and ſign'd by All without Exception.

And now, in the very ſame Manner as the Emperor and Empire had been ſerv'd by the *Maritime Powers* and *Spain*, the *Proteſtant* Powers of *Germany* were ſerv'd by the *Roman-Catholics*: For the Latter having obtain'd their own Terms, and caus'd this Stipulation to be enter'd in the *Protocole* of the Mediation, They made no Scruple to ſign without them, on the Conditions, and with the Reſerves already in ſubſtance recounted: And among the ſpecial Proviſions contain'd in the Treaty, *Treves* was reſtor'd to the Elector of that Name: The Elector of *Brandenburgh* was to enjoy all the Advantages of his Treaty with *France*, before ſpecify'd: All that had been taken from the *Palatinate*, was to be reſtor'd: And as to the Clames of the Ducheſs of *Orleans*, they were referr'd to the Arbitration of the Emperor and *France*; and till a Decition was obtain'd, the Elector *Palatine* was to allow her Highneſs an Annuity of 100,000 Florins: The Counties of *Spanheim* and *Veldentz*, as alſo the Duchy of *Deuxponts*, were ceded to the King of *Sweden*: In the Reſtitution of *Lorrain*, his *Moſt Chriſtian* Majeſty took care, that all the new Fortifications which had been erected at his Expence, ſhould be demoliſh'd, and to reſerve to himſelf the Caſtle of *Nan Louis*, with half a League of the Country round about it; as alſo the Town and Prefecture of *Longuis*, in Exchange for another Prefecture of equal Value, in one of the Three Biſhoprics; as alſo a free Paſſage for his Troops through the Duke's Dominions, *&c.* And, laſtly, as the famous Conteſt for the Electorate of *Cologne*, between Prince *Francis Louis Palatine*, and the Cardinal of *Furſtenburgh*, was by this Treaty finally terminated in favour of the (*c*) Former, ſo the Latter was expreſſly reſtor'd to all his Rights, Benefices, *&c.* that it might not be ſaid, that *France* in return for all his Services and Sufferings on her Account, had left him in a worſe Condition than ſhe found him.

The Powers ſign'd without them.

A. D. 1697.

And now for what remains to be mention'd concerning this complicated Affair, on the next Day but one after the Treaty was ſign'd, the Deputation on behalf of the Empire drew up an Abſtract of what had paſs'd, for the Information of the Diet at *Ratiſbon*, to whom it was addreſs'd, and of which the moſt remarkable Particulars are as follow, *viz.*

Account ſent to Ratiſbon by Deputies of the Empire.

"The Plenipotentaries having, at laſt, and with the proper Reſerves and Proteſtations, accepted the (*d*) Temperament propos'd, of waving the Ceremonial in their Conferences, the Deputation was open'd on the 30th at Night, that the Treaty of Peace, which was already concluded, might be ſign'd on the Behalf of the Empire, which was not done till Five o'Clock in the Morning.

Nor was it then in the Power of the ſaid Plenipotentiaries, to conform to the Letter of the Inſtructions they had receiv'd; and for this Failure, the Preſſures of the Criſis muſt be their Excuſe: For it is notorious, That after the ſeperate Treaties, which the other Allies had concluded, the Empire was wholly abandon'd and expos'd to the Diſcretion of *France*; in conſequence of which, the *French* Embaſſadors would neither liſten to Reaſon or Juſtice, and nothing remain'd but in concert with the Embaſſadors of his *Imperial* Majeſty, to accept the Conditions offer'd, rather than perſiſt in a ruinous War, which could no longer be carried on with any Hope of Advantage, either to the Emperor or Empire, after ſuch a Seperation, and when there was not the leaſt Probability that the ſaid Allies would, for the Sake of either, break the Engagements they had ſo lately made, and alſo made public; ſeeing They had expreſſly declar'd the contrary to thoſe whom we deputed expreſſly to make our Remonſtrances to them upon it.

Thus

(*c*) It ought not to be forgot, That the *French* having caus'd their Troops to advance into the Territory of *Liege*, between the *Sambre* and the *Meuſe*, during the Truce, in order to levy Contributions, his Electoral Highneſs, as Biſhop of *Liege*, on the 7th of *October*, directed his Miniſters at the Congreſs, to deliver in to the Mediator a formal Complaint thereof, as a Breach of the ſaid Truce.

(*d*) There had been, in particular, ſome very warm Diſputes concerning the Ninth Electorate, and a ſolemn Proteſtation had been preſented to the Mediator againſt it, ſign'd by the Miniſters of ſeveral *German* Princes.

A. D. 1697. Thus, it is that unfortunate Seperation which has produc'd a Peace so little Advantageous.——

And for the rest, no body can believe or imagine the Difficulties which occurr'd in treating for the Empire, with the Embassadors of *France*, after they were sure of their Ground, by the Publication of the several Treaties with the other Allies," *&c.*

General Declaration of the Protestant Powers of the Empire.

On the 4th of *November*, also, the Ministers of the *Protestant* Powers of the Empire join'd in a formal Declaration, That the Clause in relation to Religion, annex'd to the Fourth Article of the Treaty, was contrary to the Fundamentals of the Empire, as settled by the Treaty of 1555, and confirm'd by That of *Westphalia*, which was the avow'd Basis of the present; as also to the *Imperial* Capitulation; to That of the King of the *Romans*; to the Instructions of the Empire to their Delegates; to the particular Instructions which the Protestant Delegates had receiv'd from all the Evangelic Bodies; to the Orders they had receiv'd from the Princes their Masters; to the Guaranty of the Treaty of *Westphalia*, in which the Most *Christian* King himself was one of the Parties; to the very Preliminaries of the present Peace; to the Project of *July* 20, and the Declaration of *September*, deliver'd to the Congress by the Embassadors of *France*; to the Third Article of the Treaty itself; to the Stipulation in the seperate Treaties of *Great-Britain* and the *States-General*, by which the Emperor and Empire are at Liberty to accept of Peace on the Terms of the said Project and Declaration, *&c. &c.*

This Declaration was sign'd by the Ministers of *Brandenburgh*, *Saxony*, *Saxe-Coburgh*, the King of *Sweden*, as Duke of *Deux-Ponts*, *Brandenburg-Culmbach*, *Saxe-Gotha*, *Brunswick-Wolfenbuttel*, *Brunswic-Zell*, *Holstein-Glucksta.lt*, and *Hesse-Cassel*: And not satisfy'd with this, they call'd upon the *Mediators* to require the *Catholic* Princes of the Empire, to concur with them in their Endeavours to obtain that Justice, which by the said Article was deny'd them: The Mediators, moreover, did not fail to impart this new Demand to the *Imperial* Embassadors, who signify'd by their Secretary, That they had accordingly apply'd to the Ministers of the said Princes, whose general Answer was, 1. That the Deputation of the Empire being at an End, many of the Deputies already departed, and the rest on the Point of departing, they did not think it advisable to make a fruitless Effort to alter a Treaty already concluded, sign'd, and sent both to their several Principals, and to the Diet of the Empire; more especially at a Time when the *French* Plenipotentiaries every Moment expected the Ratification on their Side, and when it was probable such a Procedure would endanger the Peace itself: And, 2dly, That on these Considerations, they had submitted it to the Discretion of the Mediators, Whether it was fit for the *Imperial* Ministers to undertake any such Thing on their own Authority, or even to assemble again in order to deliberate thereon, when it was apparent, That *certain Persons* A. D. 1697. sought Occasions to impute Things to the said Embassadors, which they, the said Embassadors, would have been glad to have had otherwise dispos'd, *&c.*

They call upon the Catholic Powers to concur with them.

To gain.

But as this Declaration was far from being satisfactory to the Parties concern'd, so the same Dissatisfaction led them, both to remonstrate and protest against the Manner of conducting the Negotiations, from the Beginning to the End, as being contrary to the Right of voting inherent in the Electors, Princes, and States of the Empire, as also to common Usage, so strictly recommended and enforc'd in all their Instructions, and to the Eighth Article of the Treaty of *Osnabrugh*.

Their Protest against the Manner of Negotiation.

On the other Hand, the Embassadors of *France*, having been apply'd to by the Mediators for some Relaxation on the former of these Complaints, took occasion to pronounce, in the most peremptory Manner, That the Peace being sign'd, and the Ratifications ready to be exchang'd, (That of their Master being already in their Hands) They could not give way to the least Alteration, nor even repair to *Ryswick*, to hear the Proposal of any Alteration: That if the *Protestants* should continue to insist on any such Thing, They, the said Embassadors, might make some such Proposals to them, as would, perhaps, be less agreeable: And that, upon the whole, the Points in Dispute were of little Moment, and no Infringment of the Treaty of *Westphalia*.

The French Minister refuses to make any Alteration.

On the 24th of *November* this cavalier Sentence was thus pronounc'd, and four Days afterwards, the States-General took the following Occasion not only to signify their Acquiescence in it, but even to publish a sort of Apology for it: For Messieurs *Heinsius*, *Dykevelt*, and *Haaren*, the *Dutch* Plenipotentiaries, who had been order'd to second the Instances of the Protestant Ministers, in the Matter above-specify'd, having reported to the Assembly what they had done in Obedience to those Orders, and the Negative they had receiv'd, proceeded to recite also the Reasons on which the said Negative had been grounded, namely, That his Most *Christian* Majesty, having been at the Expence of building and endowing several Churches in the Places which he possess'd during the War, and which were now to be restor'd, neither his Conscience nor his Honour would suffer him to give way either to the Demolition of those Churches, or to the Deprivation of those now in possession of them: That as to the rest, his Majesty had no Intention to make any Alteration on the Head of Religion in any of those Places, to the Prejudice of the Treaty of *Westphalia*: That neither in the Places so to be restor'd, nor in those even in *Alsace*, which were to remain in his Possession, had his Majesty ever prohibited the Exercise of the *Protestant* Religion: That the whole of his Intention was, That the Churches so devoted to the *Roman-Catholic* Religion, should continue so devoted, without any Pretence of trespassing on the Protestant Religion, as exercis'd

A sort of Apology for the Conduct of France in the Eyes of the States-General.

A. D. 1697. exercis'd in the ſame Places: And that the ſaid Plenipotentiaries were concern'd to find, That in ſeveral Places Endeavours had been us'd to give a ſiniſter Interpretation to the Intentions of his ſaid Majeſty: After which, the ſaid Report was taken into Conſideration; and upon the Iſſue of the Debate which enſued, it was reſolved, To give the Thanks of the Aſſembly to the ſaid *(Dutch)* Plenipotentiaries, for the Pains they had taken in the Affair."

The Conduct of the Proteſtant Powers at Ratiſbon.

The Proteſtant Powers of the Empire notwithſtanding, continued as malcontent as ever; and at *Ratiſbon* not only endeavour'd to clog the Ratification, with certain Reſerves and Reſtrictions, but ſet forth a general Proteſt, which they call'd, *The common Voice of Thoſe of the Evangelic Religion*, againſt all that had been done in the whole Courſe of the Negotiation, to the Prejudice of their Rights, Claims, and Intereſts, either in Matter or Manner.

The Peace ratified.

At length, however, the Peace was ratify'd on both Sides: And no ſooner was it ſo done, but the *French* Plenipotentiaries ſet forth a ſolemn Act of Proteſtation againſt all the Proteſtations which had been made in the Courſe of the Treaty; and in which they declare, in the Name of the King their Maſter, That his Majeſty would not admit of the leaſt Alteration, Omiſſion, Reſtriction, or Reſerve, in any one Article of the ſaid Treaty, either in whole or in part: That he had order'd them to declare, and they did declare accordingly, That all Proteſtations, Conventions, Promiſes, Letters, or other pretended derogatory Acts, either public or private, either before or after the Concluſion of the Peace, (if any ſuch there were) by which it was propos'd to aboliſh, diminiſh, or enfeeble the Senſe or Efficacy of any one Article of the ſaid Treaty, or any Clauſe of any one Article, were, and ſhould continue to be, void and of none Effect; as being contrary to the Conditions accepted, regulated, and agreed for the Re-eſtabliſhment of the Repoſe of *Chriſtendom*, &c.

A Proteſt of the French Plenipotentiaries againſt all the Proteſts made in the Courſe of the Treaty.

With the ſame Air of Superiority alſo, while the Ferment among the Proteſtant Miniſters of the Empire at *Ryſwick* was at the higheſt, and without waiting for the Iſſue, as if it was a Matter of no Conſequence, his Moſt *Chriſtian* Majeſty ſent his Mandate to the Archbiſhop of *Paris*, to the Effect following.

The Moſt Chriſtian King's Letter to the Archbiſhop of Paris, on the Concluſion of the Peace with England, Spain, and Holland.

The happy Succeſſes which *God* has beſtow'd on my Arms in the Courſe of ſo long a War, could never abate the ſincere Deſire of Peace, which I have always entertain'd; for Peace was the only Point I had in view in every Thing I undertook: Tho' the glorious Atchievements of this Campaign, and the Advantages they promis'd me, might have induc'd me to maintain my Conqueſts, and even to have puſh'd my Pretenſions farther ſtill, I have abandon'd All for that very Reaſon, and made it a Law to myſelf, to ſacrifice the Fruits of my Victories to the Repoſe of *Europe*: I am ſufficiently recompenc'd for the Price this Moderation will coſt me, by thereby putting a Period to the Calamities inſeperable from War: The Relief which my People will immediately partake of, and the Pleaſure from thence ariſing to me from their Happineſs, will ſufficiently indemnify me for that Sacrifice: And the Splendor of the moſt dazzling Triumphs, could not balance the Glory of rewarding the Zeal of my Subjects, who have all with equal Ardor, and with the utmoſt Perſeverance, laviſh'd both their Wealth and their Blood in my Service: *God*, who has favour'd the Deſigns he inſpir'd me with, has open'd the Eyes of the Confederates, who, ſeeing the *Vanity* of their *falſe Hopes*, and ſmarting with their *real Sufferings*, have accepted the Conditions I ſo frequently offer'd them. The Treaties with *Spain*, *England*, and *Holland*, have been ratified; and the Ratification of That I have concluded with the Emperor and Empire, will ſoon complete the great Work, ſo important and ſo neceſſary to *Europe*: But I cannot *defer* till *then*, the Teſtimony of thoſe Acknowledgments ſo juſtly due to *God*, That, after having render'd my Arms ſo many Times victorious, he begins to ſcatter the moſt precious of his Bleſſings thro' my Realm, and to revive a ſolid and ſincere Peace between my Eſtates and thoſe of my Neighbours; on which Occaſion I deſire you would cauſe *Te Deum* to be ſung, *&c.*"

A. D. 1697.

And again, when the Peace with the Empire was ratify'd, the Language made uſe of in a like Mandate, was as follows, *viz.*

The ſecond Letter to the ſame Prelate on the Peace with the Emperor.

The Moment appointed by Heaven, to reconcile the Nations, is arriv'd. *Europe* is at Peace: The Ratification of the Treaty which my Embaſſadors had concluded with thoſe of the Emperor and Empire, has render'd that Peace perfect: *Straſburgh*, one of the principal Ramparts of the Empire and of *Hereſy*, forever united to my Crown: The *Rhine* made the Barrier between *France* and *Germany*; and what touches me ſtill more nearly, the Worſhip of the *true Religion*, authoris'd by ſolemn Stipulation within the very Walls of Sovereigns of a different Religion, are the Advantages of this laſt Treaty:—The Author of ſo many Bleſſings manifeſts himſelf too clearly not to be diſcover'd: And the viſible Characters of his almighty Hand, ſerve as the Seal which he ſeems to have us'd to authenticate my Intentions: Occupy'd from henceforth in propagating his Service throughout my Dominions, and rendering my People happy, I begin with diſcharging the Duty incumbent on me, of offering up my Thankſgivings, *&c.*

And now, with all theſe Particulars before us, (which our Hiſtorians in general have omitted) concerning the Encroachments of *France* in the Courſe of the Negotiation, the Submiſſions ſhe exacted, the Complaints thoſe Submiſſions occaſion'd, and the Reſentments they left behind, we may, perhaps, be competent Judges of that *Glory* and *Advantage* diſcours'd of by Biſhop *Kennet*, and alſo of the following more ſplendid Piece of Court-Embroidery left us by Biſhop *Burnet*.

A. D. 1697. Burnet's Reflections on the Peace.

" The King, by this Peace, concluded the great Deſign of putting a Stop to the Progreſs of the *French* Arms, which he had conſtantly perſued from his firſt Appearance on the Stage, in the Year 1672. There was not *one* of the Allies who *complain'd*, That he had been *forgot* by him, or *wrong'd* in the Treaty: Nor had the Deſire of having his *Title* univerſally acknowledg'd, rais'd any *Impatience* in him, or made him run into this Peace with any *indecent* Haſte: The Terms of it were ſtill too much to the Advantage of *France*; but the Length and Charge of the War had ſo exhauſted the Allies, that the King ſaw the Neceſſity of accepting the beſt Conditions that could be got: It is true, *France* was more harraſs'd by the War, yet the arbitrary Frame of that Government, made their King the Maſter of the whole Wealth of his People: And the War was manag'd on both Sides, between them and us, with this viſible Difference, That every Man who dealt with the *French* King was ruin'd by it; whereas, among us, every Man grew rich by his Dealings with the King: And it was not eaſy to ſee how this could be either prevented or puniſhed. The Regard that is ſhewn to the Members of Parliament among us, makes that few Abuſes can be enquir'd into or diſcover'd: And the King found his Reign grow ſo unacceptable to his People, by the Continuance of the War, that he ſaw the Neceſſity of coming to a Peace: The *States* were under the ſame Preſſure; they were heavier charged, and ſuffer'd more by the War than the *Engliſh*: The *French* got, indeed, *nothing* by a War which they had moſt perfidiouſly begun: They were fore'd to return to the Peace of *Nimeguen*; *Pignerol* and *Briſac*, which Cardinal *Richlieu* had conſider'd as the Keys of *Italy* and *Germany*, were now parted with: And *all* that baſe Practice, of claiming ſo much, under the Head of Re-Unions and Dependencies, was abandon'd: The Dutchy of *Lorrain* was alſo entirely reſtor'd."

Corrected. Now *Lorrain* was not entirely reſtor'd: *France*, on the contrary, could never be induc'd to part with the Reſerves ſhe had eſtabliſh'd by the Peace of *Nimeguen*: It was alſo reſtor'd in a defenceleſs State: It was to remain forever inveſted with the Dominions of *France*, and conſequently could no more be conſider'd as a Member of the *Germanic* Body: *Pignerol*, the Key of *Italy*, was not reſtor'd to *Savoy* in Virtue of *this* Treaty, as the Biſhop has unfairly inſinuated: *Straſburgh* open'd as wide an Entrance into the Empire, as *Briſac*; and an Author, who was a perpetual Advocate for King *William*, declares, " That to leave *Straſburgh* in the Hands of *France*, was tacitly to yield her all that belongs to the Empire beyond the *Rhine*, from *Sundgaw* to the *Palatinate*:" The ten Cities in *Alſace*, together with their Dependencies, were never held in *Sovereignty* by *France* before: That *all* that *baſe Practice* on the Head of *Re-unions* was not *abandon'd*, appears by the Reſerve made by the Moſt *Chriſtian* King in *Flanders*, of Eighty-two Towns and Villages, to ſay no more: It is true, indeed, *France* did make ſome very conſiderable Evacuations in favour of *Spain*; but then it was with a View to a Ten-fold-Retribution, which even King *William* himſelf was no Stranger to: And, laſtly, tho' his Majeſty took care to have his *own Title* acknowledg'd, he utterly forgot to obtain the ſame Favour for the *Proteſtant Succeſſion*, in the Perſon of the Princeſs of *Denmark*.

A. D.

" The *French*, however, who did not enter into the Views of their Monarch, ſays *Kennet*, were ſo little pleas'd with the Treaty, that they made very ſevere Reflections on the Makers of it, whom they traduc'd in their Lampoons, which were publicly ſung in *Paris*, and over all the Kingdom of *France*; while the Courage, Reſolution, and Wiſdom of King *William*, to whom this great Work was principally owing, were celebrated and admir'd throughout all the World."

" It was the Admiration of thoſe eminent Virtues, according to the ſame Author, which drew the *Czar* of *Muſcovy*, like the Queen of *Sheba* to hear the Wiſdom of *Solomon*, out of his own Dominions, to receive his Majeſty's *Inſtructions*."—Such Flatterers are Court-Divines!—But if the ſetting Matters of Fact in their own natural Form, and their own natural Light, be the great End and Uſe of Hiſtory, it muſt be declar'd, in contradiction to this Panegyriſt, That the *Czar*'s chief Purpoſe in viſiting *Holland* and *England*, in Company with his own Embaſſadors, was to learn the Arts of Ship-building and Navigation, which according to the Evidence of Biſhop *Burnet*, King *William*, who did not *underſtand thoſe Matters*, could not teach him: And it is certain, that, during his Stay in thoſe Countries, he employ'd much more of his Time with Mechanics than with Courtiers; the Former of whom, as the moſt uſeful, he eſteem'd the moſt honorable, Beings. *The Czar of Muſcovy viſits Holland and England.*

But to procede: The King having made all the Diſpoſitions in the Republic, which were held ſuitable to the Criſis, on the 13th of *November*, O. S. embark'd for *England*, under the Convoy of an *Engliſh* Squadron, commanded neither by the firſt Lord of the Admiralty, *Ruſſel*, nor by his own Admiral, *Rooke*, but by Sir *Cloudeſley Shovel*, on whom the Honour fell, not becauſe he was a good Seaman, but becauſe he was no Courtier; and conſequently could take no Advantage of that Opportunity, to the Prejudice of his Superiors. On the 14th his Majeſty landed at *Margate*; and having lain one Night at *Canterbury*, and another at *Greenwich*, on the 16th made a ſort of triumphal Entry into *London*: (If a Triumph can be underſtood without a Victory; or if it can be otherwiſe underſtood, That the Triumph then celebrated, was a Triumph over the King his Uncle and Father-in-Law, at whoſe Expence alone his Trophies in ſuch Caſe were to be erected:) The City, however, gave him a ſplendid Reception; and the Populace were not ſparing of their Acclamations: The next Day a ſo- *The King returns to England.* *Makes a ſort of triumphal Entry into London.*

lemn

A. D. 1697. A Year of Thanksgiving.

lemn Thanksgiving was appointed by Proclamation, "To acknowledge the great Goodness of *God*, in putting an End to the late War by the Conclusion of a Peace, on such a Foundation as, by the Blessing of *God*, might prove effectual to procure a *firm* and *lasting Tranquility* to *Europe*:" And for the whole Season afterwards, the *Gazette* was burden'd with such Addresses of Praise and Congratulation, as could not but shock his Majesty's *natural Modesty*, if it was of so sensible and delicate a Kind as *Burnet* would have us believe.

A Parliament in Ireland.

A Parliament had been held in *Ireland* during the King's Absence, by the new Lords Justices, who had granted 150,000 *l.* for the Discharge of the Debts on the Civil and military Lists, agreeable to the Hint they had receiv'd of the King's *Expectations* therein; (for the Language us'd to that Parliament was, The King *expects*, &c.) and had conform'd in all other Respects to every other material Point requir'd of them, as became a People who were on every Occasion told, That they ow'd more to the Goodness, Valour, and Virtue of their *Deliverer*, than either They or their Children would ever be able to pay.

The Parliament of *England* had been summon'd to meet on the 23d of *November*, for the Dispatch of Business, by the Lords of the Regency: But the King had staid so much longer abroad than was expected, and the Crisis was so delicate, that a longer Time was necessary for those Cabinet Deliberations and Dispositions, which were necessary by way of Preparatory to the first Session after a general Peace.

The great Controversy touching a Standing Army.

A Pamphlet which the Ministry had writ, and caus'd to be publish'd, under the Title of *A Letter, balancing the Necessity of keeping* a Land Force in *Times of Peace, with the Dangers that may follow it*, had given a general Alarm to all those Lovers of their Country, whom Court-Favours had not converted into Court-Prostitutes: And the most able Authors (as *Trenchard*, *Moyle*, and honest *Samuel Johnson*, tho' himself a Court-Pensioner) had undertaken to answer it.

The Balancing Letter.

The *Balancing Letter*, as it came to be call'd, was a very artificial Composition: The Writer, (said to be Lord *Sommers*) tho' a profess'd Advocate for a *Land-Force*, affected to speak with Horror of a *Standing-Army*: "Any Man, said He, who would pretend to give a Jealousy of the Nation to the King, and suggest, That he could not be safe among them, without he were environ'd with Guards and Troops, as it was in the late Reigns, ought to be abhorr'd by every true *Englishman*, by every Man who loves Liberty and his Country." But then he would not suppose, that a reasonable Force kept up from Year to Year, could be call'd a *Standing-Army*: He insisted on the Necessity of keeping up such a Force, from the Alteration which *Europe* had undergone in its Military Establishments; from the Probability, That *France* would keep up a great Army; from the Vicinity of that Army; from the Ease of the Traject; from the expos'd Condition of our Ports, Rivers, and, in general, of the whole Country; from the Irrationality and Impolicy of relying merely on our Fleets for our Preservation; and from the Impracticability of rendering our Militia sufficiently useful. These were his general Topics; and in handling them, he affected an Air of Ingenuity, by saying, "I will not argue with you so unfairly, as to urge much the Reasons that we have of trusting the King: For how much soever may be said on this Head; either from his Temper, his Circumstances, his Interest, and the Course of his past Life, either with regard to the *United Provinces*, or to us here in *England*; and with how much Reason soever this might be prosecuted, yet I will not lay much Weight upon it; for it is not just to press an Argument that puts another Man to pain when he goes to answer it."

A. D. 1697.

Trenchard's Argument.

Trenchard, on the other Hand, set forth *An Argument, shewing, That a* Standing-Army *is inconsistent with a free Government, and absolutely destructive to the Constitution of the* English *Monarchy*; zested with a Bitterness which was, in general, extremely grateful to the Palate of the Times: To expose, for Example, the inconsistent and profligate Behaviour of the *Whigs* in Power, these very Expressions were made use of: "And here I cannot avoid taking notice of *some Gentlemen*, who, a few Years since, were the pretended Patriots of their Country, who had nothing in their Mouths but the sacred Name of Liberty; who, in the late Reigns, could hardly afford the King the Prerogative that was due to him, and which was absolutely necessary to put in motion the Machine of our Government, and to make the Springs and Wheels of it act naturally, and perform their Function: I say these Gentlemen, that could not with Patience hear of the King's ordinary Guards, can now discourse familiarly of 20,000 Men to be maintain'd in Time of Peace: And the odious Excuse they give for this *infamous Apostacy* is, That if they should not gratify the Court in this modest Request, another Party may be caress'd, who will grant This, or any Thing else which is ask'd; and then they say, Matters will be much worse: As if arbitrary Government was a different Thing in their Hands from what it is in others; or that the Lineaments and Features of Tyranny, would become graceful and lovely, when they are its *Valets de Chambre*, &c."

Of the Uprightness of the King's Purposes, many handsome Things indeed were said; but then sufficient Care was taken to insinuate, That every Compliment paid to him, every other King would exact, and Pretences altogether as plausible, would be found to gratify him: So that a *Standing-Army* once establish'd, was establish'd for ever; and the Records of every Country, and of every Age, had shewn, That the Establishment of a Military Force, had ever been fatal to Liberty.

A free People, it was moreover suggested, had a Right to maintain that Freedom by the Sword, against the Encroachments and Oppressions

A. D. 1697. Oppreſſions of their perfidious Governors, which it would be impoſſible for them to do, if the Sword was taken out of their Hands, and given to an Army of *Mercenaries*, which was the very Thing to be effectuated by the Meaſure in queſtion: "Now, I ſay, continues our Author, If the King has 20,000 Men before Hand with us, or much leſs than half that Number, the People can make no Effort to defend their Liberties, without the Aſſiſtance of a foreign Power, which is a Remedy moſt commonly as bad as the Diſeaſe: And if we have not a Power within ourſelves to defend our Laws, we are no (free) Government: For *England* being a ſmall Country, with few ſtrong Towns in it, and Thoſe in the King's Hands, the Nobility diſarm'd by the Deſtruction of the Tenures, and the *Militia* not to be rais'd but by the King's Command, there can be no Force levied in any Part of *England*, but muſt be deſtroy'd in its Infancy by a few Regiments: For what will three or four thouſand naked and unarm'd Men ſignify againſt as many Troops of mercenary Soldiers? What if they ſhould come into the Field, and ſay, You muſt chuſe theſe and theſe Men your Repreſentatives, where is your Choice? What if they ſhould ſay Parliaments are ſeditious and factious Aſſemblies, and therefore ought to be aboliſh'd, What is become of your Freedom? Or if they ſhould encompaſs the Parliament Houſe, and threaten if they do not ſurrender up their Government, they will put them to the Sword, What is become of the old *Engliſh* Conſtitution? Theſe Things may be, and have been, done in ſeveral Parts of the World: What is it that cauſes the Tyranny of the *Turks* at this Day, but Servants in Arms? What is it that preſerved the glorious Commonwealth of *Rome*, but Swords in the Hands of the Citizens?"

Again, afterwards, "I dare ſpeak with the greater Aſſurance upon this Subject, having the Authority of as great Men as the World hath produc'd for my Juſtification. *Machiavel* ſpends ſeveral Chapters to prove, That no Prince or State ought to ſuffer any of their Subjects to make War their Profeſſion; and that no Nation can be ſecure with any other Forces than a ſettled *Militia*. My Lord *Bacon*, in ſeveral Places, bears his Teſtimony againſt a *Standing-Army*, and particularly tells us, That a *mercenary Army* is fitteſt to invade a Country, but a *Militia* to defend it, becauſe the Firſt have Eſtates to get, and the Latter to protect: Mr. *Harrington* hath founded his whole *Oceana* on a trained *Militia*: And I have lately read a *French* Book called, *A Hiſtory of the Politics of* France, which ſays, (e) *Enfin, ſi on veut ruiner les* Anglois, *il ſuffit, de les obliger a tenir des Troupes ſur pied*: Nay, I believe no Author ever treated of a free Government, who did not expreſs his Abhorrence of an Army: For, (as my Lord *Bacon* ſays) whoever doth uſe them, tho' he may ſpread his Feathers for a while, he will mew them ſoon after; And, raiſe them with what Deſign you pleaſe, yet, like the *Weſt-India*-Dogs in *Boccalini*, in a little Time, They will certainly turn Sheep-Biters." A. D.

And, laſtly, he ſays, "I will make one Aſſertion more, *viz.* That the moſt likely way of reſtoring King *James*, is maintaining a *Standing Army* to keep him out."

A great Variety of Adventurers for Court-Rewards, undertook to anſwer this Pamphlet, and ſurpaſs'd *Leſtrange* himſelf in Adulations, Servilities, and Proſtitutions of all Sorts, tho' they fell far ſhort of him in Acuteneſs and Ingenuity.

(f) One of them, in particular, made a Sacrifice of Decency itſelf to the *Royal Cauſe* of a *Standing Army*, which had been held ſuch a Grievance in the former Reigns, tho' now become a Requiſite to good Government, under that Leaf-gilding, *with Conſent of Parliament*; and treated the *Militia*, under any Regulations whatſoever, with more Contempt than it had ever been treated with, even in the Former Reigns: Then as to a Reliance on our Fleets, he not only pronounc'd it a *filly Expedient*, but argued, That our Liberties were altogether as much expos'd under a *Rabble of Tars*, theſe were his Expreſſions, as under an Army of Muſqueteers: As often as the King's Perſon, the King's Character, *&c.* occurr'd in the Courſe of the Diſpute, he makes no Difficulty to call it downright *Saucineſs*, to make the leaſt Inference to his Diſadvantage: And in his Concluſion, expreſſes himſelf as follows, "To me it ſeems one of the moſt impudent Actions that ever was ſuffer'd in this Age, that a private Perſon ſhould thus attack the King, after all that he has done for the Preſervation of our Liberties, and the eſtabliſhing our Peace; after all the Hazards of his Perſon and Family, and the Fatigues of a bloody War, to be repreſented, at his Return, as a Perſon *now as much to be fear'd as King* James *was*, to be *truſted no more than a Madman*, and the like, before he ſo much as knows, Whether there ſhall be any Diſpute about the Matter or no? Has the King demanded a *Standing Army*? Has he propos'd it? Does he inſiſt upon it? 'Tis a Sign what a Government we live under; and 'tis a Sign what Spirit governs ſome Men, who will abuſe the moſt indulgent Goodneſs. It had been but Time to have wrote ſuch an Invective upon the *King* and the Army, when we had found the Parliament of *England* ſtruggling to *diſband* them, and the King *reſolv'd* to *maintain* them."

On the other Hand, Mr. *Johnſon*, who entered the Liſts againſt the Author of the *Balancing Letter*, (tho' known to be one of the Miniſters) with the Spirit of a Man who had gone ſuch Lengths in eſtabliſhing *Revolution-Principles*,

(e) I. e. The *Way to ruin the* Engliſh, *is to oblige them to keep a* Standing Army.

(f) In a Pamphlet call'd, Reflections on a late ſcandalous Pamphlet, entitled An Argument, *&c.*

A.D. 1697. *Principles*, for the Sake of the *Governed*, not of the *Governors*, thus boldly, ſhrewdly, ſenſibly, and diſintereſtedly argued.

"The Nation has already truſted the King with all that ever they had to truſt him with, all the Rights of an *Engliſh* King, and the Imperial Crown of this Realm, with all the Dominions, Juriſdictions, Prerogatives, and Pre-eminencies belonging thereto: And when the Parliament inveſted his Majeſty with this Regality, he was pleas'd to accept of it, as the greated Truſt they could repoſe in him. But the *New Truſt* this Letter inſiſts upon, is an *Army* which can overpower and *conquer* the *Nation*: For it is to be ſuch a Force as can *withſtand an Invaſion*, which all the Nation beſides is not able to do; that is to ſay, it *can beat* Thoſe who *can beat* us, and, therefore, it can much more beat us: So that it is a Force which commands all our Lives, Liberties, and Eſtates: And this Power is to be put into the King's Hands; and conſequently the whole Nation is to be at his Diſcretion: *This is the Truſt*: Now never trouble your Head more about it, nor about extolling the King, nor be in Pain for your *Anſwerer*, How he will get over the Argument of the King's *Merit*, to have this *Truſt* and entire Confidence put in him: For we have higher Thoughts of the King than you have, and particularly this honorable Notion of him which you have not, That he deſpiſes and ſcorns your little Flatteries: And yet we believe, That he does not deſerve the *Truſt*, nor can manage it faithfully; that he has neither Merit nor Capacity to entitle him to ſo entire a Confidence: No, not if he had all the Perfections upon Earth, as he has a great many; nay, if he were an Angel, he were not fit for this *Truſt*: For ſuch an abſolute Reſignation of ourſelves, is only proper to be made to *God*."

Some Reflections on the whole.

Let this ſuffice for the firſt Stage of this important Controverſy, which ſounded ſo much the ſtranger in the Ears of the Public, becauſe the very Perſons who now inſiſted the moſt ſtrenuouſly on this Anti-conſtitutional Meaſure, had been formerly the moſt violent Oppoſers of it: It is true they urg'd in Juſtification of this Change of Opinion, That the Times were alter'd: That War was become a Trade, which none could be Maſters of, but ſuch as had ſerv'd an Apprenticeſhip to it: That *France* kept large Standing-Armies on foot, *&c.* But theſe Alterations had not obtain'd during the Interval in which they had chang'd their Opinion: War was as much a Trade in the Reign of *Charles* II. and *James* II. as it was then become: *France* alſo kept large Armies on foot in thoſe Times, and for a ſhort Period, was actually at War with us, in confederacy with the *Dutch*, and while we were at War with *Denmark* too: And if the Argument was of any Force at all, it reach'd much farther than the Broachers of it were willing to acknowledge: For the *French* Government was become a Government of Will and Pleaſure, inſtead of Laws: The King was Maſter of the Lives and Fortunes of his People: And to keep pace with him on this Hypotheſis, the King of *England* ſhould have been ſet free from the Shackles of the *Engliſh* Conſtitution too: But to ſay all in a Word: A Deliverance, was but a Half-Deliverance, which the People themſelves, could not be truſted to defend, againſt any Invaders whatſoever: And this very Meaſure demonſtrated in the cleareſt and ſtrongeſt Manner, That all They had gain'd by the *Revolution*, was a *Precedent* in favour of *Reſiſtance*, which they would never be permitted to have the Benefit of any more. A.D. 1697.

But to proceed from Opinions to Facts: On the 3d of *December* the Seſſion was open'd, with the following Speech to both Houſes.

The King's Speech in Parliament.

"The War which I enter'd into by the Advice of my People, is, by the Bleſſing of *God*, and their zealous and affectionate Aſſiſtance, brought to the End we all propos'd, an honourable Peace; which I was willing to conclude, not ſo much to eaſe myſelf from any Trouble or Hazard, as to free the Kingdom from the continuing *Burthen* of an *expenſive* War: I am heartily ſorry my Subjects will not at firſt find all that Relief from the Peace, which I could wiſh, and they may expect; but the Funds intended for the laſt Year's Service, have fallen ſhort of anſwering the Sums for which they were given, ſo that there remain conſiderable Deficiencies to be provided for: There is a Debt upon account of the Fleet and the Army: The Revenues of the Crown have been anticipitated by my Conſent, for the public Uſes, ſo that I am wholly deſtitute of Means to ſupport the Civil Liſt; and I can never diſtruſt you will ſuffer this to turn to my Diſadvantage, but will provide for me *during my Life*, in ſuch a Manner as may be for my Honour, and for the Honour of the Government. Our Naval Force being encreas'd to near double to what it was at my Acceſſion to the Crown, the Charge of maintaining it will be proportionably augmented; and it is certainly neceſſary for the Intereſt and Reputation of *England*, to have always a great Strength at Sea: The Circumſtances of Affairs *Abroad* are ſuch, that I think myſelf oblig'd to tell you my Opinion, That, for the PRESENT, *England* cannot *be ſafe* without *a Land Force*; and I hope we ſhall not give thoſe that mean us *ill*, the Opportunity of effecting *that* under the Notion of a Peace, which they could not bring to paſs by a *War*: I doubt not but you, Gentlemen of the Houſe of Commons, will take thoſe Particulars into your Conſideration, in ſuch a *Manner* as to provide the *neceſſary Supplies*, which I do earneſtly recommend to you. My Lords and Gentlemen, That which I do moſt delight to think of, and am beſt pleaſed to own, is, That I have all the Proofs of my People's Affection that a Prince can deſire: And I take this Occaſion to give you the moſt ſolemn Aſſurance, That as I never had, ſo I never will, nor can have, any Intereſt ſeperate from theirs: I eſteem it one of the greateſt Advantages of the Peace, that I ſhall now have Leiſure to rectify ſuch *Corruptions* or *Abuſes*, as may have crept into

A. D. 1697. any Part of the Adminiſtration during the War, and effectually to diſcourage Prophaneneſs and Immorality; and I ſhall imploy my Thoughts in promoting Trade, and advancing the Happineſs and flouriſhing Eſtate of the Kingdom. I ſhall conclude with telling you, That as I have, with the Hazard of every thing, reſcu'd your Religion, Laws and Liberties, when they were in the extremeſt Danger, ſo I ſhall place the Glory of my Reign in preſerving them entire, and leaving them ſo to Poſterity."

Various Opinions concerning it.

Thus the confident Queries before-cited, were anſwer'd from the Throne in the Affirmative: The King did propoſe a *Standing-Army*: He did demand it: He did inſiſt upon it: Even *Kennet*, *Boyer*, *Tindal*, and the whole Herd of implicite Followers of each other in the ſame beaten Track, acknowledge, The Commons were variouſly affected by this Speech: Some, ſay They, thought ſome Expreſſions in it too magiſterial; others ſeem'd to be offended at his Majeſty's putting them in mind of what he had done for the Nation: Others again diſtruſted the great Promiſes of what he would do for them; and many others began to be jealous of what he had told them, *That* England *could not be* ſafe *without a Land-Force*: As if his Majeſty meant to keep a *Standing-Army* to invade their Liberties, in the Defence of which the Nation had ſpent ſo vaſt a Stock of Blood and Treaſure: And *Burnet*, to the ſame Effect, ſays, "The Houſe of Commons carry'd their Jealouſy of a *Standing-Army* ſo high, that they would not bear the Motion; nor did they like the way the King took of offering them his Opinion in that Point: This ſeem'd a *Preſcription* to them, and might bias ſome in the Counſels they were to offer the King, and be a Bar to the Freedom of Debate."

But there was nothing new in his Majeſty's reminding the Nation of his Services: He had done it almoſt on every public Occaſion; while the Nation, in their Replies, were too modeſt to make a like Diſplay of the Returns they had made him: And none of theſe Writers ſpeak out in ſuch Terms as the Occaſion would warrant.

The King, by the Recognition of *France*, apparently thought himſelf as firmly eſtabliſh'd in the Throne, as any of his Predeceſſors; and from thence inferr'd, He might talk in as high a Strain.

His Speech compar'd with Two of King James's.

King *James*, in his two Speeches to Parliament, had made the ſame Demand: In the Firſt he demanded the Settlement of his Revenue during *Life*: And in the Second, he declar'd, That the *Militia* were not to be *depended* upon; and that nothing but a *good Force* of well *diſciplin'd Troops* in *conſtant* pay, *could defend us from ſuch as, either at Home* or *Abroad*, were *diſpos'd to diſturb us*. And if King *James* made uſe of ſomewhat broader Language, King *William* was not far behind him; ſeeing, that, in his Speech, he ſeems to foreclose all Debate on the Army-Point, by recommending to the Commons to conſider it in ſuch a Manner, as to provide the *neceſſary Supplies*. King *William* had not only the ſame (*g*) Adviſer in his Boſom that King *James* had, but, as we have ſeen, had in the moſt public Manner acknowledg'd him: Nay, Biſhop *Burnet* informs us, Lord *Sunderland* made no Secret of his having given the King this Advice: For, ſays He, He *had argued with many on the* Neceſſity *of keeping up a greater Force*: And the good Biſhop ſeems to be ſo taken with him at this Criſis, that he beſtows the following Panegyric upon him, "During the Time of his Credit, Things had been carry'd on with more Spirit and better Succeſs than before: He had gain'd ſuch an Aſcendant over the King, that he brought him to agree to ſome Things, that few expected he would have yielded to: He manag'd the public Affairs in both Houſes with ſo much Steddineſs, and ſo good a Conduct, that he had procur'd to himſelf a greater Meaſure of Eſteem, than he had in any of of the former Parts of his Life."

But both *Burnet* and all our other unpolitical Hiſtorians, either paſs entirely over a very remarkable Incident, which happen'd on the Third Day of the Seſſion, or elſe barely mention it, as if was a Matter of ſo little Moment, as not to deſerve Enquiry or Conſideration: And this was the Reſignation of the Secretary's Seals by Sir *William Trumbal*, and the giving them to Mr. *Vernon*, who had hitherto ſerv'd as Under-Secretary to the Duke of *Shrewſbury*, and was, in truth, the Man of Buſineſs under his Grace's Name and Patronage.

Trumbal, as we have ſeen, had acted in all Things like the Creature of Lord *Portland*, who had been for ſome Time in the Wane of his Favour with the King: For his Majeſty, by the (*h*) joint Importunities of *Sunderland* and Mrs. *Villiers*, a Lady who had been particularly diſtinguiſh'd by his Majeſty, both of whom hated and deſpis'd *Portland*, had caſt his Eyes on another of his Countrymen, one *Van Keppel*, a Gentleman of *Guelderland*, whom he had firſt taken into his Service as a Page, and had ſometimes employ'd as his *Amanuenſis*, and upon whom at length he ſhower'd his (*i*) Favours

M. S.

Lord Portland out of Favour.

Van Keppel rais'd.

as

(*g*) Lord *Sunderland*.

(*h*) And yet, notwithſtanding the Succeſs of this Confederacy againſt Lord *Portland*, it appears, not only by the Truſt repos'd in him by the King in the ſecret Conferences between his Lordſhip and Marſhal *Boufflers*, but by many other ſimilar Strains of Confidence, That he ſtill retain'd as much of the King's Eſteem as ever, tho' not of his Affection: Of this we have a Proof in the Letters of his Majeſty to the Earl of *Galway*, (who tho' a Foreigner, had the Management in *Ireland*, both as one of the Lords Juſtices, and Commander in Chief of the Forces) made public by Mr. *Tindal*: For, as Lord *Galway* had imparted a Project to the King for keeping up twenty Battalions of Infantry, four Regiments of Dragoons, and eighteen Troops of Horſe, (by reducing the Pay of the Officers, breaking moſt of the Corps then on the *Iriſh* Eſtabliſhment, and replacing them by Others of more Eſtimation from *Flanders*) which his Majeſty both approv'd and adopted, ſo the King declares in the ſaid Letters, That he had imparted it to none but Lord *Portland*, and directs him to correſpond with the ſaid Lord in that Manner as the only Perſon authoris'd to communicate his Majeſty's Intentions to him.

(*i*) He had been created Earl of *Albemarle*, and Knight of the Garter; was Maſter of the Rolls, Captain of the Firſt Troops of Guards, and General of the Scots Troops in the *Dutch* Service.

A.D. 1697. as ſo many Teſtimonies, That he was the Man whom the King delighted to honour. Lord *Portland*, like other Favourites, was impatient of a Rival; and yet by making his Maſter uneaſy with his repeated Complaints, only facilitated his Advancement: The King grew more tenacious of his Choice by the Oppoſition it met with: And that he might have an honorable Pretence for removing the Complainant out of the way, he not only told him, It was neceſſary for his Service, That he ſhould go to *France* in Quality of his Embaſſador-extraordinary, but, to his great Mortification, would accept of no Excuſe: As, therefore, the affected Compliment that was paid him, only ſerv'd to redouble his Diſguſt, it was not thought adviſable to leave him in Poſſeſſion, by the Means of *Trumbal*, of ſuch a Province of Buſineſs as the Secretary's Office: So *Trumbal* was remov'd: And that *Vernon* (who was choſen to be his Succeſſor, as a Man excellently well qualify'd to be the Drudge of Buſineſs, and yet not of ſuch perſonal Eminence as to aſpire to any Share of the Lead) might be detach'd from his former Principal, who was rather endur'd than truſted, he was exalted to this high Poſt, without his Grace's Knowledge or Participation.

The Former firſt Embaſſade to France *againſt his Will.*

Vernon made Secretary of State in the Room of Trumbal.

This, therefore, was the general State of the Cabinet, at the Commencement of the Seſſion: *Sunderland*, who was equally obnoxious both to *Whig* and *Tory*, had the King's Ear: *Keppel* had his Heart: *Shrewſbury* and *Vernon*, the two Secretaries, ſeem'd to belong to the *Whigs*; but the Former, tho' in Place, had no Confidence; and the Latter was retain'd for the King's Purpoſes only: *Pembroke*, the Privy-Seal, was ſatisfy'd with whatever Share of Power was allotted him: *Devonſhire*, the Lord-Steward, was more a Courtier than a Statеſman: And as to the Chancellor *Sommers*, the firſt Lord of the Admiralty, *Orford*, and *Montagu* Chancellor of the Exchequer, (for *Godolphin*, as yet firſt Commiſſioner, was entirely out of the Queſtion) tho' not over-ſatisfy'd with each-other, They were nevertheleſs united with *Shrewſbury* againſt *Sunderland*; tho' it is aſſerted the Latter (*Montagu*) ow'd his Riſe to *Sunderland*'s Countenance and Recommendation, and, out of the Ferment of the Seſſion, reſolv'd to convince his Majeſty of their ſuperior Importance.

General State of the Cabinet.

Accordingly, when the Speech was taken into conſideration by the *Commons*, the Addreſs in Acknowledgment was ſo equivocally drawn up, as neither to give the King any Satisfaction in either of the Demands he had made, nor yet to give him the leaſt Opportunity of ſhewing any Diſſatisfaction with his Undertakers among them:—On the contrary, they gave it the moſt courtly Turn they could, conſiſtent with ſuch Reſerves; altho' they confin'd their Aſſurances of Aſſiſtance to Generals only:—But theſe were their very Words.

Commons Addreſs.

"We your Majeſty's moſt dutiful and loyal Subjects, the Commons in Parliament aſſembled, who have ſo frequently waited on your Majeſty with the Tender of our Aſſiſtance for carrying on the War, come now to congratulate your Majeſty upon the happy Concluſion of it, in a Peace ſo honorable and advantageous to the Nation, as ſufficiently juſtifies the Wiſdom of the Commons in adviſing, and your Majeſty's Conduct in the Proſecution of it. A.D. 1697.

The Proſpect of the Benefits your People will receive from this Peace, is very pleaſing: The Honour your Majeſty has *reſtor'd* to *England*, of holding the *Balance of Europe*, gives your Subjects great Content: But what your Commons are moſt affected and delighted with is, That your Majeſty's ſacred Perſon will now be ſecure, from thoſe many and great Dangers, to which you have ſo often expos'd it for our Sakes: Nothing being ſo evident, as that your Majeſty's Return in Safety, was a Bleſſing more welcome to your People than Peace, and receiv'd with greater Demonſtrations of Joy.

We, therefore, with Hearts full of Affection, Duty, and Gratitude, do aſſure your Majeſty, in the Name of all the Commons of *England*, That this Houſe will be ever ready to aſſiſt and ſupport your Majeſty, who, by putting a Period to the War, has confirm'd us in the quiet Poſſeſſion of our Rights and Liberties, and ſo fully completed the glorious Work of our Deliverance."

His Majeſty did not, however, recede from the Point, as appears by his Reply, which was as follows.

"*Gentlemen*,

Nothing that relates to the Peace pleaſes me ſo much, as the Satisfaction you have in it: And as you have aſſiſted me in the War, beyond all Expreſſion, I do not doubt but you will be as zealous in *maintaining* the Peace." *King's Anſwer.*

To *maintain the Peace*, according to his Majeſty's Senſe, was to continue the Army; not, indeed, upon the Eſtabliſhment which had been ſubmitted to during the War, (for ten Regiments of *Engliſh* Foot had been diſbanded, and two of *Dutch* Horſe, which had been quarter'd in *England* in Plenty, Eaſe, and Safety, were ſent home) but, nevertheleſs, on ſuch an Eſtabliſhment, as had never been heard of amongſt us, in Time of Peace, before, except when King *James*, under the Direction of the ſame Lord *Sunderland*, was furniſhing his Enemies with thoſe Matters of Complaint, which, in the Fulneſs of Time, brought on the Revolution: For his ſetting up an Army in Time of Peace, was then reckon'd one of his moſt crying Sins; and as ſuch was ſet forth in the *Declaration of Rights*, tho' Care was inſidiouſly taken, even in that *ſacred Inſtrument*, to beſpeak the ſame Meaſure of *Miſ-Government*, by inſerting thoſe deluſive Words, *without Conſent of Parliament*; as if the Word *Parliament* contain'd a Charm, which could convert Poiſon itſelf into an univerſal Antidote. *General Remarks on the King's Demand of a* Standing-Army.

But even the King himſelf, in his own *Declaration*, when bidding for the Affection and Confidence of the People, as Prince of *Orange*, had ſet forth, That his great Purpoſe was to ſettle their Liberties on ſuch a Foundation, that no *Danger* ſhould remane of their relapſing into Slavery: And that as ſoon as This was done, he would ſend back

all

A.D. 1697. *all* his foreign Forces: And yet he was now contending not only for a *Standing-Army*, which was incompatible with the *Security* of thoſe Liberties, but for ſuch an Intermixture of *Foreigners* amongſt them, as (*k*) aggravated, out of Meaſure, the Jealouſy which from ſuch a Variety of Cauſes had taken Poſſeſſion of the Public: For of theſe Foreigners, he had one Troop of Horſe, conſiſting of 220 Men, and one Regiment of *Body-Guards*, conſiſting of four Battalions, or 2670 Men: Theſe were *Dutch*: He had, alſo, one *Scotch* Regiment of 1656 Men: Two Regiments of Dragoons, conſiſting of about 1400 Men, and three of Foot, conſiſting of almoſt 3000; all *French* Refugees, who had no other Dependence but on him; and, with a very little Court-Management, might, in Proceſs of Time, have been brought to ſerve for ſuch *Prætorian* Bands, as ſerv'd the worſt Purpoſes of the worſt *Roman* Tyrants; or the *Turkiſh Janiſaries*, who have no Property but their Swords, nor Relation to or Connection with, any one of the human Species, but the Officers who diſcipline, and the Lord-paramount, who pays and commands them.

And as the King, in the Time of his Courtſhip to the People, had thus ſolemnly renounc'd all military Support, ſo the two Parties which divided the Bulk of the People into *Whigs* and *Tories*, had ſeverally declar'd their Averſion to any ſuch Anti-conſtitutional Meaſure in the ſtrongeſt Terms: The *Tories*, when King *James* ſtickled for an Army, would hear of nothing but the *Militia*; and the *Whigs*, in the Reign preceding that, had in a ſolemn Vote maintain'd, That there was no Security for the Nation againſt a *Standing-Army*, unleſs the Life-Guards were torn up by the Roots.

Proceedings in the Committee thereon.

Thus, when the Matter came to be debated in the Committee of the whole Houſe, *December* 10, the Anti-Courtiers had Authority as well as Reaſon on their Side; and the only Fault they were guilty of, was in waving the *Militia* Point, and admitting the Propoſition of an Army: For by ſuch Admiſſion they adopted the *Thing*, and made the *Opening* for all thoſe additional Encroachments which Cuſtom and Endurance have render'd familiar ſince.

Which reſolves to diſband all Forces rais'd ſince the Year 80.

After much Altercation, the Queſtion firſt ſtated was, Whether all the Forces rais'd ſince the Year 80, ſhould be diſbanded; and this was carry'd without a Diviſion: The Miniſters in the Houſe, either thinking, They had obtain'd enough at once, in obtaining the Admiſſion of an Army of any Size, on any Terms whatſoever, or elſe being unable to make any efficient Effort, for want of a good Underſtanding among themſelves: For, as we have already obſerv'd, the *Whigs* in Power were as much for lowering *Sunderland*, as for eſtabliſhing themſelves; and the more Difficulty he had to ſurmount, ſo much the higher Value they could ſet on their own Services.

The next Day, however, when the Report was to be made from the Houſe in Committee to the Houſe, They came with a Court-Expedient in their Mouths to enlarge the Baſis they had laid: For, without pretending to oppoſe the Vote of the Day before, they only deſir'd it might be recommitted, under Pretence, That the King was reſtrain'd by it, to the old *Tory* Regiments, (for ſo we find them call'd) which, it was thereby inſinuated, he could not ſafely rely on: But then they had not the Confidence to urge, That thoſe Regiments were not ſufficient in point of Numbers for the Service expected from them: On the contrary, if Mr. *Trenchard*'s Account of the Debate is to be depended upon, as it certainly is, *Some* of them acknowledg'd, That the King's Eſtabliſhment in the Year 80, which was the Eſtabliſhment in debate, was *too large*; and none of them, either in public or private, pretended to be for enlarging it. But whatſoever their real Purpoſe was, they miſcarry'd in it: For the *Anti-Courtiers* maintain'd their Point, on a Diviſion of the Houſe, by 185 Voices againſt 148; of which 148 it was ſaid, 116 had Places.

A.D. 1698.

Motion for Recommitting over-ruled.

State Tracts, Temp. Gull. III. Vol. I. p. 666.

"This was a thorough Victory, continues Mr. *Trenchard*, and requir'd great Skill and Addreſs to retrieve: The Fears of *France* were again multiply'd; and it was ſaid, There was a private Article, That King *James* was to leave *France*, which the *French* refus'd to perform; that *Boufflers* and the Earl of *Portland* (for, it ſeems, we were the *firſt* to pay the Compliments uſual upon a Peace) had given one another the Lye; that ſome of the Latter's Retinue had been kill'd; that the *French* Embaſſador was ſtopp'd; the King of *Spain* dead; and more to this Purpoſe. The Club was ſet up at the R—: Great Applications made; the Commiſſion of the Exciſe was declar'd to be broke, (by which nine Commiſſioners Places were to be diſpos'd of, and above forty Perſons nam'd for them) and many of the Country Gentlemen were gone home. Thus recruited, they were ready for a new Encounter: And ſince, by the Rules of the Houſe, they could not ſet aſide the former Vote directly, they try'd to do it by a Side-wind; which was by moving, That Directions might be given to the Committee of Ways and Means, to conſider of a Supply for Guards and Garriſons: But the other Side, to obviate this, offer'd theſe Words as an Amendment, *viz.* According to the Vote of *December* 11.

Rumors propagated without Doors, to excite a Change of Sentiments within.

This Matter was much labour'd; and the Gentlemen that were againſt the Army explan'd themſelves, and declar'd, They were not for obliging the King to the Regiments in 80; but that they only inſiſted on the Number, and he might chuſe what Regiments he pleas'd. By this Means they carry'd it; but not without great Oppoſition, (tho' I preſume, from none of thoſe Gentlemen who declar'd in all Places, They were for recommitting

(*k*) Of which he complains in theſe Words to Lord *Galway*, "I aſſure you I am very much troubled to find Things here ſo high againſt the poor Refugees.

A. D. 1697. mitting the former Vote only for the Reasons before given.) Besides; They were *forc'd* to explane themselves out of a considerable Part of it; for they allow'd the King the *Dutch* Regiments, and the *Tangerines* (meaning Those which, in King *Charles*'s Time, had compos'd the Garison of *Tangiers*, in Number about 3000, and the *English* Regiments in the *Dutch* Service, at the same Period) which, in my Opinion, could not be well understood by the former Vote: The Meaning of which seems to be, That the King should have all the Forces that *Charles* II. had in 80 in *England*; and Those were not then here; the *Holland* Regiments being paid by the *States* and their Soldiers, and the others 500 Leagues off at *Tangier*. But all this Advantage would not satisfy the Army-Gentlemen: For, in the Committee, they endeavour'd again to set aside the Vote, by moving for the Sum of 500,000*l. per Ann.* for Guards and Garisons, without naming any certain Number, which would have maintain'd above 20,000: But this could not be carry'd: Therefore they came to a sort of Composition to have but 10,000, whereof a great Number were to be Horse and Dragoons, and the Sum given to maintain them was 350,000*l.* But notwithstanding this, they mov'd afterwards for 3000 Marines, (alledging, these were not a Land-Force, but a Water-Force) which was carry'd.

The Commons depart in many Respects from the Letter of their former Vote.

Here I would beg Leave to observe one Thing, That nothing would satisfy the Courtiers at the Beginning of the Winter, but to have the Forces establish'd by the Parliament, [No doubt having their Eye on the Clause in the *Declaration of Rights*, That a Standing-Army, without consent of Parliament, was against Law] and upon other Terms, they would not accept them; and in all Companies said, That any Minister that advis'd the King to keep them up otherwise, or any Officer that continued his Commission, ought to be attainted of High-Treason: About which I shall not differ with these Gentlemen; nor do I arraign them from altering their Opinion: For, perhaps, they may conceive, that a Vote to give 350,000*l.* for Guards and Garisons, is a sufficient Authority against Law, to quarter Soldiers in all Parts of *England*, and as well out of Garisons as in them, and as well at a Distance from the King's Person as about it. A. D. 1698.

Thus what our Courts for above a Thousand Years together, had never Effrontery enough to ask, what the *Pensioner-Parliament* could not think of without Astonishment, what King *James*'s Parliament (that was almost chosen by himself) could not hear debated with Patience, we are likely to have the Honour of establishing in our own Age, even under a Deliverance."

Remarks on the whole.

And yet again, afterwards, "If the Prince of *Orange*, in his Declaration, instead of telling us, That we should be settled upon such a Foundation, that there should be no Danger of our falling again into Slavery, and that he would send back all his Forces, as soon as that was done, had promis'd us, That, after an eight Years War, (which would leave us in debt near (*l*) near twenty Millions) we should have a Standing-Army establish'd, a great many of which should be Foreigners, I believe few Men would have thought such a Revolution worth the Hazard of their Lives and Estates."

On the other Hand, *Burnet* having observ'd, That, notwithstanding the After-Game play'd by the Court to obtain 15000 Horse and Foot, the House could not be brought to admit above 10,000, proceeds to say, "This gave the King the greatest Distaste

The King disgusted.

(*l*) Which, however, was far from being the Case, as appears by the following current Abstract.

From 5 *Nov.* 1688	Years.	Annual Supplies Intended.	Annual Supplies Granted.	Deficiencies.	Overplus.
		l. s. d.	*l. s. d.*	*l. s. d.*	*l. s. d.*
To 31 *December*—	1690	7,467,049 19 10	5,296,103 01 09	2,170,940 18 01	
	1691	4,086,255 01 06	4,163,636 04 10½		77,381 03 04½
	1692	3,521,677 16 03	3,281,622 13 08½	230,055 02 06½	
	1693	4,017,080 07 06	3,471,482 16 01	545,597 13 05	
	1694	5,036,581 08 11	4,853,050 11 03	177,530 17 08	
	1695	4,882,512 00 00	4,883,120 00 00		608 00 06
	1696	5,024,853 19 11	3,945,878 01 00½	2,078,975 18 10½	
	1697	4,880,078 91 11	4,137,309 16 02½	742,769 03 08½	
Annual Supplies	Intended	38,900,289 15 10			
	Granted		33,032,209 05 05½		
	Deficient		5,945,869 14 03	5,945,869 14 03	
Overplus in 2 Years		77,789 03 10½			77,789 03 10½
Lost by Gaimers, &c.				400,514 00 00	
		38,978,078 19 08½	38,978,078 19 08½		
1695. The Parliament gave towards Seamens Wages				634,385 14 03	
And an Overplus to the Navy in general					500,000 00 00
					34,777 00 00
This Grant, and the Overplus deducted				630,566 03 10½	630,566 03 10½
1697. The Grants were less than the Supplies intended				5,715,817 10 04½	
Besides the Deficiency in the Produce of the Funds, 8, 9, *W.* cap. 20.				5,160,459 14 09½	
Thus you see the Occasion of a Debt amounting to				10,876,277 05 01½	At the Peace.

A.D. 1698. taſte of any thing that had befallen him in his whole Reign: He thought it would derogate much from him, and render his Alliance ſo inconſiderable, That he doubted whether he could carry on the Government, after it ſhould be reduc'd to ſo weak and ſo contemptible a State: He ſaid, That, if he could have imagin'd, That, after all the Service he ſhould have done the Nation, he ſhould have met with ſuch Returns, he would never have meddled in our Affairs; and that he was weary of governing a Nation that was ſo jealous, as to lay itſelf open to an Enemy, rather than to truſt him, who had acted ſo faithfully during his whole Life, that he had never *once* deceived Thoſe who truſted him. He ſaid This, with a great deal more to the ſame Purpoſe, to myſelf: But he ſaw the Neceſſity of ſubmitting to what could not be help'd."

Thus the Commonwealth, according to *Trenchard*, was ſick of its own *Choice*; and the King, according to *Burnet*, was equally ſick of the Honour they had done him, becauſe it was not accompany'd with unlimited Power, or, which is nearly the ſame thing, with unlimited Confidence.

Lord *Sunderland*, moreover, who was the Undertaker, if not the Adviſer, of this unpopular, becauſe unnatural, Meaſure, and who very well knew what a Miniſter had to apprehend, if he continued in Power, after a Majority in the Houſe of Commons had declar'd againſt him, reſolv'd, "To prevent a public Affront, by retiring from Court and from Buſineſs, not only againſt the Entreaties of his Friends, ſays *Burnet*, but even the King's earneſt Deſire, That he would continue about him. Indeed, continues the ſame *Hiſtorian*, upon this Occaſion, his Majeſty expreſs'd ſuch a Concern and Value for him, that the Jealouſies were encreas'd, by the Confidence the Court ſaw the King had in him."

Lord Sunderland *reſigns.*

P. 207.

But, tho' his Lordſhip retir'd from Court, and reſign'd his Office, as it does not appear, That it was fill'd again till the 25th of *October*, 1699, it may not unreaſonably be ſuppos'd, that the Profits of it were all that Time ſet apart for his Uſe, as an Acknowledgment for paſs'd Services.

It cannot, however, be ſuppos'd, That his Majeſty ſhould find himſelf thus oblig'd to part with a Servant he ſo thoroughly confided in, without a due Degree of Reſentment; nor that, in caſe his Reſentment could have taken its natural Courſe, it would not have fallen on ſuch of his Servants in the Houſe of Commons, as had preferr'd any Conſideration whatſoever to the Execution of his Commands.

But as, on the one Hand, he had his Reaſons for laying a Reſtraint on his Behaviour, ſo They had, alſo, the Means in their own Hands of making their own Propitiation.

700,000*l. per. Ann. voted for the Civil Liſt.*

Thus, no ſooner was the Fate of the Army decided, and the Houſe had order'd in a Bill to regulate the Militia, in order to render it more uſeful for the Time to come, (which by the way was never brought to any Degree of Perfection) than they qualify'd thoſe diſagreable Proceedings by a Vote in the Committee of Supply, which on the Report was agreed to, That, in a juſt Senſe and Acknowledgment of what great Things his Majeſty had done for theſe Kingdoms, a Sum not exceeding 700,000*l. per Annum*, be granted to his Majeſty during his Life, for the Support of the Civil-Liſt; which was now, for the firſt Time, to be ſeperated from the other Services, and plac'd on a ſeperate Footing: Whether wiſely or not, is perhaps a political Problem, which few will care to ſolve:—This, however, is certain, That, while it was ſo inter-twiſted with the other Services, it partook, in common, with the Reſt of the Inconveniencies which aroſe from deficient Supplies, lax or corrupt Adminiſtrations, &c. whereby the King and his Houſhold were ſometimes aggriev'd as well as the People; conſequently were not wholly inſenſible when the public Grievances became a joint Conſideration: Whereas, ſince this Period, the King and his Servants being always ſecure of their Dividend out of the Supplies, and Miſmanagements affecting the Public only, a Door has been open'd for a Continuance of ſuch Neglects and Abuſes, as could not otherwiſe have remain'd for two Seſſions together, without being detected and puniſh'd.

A.D.

But having made this Advance by way of Complement to his Majeſty, they nevertheleſs proceed with all poſſible Deliberation in carrying it into Effect; as if, inſpir'd by that laudable Jealouſy which is the firſt Principle in the *Engliſh* Conſtitution, They had kept it depending, as a ſort of Pledge for his Majeſty's good Behaviour.

For the firſt Buſineſs that was diſpatch'd by the two Houſes, was, 1ſt, An Act to prevent the farther Currency of any hammer'd Silver Coin of this Kingdom, and for recoining ſuch as were ſtill in being; as alſo, for the making out new Exchequer-Bills, in lieu of thoſe which either had, or might be, filled up by Indorſements. 2dly, An Act to open the Correſpondence with *France*, which had been ſhut up during the War, under a Variety of Proviſos, in relation to King *James*, viz. That ſuch as, ſince the 11th of *December*, 1688, had voluntarily gone into *France*, or born Arms in the *French* Service, or under the ſaid King *James*, ſince the 13th of *February*, 1688, without Licence under the Privy-Seal, and ſhould, at any Time after the 14th of *January*, 1697, return into any Part of his Majeſty's Dominions, (unleſs they return'd before the firſt *February* then next enſuing) or ſhould hold any Correſpondence with, or remit any Money to, or for the Uſe of the ſaid King *James*, &c. &c. ſhould, upon Conviction, be deem'd and adjudg'd guilty of High-Treaſon. 3dly, An Act for continuing the Impriſonment of *Counter*, &c. for the late horrid Conſpiracy: And, 4thly, An Act for giving farther Time for the adminiſtering Oaths with relation to Tallies and Orders, and for the eaſier Diſpatch of public Buſineſs in the Exchequer, and in the Bank of *England*.

Theſe Acts receiv'd the Royal Aſſent *January* 14, and the ſame Day the Houſe of Commons agreed to the Reſolutions which had been taken in a Grand Committee about

1698. *Acts paſſed.*

the

A. D. 1697-8. *Resolutions on the Supply.*

the Supply, *viz.* 1ſt, That a Sum not exceeding 350,000 *l.* be granted to his Majeſty, for maintaining Guards and Garriſons for the Year 1698. 2dly, That a Supply be granted to his Majeſty, which, together with the Funds already ſettled for that Purpoſe, ſhould be ſufficient to anſwer and cancel all Exchequer-Bills, iſſued, or to be iſſued, not exceeding 2,700,000 *l.* 3dly, That a Supply be granted to his Majeſty, for the ſpeedy paying and diſbanding the Army. Again, on *January* the 18th, They farther reſolv'd, 1ſt, That, upon diſbanding the Army, over and above what is due to them, there be allow'd, by way of Bounty, fourteen Days Subſiſtence to each Foot-Soldier and Non-Commiſſion Officer; and to each Foot-Soldier three Shillings more, in lieu of his Sword, which he is to deliver up. 2dly, That upon diſbanding the Army, over and above what is due to them, there be allow'd, by way of Bounty, ſix Days full Pay to each private Trooper and Non-Commiſſion Officer of the Horſe and Dragoons. 3dly, That of the Supply to be granted to his Majeſty, the Sum of 250,000 *l.* be allow'd upon Account, towards defraying the Charge of diſbanding the private Troopers, and Centinels, and Non-Commiſſion Officers, of the Horſe, Dragoons, and Foot. 4thly, That Proviſion be made for giving Half-pay to the Commiſſion-Officers, (his Majeſty's Natural-born Subjects of *England*) till the ſaid Officers ſhall be fully paid off and cleared, and be otherwiſe provided for.

For making good Deficiencies.

On the 22d, they moreover voted the Sum of 407,000 *l.* for making good the Deficiency of the Aid of Three Shillings in the Pound, granted to his Majeſty the laſt Seſſion of Parliament: And 940,000 *l.* for making good the Deficiency of the Subſidies, and other Duties granted at the ſame Time: Alſo 129,000 *l.* for making good the Deficiency of the Aid of one Shilling in the Pound: And they order'd a Committee to conſider of Ways and Means for making good the ſaid Deficiencies. On *February* the 1ſt, having taken the Arrears of the Army into Conſideration, they reſolv'd, That the Sum of 1,254,000 *l.* was neceſſary to clear the Arrears of Pay, due to the Land-Forces, according to the Eſtabliſhment from the 1ſt of *April* 1692, to the laſt Day of *September* 1697, beſides 940,815 *l.* for Subſiſtence, 28,295 *l.* for Contingencies, 5000 *l.* for the General Officers, and 75,000 *l.* for the Guards and Garriſons; in all 2,348,102 *l.* And that there was but 855,502 *l.* remaining in the Hands of the Pay-Maſter of the Army, the 1ſt Day of *January*, 1697-8.

Arrears of Subſidies.

February 10, they conſider'd the Account of what was due to ſome of his Majeſty's Allies, both for Arrears of Subſidies, and for Payment of Auxiliaries; and reſolv'd, That 180,000 Rix-Dollars were due to the Elector of *Brandenburgh*; 250,000 Rix-Dollars to the Landgrave of *Heſſe-Caſſel*; 121,223 Rix-Dollars to the Duke of *Wolfenbuttle*; 149,997 Rix-Dollars to the Biſhop of *Munſter*; 50,000 Rix-Dollars to the Dukes of *Hanover* and *Zell*; 25,000 Rix-Dollars to the Duke of *Holſtein*, and 200,000 Rix-Dollars to the King of *Denmark*, both upon the fore-mention'd Account, and in Conſideration of an entire Prohibition of Commerce between that Crown and *France*: They alſo reſolv'd, That there was due the Sum of 177,000 *l.* to the Contractors for Bread and Forage. Four Days after, they further examin'd into the Debt of the Nation, and reſolv'd, That the Sum of 1,392,742 *l.* was due upon the ſeveral Heads of the Eſtimate of the general Debt of the Navy; 204,157 *l.* to the Office of Ordnance; 340,708 *l.* for Tranſports for reducing of *Ireland*; 125,785 *l.* for other Tranſport-Service; and 49,929 *l.* for Quartering and Cloathing the Army rais'd by Act of Parliament in 1677, and diſbanded by another Act in 1679. A. D. 1697-8. *Granted.*

Army and Navy Debt, &c.

It being impoſſible for the Nation to acquit this vaſt Debt at once, the Commons reſolv'd to do it by Degrees; and therefore voted, 1ſt, That the Debt due for clearing the Army, from the 1ſt of *April* 1692, to the laſt Day of *September* 1697, amounting to 1,254,000 *l.* and the Sum of 139,066 *l.* be raiſed in the Year 1698, which would clear the Army to the 1ſt Day of *April*, 1693. 2dly, That the Sum of 203,450 *l.* be rais'd for the clearing the Arrears of Subſiſtence to the Troops in *England*, between the 1ſt Day of *January* 1696, and the 1ſt Day of *Auguſt* 1697. 3dly, That 450,816 *l.* be rais'd for clearing the Arrears of Subſiſtence to the Troops in *Flanders*, to the 4th Day of *October* 1697. 4thly, That the Sum of 50,000 *l.* be rais'd for the General Officers. 5thly, That 137,990 *l.* be rais'd for clearing the Arrears of Subſiſtence due to the Troops in *Flanders*, from the 4th of *October* 1697, to the laſt Day of *December*. 6thly, That the Sum of 1,100,117 *l.* be rais'd for the Navy; to wit, 100,000 *l.* for Wear and Tear; 600,000 *l.* for Seamens Wages, in part of 1,862,849 *l.* due on that Score; 16,389 *l.* due to the Regiſtred Seamen; 24,000 *l.* for the Salaries of the Commiſſioners of the Admiralty, and other Officers, and for Contingencies; 28,663 *l.* for the Half-pay Sea-Officers; 90,073 *l.* for Penſions to ſuperannuated Sea-Officers and Widows; 15,927 *l.* for the Charge of the Yards; 648 *l.* for the Muſter-Maſters of the Out-Ports; 43,399 *l.* for Wages to Ships and Veſſels in Ordinary; 19,608 *l.* for Victuals of the Ships in Ordinary; 32,558 *l.* for Harbour-Mooorings; 35,848 *l.* for Ordinary Repairs of the Navy; 55,520 *l.* for the two Marine Regiments; and 37,286 *l.* for the Charge of the Office for regiſtring Seamen. 7thly, That the Sum of 60,000 *l.* be allow'd for the Ordnance: And, 8thly, That Proviſion be made towards Payment of the Principal and Intereſt of the Tranſport-Debt.

Ways and Means.

Proceding alſo to Ways and Means for raiſing the Supplies, they came to a Reſolution to lay a Tax of 3*s.* in the Pound on Land for next Year, from *February* 2, by way of Aſſeſſment, upon every County, in Proportion to the Rates of the firſt 4*s.* And in order, as it was then preſum'd, to

prevent

A. D. 1697-8. prevent any future Deficience in this Fund, together with a Credit on the ſame, for any ſuch Sum as ſhould not exceed 1,400,000 *l.* at 8 *per Cent.* Intereſt: As alſo, to continue the Duties upon Coals and Culme for five Years, from the 15th of *May*, 1698, upon which they granted a Credit of 100,000 *l.* at 7 *per Cent.* and of (*m*) 400,000 *l.* at 8 *per Cent*: Another Expedient adopted by them was a Quarterly Pole, with a Credit upon it for 250,000 *l.* at 7 *per Cent.* and 250,000 *l.* at 8 *per Cent*: And a Fourth was to raiſe by the Sale of reverſionary Annuities, 266,701 *l.* 4*s.* 6*d.* They alſo continued the Duties on Coffee, Tea, and Spices, from *May* 1, 1698, to *May* 1, 1700, which, upon a Computation of 14,200 *l. per Ann.* Product, was to produce in three Years 42,600 *l.* and on a like Computation of Licence-Money for Hawkers and Pedlars, 14,000 *l.* more: Having, moreover, agreed to take off one Moiety of the Tax on Glaſs and Earthen Wares, they granted a Duty upon Whale-fins and *Scots* Linen in lieu of it, which, at 15,000 *l.* a Year for eight Years, was computed at 120,000 *l.*

A Diſt to apply a Fourth Part of the Forfeitures to the common Service.

While theſe ſeveral Matters were under Conſideration, the old *Anti-Court*-Expedient of reſuming improper and exorbitant Grants was alſo reviv'd, tho' not in its full Latitude: For now it was only propos'd to apply the Fourth Part of their Value to the Service of the Public: But no Qualification could as yet make that unpalatable Medicine go down: For one Party having, as artfully as unreaſonably, inſiſted on beginning with the Grants of King *Charles* II. and King *James* II. the Perſons affected by that Proceeding were glad to join Intereſt with thoſe in the ſame Manner affected by the like Proceeding againſt the Grants of King *William*; in conſequence of which Concert, ſo many Petitions were preſented, and ſo many Difficulties were rais'd, that it became no very difficult Taſk at this Criſis to ſet aſide Both.

One Incident however, which fell out on this Occaſion, deſerves Remembrance: For it appearing, That one Mr. *Railton* held one of thoſe Grants in Truſt for Mr. *Montagu*, Chancellor of the Exchequer, and a Motion being made for him to *withdraw*, it not only paſs'd in the Negative by a great Majority, but a Counter-Motion was ſet on foot, and carry'd, namely, That it was the Opinion of this Houſe, That the ſaid Mr. *Montagu*, for his good Services to the Government, did deſerve his Majeſty's Favour. *A Vote*, ſay our notable Hiſtorians, with one Voice, *that will render his Name famous to all ſucceeding Ages!* No doubt becauſe of the known Diſintereſtedneſs and Impartiality of parliamentary Deciſions in all miniſterial Caſes!

A Vote in favour of Mr. Montagu.

But Irony is ſcarce to be allow'd in Hiſtory, which delights in nothing but plane Truth; and the Time was now approaching not only when miniſterial Service was to be deem'd the higheſt Degree of political Merit, but alſo when Miniſters were to be gratify'd in all their Demands their own way.

A. D. 1698.

Proceedings on the Eaſt-India Trade.

Thus in defeating the Forfeiture-Bill, they not only oblig'd their Royal Maſter, who was as ſenſible as any of his Predeceſſors on any prerogative Point, and endear'd themſelves to each other, but they alſo made way for a Meaſure every way more ſuitable to the Purpoſe they had moſt at Heart; which was, by a new Experiment on the *Eaſt-India*-Trade, to give the Bulk of their old Friends, the *Interlopers*, a legal Admiſſion into it, under Pretence of new Regulations, and of raiſing a conſiderable Sum for the public Service by their Means.

But then this Favourite-Purpoſe was not avow'd at firſt: On the contrary, ſome Time in *December* the Company was founded, by Perſons of conſiderable Rank in the Government, How they ſtood diſpos'd to advance a Sum of Money by way of Loan, in conſideration of a Settlement by Authority of Parliament: And Undertakers were found to lay the Matter before a general Court, at the next ſeaſonable Opportunity: But whether theſe Undertakers wanted Addreſs, Courage, Intereſt, or Zeal, they ſuffer'd the Affair to languiſh ſo long in their Hands, that the Courtiers either grew weary of Expectation, or were furniſh'd thereby with the Pretext they wanted, to ſtrike up with the *Interlopers*, which they did accordingly.

[Coſt of the Company preſented to the Houſe of Lords.] P. 5.

This, which ſoon took Air, quicken'd the Motions of the Company, which became immediately ſenſible, That no Alteration could be made in the preſent Courſe of Trade, but muſt either affect their Charter, (which but in *September* 1694, had coſt them ſo dear) or their Profits, or both. Under theſe Apprehenſions, therefore, upon the 18th of *April*, it was propos'd and reſolv'd in a general Court, to advance 700,000 *l.* for ſuch a parliamentary Settlement, as had been before ſuggeſted to them: And it is added, That they pitch'd upon this Sum, becauſe it had formerly appear'd to be the Senſe of the Public, That (conſidering their Sufferings by the War, *&c.*) a parliamentary Settlement might be granted them for the Loan of 600,000 *l.* As alſo, That when this Reſolution was communicated to the Miniſtry, they were encourag'd to offer it to Parliament. But tho' when they did offer it accordingly, the Houſe ſeem'd inclinable to accept it, as Biſhop *Kennet* intimates, it is certain the Encouragement they receiv'd was no better than a Snare: For, during this very Interval, one Mr. *Samuel Sheppard*, in Concert with Sir *John Ward*, Sir *Francis Eyles*, Sir *Gilbert Heathcote*, &c. and under the Patronage of the Chancellor of the Exchequer *Montagu*, was preparing a new Propoſal, for raiſing Two Millions, by way of Loan, at 8 *per Cent.* on the Security of a good Fund for Repayment of Principal and Intereſt; and by way of Conſideration, over and

1698.

The Company propoſe to lend 700,000 to the Public.

Vol. III. P. 748.

Their Antagoniſts offer to undertake it.

(*m*) Beſides which, as it appears by the *Treaſury*-Books, there aroſe on the ſaid Duties 68731. 0*s.* 9*d.* before the ſaid Loans were charged thereon.

A. D. 1698. and above the *whole* Trade to *India*, with an *Exclusion* to *all others*; which on the 20th of *May* following was laid before the House, and so favourably receiv'd by the Majority, that on the 26th following, a Bill was order'd to be brought in agreeable thereto, and with the Additions following, *viz.* 1st, "That every Subscriber might have the Liberty of trading yearly, to the Amount of his respective Subscription; or might assign over such his Liberty of trading to any other Person. 2dly, That his Majesty be empower'd to incorporate such of the said Subscribers, as should desire the same. 3dly, That the Powers and Privileges for carrying on the *East-India* Trade, should be settled by Parliament. 4thly, That the said Subscribers should enjoy the said 8 *l. per Cent.* and Liberty of trading to the *East-Indies*, exclusive of all others, for the Term of ten Years, and until the same should be redeem'd by Parliament. 5thly, That every Person subscribing 500 Pounds have a Vote, and no Person to have more Votes than one. 6thly, That all Ships laden in the *East-Indies*, should be oblig'd to deliver in *England*. 7thly, That no Person that should be a Member of any Corporation trading to the *East-Indies*, should trade otherwise than in the Joint-Stock of such Corporation of which he was a Member. 8thly, That Five Pounds *per Ann. ad valorem*, upon all Returns from the *East-Indies*, be paid by the Importer, to be plac'd to the Account of the Subscribers, towards the Charge of sending Ambassadors, and other extraordinary Expences. And, 9thly, That over and above the Duties now payable, a further Duty of One Shilling and Ten-pence *per* Pound Weight, be laid upon all wrought Silks imported from *India* and *Persia*, to be paid by the Importer."

A Bill order'd.

"And whereas, formerly, (say the Company in their Case above quoted) it hath been the constant Custom in Farms, Bargains, and Offers of the like Nature, till the first Bidder be ask'd, whether he is able to advance farther, in this Case, the Company, notwithstanding their Charter, and the Right they have to the Trade, were early told *without Doors*, That their Proposal should be oppos'd, tho' they would lay down the Two Millions in question.

The old Company petition against it.

The Company did, however, make their Appeal, by Petition, to the Justice and Equity of Parliament, as well as to the Public, in their Case before cited, setting forth, 1st, Their Rights and Clames under so many Royal Charters, particularly the Last, which was calculated purposely to remove all reasonable Objections, and super-induce many national Advantages, agreeable to several Regulations propos'd and resolv'd in the House of Commons; no Forfeiture of which either had or could be urg'd. 2dly, The Regard that was due to the Property of above a thousand Families interested in their Stock; and in particular of 781 new Adventurers, who had come in upon the Credit and Faith of the said new Charter, and had thereon subscrib'd no less than 744,000*l.* As also to the Property of the Company in *India*, amounting to 44,000*l. per Annum* Revenue, which they were now in effect to be depriv'd of. 3dly, The Expence they had been at in Fortifications there, to the Amount of a Million. 4thly, Their Sufferings in the Course of the War, and more especially since the last Subscription, in which Interval they had lost twelve great Ships, worth at Market 1,500,000*l.* 5thly, Their Services and Merits with regard to the Government; in having contributed during the same Interval 295,000*l.* to the Customs; and in Taxes, 85,000*l.* besides the Taxes for the current Year; in having furnish'd 6000 Barrels of Gun-powder, on a very pressing Occasion, and 80,000*l.* for the circulating Exchequer-Bills, in a Time of great Extremity, at the Instance of the Lords of the Treasury, which was then esteem'd a very important Service, *&c.*"

A. D. 1698.

Both *Kennet* and *Tindal* tell us, That their Petition met with such Regard from the Commons, that they offer'd to settle the Trade on them, in case they would accept it on the Terms and under the Limitations accepted by the others, which they refus'd: But they do not tell us, on what Authority they build their Assertions, which seems to be utterly irreconcileable with the Sequel of this Transaction.

The Bill read a second Time.

For, notwithstanding the Petition of the Company, the Bill was read a second Time, on the 10th of *June*; and proceded upon as a Point of Business which was to be dispatch'd as soon as possible: Besides, when the Company, in consequence of the Resolution of a general Court held the same Day, made an Offer of submitting their Stock to a Valuation of 50 *per Cent.* viz. 20 on their *dead* Stock, and 30 on their *quick*, which they were content to warrant at the said Sum, and to open their Books for new Subscriptions, in order to raise the said Two Millions in question, this Concession produced no Resolution in their favour: On the contrary, when the Committee appointed to inspect their Books, Stock, Dividends, Cash, *&c.* made their Report three Days after, by which it appear'd, they had not only, at several Periods, greatly over-valued their Stock, and rais'd their Dividends far above their real Profits, but also, that out of the new Subscriptions, they had paid 325,565*l.* 0*s.* 4*d.* to the old Proprietors, and several large Sums for *Special Service*, (that is to say, in feeding the Corruption of those in Power, as formerly recited, in order to obtain a Charter) advantage was taken to move, That Satisfaction be given to the new Subscribers to the *East-India* Company, for all Damages done them, by making Dividends beyond the real Value of the Company's Stock, at the Time of making such Dividends; and also by the Payment of the said 325,565*l.* 0*s.* 4*d.* to the old Proprietors, out of the Estates of the said old Proprietors, so receiving the said Payment and Dividends: But the Debate which arose upon this Motion having been adjourn'd till the next Day, when the Company made it appear, That the said Payment of 50 *per Cent.* was made to the old Proprietors with the Consent of the new Sub-

The old Company propose to raise 2,000,000l. by new Subscriptions.

An intimidating Motion against the Directors.

A. D. 1698. scribers, the said Motion was dropt: Alarm'd, however, with so home an Attack, and justly apprehensive of what was next to ensue, the Directors call'd another general Court the next Morning, in which an immediate Subscription of 200,000 *l.* was agreed to by those of the most Credit and Substance present, as the first Payment of the two Millions above-mention'd, and subject to Forfeiture, in case the subsequent Payments were not made good. The same Day Proposals upon this Plan were presented to the House; as were also those of their Antagonists, which, appearing to the Courtiers the most reasonable of the Two, had the Preference: The Division on ordering the Bill to be engross'd, being Yeas 120, Noes 80; and on passing it, Yeas 115, Noes 78: Which at once shews how poorly the Business of the Nation was attended in these Times; and also how fluctuating a Thing a Majority us'd to be, before the great Secret was found of forming and disciplining such a Phalanx as should be in a manner irresistable.

The Proposals of both Parties presented to the House.

The Bill pass'd.

But, tho' the *new Company*, as it began already to be call'd, was form'd out of the old *Interlopers*, and such as had set out on their Bottom, it did not comprehend all the said *Interlopers*: For such of them whose Stocks were better suited to a seperate than a joint Trade, and who found themselves more likely to be excluded now than ever, not only oppos'd both Companies alike, in Conformity to their old Tenets, but at this particular Period set forth a Paper under the Title of, *A Letter concerning the* East-India-Trade, *to a Gentleman*, in which are the following significant Paragraphs.

Scope of the Advocates for an open Trade.

"The Landholders of *England*, who all depend on Trade, and who are Traders, with whatsoever other Titles they may flatter themselves, (since all Men owe their Subsistence to the Commutation of the Necessaries or Conveniencies of Life) would think it highly irrational to erect by Law, monopolising Corporations for Corn, Cattle, Wool, &c. as well knowing that those, by commanding the Markets, buying cheap, and selling dear, would grind both the first Seller, and the Consumer; thereby robbing the Landlords of their Income, and depriving the People of their Subsistance, and so would discourage Manufactory, and all other Sorts of Industry relating to the Product of our Country; and, by the Artifice of Combination, cut up the Roots of Trade at Home, which depends on *cheap living*: Whereas such Corporations relating to Foreign Trade immediately, are no less pernicious to the Nation, by destroying the Foundation of Riches, to be drawn from Abroad, which is *cheap selling*.

The present Company, and what may be destin'd to succeed it, being but *one Buyer* of all Commodities proper for *India*, and *one Seller* of all brought from thence, will endeavour to make themselvs so much Masters of the Markets in both Cases, as to buy and sell with their own stated Profits: Whereas, private, free Traders, being ignorant of each others Designs, must take the Markets every where as they find them: And 'tis most certain, That from the Year 1653, to 1657, while the Trade was free and open, the *Dutch East-India* Company suffer'd much by the low Prices, whereat the *Indian* Commodities were sold by the *English* Merchants: Nor can any Thing be more serviceable to the *Dutch* Interest, than that the bold, adventurous *English* Spirits, with so great Knowledge of Trade, and so great Stocks to be employ'd for *India*, *China*, and other Parts yet undiscover'd, should be confin'd within a lazy, monopolizing, joint Stock, which will never fail to keep so fair a *Correspondence* with those of their Brethren on the other Side of the Water, as, by each Others Motions, to regulate their Prices and Profits; and impose, arbitrarily, by *consent*, on the Subjects of each State, and the whole World also. I shall not insist on the Difficulty of good Government in a new Corporation, tho' we have heard some Complaints of *Corruption* (perhaps not altogether groundless) in relation to the present *East-India* Company: And it is not probable at this Time, when there is so great a Scarcity of good Morals, that Matters will be much mended by changing Hands: I shall only mind you, in reference to the national Constitution, that in the late Reigns, the *East-India* Company, and the great *Bankers* of *Lombard-Street*, were thought dangerous to the Nation, by the Loans of great Sums, made to King *Charles* II. and King *James*, on the Credit of the *Exchequer* only, when those Princes were not, or would not be supply'd in a parliamentary way: And in this present Reign, for the same political Reasons, the *Bank* of *England* was restrain'd by Law, from lending to the Crown otherwise than on Funds granted in Parliament, with borrowing Clauses authorising such Loans. But if a new Corporation of Two Millions Fund, 160,000 *l.* annual Interest, with a Million or two more occasionally on Credit, or otherwise advanc'd, with Pretence to carry on the Trade; together with the constant accruing Profits; I say if This gives no Umbrage of Hazard to our most excellent Constitution, of which, I hope, all good *Englishmen* will ever be tender and jealous, I may then conclude this Nation forever out of Danger from any Matters of that Nature."

A. D. 1698.

But how well grounded soever in Reason this Paper was, it met with no Regard; because it was equally conclusive against both Parties: And when Truth is in the *Midst*, tho' it is her own proper Post, her Authority is so far from being duly consider'd, respected, or obey'd, that it is then most of all in danger, of being trodden under Foot.

The Bill, when pass'd by the Commons, was sent up to the Lords, and was follow'd, as it was reasonable to expect, by the old Company, with all the Opposition they could make: For, having upon their Petition, obtain'd Leave to be heard by their Counsel, They not only insisted as before on their own Rights, but they attack'd the new

The Bill sent up to the Lords.

A. D. 1698. new Regulations contain'd in the Bill, and maintain'd they were leſs beneficial to the Public, than Thoſe inſerted in the late Charter. According to the ſaid Charter, (in which, they ſaid, were expreſs Covenants, That his Majeſty would not grant Licence to any other Perſons to trade to *India*) the old Company were oblig'd to take in additional Subſcriptions to the Amount of 744,000 *l.* whereas by the preſent Bill, no Proviſion was made for any *certain Stock* to carry on the Trade: The old Company were moreover oblig'd to export *Engliſh* Manufactures to the Value of 100,000 *l. per Ann.* Whereas the *new* Subſcribers were laid under no ſuch Obligation: According to their Charter, none but natural-born Subjects, or Perſons naturalis'd, were allow'd to ſubſcribe; whereas the Bill admitted *Foreigners*; which, as the old Company were ready to ſhew, might produce Effects very pernicious and dangerous to the general Intereſt of the Nation: Tho' the old Company had offer'd to raiſe Two Millions, the *New* were *oblig'd* by the Bill to raiſe but One; and it was reaſonable for the Former to make a Doubt, Whether Voluntiers could be found to furniſh the reſt? And, Laſtly, they urg'd, That, whereas, according to the Votes of both Houſes, the beſt way to carry on the Trade, was by a joint Stock, excluſive of all others, the Bill provided both for a joint Stock, and a ſeperate Trade; which, as they apprehended, would increaſe the Difficulty of completing the Two Millions.

The Company heard by their Counſel againſt it.

What was moſt remarkable in the Anſwer of the Reſpondents, conſiſted in theſe two Aſſertions, That the old Company's Charter had been obtain'd by irregular Means: And that it was not in the Power of the Crown, without Conſent of Parliament, to grant a Monopoly.

Thus the Corruption of the Times was openly avow'd on one Hand, the Prerogative was attack'd without Ceremony on the other, and yet the Courtiers preſent appear'd to be neither exaſperated nor alarm'd; becauſe, perhaps, the vacating one Job, made way for another.

But tho' the miniſterial Current ſat ſo ſtrongly in favour of the Bill, a great many able and eminent Lords not only ſtood up to oppoſe it, but left no material Argument, or parliamentary Expedient untry'd, to make good their Way againſt it; as appears in the whole Progreſs of the Diſpute; and alſo in the Proteſt, which, on the Queſtions being carry'd for the ſecond reading of the Bill, by Sixty-five Voices againſt Forty-eight, was enter'd and ſign'd by Twenty-one of the Latter (amongſt whom was the Lord *Godolphin*, tho' at that Time firſt Commiſſioner of the Treaſury) for the following Reaſons, *viz.*

Proteſt of 21 Peers againſt it.

"1ſt, Becauſe this Bill puts an unreaſonable Hardſhip upon the preſent *Eaſt-India* Company, ſince it plainly appear'd at the Bar of this Houſe, That a Security, of which (we conceive) there was no Reaſon to doubt, had been offer'd by the ſaid Company for raiſing the whole Two Millions for the public Service; whereas the Bill inveſting the new Subſcribers with the Trade upon the Subſcription of one Million only, does not, as we conceive, give ſo much as a Probability of raiſing more: And it may be reaſonably enough doubted, Whether the ſeparate Trade allow'd in this Bill, concurrent with a joint Stock, may not prove ſo inconſiſtent, as to diſcourage the Subſcription from ever coming near to the ſaid Million?

A. D. 1698.

2dly, Becauſe the Bill puts a Period to the Charter of the *Eaſt-India* Company, and gives the Trade thither to other Perſons, without ſo much as ſuggeſting, that the ſaid Charter, or the Trade carried on by Virtue of it, hath been prejudicial to the King or Kingdom, tho' the ſaid Company have an expreſs Clauſe in their Charter, That it ſhall not be determin'd without three Years Warning, even if it ſhould appear not profitable to the King or this Realm: And the Bill granting likewiſe a Supply of Two Millions, in which the Commons pretended the Houſe of Lords ought not to make any Alteration, we are of Opinion, their Lordſhips are thereby likewiſe depriv'd of the Freedom of their Vote in the Matter of the *Eaſt-India* Trade, to which it cannot be deny'd but they have an equal Right with the Commons: And yet, by its being join'd to a Bill of Supply, this Houſe muſt either be the Occaſion of diſappointing ſo large and neceſſary a Grant for the Public Service, or be put upon the unreaſonable Hardſhip of conſenting to a Matter, which, tho' it ſeems ſo unjuſt, it is fruitleſs for them to examine, if their Amendments are not to be admitted, becauſe offer'd to a Money-Bill; which we humbly conceive to be a manifeſt Violation of the Rights of the Houſe, and tending to an Alteration of the Conſtitution of the Government."

Laſtly, That we may wind up the Evidence relating to this Affair, *Burnet* has given his Teſtimony concerning it as follows.

Burnet's Teſtimony concerning it.

"It is certain, that this Act, together with the Inclinations which thoſe of the *Whigs*, who were in good Poſts, had expreſs'd for keeping up a greater Land-Force, did contribute to the blaſting the Reputation they had hitherto maintain'd, of being good Patriots, and was made uſe of over *England* by the *Tories*, to diſgrace both the King and them. To this, another Charge of a high Nature was added, That they robbed the Public, and apply'd much of the Money, that was given for the Service of the Nation, both to the ſupporting a vaſt Expence, and to the raiſing great Eſtates to themſelves: This was ſenſible to the People, who were uneaſy under heavy Taxes, and were too ready to believe, that, according to the Practice in King *Charles*'s Time, a great deal of the Money that was given in Parliament, was divided among thoſe who gave it: Theſe Clamours were rais'd and manag'd with great Dexterity, by thoſe who intended to render the King, and all who were beſt affected to him, ſo odious to the Nation, that by this Means they might carry ſuch

A. D. 1698. such an Election, of a new House of Commons, as that, by it, *all might be overturn'd*. It was said, That the Bank of *England*, and the new *East-India* Company, being in the Hands of *Whigs*, they would have the Command of all the Money, and, by consequence, of all the Trade of *England*."

Preamble of the Bill. And as to the Act itself, the Preamble set forth, That the Commons, considering his Majesty's extraordinary Occasion, and being desirous to supply the same, in a Manner least grievous to the Subject, granted to his Majesty, his Heirs and Successors, from the 1st of *July*, 1698, Two-pence Half-penny *per* Gallon on Salt, and from the 29th of *December*, Three-pence Half-penny *per* Gallon, together with the additional Duty of Stamps (granted under the Denomination of a free Gift, by a seperate Bill) for establishing the new Company's Fund of 160,000*l.* subject to Redemption by Parliament.

Account of the other Money-Bills. Then as to the Time and Order in which the Money-Bills were pass'd, That for satisfying and discharging the Arrears of several Annuities incurr'd between *May* 17, 1696, and *May* 17, 1697, receiv'd the Royal Assent March 7: That for granting 1,484,015*l.* 11*s.* 11¼ for disbanding Forces, paying Seamen, and other Uses therein mention'd, *April* the 2d: That for granting the Duties on Coal and Culm; and that for continuing Duties on Tea, Coffee, *&c.* for paying Interest on the Transport-Debt for reducing *Ireland*, *May* 16: And on *July* the 5th, the Act for settling the *East-India* Trade as above; together with, The Act for enlarging the Time for purchasing Annuities, (the Contributions arising from which were for the Recoinage, and for cloathing the Army in 1697): The Act for imposing the new Stamp Duties: The Act for licencing Hawkers and Pedlars, as a farther Provision for the *Irish* Transport-Debt: The Act for increasing the Duties on Lustrings (intended rather as a Prohibition of that Manufacture, than a Means of raising Money.) The Act for the more regular Payment of Lottery-Tickets: The Act for applying to the Use of the Navy and Ordnance, the Overplus of the Money granted for building Twenty-seven Ships of War: The Act for granting the Quarterly Pole: And the Act for settling the Civil-List: Concerning which, something more particular remains to be said: For the Preamble set forth, That his Majesty's most dutiful and loyal Subjects the Commons, being always sensible of the great Blessings which, by the Goodness of Almighty *God*, They and all other Subjects of his Majesty's Realms and Dominions, in the free Exercise of the true Christian Religion (the most valuable Benefit which can be bestow'd upon any Nation or People) as also in their Liberties and Properties, did fully enjoy under his Majesty's most auspicious Government, and being desirous to make a grateful Acknowledgment of his Majesty's unparallel'd Grace and Favour to his Commons, and particularly for his great and successful Undertakings and Atchievments, whereby his Majesty A. D. 1697. had been the happy Instrument of securing the aforesaid Blessings to them and their Posterities, had, therefore, freely and unanimously, resolv'd to encrease his Majesty's Revenue during his Reign, with Prayers for its long Continuance; and accordingly did give and grant to his most excellent Majesty the new Subsidy from the 31st of *January* 1699, during Life.

Particularly of that for settling the Civil List.

And in the 13th Section, they farther signify, That, whereas their Purpose was, That the yearly Sum of 700,000*l.* should be supply'd to his Majesty for the Service of his Houshold and Family, and for his other necessary Expences and Occasions, They had and did assign him, The hereditary and temporary Excise (after the Tallies already struck thereon were discharg'd), 600*l.* a Week out of the Revenue of the Post-Office; the first Fruits and Tenths of the Clergy; the Fines in the Alienation-Office and Post-Fines; the Revenue of the Wine Licence; the Money arising by Sheriffs, Prossers, and Compositions in the Exchequer; as also from Seisures; the Revenue of the Duchy of *Cornwall*, and all other Rents of Crown-Lands either in *England* or *Wales*; as also Fines for Leases of the same; the Duty of Four and a Half *per Cent.* in Specie arising from *Barbadoes* and the *Leeward-Islands*; as also what should arise from the farther Subsidies and Duties then granted, under the following Provisoes, That, in case the said Revenues produc'd more than 700,000*l. per Ann.* the Overplus should be accounted for to Parliament: That all Grants and Dispositions of the same should be void: And that all Grantees, or other Persons to whom such Grants might be made, should be incapable of holding the same.

Burnet's Remarks upon it. It remains to be added, That, under the Head of this Act, Bishop *Burnet* takes occasion to inform us, "That it was design'd to grant for the Civil-List no more than 600,000*l.* but that, as it had been promis'd at the Treaty of *Utrecht* (in what Manner, we have seen) That King *James* being now as dead to *England*, his Queen should enjoy her Jointure, which was 50,000*l.* a Year; and as it was intended to settle a Court about the Duke of *Glocester*, who was then nine Years old, this large Provision was made for the Civil-List, to enable the King to bear these Expences: But, continues the same Author, by some great Errors in the Management, tho' the Court never spent so little, yet Payments were very ill made; and by some strange Consumption, all was wasted."

As also, that the Dutchess Dowager of *Marlborough* thus enflames this Charge against the King, in her own Account of her own Conduct, (P. 116, 117, 118, 119, 120.)

and the Dutchess Dowager of Marlborough.

"When the Duke of *Glocester* was arriv'd at the Age, to be put into Mens Hands, the King insinuated to such Members of the Parliament, as he knew were desirous to have the Duke handsomely settled, that it would require near 50,000*l.* a Year: And, at the same Time, he promis'd other Persons, whom he knew it would please, That he

A. D. 1698. he would pay Queen *Mary* in *France* her Settlement, which was alſo 50,000 *l.* a Year: And theſe Steps he took, in order to obtain an Addition of a 100,000 *l.* a Year to his Civil-Liſt.

The Addition was granted, yet he never paid one Shilling to the Queen: And, as to the Duke, the King not only kept him in Womens Hands, a good while after the new Revenue was granted, but, when his Highneſs's Family was ſettled, would give him no more than 15000 *l.* a Year: Nay, of this ſmall Allowance, he refus'd to advance one Quarter, tho' it was abſolutely wanted to buy Plate and Furniture; ſo that the Princeſs was forc'd to be at that Expence herſelf.

But this was not all: The King (influenc'd, I ſuppoſe, in this Particular, by my Lord *Sunderland*) ſent the Princeſs Word, That, tho' he intended to put in all the (*n*) Preceptors, he would leave it to her to chuſe the reſt of the Servants except one, who was to be Deputy-governor and Gentleman of the Duke's Bed-chamber, (which was Mr. *Sayers.*)

This Meſſage was ſo humane, and of ſo different an air from any Thing the Princeſs had been us'd to, that it gave her an extreme Pleaſure; and ſhe immediately ſet herſelf to provide proper Perſons, and of the moſt Conſideration, for the ſeveral Places. Mr. *Boſcawen*, and Secretary *Vernon*'s Son, were to be Grooms of the Bed-chamber; the Sons of the Earls of *Bridgwater* and *Berkley*, were to be Pages of Honour, and ſo on. In the mean Time, the King was in no haſte to finiſh the Affair of the Duke's Eſtabliſhment; and a little before he left *England*, to go make the Campaign, told my Lord *Marlborough*, (who was now (*o*) *reſtor'd* to the Army, and was to be Governor to the Duke of *Glouceſter*) *That he would ſend a Liſt, from Abroad, of the Servants he would have in the Duke's Family*; not in the leaſt regarding the former Meſſage he had ſent to the Princeſs: Which my Lord obſerving, took the Liberty to put his Majeſty in mind of it; by adding, That the Princeſs, upon the Credit of that Meſſage, had engag'd her Promiſes to ſeveral Perſons; and that, not to be able to perform thoſe Promiſes, would be ſo great a Mortification, as he hop'd his Majeſty would not give her, at a Time, when any Thing of Trouble might do her Prejudice, ſhe being then with Child. Hereupon, the King fell into a great Paſſion, and ſaid, *She ſhould not be Queen before her Time; and he would make the Liſt of what Servants the Duke ſhould have.*

The King was ſo peremptory, that my Lord *Marlborough* could ſay no more, and had no Expedient left, but to get my Lord *Albemarle* to try to bring him to Reaſon; which his Lordſhip promis'd to do: And accordingly he took my Lord *Marlborough*'s Liſt of the Perſons the Princeſs had choſen, and carried it with him into *Holland*. In concluſion, that Liſt was approv'd, with very few Alterations: But this was, without queſtion, not ſo much owing to the King's Goodneſs, or my Lord *Albemarle*'s Perſuaſions, (tho' I believe his Lordſhip did take Pains in this Matter) as to the happy Choice the Princeſs had made of the Servants: For the King, upon cool Conſideration, muſt perceive, that he could not ſtrike out of the Liſt a greater Number than he did, without hurting himſelf more than the Princeſs: He only made my Lord *Raby*'s Brother an Equerry; and appointed, to be Gentlemen-waiters, two or three Perſons, who had ſerv'd the late Queen in ſuch like Stations, and had Penſions on that Account: And it was to ſave this Money that the King did ſo Ungentleman-like a Thing, as to force the Princeſs to fail in ſome of her Engagements."

A. D. 1698.

Such is the Repreſentation of his Majeſty's Conduct on this Head:—But, how faithful ſoever it may be in the Main, the Biſhop's Part ſtands in need of ſome Correction: For, whereas he affirms, the Court never ſpent ſo little, it appears by the moſt authentic Accounts that can be obtain'd, That the Expenditure of King *Charles* the Second's Houſhold, and all the Articles belonging to it, did not exceede 588,493 *l.* 1*s.* 1*d.* out of which the Duke of *York* alone had about 80,000 *l.*: And that the Expenditure of King *James* for the ſame Articles, was but 576,105 *l.* 14*s.* $\frac{1}{2}$: Whereas That of King *William* amounted to 675,270 *l.* 19*s.* 9*d.* which was 86,778 *l.* 18*s.* 8*d.* more than That of King *Charles*, and 99,165 *l.* 5*s.* 9$\frac{1}{2}$ more than That of King *James*.

Appropriations of the Supplies.

Laſtly: Whereas the Grants of the Seſſion amounted in the whole to 4,850,174 *l.* 5*s.* 3*d.* the Appropriations and Diſpoſitions were as follow, *viz.* For Wages to Seamen, 250,000 *l.*: For diſbanding, 250,000 *l.*: For Forces and contingent Charges thereof, 1,215,506 *l.* 1*s.* 7$\frac{1}{2}$: For Ditto and Tranſports, 31,436 *l.* 1*s.* 4*d.*: For Ordnance Land-Service, 53,112 *l.* 9*s.* 3*d.*: For diſcharging Pro-Tallies on the Exciſe and Poſt-Office, (*p*) 600,000 *l.*: For the Expence of his Majeſty's Houſhold, 400,000 *l.*: For the ſeveral Mints, 29,209 *l.*: For Præmiums on the Contracts for Exchequer-Bills, (no Sum aſcertained but iſſued) 147,968 *l.* 14*s.* 3$\frac{1}{2}$: For cancelling Ditto out of the Land-Tax and Loans, 240,659 *l.* 1*s.*: To Bank and Bank Annuities, 272,322 *l.* 6*s.* 5$\frac{1}{2}$: For Deficiency of the Fund of Two Millions, Intereſt of Tallies, &c. 117,586 *l.* 10*s.* 1*d.* For Intereſt on the *Iriſh* Tranſport-Bill, 56,600 *l.*: For Principal and Intereſt of Loans on the Salt, Glaſs, and Whale-Fin Duties, 120,000 *l.*: And, whereas all the Reſidue

(*n*) Of whom Biſhop *Burnet*, againſt his Will, it ſeems, was appointed the firſt; concerning which, ſee the ſplendid Section in his Hiſtory of his own Times, Vol. II. P. 210, 211.

(*o*) By whoſe Interpoſition, or what Terms, or for what Purpoſe, now all Service was at an End in the Field, her Grace does not ſtay to particulariſe; which is ſo much the more to be regretted, becauſe her great Friend Lord *Godolphin*, was at the ſame Period diſgrac'd, and ſet aſide as an unprofitable Servant.

(*p*) Of which only 467,000 *l.* was ſo apply'd: The remaining 133,000 *l.* being apply'd to the Civil liſt.

A. D. 1698. Residue of the said Grants, was by a general Clause appointed for Land and Sea Services, 842,592*l.* 12*s.* 2*d.* was apply'd to the Service of the Navy; making in the whole, 4,840,957*l.* 6*s.* 11¼ so accounted for.

But the Session produc'd also some other Matters not unworthy of Notice.

Enquiry into fraudulent Indorsements of Exchequer-Bills.

For the Debts incurr'd in the Course of the War, having given rise to a new Currency in Bank, and Exchequer-Bills, *&c.* and all Men, after the Exemple of Those in Power and of their Agents and Creatures, being in haste to grow rich, as the lucrative Jobs of every Session gave them large Opportunity to do, every kind of Practice was try'd upon them by the Adventurers of the Times: They were both counterfeited and falsify'd, by the needy and desperate; and even Those who were in Office, and had the bleeding of the Public in every Vein, were not above making some notable Experiments upon them, which went by the Name of *irregular Indorsements*, for so tenderly worded was the Advertisement from the Treasury, that gave Notice to the Public of this new Stroke of Ledger-de-Main. It seems on the first issuing of these Exchequer-Bills, they bore no Interest; but after they had been paid in upon any of the Taxes, and had been issued a second Time, they were entituled to an Interest of 7*l.* 12*s.* *per Cent.* Here, therefore, was an Opening for the Ingenious and Industrious to try their Talents: And, accordingly, a Confederacy was form'd by Mr. *Charles Duncomb*, Receiver-General of the Excise, Mr. *John Knight*, Treasurer of the Customs, Mr. *Bartholomew Burton*, who had also a Place in the Excise, and Mr. *Reginald Marriot*, one of the Deputy Tellers of the Exchequer, to make the most of it: But the Advertisements above-mention'd having made the Fraud public, and it being soon trac'd home to these Banditti in Office, the Treasury first took cognisance of it, and then the House of Commons. *Marriot*, one of the Gang, turn'd Evidence; there was no want of Proof, either of the Fact, or against the Persons accus'd; and the House inclining more to Rigor than Mercy, to deter others from committing the like breach of Trust for the future it ought to be suppos'd, *Duncomb* and *Knight*, who were both Members, were expell'd, and sent to the *Tower*: *Burton* was sent to *Newgate*; and Bills of Pains and Penalties were order'd in for their farther Punishment. That against *Duncomb*, who was immensely rich, (as appear'd by his paying down the Purchase-Money, which was 95,000*l.* for *Helmsley*, the Estate of *Villars* Duke of *Buckingham*, when the want of Coin was most sensibly felt, and loudly complain'd of) was pass'd first, notwithstanding the remarkable Opposition given to it by the Attorney-General (*Trevor*) and sent up to the Lords, by whom it was rejected, on a Division, by one Voice; said to be the Duke of *Leeds*'s, and accompany'd with some other (*q*) Suggestions, which serve to display yet farther either the Malignity or the Corruption of the Times.

Gazette, No. 3345.

Duncomb *and* Knight, *two Members, expell'd for the same, and sent to the* Tower.

Bills of Pains and Penalties order'd against them.

A. D. 1699.

which are rejected by the Lords.

It ought, however, to be acknowledg'd, That, in rejecting Bills of this extraordinary Nature, to assign Punishments where the Laws had specify'd no Offence, their Lordships might be directed by the noblest Principles of Wisdom and Equity: The Bills against *Knight* and *Burton* had the same Fate: And so far did this Spirit of Clemency carry them, that they also discharg'd *Duncomb* from his Confinement; a Favour which, however, he deriv'd no Benefit from: For the Commons, in a Flame of Resentment, re-committed him; and he continued in Custody till the End of the Session.

Their Lordships also enlarge Duncomb, *but he is re-committed by the Commons.*

Hard Case of the Victuallers of the Tower Hamlets.

Another singular Case, and which was treated by the Commons in a Manner as singular, was the Case of the Victuallers of the *Tower-Hamlets*, who, by Petition, set forth, That, under the Pretence of Subsistance-Money, *&c.* they had been oblig'd by the Justices of Peace, to disburse several Sums to the Officers and Soldiers of Colonel *Tidcombe*'s Regiment: This Petition was refer'd to a Committee; that Committee came to the following Resolutions; and the House upon the Report agreed to them, *viz.* 1. That the Petitioners had no Cause of Complaint against the Justices of the Peace, who acted in relation to the quartering of Colonel *Tidcombe*'s Regiment. 2. That by an Account stated between the Victuallers and Mr. *Moyer*, Agent for the said Regiment, it appear'd, That the Sum of 3623*l.* 14*s.* 8*d.* was due to the said Victuallers; and that there was due from his Majesty to the said Regiments, 4975*l.* 9*s.* 7*d.* So that, notwithstanding all the Provisions made by the Laws, with regard to the Billetting and Quartering of Soldiers, and the Privileges of the Subject against every such Pressure, Victuallers, Inn-holders, *&c.* were, by the said Report, understood, to be liable to subsist the Soldiery, in case they were not subsisted by the Government.

London-Derry Petitions.

On the other Hand, a Committee having been appointed to examine the Allegations of a Petition presented to the House by Colonel *Michelborne*, joint Governor of *London-Derry* with Dr. *Walker*, and having reported to the House, That all the said Allegations had been verify'd, That 992*l.* was due to the said Colonel upon his Pay as Governor: That 14,949*l.* 18*s.* 6*d.* was due to the said Colonel, his Officers and Soldiers, and that it was their Opinion, an Addtess ought to be sent to his Majesty in their Favour, the said Resolutions were not permitted to be

(*q*) Namely: That *Duncomb* had *dissell'd the impending Storm with a golden Sacrifice*: But if his Escape was call'd a *Jeb* by the *Whigs*, the Bill was call'd a *Job* by the *Tories*; as appears by that very extraordinary Pamphlet, call'd, *The true Picture of a modern* Whig, writ by *Dr. Drovenant*; in which *Double*, the Hero of it, says, "I can tell you who was "to have had *Helmsley*, if the Bill had pass'd against *Dun-*"*comb*, and who were to have shar'd all the rest of his "Manors."

A. D. 1698. be read a Second Time: But then ſome few Days afterwards, the Affair was reſum'd; and an Addreſs was prepar'd and agreed to; in which the Services and Sufferings of the ſaid City (which had alſo by Petition pray'd the Mediation of the Houſe with his Majeſty in their Favour) were in the firſt Place recommended to his Majeſty's Conſideration in the Kingdom of *Ireland*, that the Citizens thereof might no longer remane a ruinous Spectacle to all, a Scorn to their Enemies, and a Diſcouragement to his Majeſty's well-affected Subjects: And, Secondly, the Governor and Gariſon of the ſaid City, who, thro' the utmoſt Sufferings and Extremities, had defended the ſame, and who, for ſuch ſignal Service, did deſerve ſome ſpecial Marks of his Majeſty's Favour, for a laſting Monument to Poſterity: In which Addreſs his Majeſty was pleas'd to Anſwer, That he would take them into his Conſideration, according to the Deſire of the Houſe.

An Addreſs in their Favour.

A Book aſſerting the Independency of Ireland on the Parliament of England.

While this Affair was alſo depending, Complaint being made to the Houſe of a printed Book, entituled, *The Caſe of* Ireland's *being bound by Acts of Parliament in* England, (written by *William Molyneux*, of *Dublin*, Eſq;) in which, the Dependence of that Kingdom on the Authority of the Parliament of *England* was deny'd, and by Inference, it was repreſented to be a conquer'd Country, ſubject to the Will and Pleaſure of the Crown, a Committee was appointed to enquire who was the Author of the ſaid Book, as alſo to enquire what Proceedings in *Ireland* had given Occaſion to the writing of the ſaid Book: And an Addreſs was voted to the King, That his Majeſty would be pleas'd to give Directions for the Diſcovery and Puniſhment of the Author.

Occaſions an Enquiry into the Conduct obſerv'd in that Kingdom.

When likewiſe the ſaid Committee made their Report, it was unanimouſly reſolv'd, "That the ſaid Book was of dangerous Conſequence to the Crown and People of *England*, by denying the Authority of the King and Parliament of *England*, to bind the Kingdom and People of *Ireland*, and the Subordination and Dependance that *Ireland* has, and ought to have, upon *England*, as being united and annex'd to the Imperial Crown of this Realm: And that a Bill, entituled, *An Act for the better Security of his Majeſty's Perſon and Government*, tranſmitted under the Great Seal of *Ireland*, whereby an Act of Parliament made in *England*, was pretended to be re-enacted, and Alterations therein made, and divers Things enacted alſo, pretending to oblige the Courts of Juſtice, and the Great Seal of *England*, by the Authority of an *Iriſh* Parliament, had given Occaſion and Encouragement to the forming and publiſhing the dangerous Poſitions contain'd in the ſaid Book. Four Days after, the Commons, in a Body, preſented an Addreſs to the King; wherein they laid before his Majeſty, the dangerous Attempts that had been of late made by ſome of his Subjects of *Ireland*, to ſhake off their Subjection to, and Dependance on, this Kingdom; which had manifeſtly appear'd to the Commons, not only by the bold and pernicious Aſſertions, in a Book publiſh'd and dedicated to his Majeſty, entituled, *The Caſe of* Ireland, *being bound by Acts of Parliament in* England, *ſtated*; but more fully and authentically, by the Votes and Proceedings of the Houſe of Commons in *Ireland*, in their late Seſſions: And whereby the foremention'd Bill, ſent hither under the Great Seal of *Ireland*, whereby they would have an Act paſſed in the Parliament of *England*, expreſly binding *Ireland*, to be re-enacted there, and Alterations therein made; ſome of which amounted to a Repeal of what is requir'd by the ſaid Act made in *England*; and in other of the ſaid Alterations, pretending to give Authority to, and oblige the Courts of Juſtice and Great Seal here in *England*: That This they could not but look on as an Occaſion and Encouragement in the forming and publiſhing the dangerous Poſitions contain'd in the ſaid Book: That the Conſequences of ſuch Poſitions and Proceedings, would be ſo fatal to this Kingdom, and even to *Ireland* itſelf, that they needed not to be enlarg'd on, or aggravated: Therefore, as they reſted ſatisfy'd, that his Majeſty, by his Royal Prudence, would prevent their being drawn into Example; ſo they aſſur'd his Majeſty of their ready Concurrence and Aſſiſtance, in a parliamentary Way, to preſerve and maintain the (*r*) Dependance and Subordination of *Ireland*, to the Imperial Crown of this Realm: And they humbly beſought his Majeſty, That he would give effectual Orders to prevent any Thing of the like Nature for the future, and the pernicious Conſequences of what was paſs'd, by puniſhing and diſcountenancing Thoſe that had been guilty thereof: That he would take all neceſſary Care, that the Laws which direct and reſtrain the Parliament of *Ireland* in their Actings, be not evaded, but ſtrictly obſerv'd: And that he would diſcourage all Things, which might, in any Degree, leſſen the Dependance of *Ireland* upon *England*." To this his Majeſty's Anſwer was, "That he would take Care That what was complain'd of, might be prevented and redreſs'd, as the Commons deſir'd."

A. D. 1698. *and Addreſs to the King.*

Reſolutions of the Houſe thereon.

Nor did the Jealouſy at this Time, entertain'd of the Government in *Ireland*, end here: On the contrary, Complaints having been made to the Houſe, That Woollen Manufactures were ſetting up and carrying on in that Kingdom, to the manifeſt Detriment

Proceedings on the Woollen Manufactures of Ireland.

(*r*) Which from Circumſtances is preſum'd to be much antienter than is commonly imagin'd: For a certain Author, who undertook to continue the Same Chronology, ſpecifies, That *Lanfranc*, Archbiſhop of *Canterbury*, *Temp. Guil.* I. conſecrated *Donate*, a Monk of that Church, to the See of *Dublin*, *petente Rege, clero & populo Hiberniæ*, or by the Requeſt of the *Iriſh* Parliament: And it is farther obſerv'd by other Authors, deeply verſ'd in our Antiquities, That in King *Edgar*'s Charters, *Oſmund*'s Law, and divers of the Same Hiſtorians, the Subjection of *Ireland* to *England* is many ways evidenc'd, tho' our Lawyers are ſo courteous as to free that Country from our Laws and Cuſtoms till towards the End of King *John*: And to aſſert, that our Parliament did not bind them till *Poyning*'s Law in *Henry* VII.

A.D. 1698. ment of Thoſe which conſtituted the Staple Trade of This; the Houſe at firſt order'd a Bill to be prepar'd for quieting the Apprehenſions entertain'd, and the Miſchiefs which might actually follow from the Matter complain'd of: But thinking it more prudent to compliment the King with ſuch an Act of Popularity of this Side of the Water, and of Aggrievance on the other, they had recourſe to another Expedient, which was an Addreſs to the following Effect.

"That being very ſenſible, That the Wealth and Power of this Kingdom, do, in a great Meaſure, depend on the preſerving the Woollen Manufacture, as much as poſſible, entire to this Realm, that they thought it became them, like their Anceſtors, to be jealous of the Eſtabliſhment, and the Encreaſe thereof elſewhere, and to uſe their utmoſt Endeavours to prevent it: That they could not without Trouble obſerve, That *Ireland*, which is dependant on, and protected by *England*, in the Enjoyment of all they have, and which is ſo proper for the Linen Manufacture, the Eſtabliſhment and Growth of which there, would be ſo enriching to themſelves, and ſo profitable to *England*, ſhould of late apply itſelf to the Woollen Manufacture, to the great Prejudice of the Trade of this Kingdom, and ſo unwillingly promote the Linen Trade, which would benefit both Nations: That the Conſequence thereof, would neceſſitate his Majeſty's Parliament of *England* to interpoſe, to prevent this Miſchief, unleſs his Majeſty, by his Authority and great Wiſdom, ſhould find Means to ſecure the Trade of *England*, by making the Subjects of *Ireland* perſue the joint Intereſt of both Kingdoms: Wherefore they implor'd his Majeſty's Protection and Favour in this Matter; and that he would make it his Royal Care, and enjoin all thoſe he employ'd in *Ireland*, to uſe their utmoſt Diligence to hinder the Exportation of Wool from *Ireland*, (except to be imported hither) and for the diſcouraging the *Woollen* Manufactures, and encouraging the *Linen* Manufactures in *Ireland*; to which the Commons of *England* ſhould always be ready to give their utmoſt Aſſiſtance." To this Addreſs his Majeſty made anſwer, "That he ſhould do all that in him lay to promote the Trade of *England*; and to diſcourage the *Woollen*, and encourage the *Linen*, Manufacture in *Ireland*."

A new Act to reſtrain the Exportation of Wool, &c.

But, as the *French* Refugees, which, during this Reign, had fled from Perſecution at home, and taken Sanctuary here, had brought over the Silk Manufactures of *France* along with them, ſo the *French*, as if by way of Reprizal, having ſeduc'd Woollen Manufacturers from hence, and ſet up a great Work in *Picardy*, it was thought expedient to bring in a new Act for explaining and better executing the former Acts againſt exporting *Wool*, *Fuller's*-Earth, and *Scouring*-Clay, which was brought in, perfected, and paſs'd into an Act accordingly.

Further Proceedings for relation to the Army.

Again: During the ſame Interval, Thoſe who had rais'd ſuch a Flame, both within Doors and without, againſt a *Standing-Army*, kept their Eye on every Motion of the Court, A.D. 1698. with regard to that tender Point, during the whole Courſe of the Seſſion, as we farther collect from *Trenchard's Hiſtory of Standing-Armies*; who ſays, "That, inſtead of complying with the foregoing Reſolutions of the Houſe of Commons, with regard to the Diſbanding the Army, They (the Court, that is to ſay) reform'd a certain Number of Men, out of every Troop and Company, and kept up all the Officers, who are the moſt eſſential and chargeable Part of an Army, the private Soldiers being to be rais'd again in a few Days, whenever they pleaſe; which was ſuch a Sort of Diſbanding, as every Officer would have made (and always did make, when occaſion offer'd) in his Company for his private Advantage: So that all the Effect of ſuch a Reform, was to hinder the Officer from falſe Muſters, and to ſave the Pay of a few common Soldiers. But, continues He, This would not ſatisfy the People, and therefore they diſbanded ſome Regiments of Horſe, Foot, and Dragoons, and thought of that profound Expedient, of ſending a great many more to *Ireland*; as if our Grievance was not the Fear of being enſlav'd by them, but leſt they ſhould ſpend their Money amongſt us: Which Project was, however, ſo tranſparent, that they durſt not rely upon it; and therefore gave out, That, as faſt as Money could be got, they would diſband more Regiments; upon which a ſuitable Expectation was rais'd; and ſeveral Times it was taken Notice of in Parliament; to which it was always anſwer'd, That the Delay was owing to nothing but want of Money: While, on the other Hand, it was affirm'd in all public Places without Doors, That Eighteen Regiments more would be diſbanded: Nay, ſome went ſo far as to name the very Regiments: And Mr. *Trenchard* adds, That he had heard it with great Aſſurance affirm'd, That the King had ſign'd the Order in Council: And he concludes the Section in theſe Words, "Thus the Seſſion was worn out, till the Houſe of Commons, tir'd with Expectation, addreſs'd his Majeſty, That he would be pleas'd to give Orders, That a Liſt be laid before the Houſe of the Army diſbanded, and intended to be diſbanded; and of the Officers Names who are to have Half-Pay: And his Majeſty was pleas'd to anſwer, That he would comply with the Deſire of the Houſe, as ſoon as conveniently he could: But the Parliament ſitting not above a Month afterwards, his Majeſty ſent them no farther Anſwer."

The Houſe, moreover, duly conſidering what conſequence a ſerious Regard to the Duties of Religion and Morality were of to a State, waited upon his Majeſty in a Body, with a ſolemn Addreſs, in which they complain'd both of the Neglect and ill Examples of the Magiſtracy, and the general Degeneracy and Corruption of the People, to the great Scandal and Reproach of the Proteſtant Religion, and to the Diſhonour and Prejudice of his Majeſty's Government; beſought his Majeſty, to iſſue his Royal Proclamation, commanding all his Judges, Juſtices

A. D. 1697. ces of Peace, &c. to put the Laws in force against Prophaneness and Immorality: As also, that the said Proclamation might be read at least four Times a Year, in all Churches, Chapels, &c. as also at the Assizes and Quarter Sessions, just before the Charge was given: And that he would give effectual Orders for the Suppressing of all pernicious (*s*) Books and Pamphlets, containing impious Doctrines against the Holy Trinity, (which abounded at this Time) &c. To which his Majesty was *King's Answer.* pleas'd to answer, That he could not but be very well pleas'd with an Address of that Nature: That he would give immediate Directions in the several Particulars desir'd: But that he could with some more effectual Provision might be made for the suppressing the said pernicious Books and Pamphlets.

New Regulations of the African Trade. Taking, also, the *African* Trade into Consideration, which, like that of the *East-Indies*, was in the Hands of a Company, and for that Reason was said to be equally mismanag'd, the House observ'd a middle Course between the said Company (who, to maintain their Charter, insisted, That the said Trade could no otherwise be carry'd on, than under the Protection of their Forts and Settlements) and the *Interlopers*; who, on the contrary, insisted on the Necessity of laying it open: For they left the Management, as before, in the Hands of the Company; and yet open'd the Trade, in some Measure, to the said *Interlopers*, on condition, that they paid to *per Cent.* on all the Goods they carry'd to the *African* Coast, to the Company, towards the Maintenance of their said Forts and Settlements.

Proceedings against certain Merchant-Smugglers. Lastly, certain of the *French* Refugees, having been incorporated by Charter, in order to furnish the Kingdom with *Alamodes* and *Lustrings*, which, before the War, we had always been furnish'd with from *France*; a *French* Passport having been intercepted by the Government in the Year 1695-6, inclos'd in a Letter sign'd G. and B. and it having been discover'd by the Duke of *Shrewsbury* in *April* 1697, that these two Initials stood for *Gaudet* and *Burreau*, two *French* Merchants in *London*, his Grace, by his Warrant dated in *June* following, attach'd their Books and Papers, no doubt with a View to trace out some Plot or treasonable Correspondence at least: But all that appear'd was, That the said Merchants were in Confederacy with several more, in smuggling *French Lustrings*, *Alamodes*, &c. and the *French* Pass they made use of, was for the Vessel they employ'd in that Service; which being imparted by the Lords Justices to the said Company, they undertook, for their own Sakes, to push the Enquiry, and the Government to carry on the Prosecution, against the Delinquents.

Accordingly, the Company having provided sufficient Matter of Evidence, and a sufficient Number of Witnesses to verify it, apply'd to the House of Commons by Petition: This Petition of theirs was refer'd to the Committee of Trade, at the Head of which was Sir *Rowland Gwynne*; before whom the Cause was open'd by *Baker*, the Solicitor of the Treasury: After which the Company undertook for themselves, and produc'd their Witnesses, Facts, &c. among the Latter of which, some of the most extraordinary were, That, in the Course of little more than a Year, those illicit Importations had reduc'd the Number of Looms employ'd by them, from 768, to between 40 and 50: Whereas, if it had not been for the said illicit Practices, they made no doubt of having had treble the first of those Numbers so employ'd in the said Manufactures: That these confederate Smugglers had also imported the same Kind of *French* Goods from *Holland* as well as *France*; the *French* Seals having first been taken off, and *Dutch* Seals put on in their Stead: That one *de la Motte*, of *Rotterdam*, a Factor for the Merchants of *Lions*, had shipp'd no less than 25,000 Pieces of the said Goods on board *English* and *Dutch* Men of War, in great Boxes, which were consign'd to several *French* Merchants in *London*, particularly nam'd: That *Gaudet* and *Seignoret*, two of those Confederates, were Committee-Men of the *Lustring* Company, and under an Oath to be faithful to the same: And that in farther Violation of the said Oath, the said *Gaudet*, &c. having receiv'd Intelligence, That Lord *Galway*, while his Majesty's Minister to the Duke of *Savoy*, was instructed to solicit the Importation of *English* Woolens into his Royal Highness's Dominions, Custom-free, did make Interest at *Turin* to frustrate the said Solicitations, which were frustrated accordingly, &c. And, upon the whole, the Committee having made their Report, it was resolv'd, agreable thereto, "That the Manufacture of *Lustrings* and *Alamodes*, set up by the *Lustring* Company, had been very advantageous and beneficial to this Kingdom, by employing great Numbers of the Poor, and preventing the Exportation of our Coin, for purchasing of those Commodities: That there had been a very destructive Trade carried on with *France*, during the War, for importing *Alamodes* and *Lustrings*, contrary to Law, whereby the King had been defrauded of his Customs, and our own Manufactures greatly discourag'd: That the same Vessels which imported *Alamodes* and *Lustrings*, did export great Quantities of our Wool: That thereby Intelligence had been carried into *France*, during the War, and the Enemies of the Government had been convey'd from Justice, out of this Kingdom, (particularly (*t*) *Cardel Goodman*) and had had frequent Opportunities of returning hither,

A. D. 1698.

Evidence of the Lustring-Company.

Resolutions against them.

(*s*) About this Time, by his Majesty's Encouragement, a Society was constituted for the Reformation of Manners; which the dirty Practices of their Informers, and other Familiars, have since brought into Contempt and Disuse.

(*t*) The Evidence to this Fact was given by one *Saunders*, the Master of one of the Smuggling Vessels, who depos'd, That in *October* 1696, one *Pierce* contracted with him for 100 Guineas to carry Passengers into *France*, whom he *afterwards* knew to be one Colonel *Ingram*, his Lady, their Niece, the Lady's Woman, one Mr. *Williams* Co-Brazen, and *Cardel Goodman*; And that they were landed at *Calais*; but did not specify how he came by this *After-knowledge*.

A.D. 1668. hither, to carry on their pernicious Defigns: That by the intercepted Letter, wherein the *French* King's Paſſport was inclos'd, compar'd with Mr. *John Goudet*'s Hand-writing, and the Copy of the ſaid Letter enter'd in Mr. *Goudet*'s Copy-Book of Letters, and by Mr. *Goudet*'s Seal, wherewith the Paſſport-Letter was ſealed, it did appear, That the ſaid Paſſport was procur'd and paid by the ſaid Mr. *Goudet* and Company: That the ſaid Paſſport was ſent back in order to be renew'd, the Time for which it was granted being expir'd: That *Goudet*, *Longueville*, and *Barreau*, were Partners during the Time this Smuggling Trade was carry'd on: That Mr. *Stephen Seignoret*, Mr. *Baudoin*, and Mr. *Santini*, were alſo Partners, and had imported great Quantities of *French Alamodes* and *Luſtrings*: That Mr. *Peter de Hearce* dealt with ſeveral Perſons in *France*, for *French* Silks, and other Commodities from *France*, under ſeveral fictitious and counterfeit Names: That *John du Maiſtre*, *Peter Baraillau*, *Diana Maſon*, *John Auriol*, *Iſaac Auriol*, *John Paucier*, *John Guyguier*, and ſeveral others, had been concern'd in the Smuggling Trade: That a Bill be brought in for the Encouragement of the *Luſtring* Company, and the more effectual preventing the fraudulent Importation of *Luſtrings* and *Alamodes*, and the Exportation of *Wool* and *Fullers-Earth*: That *John Goudet*, *David Barreau*, *Peter Longueville*, *Stephen Seignoret*, *Rene Bauduoin*, *Nicholas Santini*, and *Peter de Hearce*, (to whom were afterwards added *John Pierce*, *John du Maiſtre*, and *John Auriol*) be impeach'd before the Lords of high Crimes and Miſdemeanors; and be taken into the Cuſtody of the Serjeant at Arms, attending this Houſe: That the reſt of the Smugglers be proſecuted by Mr. Attorney General, and Mr. Sollicitor General: And, laſtly, That Mr. *Hilary Reneu*, for the great Service done this Kingdom, in promoting the Manufacture of *Alamodes* and *Luſtrings*, and diſcovering the fraudulent Importation thereof, and Exportation of *Wool*, deſerv'd the Countenance and Protection of the Government; and that a Bill for naturalizing of him and his Family, be permitted to paſs this Houſe *gratis*."

They are impeach'd,

Accordingly, Articles of Impeachment having been prepar'd, and carry'd up to the Lords, the Smugglers put in their Anſwers, and the Committee of the Houſe of Commons made their Replications; a great Diſpute aroſe between both Houſes of Parliament; the Lords inſiſting, That the Trials ſhould be at the Bar of their Houſe, where the Committee of the Commons muſt have ſtood; and the Commons, on the other Hand, inſiſting upon their having a convenient Place appointed for the Managers of the Impeachments againſt the Priſoners, whereby they might be the better enabled to make good their Charge againſt them: This gave occaſion for a Conference, which being ineffectual to accommodate the Matter, the Commons reſolv'd, That they would be preſent at the Trials, as a Committee of the whole Houſe, in regard the Affair was of great Conſequence to the Trade of the Kingdom: Whereupon the Lords acquainted the Commons, that they would proceed upon the *Monday* following upon the Trials in *Weſtminſter*, where Seats would be provided for both Houſes. All this while the Perſons accus'd had conceiv'd no ſmall Hopes of Impunity, from the Diſagreement between Lords and Commons; but when they ſaw that Matter adjuſted, Eight of them confeſs'd themſelves guilty: Whereupon the Commons went up to the Bar of the Lords Houſe, and their Speaker, in their Name, having demanded Judgment againſt the ſaid Offenders, the Lords impos'd a Fine of 10,000 *l.* upon *Stephen Seignoret*; of 3000 *l.* on *Rhene Baudoin*; of 1500 *l.* on *John Goudet* and *Nicholas Santini*; of 1000 *l.* on *Peter Dihearce*, *John Pierſe*, and *John Dumaiſtre*; and of 500 *l.* on *David Barreau*; and order'd, that they ſhould be impriſon'd in *Newgate*, until they had paid their reſpective Fines. And, leſt any Favourite ſhould be gratify'd with theſe Sums, the Commons addreſs'd his Majeſty, That they might be appropriated to *Greenwich* Hoſpital, which his Majeſty order'd to be done accordingly; to the great Diſappointment of ſeveral greedy Courtiers: Whether thoſe Lords who, it is ſaid, perſuaded the ſaid accus'd Perſons to plead *Guilty*, who ſhall ſay?

A.D. 1668.

and fin'd,

[Boyer.]

[The true Picture of a Modern Whig, Part I. P. 14.]

And now all that remains to complete the Seſſion, is to give his Majeſty's Speech at the Cloſe of it, which was conceiv'd in the following Terms.

King's Speech.

"*My Lords and Gentlemen,*

I cannot take Leave of ſo good a Parliament, without publicly acknowledging the Senſe I have of the great Things you have done for my Safety and Honour, and for the Support and Welfare of my People.

Every one of your Seſſions hath made good this Character: The happy uniting of us in an *Aſſociation* for our mutual Defence; the remedying the *Corruption of the Coin*, which had been ſo long growing upon the Nation; the *Reſtoring of Credit*; the giving Supplies in ſuch a Manner for carrying on the War, as did, by *God*'s Bleſſing, produce an honorable Peace; and, after that, the making ſuch *Proviſions* for our common Security, and towards ſatisfying the *Debts* contracted in ſo long a War, with as little Burden to the Kingdom as is poſſible, are ſuch Things as will give a laſting Reputation to this Parliament, and will be a Subject of *Emulation* to thoſe which ſhall come after.

Beſides all this, I think myſelf perſonally oblig'd to return my Thanks to you, Gentlemen of the Houſe of Commons, for the Regard you have had to my *Honour*, by the eſtabliſhing of my *Revenue*.

My Lords and Gentlemen,

There is nothing I value ſo much as the Eſteem and Love of my People: And as for their *Sakes* I avoided no *Hazards* during the War, ſo my whole Study and Care ſhall be to improve and continue to them the Advantages and Bleſſings of Peace.

And I earneſtly deſire you all, in your ſeveral Stations, to be vigilant in preſerving Peace

A. D. 1697. Peace and good Order, and in a due and regular Execution of the Laws, eſpecially thoſe againſt Profaneneſs and Irreligion."

What a Strain of Grace and Acknowledgment! Whether natural or artificial, may be collected beſt from a Conſideration of his Majeſty's known Temper and uſual Deportment; from his Senſibility in the Affair of the Army; and from the Streſs uſually laid on Royal Recommendations in the Caſe of a general Election, which was to follow: This Parliament having ſat its limited Time!

Parliament Diſſolv'd.

It was the 5th of *July* when this Speech was deliver'd; and tho' the Parliament was that Day prorogu'd only to the 2d of *Auguſt*, on the 7th it was diſſolv'd by Proclamation, and a new one was ſummon'd to meet on the 24th of *Auguſt*.

But before we procede farther on with the Courſe of the Year, it will be expedient juſt to touch on a few Incidents which happen'd in the Commencement of it, *viz.*

Caſe of the Earl of Glencarty.

The Earl of *Glencarty*, who had marry'd one of Lord *Sunderland*'s Daughters, and who, during the War, had made his Eſcape out of the *Tower* to *France*, for which, and the treaſonable Matters alledg'd againſt him, he had been attainted, preſuming on the Peace, or rather on the Protection of his Father-in-Law, not only return'd to *England*, but went directly to his Lady; out of whoſe Apartment he was the next Morning taken by a Meſſenger of State, upon the Information of the Lord *Spencer*, his Brother-in-Law: But inſtead of being ſent to *Newgate*, as the Warrant directed, he was, by the Interpoſition of Lord *Sunderland*, ſent out of the Kingdom.

[Boyer.]

Whitehall burn'd.

Another of theſe Incidents was the Burning down the Palace of *Whitehall*, which for a long Courſe of Years, had been the Reſidence of our Kings, and well deſerv'd to be ſo, on account of its admirable Situation. The Fire began in a Laundry; and as its Beginning was owing to Careleſſneſs, ſo the Ruin caus'd by it was owing to the Selfiſhneſs of thoſe who were then in poſſeſſion of the Lodgings: For they, it ſeems, were more ſolicitous to ſave the Furniture, which was partly their own, than the Building, which they held only during Pleaſure: In conſequence of which, all the Royal Apartments, except the Banqueting-Houſe, were (*u*) deſtroy'd: And our Sovereigns, in order, we muſt ſuppoſe, to oblige their Favourites with Manſions on this delectable Spot, have ſince choſe to keep their Court in that *Gothic*, irregular, unſightly Heap, which at this Day, by the Courteſy of *England*, is call'd the Royal Palace of St. *James*'s.

Proceſs and Iſſue of Lord Portland's Embaſſy.

Of the Earl of *Portland*'s Embaſſy to the Court of *France*, mention has been already made: But of the Expence and Prodigality of it, which was without Bound, a bare mention, and we have no room for more, would hardly be ſufficient: Some of our Writers tell us, the Oſtentation of our Court on this Occaſion, coſt no leſs than 80,000 *l.* and *Kennet*, *Oldmixon*, &c. ſeem tranſported with their own Deſcriptions of it. The Firſt tells us, The *French* were aſtoniſh'd at the Grandeur and Opulence of the *Engliſh* Nation: And the Laſt, That nothing like it had been ſeen at *Paris* before, in the Reign of *Lewis le Grand*: But Others, who were Eye-witneſſes of his Entry, and who acknowledge the Splendor of it, ſay, The *French* derided every Part of it: And, it is unqueſtionably true, That ſuch officious Compliments as Theſe, are more for the Honour of Thoſe they are made to, than Thoſe who make them.

A. D. 1698.

[Mem. and Obſerv. on the Occurrences of Europe, 1712. P. 8.]

But his Majeſty had, before This, diſcover'd his extreme Forwardneſs to make a ſort of *Court* to his good Brother of *France*: For having receiv'd a Notification by *Letter* of the Duke of *Burgundy*'s Marriage, on the 21ſt of *December*, he diſpatch'd the Duke of St. *Albans* that Day Sennight with his Felicitations on that Occaſion.

Gazette, No. 3351.

Nor is this all: For whereas Lord *Portland* made his public Entry into *Paris*, *February* 27, the Count *de Tallard*, his Moſt *Chriſtian* Majeſty's Embaſſador Extraordinary to the Court of *England*, did not arrive in *London* till the 19th of *March*: His public Entry was not made till the 16th of *May*; and had more the Air of a Leſſon of Frugality to us, than of an Attempt to vye with us in Splendor, or of any Purpoſe to flatter us into a good Opinion of them.

Our Hiſtorians, moreover, inſinuate, what indeed is ſcarce to be believ'd, That among the Points of Negotiation, committed to Lord *Portland*, one was to ſolicit the Removal of King *James* to *Avignon*: But that, notwithſtanding all the Diſtinctions heap'd upon him, his Moſt *Chriſtian* Majeſty would not ſo much as hear the Propoſal; and that, upon the whole, if it ſhould be admitted, That no Embaſſador was ever more honour'd, no Embaſſador was ever leſs ſucceſsful.

But to get rid of ſo fulſome a Subject for good and all, on the 8th of *June* his Excellency left *Paris*; having long before had the Mortification to be inform'd from his Maſter's Cloſet, That while he was thus figuring it at the Court of *France*, the Earl of *Jerſey*, a near Relation of the Favourite Court-Lady, and conſequently an Inſtrument of the Faction againſt him, was appointed his Succeſſor: "And upon his Return, ſays Biſhop *Burnet*, not being able to bear the viſible Superiority which his Rival *Keppel* was, in his Abſence, grown up to, he took Occaſion from a ſmall Preference that was given to the Latter, in prejudice of his own Poſt as Groom of the Stole, to withdraw from Court, and lay down all his Employments. The King, continues the ſame Author, us'd all poſſible Means to divert him from this Reſolution, but without prevailing on him: He conſented to ſerve the King

He lays down all his Employments on his Return.

ſtill

(*u*) A Circumſtance which the Court Ear-wigs of thoſe Times took a malicious Advantage of, in certain Rhimes, to be ſevere on the abdicated King, who, in Alluſion to his Statue, ſtill remaining in *Privy-Garden*, and then ſurrounded with the Flames, they ſaid, *had never ſtood Fire before*.

A. D. 1698. still in his Affairs, but would not return to any Poſt in the Houſhold."

It is now proper to inſert another of thoſe Letters from the King to Lord *Galway*, his Confident in *Ireland*, which have been communicated to the Public by Mr. *Tindal*, and which contain ſo much of the Secret of his Majeſty's Government, with regard both to Civil and Military.

A Letter from the King to Lord Galway.

It was dated from *Kenſington July* 16, and is thus tranſlated from the original *French*: "Tho' I have largely explain'd to the Chancellor of *Ireland* my Sentiments about the *Iriſh* Affairs, I am willing, however, to write to you, to tell you, That it was never of ſuch Importance (*x*) *to have, at preſent*, a good Seſſion of Parliament, not only in Regard to my Affairs of *that* Kingdom, but eſpecially of *This here*: The chief Thing that muſt be try'd to be prevented is, That the *Iriſh* Parliament takes no Notice of what has paſs'd in *This here*; and that you make effectual Laws for the Linen Manufacture, and diſcourage, as far as poſſible, the Woollen: Theſe (*y*) *are the Two moſt* material Points you have to accompliſh; and the Third is, the neceſſary Supply for the Maintenance of the Army, of which you know the Importance, and to try to get as *much as you can*; ſince, *after this Seſſion*, I ſhould be very glad not to be *oblig'd*, this *good while*, to have another Parliament in *Ireland*: I have ſent Orders for embarking at *Oſtend* the five *French* Regiments; and, inſtead of my own Regiment of Dragoons of *Eppinger*, I will ſend you two Regiments of Foot, which will be much the ſame as to Expence: *Bathwaite* (Secretary at War) will write to you about the Eſtabliſhment and Appointment of the Pay of the Forces: I muſt tell you, I am well ſatisfy'd with the Chancellor of *Ireland*: At his firſt coming here to the Parliament, he committed a great (*z*) Overſight, and all the Miniſtry here are much incens'd againſt him, as well as the *Whig*-Party: But in *Ireland* it is juſt the contrary; it is the *Tories*: So he will find it hard to behave in ſuch a Manner, as not to be involv'd in Difficulties: If bad Succeſs attends you in the Parliament, it is certain, the Blame will here be laid on him: I thought it neceſſary to inform you of this Circumſtance, that you may take your Meaſures accordingly: Be always aſſur'd of my Eſteem.

W. R."

On the very Day this Letter was dated, (*a*) his Majeſty, in Council, was pleas'd to declare his Intention to go over to *Holland* for a ſhort Time; and appointed the Archbiſhop of *Canterbury*, the Lord Chancellor *Somers*, the Lord Privy-Seal *Pembroke*, the Lord Steward *Devonſhire*, the Earls of *Dorſet*, *Marlborough*, and *Romney*; the Earl of *Orford*, firſt Commiſſioner of the Admiralty and Treaſurer of the Navy; and Mr. *Montagu*, who, on the 1ſt of *May*, had been made firſt Commiſſioner of the Treaſury, in the Room of Lord *Godolphin*, to be Lord Juſtices of the Kingdom in his Abſence: So that neither of the Secretaries of State, it ſeems, were permitted to have any Share in this delegated Royalty: The Duke of *Shrewſbury* being excluded, either becauſe he was in Diſgrace at Court, or becauſe the Court was in Diſgrace with him; (for it is ſcarce poſſible to be deciſive on ſo delicate a Point) and Mr. *Vernon*, to ſave Appearances: For, having till the laſt Seſſion of Parliament ſerv'd under Lord *Shrewſbury*, it was held altogether indecent to inveſt him with an Honour which that Nobleman was deny'd.

Lords Juſtices appointed.

But even of Thoſe who were thus nominated, Biſhop *Burnet* takes Care to inform us, only Three had any Share of the Secret; namely, Lord *Somers*, Lord *Orford* and *Montagu*; the firſt of whom he characteriſes not only as one of the ableſt and moſt incorrupt Judges that ever preſided in the Chancery-Court, but as a Firſt-Rate Genius in Government-Affairs, which ſo recommended him to his Majeſty, that he conſider'd him beyond all his Miniſters, and repos'd a ſuitable Confidence in him on all Occaſions: Of Lord *Orford*, he ſays no more, in effect than this: That in his Diſtribution of the Preferments in his Province, he conſider'd nothing but Zeal for the Government, or rather that Faction of it in which he was a Leader: And this Zeal, as before hinted, paſſed with him for every kind of Merit; ſo that the Government became liable to many ſiniſter Imputations on account of his Partialities; which were too obvious to be overlook'd, and too flagrant to be excus'd: And, laſtly, of *Montagu*, he ſays, That he had gain'd ſuch a viſible Aſcendant in the Houſe of Commons, over all who were zealous for the King's Service, that he gave the Law to the Reſt, which he did always with great Spirit, but, ſometimes, with too aſſuming an Air.

Characters of the Triumvirate in Power.

Theſe are the Colours in which he hath ſet forth this *Triumvirate*: But theſe Colours are not altogether ſo lively as they ought to have been, if there is any Truth in Tradition thro' the nobleſt Hands, or in Manuſcript Authorities, which correſpond with them.

The Characters given of them by others.

In his Capacity of Chancellor, Lord *Somers* is undoubtedly irreproachable: And he that did not acknowledge his Abilities in State-Affairs, muſt either have none of his own, or, thro' Prejudice and Perverſeneſs, muſt have forfeited the Uſe of them: It was to his Abilities as a Stateſman as well as a Lawyer, he ow'd his Advancement: His Father was an Attorney at *Worceſter*, who *M. S.* left him a bare Competency and no more: He was long a Practitioner at the Bar, before his Merits were ſuitably diſtinguiſh'd: And if it had not been for his political Con-

nections

(*x*) Perhaps this Paſſage ſhould have run thus, as, *as preſent, to have*, &c.

(*y*) Perhaps it ſhould be thus, Theſe are *Two* or *the moſt material Points*, &c.

(*z*) What is no where explain'd.

(*a*) There was alſo a Poſtſcript in theſe Words, "I ſhall ſet out in Two Days for *Holland*: I ſend you back the Prince of *Conti*'s Letter, and approve much of your Anſwer to him: I had not an Opportunity to let you know it before."

A. D. 1698. rections with Lord *Shaftſbury*, Sir *William Jours*, and the other great Leaders of the Oppoſition to the Court of King *Charles* II. very probably had never attained thoſe Honors which he deſerv'd and became ſo well: For it is not the leaſt of his Excellencies, that, in Point of Addreſs, whether adviſing as a Miniſter, attending in the Circle as a Courtier, preſiding in the Houſe of Lords as Speaker, conferring or altercating with Foreign Miniſters, giving Audience and Diſpatch to Suitors, or doing the Honors of his Table, where he became all Things to all Men, he was the moſt extraordinary Man of his Times:—But when Juſtice has made theſe Acknowledgments, ſhe will think herſelf oblig'd to add, That theſe ſurpaſſing Talents, this all-comprehenſive Knowledge, did not operate with the ſame Vigour in the Cabinet as on the Bench: That Firmneſs which had withſtood the Storm, melted in the Sun-ſhine; and, having once ſuggeſted what was right, he did not think himſelf oblig'd to withſtand what was wrong; at leaſt, in ſuch Points as the King had ſet his Heart upon; tho' they were often ſuch as were ſcarce to be reconcil'd either to his Majeſty's printed Profeſſions, or to the Conſtitution, the Intereſt, and the Honor of *England*: In ſuch Caſes the Courtier was too hard for the Patriot; and he who had pleaded ſo ſtrongly for the Right of Reſiſtance, acted as if Reſignation and Compliance were indiſpenſable Duties.

Of Lord *Orford*, enough has been ſaid already: But of Mr. *Montagu*, ſo little, that ſome additional Features are neceſſary, even to furniſh out a Sketch of his Portrait. He was deſcended from a collateral Branch of the *Montagu*'s Earls of *Manchester*, had been educated at *Cambridge*, as ſome ſay with a View of taking Orders: While there, he had diſcover'd an Inclination to Poetry, and obtain'd ſome Reputation by a Piece, call'd, *The City Mouſe and Country Mouſe*, in anſwer to *The Hind and Panther* of *Dryden*: But, being a Man of ſhrew'd Diſcernment, and much Ambition, he ſoon diſcover'd, That the Revolution had given a new Turn to the Current of Affairs: That the King having many Wants, would have occaſion for ſuitable Supplies: That, conſequently the Houſe of Commons would be the great Road to Preferment: And that he who, by any Means, could make himſelf conſiderable there, might carve for himſelf: Inſtead, therefore, of ſneaking into the Church, he reſolv'd to faſten upon the State; to turn Declamer firſt, and Projector afterwards; and by haranguing boldly on one Hand, and undertaking deſperately on the other, to make his Fortune: Accordingly, he ſoon diſtinguiſh'd himſelf as a thorough-pac'd Man in each of thoſe Provinces: And was almoſt as ſoon diſtinguiſh'd by Lord *Sunderland*, as a fit Inſtrument to be ſet up againſt Lord *Godolphin*; and as his, *Sunderland*'s, *Subſtitute* to *manage* the Houſe of Commons: But tho' he could, for a while, condeſcend to acknowledge a Superior, it became viſible in Time, That he could not bear an Equal. Thus when the *Court-Junto* confederated againſt the firſt of thoſe Lords, he alſo turn'd againſt him, for the Sake of ſupplanting the Laſt. To unite Morality and Policy, is, it ſeems, one of the hardeſt Taſks in the World: Lord *Sunderland* had been a double Dealer to his Maſter, and *Montagu* was a double Dealer to him: Each had his Purpoſe to ſerve, and to ſerve that Purpoſe, made no Scruple to ſacrifice every other Conſideration:—But, with what Facility ſoever he made his Way to the Head of the Treaſury-Board, or how abſolutely ſoever he exercis'd his Dominion there, neither the Advantages uſually attendant on noble Birth, nor the Offering he had made to the Graces and Muſes, nor the familiar Converſe of the accompliſh'd *Great*, could poliſh off the Ruſt he had acquir'd in a College, or abate that dogmatical Stiffneſs ſo much in faſhion there, ſo ridiculous every where elſe:—Indeed, he came young into Buſineſs; his Progreſs was ſwift; the Times yielded to him; and poſſibly that Sufficiency ſo natural to Youth and good Fortune, and the Flatteries his Situation expos'd him to, were alone anſwerable for theſe Blemiſhes: Beſides; his public Conduct was, perhaps, more obnoxious than his private Character: He was the Patron of Projectors as well as Poets: Among his Books and Papers, when ſold by Auction, there was a Collection of Projects in three Folio Volumes, which mark the Harpy-Spirit of the Times, if poſſibly, yet more ſtrongly than the Grants they produc'd; as they ſerve to ſhew, That ten Expedients were offer'd for one that was adopted: If he was not the Father of Corruption, he foſter'd it, as if all his Hopes were built upon it: And as to his Bargains with the Money-Jobbers, (to ſay nothing of the (*b*) *uſurious* Conditions on which they were made) they lye heavy on the Nation to this Day, and probably will ſo continue to the Day of Judgment.

A. D. 1698. M. S.

Particularly Dr. Davenant.

Dr. *Davenant*, who had been an Adventurer, tho' an unſucceſsful one, and of a lower Claſs, in the ſame way, loſes no Opportunity

(*a*) Dr. *Davenant*, having obſerv'd, That the old *Eaſt-India* Company neither propos'd or expected any Premium or Deduction whatſoever, for laying down the 200,000 *l.* which they offer'd, as a Depoſite for the two Millions they were to raiſe, adds, "Yet their Offer was diſcourag'd by ſome of our Men of Buſineſs; and the ſame Perſons have thought it reaſonable to allow to the New Company, (the Subſcription to which by the way was fill'd, for that very Reaſon, as ſoon as poſſible) a Premium of 62,500 *l.* which was defalk'd out of the firſt Payment of 200,000 *l.* part of which Premium is contrary to the expreſs Direction of the Act of Parliament." And he alſo takes care to remember, That, for circulating 3,000,000 in Exchequer-Bills, (which, in another Place, he informs us was a Project of *Mordecai Abbot*'s, tho' aſſum'd by Mr. *Montagu*) bearing a current Intereſt of above 7½ *per Cent.* 225,000 *l.* was allow'd by way of Premium: And that the ſaid 3,000,000, when brought into Circulation, was no more than 2,700,000 *l.* ſo that no leſs than 300,000 *l.* was loſt by the way.

(*b*) In the Collection of Projects above-mention'd, I have ſeen one of the Doctor's, dated *January* 4, 1694. for raiſing 840,000 *l. per Annum*, by a new Exciſe on *Malt*, *Soap*, *Candles*, *Hides* and *Skins*.

A. D. 1698.

portunity of laying open both his Character and his Conduct: But tho' he seems to be more particularly embitter'd against him, it cannot be said, That he has been over-merciful to his two Co-partners in the Administration: And without this Key to the Doctor's Writings, some of the most pointed Passages in them, would in Time grow unintelligible.

—"They who come into a Government (says he, for Example, in his Discourse, *Of private Mens Duty in the Administration of public Affairs*) with a Design to build a Family and make a Fortune; who are to get all, and can lose nothing; who are chiefly recommended by their Boldness to undertake, and Readiness to comply; whom no Counsels fright, and whom no Measures shock; such Men are, indeed, the proper Instruments for introducing arbitrary Power, but can hardly be thought fit Ministers in any Nation that is desirous to preserve its Freedom." And again, afterwards, "But at the Head of These, they had always some one that was to be the forlorn Hope, and who would venture to go greater Lengths than any of his Companions: And for this Post they generally chose a pushing Man of bold Spirit, a ready Wit, a fluent Tongue, obscure and low in the World, and even such a one whom Fortune could hardly leave in a worse Condition than she found him."

In his Discourse of *Grants* and *Resumptions*, of which we shall have occasion to speak more largely hereafter, he has also many other Sallies of the same Tendency, all level'd at one or other of the *Triumvirate*: And, lastly, in the *Second* Part of his *True Picture of a Modern Whig*, he serves them *All* up in these Words, to the Indignation of the Kingdom, "Suppose a Gentleman, (meaning Lord *Orford*) from 800*l.* *per Annum* comes to have at least 500,000*l.* in his Pocket, and to be made an Earl, is he to sit quiet? No; let him endeavour to get a Million, and to be a Duke. If a Lawyer, (meaning the Chancellor) from 300*l.* a Year in Estate and Practice both together, comes to have a good 6000*l.* a Year, is he to rest there? No; let him think of doubling that Estate; and to be made an Earl. If another (meaning *Montagu*) with a Fifty Pound Annuity, and whose young Ambition look'd no higher than Tythe-Pigs, and a small Parsonage, obtains a Barony, (which will be explan'd in its Place) the most profitable Employment in the State, and to be worth 80,000*l.* in Money, is he to bound his Hopes there? No; let him aspire to be a Marquis, to have a blue Ribbon, and to be Lord High Treasurer."

And now, with such a Diversity of Evidence concerning these great All-sufficients of the Cabinet lying before us, we may procede to such Measures as were either the Result of their Advice, or receiv'd all the Sanctions they could give them; intermixing in our way, the other Incidents of the Year.

First, then, the *Historian* of his *own Times* furnishes us with the following Matter, in the following Words.

"*Before* the King went into *Holland*, which was in *July*, News came from *Spain*, that their King was dying: This Alarm was often given before, but it came much quicker *now*: The *French*, *upon this*, sent a Fleet to lie before *Cadiz*, which came thither, at the *Time* that the Galleons were *expected* home from the *West-Indies*: And it was *apprehended*, That, if the King had died, they would have *seiz'd* on all that *Treasure*: We sent a Fleet thither to *secure* them; but it came too late, to have done any Service, if it had been needed: This was much censur'd; but the Admiralty excus'd themselves, by saying, That the Parliament was so late in fixing the Funds for the Fleet, that it was not possible to be ready sooner than they were: The King of *Spain* recover'd for that Time; but it was so far from an entire Recovery, that a Relapse was still apprehended. When the King went to *Holland*, he left some sealed Orders behind him, of which some of his Ministers told me, they knew not the Contents till they were open'd: By these, the King order'd 16,000 Men to be kept up: For excusing this, it was said, That tho' the Parliament had, in their Votes, mention'd only 10,000 Land-men, to whom they had afterwards added 3000 Marines, and had rais'd only the Money necessary for that Number, yet no determin'd Number was mention'd in the Act itself: So, since the Apprehension of the King of *Spain's* Death made it advisable to have a greater Force ready for such an Accident, the King resolv'd to keep up a Force somewhat beyond that, which the House of Commons had consented to: The leaving these Orders sealed, made the whole Blame to be cast singly on the King, as it skreen'd the Ministers from a Share in this Counsel: And we have more than once known Ministers put the Advices, that they themselves gave, in such a Manner on their Masters, that in executing them, our Kings have taken more Care to shelter their Ministers, than to preserve themselves."

Burnet's *Account of a Squadron sent to Cadiz, and of the secret Orders left by the King.*

But oblig'd as we are to this Writer for the latter Part of this Section, in relation to the *sealed Orders*, we cannot excuse ourselves from bestowing some Correction on the Former.

Our own *Gazettes* do, indeed, make frequent mention of the frequent Indispositions of the King of *Spain*: But in That of *June* 23, (Twenty-six Days *before* the King departed for *Holland*) we are assur'd from *Madrid*, He was perfectly recover'd: As also, That nine of the *Thirteen* Galleons expected, on board of which were above thirty Millions of Dollars register'd, did actually arrive at *Cadiz* on the 4th of that Month; and the Rest soon after did the same. Now, it was not till the 11th of *August*, N. S. that the *French* Squadron came into the Bay of *Cadiz*; and his *Catholic* Majesty did not relapse till the 29th: Our Squadron under the Command of *Aylmer*, did not sail from *Spithead* till the 13th of *September*, O. S. and, if that Commander had any other Commission besides

The Former prov'd to be false. No. 3405.

A. D. 1697. ties That of renewing and confirming our Treaty with the piratical States of *Algiers*, *Tunis*, and *Tripoly*, which he successfully discharg'd, it was a very different one from That of *securing* the Galleons against the Efforts of *France*, as will be made evident, when we resume the Thread of our foreign Affairs.

A Remark on the Latter. Again: If the *Triumvirate* manifested more Concern for themselves than for their Master, in exposing him personally to the Blame of his own unpopular Measures, with relation to the Army, it must be own'd, on the other Hand, That, in going out of the Kingdom, to spend the Summer, when he had no longer that Pretence for his Excuse, which he had so often made a Merit of, namely, Of exposing himself for the Service of the Public, at the Head of the Confederate-Army, his Majesty left the whole Burden of the ensuing general Election upon them; and render'd the Pressure of it so much the more grievous, by furnishing additional Matter of Clamour upon that Account. A. D. 1698.

The Nation had as yet been unaccustom'd to such occasional *Desertions*, at least in Time of Peace; and could ill brook the undue Preference so notoriously given to an *inferior State*. The Heads of the oppoling Faction had their Eyes open to every Advantage; and had as few Scruples as the *Converters* themselves, in making their own Use of every Impreſſion they could faſten upon every Mind: And whatſoever ſerv'd to enflame the Diſtempers of the Times, contributed to their Popularity, and conſequently to their Strength in the Houſe of Commons.

Among the Pamphlets ſet out by theſe *Oppoſers* on this Occaſion, there were nevertheleſs Two, which are laid on ſo broad and ſo *conſtitutional* a Baſis, that they deſerve not only to have a Place in our (*d*) Hiſtory, but to be made the Standard of Judgment in whatever relates to the Conduct of Parliaments:

(*d*) In the Former, ſpeaking of the original *Uſe* of Parliaments, and afterwards of the *Abuſe*, the Author proceeds in theſe Words, "I hope it need not be told, That they were at firſt intended for a Support to the King's juſt Prerogative, and a Protection to the Subjects in their juſt Rights and Priviledges; for maintaining all due Honor to the executive Power, and all ſuitable Reſpect and Encouragement to Thoſe who are entruſted with the Adminiſtration of the Laws; for a Poiſe and Balance between the two extreme contending Powers of abſolute Monarchy and Anarchy; for a Check and Curb to inſolent and licentious Miniſters, and a Terror to ambitious and overgrown Statеſmen; for giving their Advice to his Majeſty in all Matters of Importance; for making neceſſary Laws to preſerve or improve our Conſtitution, and abrogating ſuch as were found burdenſome and obſolete: for giving the King Money for defraying the Charges and Expences of the Government, or maintaining a neceſſary War againſt foreign and domeſtic Enemies; for examining and inſpecting the public Accounts, to know if their Money be apply'd to its true Uſe and Purpoſes: In ſhort, for the beſt Security imaginable to his Majeſty's Honour and Royal Dignities, and the Subjects Liberties, Eſtates, and Lives.

"This being the Nature and true Deſign of a Parliament, let us now ſee, Whether a Houſe of Commons, full of Officers and Court-Penſioners, will anſwer thoſe noble and laudable Ends of their Conſtitution: And here, indeed, I begin already to be aſham'd of my Undertaking. The Proof of the Negative is ſo ridiculous, that it looks too much like a Jeſt to aſk any one in his Wits, Whether a Parliament fill'd with Delinquents will ever call themſelves to Account; or what Account would be given if they ſhould? Whether an Aſſembly of public Robbers will ſentence one another to be puniſh'd, or to make Reſtitution? Whether it is poſſible our Grievances can be redreſs'd, that are committed by Perſons from whom there is no higher Power to appeal to? Whether there is any Hope of Juſtice where the Malefactors are the Judges? Whether his Majeſty can be rightly inform'd in Affairs relating to himſelf or the Public, when they are repreſented to him only by ſuch Perſons who deſign to abuſe him? Whether the public Accounts will be faithfully inſpected, by thoſe who embezzle the Money to their own uſe? Whether the King's Prerogative can be lawfully maintain'd by ſuch who only pervert it to their own ſiniſter Ends and Purpoſes? Whether a Parliament can be a true Ballance, where all the Weight lies in one Scale? Or, laſtly, Whether a Houſe of Commons can vote freely, who are neither propoſed with the Hopes and Surmiſes of engaging Places, or the ſtrong Fears of loſing them? Methinks, it is offering too much Violence to human Nature, to aſk ſuch Queſtions as Theſe."

And again, afterwards, "As for King *James*'s Reign, tho' it was notoriouſly guilty of the Breach and Violation of moſt of our fundamental Laws, which ſufficiently juſtifies our Carriage towards him, yet we cannot ſay that his Miſmanagement is to be aſcrib'd to the Corruption of any Parliament ſitting in his Time: 'Tis true, indeed, he reap'd too much Advantage from the Conduct of the firſt-b'd Parliament in his Brother's Reign, and us'd all poſſible Endeavours to have ſuch another for himſelf, well knowing it to be the moſt effectual Means for carrying on his ruinous and deſtructive Projects; yet either from the miſtaken Conſtancy of the People, or want of Dexterity in his Miniſters, he was altogether diſtreſſed in his Expectations.

This miſerable Diſappointment of King *James*'s Hopes, made way for our late glorious Revoluſion, which was brought about by the hearty Endeavours, and accompany'd with the moſt unfeign'd Vows and Wiſhes of all true Lovers of their Country, who, from hence expected a full Deliverance from their preſent Miſeries, and a ſure Remedy for their future Fears: For what Happineſs might not the People well hope for, under the Influence of Kings, ſupported by the beſt of Rules, viz. The general Conſent and Election of his People? We were fill'd with golden Dreams, not only of a ſure Security for our Eſtates and Lives, but an unſhaken Aſſurance of all Manner of Bleſſings a Nation is capable of enjoying: But tho' we have dreamt the Dreams, we have not ſeen the Viſions: And tho' the Nation is, by this Time, ſadly ſenſible, how wretchedly they have fallen ſhort of their expected Happineſs, yet they are not at all acquainted with the true Spring and Fountain from whence all their Misfortunes flow; which is, indeed, no other than that bare-fac'd and openly-ever'd Corruption, which, like an unverſal Leproſy, has ſo notoriouſly infected and over-ſpread both our Court and Parliament: "'Tis ****** 'tis this that has hinder'd the paſſing a Bill ſo often brought into the Houſe for incapacitating Members to bear Offices": "'Tis This could not only indemnify, but honor, a Leading Member [meaning *Montagu*] for his audacious Proceeding in accepting a Grant of Lands, which, by the Parliament, had been ſet apart for the public Service: A Vote that ſhall ſtand recorded in their own Journals, to the never-dying Infamy of that mercenary Aſſembly: "'Tis This could make the ſame Perſon moſt confidently affirm, *That he was ſure* the Majority *of the Houſe would agree to what he was going to ſay*: "'Tis This could make Men of peaceable Diſpoſitions, and conſiderable Eſtates, vote for a *Standing Army*: "'Tis This could bring Admirals to confeſs the Fleet under their Command was no Security to us: "'Tis This could make us Men act againſt their own apparent Intereſts: In ſhort, 'tis This has infatuated our Prudence, ſhaken our Confidence, ſully'd our Reputation, and introduc'd a real Defection from all true *Engliſh* Principles: Bribery is, indeed, ſo ſure and unavoidable a way to deſtroy any Nation, that we may all ſit down and wonder, that ſo much as the very Name of a free Government is yet continued to us."

From the Latter of theſe Pieces, I ſhall give but one Section, viz. "All Mankind have obſerv'd, That in the ſecond Revolution unimprov'd by Parliament in the ſame Age; the one as ineffectual to the Good of *England* in the Hands of *Patriots*, *Whigs*, and *Diſſenters*, as the other was in the Hands of *Cavaliers* and *Churchmen*; which makes Men apt to conclude, the Fault lies in that Part of our Conſtitution on which we moſt rely: And the common Reaſon given by all, why Parliaments have miſmanag'd, is, That they are ſo manag'd themſelves: They do not only ſuppoſe them ſubjected to the Power of Kings, to the Influence of great Men, to the Arts of old and crafty Statеſmen, but accuſe them now of being led by beardleſs Politicians, by upſtart Prentices in Buſineſs, ſcribler ſupported by Fortune, Dignities, nor Experience: and only know'd up by projecting Inſolence: If This were the Caſe, To what are we reduc'd? This is not *Phaeton* unfortunately conducting the Horſes of the Sun, but a Carrier driving Pack-Horſes and Beaſts of Burden, which jog on their appointed Stages for their Maſters."

A. D. 1698. ments: The first of them is call'd, *The Danger of mercenary Parliaments:* The Second, *Considerations on the Nature of Parliaments, and our present Elections:* And Both of them are still extant in the *State-Tracts* of this Reign.

Proceedings in the general Election.

In the Cities of *London* and *Westminster*, however, the Courtiers had the Superiority: The Latter, in particular, was represented by Two First-Rate Ministers; namely, The first Commissioner of the Treasury *Montagu*, and Mr. Secretary *Vernon:* Nor ought it to be less unnoted, That Mr. *Robert Walpole*, since such a super-eminent Name in our Annals, was now, for the first Time, sent to Parliament as a Member for *Castle-Rising:* His Heart swelling, no doubt, with Emulation as often as the happy Name of *Montagu* rung in his Ears: And his Head full of Projects and Purposes, to distance him before the End of the Race; tho' in the first Heat, he had in a Manner distanc'd the whole Field.

As to the Elections in general, according to *Burnet*, they fell on such as were in *the Interests of the Government:* Meaning, it must be suppos'd, *Whigs:* For neither He, nor the Faction he belong'd to, would ever allow the *Tories* were so: Besides, the Words that follow, put the Matter out of doubt: For he adds, "Many of them had, indeed, some *popular Notions* which they had imbib'd under a *bad Government*, and thought they ought to keep them under a *good one:* So that Those who wish'd well to the Public, apprehended great Difficulties in managing them." Now none but *Whigs* had imbib'd these *Notions*; nay, these *Notions* constituted the very Essence of *Whiggism*; and all we are to infer from the Manner in which they are treated by the Bishop, is, That when the *Whigs* are *in Power*, the said *Notions* are bad; when *out*, they are *good* ones: And that Governments are *good* or *bad*, according to the Share the *Whigs* are permitted to have in them.

A Prorogation by Command of the Lords Justices.

But, to take Leave of this Topic for the Present, the Returns being all made, a Proclamation was set forth by the Lords Justices, importing, "That, whereas the Parliament, according to the Writs of Summons, was to have been held on the 24th of *August*, They, by the Advice of his Majesty's Privy-Council, for weighty Reasons them thereunto moving, did, thereby, publish and declare, That the said Parliament should not, on the said 24th of *August*, sit for the Dispatch of Business, but should then be prorogu'd to the 27th of *September*; after which convenient Notice should be given by Proclamation, of the Time when the Parliament should be holden, *&c.* That the Members of both Houses might order their Affairs accordingly.

The King, it may be remember'd, as often as the Parliament of *Scotland* assembled, had made his Excuses to them, for not meeting them in Person, by pleading the Duties incumbent on him in his military Capacity: But the War was now at an End: A Session was to be held: His Majesty had a favorite Point of his own to carry; and yet instead of suiting his Behaviour to his Professions, he appointed the Earl of *Marchmont*, who was Lord-Chancellor of that Kingdom, to open it by Commission; the Lord Viscount *Seafield*, Secretary of State, to be Lord President during the said Session; and Lord *Polwarth* to act as Lord Treasurer; under which Direction it was open'd accordingly, *July* the 19th, being the Day before he set out for *Holland*, in the usual Form: That is to say, by a Letter from the King, and correspondent Speeches from the Commissioner and President.

King's Letter to the Scots Parliament.

"His Majesty, in particular, most graciously thank'd them for the Proofs of their Loyalty and good Affection to his Person and Government, in the former Sessions of Parliament; assur'd them, That he design'd to give them such Encouragement upon all Occasions, as might make them find the Advantage of their Faithfulness and Duty to him: And also, That he was sensible of their chearful Assistance, during the Continuance of the War; which, by the Blessing of *God*, was now ended in an honorable Peace: Acquainted them, That the *present Circumstances* of Affairs, hindred him from prosecuting his *Design* of holding this Session in *Person*, but that he had appointed the Earl of *Marchmont* to represent his Royal Authority among them; being well satisfy'd of his Abilities for discharging this Trust; and having fully instructed him to do whatever might be necessary for the Support of the Government, and Safety of the Kingdom: That their Enemies *Abroad*, and those who were *disaffected* to the Government at *Home*, were still *ready* to lay hold on all Opportunities for carrying on their *bad Design:* And that, therefore, his Majesty judg'd it *absolutely necessary* for their *Preservation*, that the Forces upon the *present Establishment* should be *continued*; and he did not doubt but they would provide suitable Supplies for maintaining them. He then recommended to them, the raising Supplies to make good the Deficiencies of the Funds given in former Sessions, for the paying the Arrears that were due, and repairing the Forts and Garison Places: The taking effectual Methods to discourage Vice, Immorality, and Irreligion; and the proceeding with Unanimity, and cordial Concurrence, in the Dispatch of the Public Affairs; that it might appear to all, they were not unmindful of the *happy Deliverance* they had had, from the Dangers to which their *Religion* and *Liberties* were formerly expos'd: Assuring them, in the Conclusion, of his Care to maintain their Religion, Laws, and Liberties; and of his Royal Favour and Protection in all their Concerns." What follow'd, was an Adjournment to the 21st, when the Parliament met again, and appointed four Committees; One to consider of the Security of the Kingdom, One for Trade, another for Elections, and a Fourth for returning an Answer to his Majesty's Letter: Two Days after which, the first of these Committees having made their Report, it was voted, That the present *Standing Forces*

of

A. D. 1698. of this Kingdom, were neceſſary to be contin'u'd, the Houſe was pleas'd moſt complaiſantly to be of the ſame Mind; and thereupon another Committee was nam'd, to find Ways and Means to raiſe the neceſſary Sums for their Subſiſtance.

But, notwithſtanding this Complaiſance, (which was afterwards, as we ſhall find, moſt bitterly complain'd of) *Scotland* was at this Inſtant, and had been, for ſome Time paſs'd, inconceivably agitated with Anxiety and Reſentment, on account of their new commercial Company; and the injurious Treatment it had receiv'd, from the King and his Miniſters.

Proceedings in relation to the Scots trading Company.

What a Flame ſo comprehenſive a Charter, which took in *Africa* and both the *Indies*, accompany'd with ſuch extraordinary Privileges, had rais'd in *England* and *Holland*, we have already been made acquainted with: But what follow'd upon it, both at *London* and at *Hamburg*, where the Company ſolicited Subſcriptions to make up a Capital ſufficient for the Adventure they propos'd to undertake, remanes to be told, and will beſt be told out of their own Repreſentation to their own Parliament, which was in Subſtance as follows.

The Repreſentation of their General Court.

"That whereas the Wiſdom of the King and Parliament had thought fit, by two ſeveral ſolemn Acts and Letters Patent, under the Great Seal of that Kingdom, to eſtabliſh their Company with ſuch Power, Privileges, and Immunities, as were needful to encourage any ſuch new Undertaking in that Nation, and particularly to raiſe a Joint Stock in ſuch Manner as they ſhould think fit; and for that End, to enfranchiſe ſuch Foreigners, as would become Partners with them; and to enter into Treaties of Commerce with any in Amity with his Majeſty for that Effect: That thoſe of their Number, who were then entruſted with the Management of that Affair, did think it moſt natural to make the firſt Offer of ſharing their ſaid Privilege with their Countrymen, and other Neighbours in *England*, as living under the ſame Monarchy: And that they not only readily embrac'd the Offer, but in nine Days ſubſcrib'd 300,000 *l. ſterling*, as the one Half of the Capital Stock then propos'd, and actually paid in the firſt Fourth Part thereof; part in Specie, part in Bank-Notes, payable upon Demand: That both Houſes of Parliament of *England*, taking Umbrage at thoſe Proceedings, had not only jointly addreſs'd his Majeſty for fruſtrating the Ends of the ſaid Acts, but the Houſe of Commons had alſo appointed a Committee to examine what Methods were taken for obtaining the ſaid Acts of Parliament for eſtabliſhing their Company; who were the Subſcribers thereunto, and who were the Promoters and Adviſers thereof; with Power to ſend for Perſons, Papers, and Records: And that, perſuant thereto, the ſaid Committee had given Orders to ſummon not only the *Engliſh* Subſcribers, but even ſome Perſons A. D. 1698. reſiding then in *Scotland*; as by the ſaid Addreſs, Votes of the Houſe of Commons, and Copy of the ſaid Summons did appear: By all which, together with ſome other Meaſures then taken, their Friends in *England* were, to their great Loſs, Diſappointment, and Retardment, forc'd to relinquiſh their Enterpriſe: That notwithſtanding that Diſcouragement, not only moſt of the Nobility, Gentry, Merchants, and the whole Body of the Royal Burroughs, had, upon the Inducement and public Faith of the ſaid Acts of Parliament and Letters Patent, contributed as Adventurers in raiſing a far more conſiderable Joint-Stock, than any was ever before rais'd in the Kingdom for any public Undertaking, or Project of Trade whatſoever, which made it of ſo much the more univerſal a Concern to the Nation: But they had alſo all the promiſing Hopes of foreign Aid that their Hearts could wiſh, eſpecially at *Hamburgh*, where the Merchants of that City enter'd into Contract with their Deputies, to join at leaſt 200,000 *l. ſterling* with them; till, to their great Surpriſe and Loſs, the (e) *Engliſh* Miniſters there, had, under Pretence of ſpecial Warrant from his Majeſty, put a Stop thereto, by giving in a Memorial to the Senate of that City, not only diſowning the Authority of the ſaid Acts of Parliament and Letters Patent, but alſo threatning both Senate and Inhabitants, with the King's utmoſt Diſpleaſure, if they ſhould countenance or join with them in any Treaty of Trade or Commerce, as by the annex'd Copies thereof might appear; which Memorial they pray'd might, for the better Information of his Grace and the Eſtates, be read in Parliament. That after the ſaid Memorial was by the Senate tranſmitted to the *Commercii* or Body of Merchants of that City, they, to aſſert their own Freedom, had adviſ'd and prevail'd upon their *(the Scots)* Deputies and Agents, who were there for the Time, to open Books in the ſaid Merchants-Hall, where, for ſome Days, they ſign'd conſiderable Sums purſuant to their ſaid Contract, tho' under Condition to be void, if they ſhould not procure ſome Declaration from the King, that might render them ſecure from the Threatnings and other Inſinuations contain'd in the ſaid Memorial. That as the reaſonable (nay, and unqueſtionable) Proſpect which they had of a powerful Aſſiſtance from *Hamburgh*, and ſeveral other Places, (if not obſtructed as aforeſaid) had induc'd them to prepare a far greater Equipage at firſt, than otherwiſe they would have done; ſo the rendering theſe Meaſures abortive, had not only weaken'd their Stock, leſſen'd their Credit, retarded their firſt Expedition, and diſheartned many of their Partners at Home, but even ſlacken'd their Reſolution and Power from proſecuting, at that Time, ſeveral other Branches of Foreign and Domeſtic Trades and Improvements, which they had in

(e) Namely, Sir *Paul Ricaut*, the Reſident for the King at that City, and Mr. *Creſſet*, Envoy at the Court of *Lunenburgh*, who jointly ſign'd the Memorial againſt the Company.

A. D. 1698. in View, if they had not met with such Obstructions and *(f)* Discouragements from Time to Time: That tho' their Company was more immediately and sensibly touch'd, in many Respects, by such Proceedings than any other, yet they humbly conceiv'd also, That the Honour and Independency of the Nation, as well as the Credit and Authority of the Parliament, was struck at thro' their Sides: That they could not, as Countrymen, and in Duty to that collective Power, which gave their Company first a Being, but inform his Grace, his Majesty's High Commissioner, and the Right Honourable the Estates of Parliament of the Premises, to the End that the great Council of the Nation (then assembled) might do therein, as they in their profound Wisdom and Discretion should think fit: That as to what concern'd their Company in particular, they should humbly beg Leave to suggest farther, That the Ships being then at Sea, (whither bound, we shall see in due Time and Place) on their intended Voyage, the former Treatment which their Company met with in *England*, and elsewhere, might give them just Grounds to suspect, That if either thro' Multiplicity of public Affairs, or otherwise howsoever, his Grace and the Right Honourable the Estates of Parliament, should neglect the taking present Notice of such Umbrage, the Enemies of their Company would be thereby encourag'd, either directly or indirectly, to persue their former Designs of ruining (if possible) all their Measures: Therefore they desir'd his Grace and the Estates of Parliament, to take the Premises into their serious Consideration, to vindicate their Company's Reputation Abroad, by supporting the Credit of the Acts of Parliament, and Letters Patent, by which the same was establish'd, and wherein the Honour of the Nation was so much concern'd: To take effectual Measures for repairing the great Loss and Damages which they had already sustain'd thro' the unwarrantable Treatment above-mention'd; as well for preventing the like for the Time to come; and withal to continue to them the Privileges and Exemptions mention'd in the said Acts of Parliament, and Letters Patent for some longer Time, in consideration of the Time already elaps'd without Execution, and their Stock lying dead without Improvement, by reason of the aforesaid Obstructions."

A Representation like This, founded on real Grievances undeniably prov'd, and echoed by the Voice of a whole Country, could not but be receiv'd; tho' it is reasonable to think no Management was wanting to stifle it: (For during the whole Time the *Scotish* Parliament continued to sit, there is but one Article in our *Gazettes*, from *Edinburgh*; which one Article contains only an Abstract of the King's Letter, and a Minute of the Vote for keeping up the *Standing-Forces*, so they are therein call'd, of that Kingdom.) And all the Courtiers had to do, was to to quality the Heat of the House, that their *Petition*, which was the Word they presen'd to *Representation*, might be couch'd in somewhat softer and more general Terms. A. D. 1698.

Accordingly, they had, so far, some Merit to plead with their Master: For the said Petition was contracted to the Size and accommodated to the Effect following.

The Parliament's Address to the King.

"That having consider'd a Representation made to them by the Council General of the Company trading to *Africa* and the *Indies*, which mention'd several Obstructions that they met with in the Prosecution of their Trade, particularly by a Memorial presented to the Senate at *Hamburgh*, by his Majesty's Resident in that City, tending to lessen the Credit of the Rights and Privileges granted to the said Company by an Act of the then present Parliament: They therefore, in all humble Duty, laid before his Majesty the whole Nation's Concern in that Matter; and they did most earnestly entreat, and most assuredly expect, that his Majesty, in his Royal Wisdom, would take such Measures, as might effectually vindicate the undoubted Rights and Privileges of the said Company, and support the Credit and Interest thereof: And that as they were in Duty bound to return his Majesty most hearty Thanks for the gracious Assurance his Majesty had been pleas'd to give them of all due Encouragement, for promoting the Trade of that Kingdom; that so they were thereby encourag'd humbly to recommend to the more especial Marks of his Royal Favour, the Concern of the said Company, as that Branch of their Trade, in which they and the Nation which they represented, had a more peculiar Interest."

And that the Company might also be induc'd to follow the same courtly Pattern in the *Petition* of their own, which they thought fit to transmit to his Majesty by the same Express that was charg'd with the Other, they were induc'd to believe, The King, upon a proper Application, would give them Two of his Frigates which then lay in *Burnt-Island*-Harbour: And the Snare which was so artfully set, they as simply fell into; as appears by the Petition itself, which imported,

The Company's Petition to the King.

"That whereas the Parliament had, by their Address, been pleas'd to recommend the Concerns of the Company to his Majesty, for supporting the Credit and Interest thereof, which had already suffer'd in a great Measure, by reason of the several Obstructions which they had met with in the Prosecution of their Trade, particularly by a Memorial

(f) They had before complain'd to the King by Address, dated *June* 28, 1697. To which his Majesty was pleas'd to answer by his two Secretaries, the Earl of *Tullibardin* and Sir *James Ogilvie*, "That, as soon as he return'd to *England*, he would take the said Address into consideration: And that, in the mean Time, he would order his Ministers in those Parts, not to make use of his Name in obstructing the Company in prosecution of their Trade with the Inhabitants of that City." After which Sir *Paul Rainat* denying, That he had receiv'd any such Orders, and persisting in the same Conduct towards the Company, which they had complain'd of before, they made their next Application, which was dated *December* 20, 1697, to the Lord Chancellor and Privy-Council of *Scotland*, but with no better Success than before.

A. D. 1698. Memorial given into the Senate of *Hamburgh*, by his Majesty's Ministers there; these encourag'd them with all Humility to lay before his Majesty, That as the said Memorial was given into the Senate of *Hamburg*, in a most solemn and public Manner, so they humbly conceiv'd, That the Effects thereof could not be taken away, but by some *Intimation* made to the said Senate, that they might enter into Commerce with them, as freely and securely in all Respects, as they might have done, before the giving in of the said Memorial: That in consideration of the Damages sustain'd by the Company, his Majesty would be pleas'd, for their Encouragement, and as a gracious Mark of his Royal Favour, to bestow upon them the two small-left of the Frigates then lying useless in *Burnt-Island*-Harbour: And that in regard of the Time lost by reason of the said Obstructions, his Majesty would be graciously pleas'd to continue the Privileges granted by Act of Parliament to the said Company, of being Custom-free for such *longer Time* as his Majesty should think fit."

In short, if his Majesty was *ill serv'd* by those *Scots* Ministers of his, who obtain'd his Assent to the Charter, *&c.* of the said Company, as he told the Parliament of *England*, he was as *well serv'd* by These: For their whole Practice was to qualify the Heats which this commercial Fever had caus'd, and to administer Opiates to that End: But as that End was not wholly obtain'd by these Opiates, and, on the contrary, it was reasonable to apprehend, That a false Repose would produce real Phrenzy, the Session was adjourn'd in the Beginning of *September* to the 25th of *November*; in which Interval, the Company having receiv'd repeated Advices from one *Stewenson*, their Agent at *Hamburg*, That their Affair lay under the same Difficulties and Discouragements as before; they preferr'd another Complaint to the Lord *Seafield*, by way of Letter or Memorial, as follows, *viz.* "That they had, by Order of the Council-General of their Company, transmitted the Copies of two Letters receiv'd from their Company's Agent at *Hamburg* to his Lordship; upon the reading whereof the Day before, at a Meeting of the said Council-General, they were not a little surpris'd at the Contents, considering the many repeated Assurances they had formerly receiv'd by Letters and Word of Mouth, and even in Parliament, That the King had given Orders to his Minister at *Hamburgh*, with relation to the Memorial given in to the Senate of that City, against their Company: But after some reasoning thereupon, and considering how far his Lordship's frank Undertaking, when in *Scotland*, as well as the Station he was in, did engage his best Endeavours to procure the Company Justice, and vindicate the Company's Rights in that Matter, they had order'd them, (the Court of Directors) to transmit the said Copies to his Lordship, and expected his Lordship's Answer to That, and their late Petition to his Majesty, before they remonstrated any farther with relation thereunto." To which the said Secretary thought fit to answer thus: "That he would take the first convenient Opportunity he could have, to represent the Matter to the King; but could not yet expect to have it, his Majesty being very much employ'd in the Affairs of the *English* Parliament."

The Company prefer another Petition.

A. D. 1698. *His Lordship's Answer.*

In this Interval also, the Parliament of *Ireland* met at *Dublin*: And the Lords Justices in their Speech, at the opening of the Session, having again put them in Mind, That they ow'd both their Deliverance and present Safety to his Majesty; as also assur'd them, That his Purpose was to provide for their Establishment and future Prosperity, *&c.* proceeded as follows.

The Parliament of Ireland met.

"The Settlement of this Manufacture, (the Linen) will contribute much to people the Country, and will be found much more advantageous to this Kingdom, than the Woollen Manufacture, which, being the settled Staple-Trade of *England*, from whence all Foreign Markets are supply'd, can never be encourag'd here for that Purpose; whereas the Linen and Hempen Manufactures, will not only be encourag'd as consistent with the Trade of *England*, but will render the Trade of this Kingdom both useful and necessary to *England*.

Lords Justices Speech.

We hope the great Debt due at *Midsummer*, 1697, will be paid, by what you have formerly given and design'd for that Purpose: The King has, since the Peace, thought fit to send hither a Part of those Forces who serv'd Abroad during all the War, having disbanded the greatest Part of those who serv'd here, with a Resolution notwithstanding to continue the Subsistence to the Officers, until they can be otherwise provided for. His Majesty EXPECTS that you will enable him to support the Charge of the present Establishment, which shall be laid before you, *Gentlemen of the House of Commons*, with an Account of what the Revenue produc'd for one Year from the said *Midsummer*, 1697.

We must inform you, that there hath been so great Remissness in the Management of the present Poll, that very little of that Money is yet receiv'd: We are so sensible of the Necessity and Usefulness of the *Barracks*, that we have advanc'd the Money necessary to go on with them, so fast as it could be employ'd; and hope you will enable us to finish all Those you shall think necessary for easing the Country in Quarters."

Dissatisfaction amongst the Commons.

But whatever Pains their Excellencies had taken to induce the Commons to comply with the *Expectations* of their Sovereign in their full Extent, or whatever Hopes they had entertain'd of a suitable Success, the Complection of the House did not appear to be altogether conformable: On the contrary, the Affair of the Woollen Manufacture had render'd many of the Members sullen and untractable; and, after the Example of Those of *England*, they resolv'd to discharge their Resentments as far as they durst upon the Army. Thus, even in their Address, which was worded with the utmost Caution, and had the smoothest Face imaginable, They contriv'd by their very Reserve

on

A. D. 1698. on that Head, to manifest their Sentiments concerning it: For, instead of echoing it Word for Word, as from a provincial Parliament might have been apprehended, they never so much as mention'd that favourite Point; and, in a Manner courtly and artful enough, seem'd to indicate, They should do as they were done by; as will best appear by their own Expressions, which, after a smooth Introduction, were as follow.

Their Address. "It is a great Addition to our Happiness, to be assur'd by your Excellencies, That as his Majesty has been pleas'd already to pass several excellent Acts in this Parliament, so there will Bills be laid before us this Session, which may secure us a firm Establishment and Prosperity for the Future: Such Laws we have *long* wanted and wish'd for; but it is reserv'd to his Majesty's Goodness alone to be the Author of them to us.

We pray Leave to assure your Excellencies, That we shall heartily endeavour to establish the *Linen* Manufacture, and to render the same useful to *England*, as well as advantageous to this Kingdom; and that we hope to find such a Temperament in respect to the Woollen Trade here, that the same may not be injurious to *England*: And as we have, to our utmost Abilities, granted Supplies, which have hitherto with Honour supported and defray'd the Expences of the Establishment, we shall again take the same into our Consideration, when laid before us, and come to such Resolutions thereon, as become dutiful and loyal Subjects.

We are sensible how necessary the erecting Barracks is, for easing the Country Quarters, and pray your Excellencies the same may be proceded on.

And that his Majesty may effectually receive those Aids already granted him by this Parliament, we shall take into our Enquiry, thro' whose Defaults or Remissness the present Poll hath been so slowly paid, and answer'd into the Treasury: And by all dutiful Deportment, will continue to deserve the Character your Excellencies have, with great Truth, represented us under to his Majesty, of being a People zealous for his Majesty's Service, and firm in our Loyalty to the Crown of *England*; for which Justice done us, we owe, and, with all Acknowledgments, return, your Excellencies our most humble and hearty Thanks."

On the other Hand, as in their Manner, they had been thus careful to cover their Disgusts, their Excellencies were pleas'd to receive their Offering graciously, and to return them as gracious an Answer.

But in the Course of the Session, the same Mal-content Spirit on many Occasions became more apparent, as the Sketch of their Transactions that follows will evince: And tho' it was not strong enough to obtain the *Mastery*, it was nevertheless active enough to be troublesome.

[Boyer, &c.] On the 1st of *October*, the Commons read, for the first Time, a Bill for confirming the Estates and Possessions held and enjoy'd under the Acts of Settlement and Explanation; and order'd Heads to be brought in for a Bill for encouraging of Plantations and Improvements in that Kingdom. Nine Days after, the Committee appointed to take into Consideration the Lords Justices Speech, reported, That it was their Opinion, That a Supply be granted to his Majesty; and that it was necessary that the Woollen Trade of *Ireland* be regulated: To which Resolutions the House unanimously agreed. On the 17th of the same Month, a Motion was made, That an Address be presented to the Lords Justices of that Kingdom, to intercede with his Majesty, That the five Regiments of *French* Protestants, then in *Ireland*, should be disbanded; but the same past in the Negative. Five Days after, the Commons read the Bill for the better Security of his Majesty's Royal Person and Government; and took particularly into their Consideration, that Clause which had been voted out by a Majority of ten Voices, relating to the *Roman-Catholics* taking the new Oaths; and after a long Debate, threw out the Bill: But, at the same Time, they appointed a Committee to bring in the Heads of a Bill to prevent the Estates of *Protestants* to come to *Papists*; and to encourage Persons to turn *Protestants*. On the 14th, the Committee appointed to consider of Ways and Means for raising the Supply, reported their Opinion, which was, 1st, That an additional Duty be impos'd on the Old and New Drapery of that Kingdom, that should be exported, Freezes excepted; to which the House agreed: And, 2dly, That a Tax be laid on all *beneficial Grants* of *Lands* and Tenements made by his Majesty, and her late Majesty, to which the House disagreed; and instead of it, they afterwards resolv'd to lay a farther Tax of 30,000 *l.* upon Lands, over and above the 90,000 *l.* already impos'd upon them. The Bill for levying these Sums being completed, as also Another for completing the Supply, and to defray the Charge of building Barracks, a Third for laying the additional Duty on the Draperies above specify'd, and other Bills, their Excellencies put an End to the Session, for aught that appears, even without the Ceremonial of a Thanksgiving Speech: For, in the *Gazette* which records that Occurrence, and specifies the several Acts which receiv'd the Royal Assent, no Mention is made of any such Thing. No. 3468.

And now we are once more at Liberty to follow his Majesty to *Holland*, whither we shall find the *Secret* travell'd with him; tho' he had not any one *English* Minister in his Train, qualify'd by his Office, either to give him Advice, or to obey his Commands; and tho' a King of *England*, according to the Constitution, can perform no legal Act without the Advice of his Council: For, except the Earl of *Essex*, (probably the Lord of the Bed-chamber in waiting, and Sir *Joseph Williamson*, who was Embassador Extraordinary to the *States*) he had not an *Englishman* of any Distinction about him: And to render This so much the more mortifying

A. D. 1698. tifying to the Nation, the Earl of *Portland*, in the Face of *Europe*, appear'd to be his ſole Miniſter, and the Earl of *Albemarle* his ſole Favorite.

It is true, he had dropp'd a Hint of the great Object he had in view to the Lord Chancellor before he went abroad: But then it was no more than a Hint; and apparently dropp'd not for the Sake of his Advice, but to beſpeak the Sanctions which he alone could give, and which he nevertheleſs could not, alone, ſo fully give as the Conſtitution requir'd.

Proceedings in relation to the Spaniſh Succeſſion.

But, in order to explane this delicate Affair in a manner ſuitable to the Importance of it, it is neceſſary we ſhould recall to Mind a Circumſtance or two, which we have already paſs'd over.

Tho' the Secret of the League of *Auſbergh* is not as yet known, it is ſcarce to be imagin'd, that the *Spaniſh* Succeſſion ſhould not be one of the Conſiderations which gave riſe to it: And that it actually was the very Corner-Stone of the *Grand Alliance*, has already been prov'd: For it may be remember'd, That by the ſeperate Article, the *Maritime Powers* were to aſſiſt the Emperor, or his *Heirs*, with all their Forces, in taking Poſſeſſion of it, as what *lawfully belong'd* to that Houſe, on the Death of his *Catholic* Majeſty without lawful Iſſue: The Emperor and the *Dutch*, it muſt alſo be remembee'd, were at firſt the ſole Parties in that Alliance; And it is yet farther remarkable, That tho' by the Tenth Article, the Kings of *Great-Britain* and *Spain* were to be invited into it, the Latter by the *Emperor* and the Former by the *States*, the Former did accede, and the Latter, for aught that appears in print, did not; tho' he became a Party in the War which enſued in conſequence thereof: Whence it may be not unreaſonably inferr'd, That the Court of *Spain*, tho' deeply intereſted in the Alliance, and prepoſſeſs'd in favour of the *Imperial* Branch of the *Auſtrian* Family, were offended at a Diſpoſition ſo irregular and unwarrantable, of the *Spaniſh* Monarchy, in which the *Spaniards* themſelves, inſtead of being the firſt Movers, were not ſo much as Parties.

But, tho' it was at firſt thought worth while to give ſo high a Price for the Good-Will of his *Imperial* Majeſty, in the Courſe of the War, he ſunk in his Value, either becauſe he did not make ſufficient Returns, or becauſe he was of no farther Uſe: So that the Peace of *Ryſwick*, in all Probability, was more owing to a Deſire of vacating the ſaid ſeperate Article of the grand Alliance above cited, than either to any Complaiſance for the *Dutch* commercial Intereſts, or Concern for the real Preſſures or Reſentments of the *Engliſh*.

Effect of the Field Conferences between Portland and Boufflers on the Alliance.

As it has been proved, That the *Field-Conferences* between Lord *Portland* and M. *de Boufflers* gave the finiſhing Stroke to the Peace, ſo it has been a thouſand Times aſſerted, That theſe Conferences extinguiſhed the laſt Remains of good Underſtanding among the Confederates.

The calling for Paper, Pen and Ink, in the Suburbs of *Hall*, did certainly imply, that ſomething was written: And whatever was ſo written, ought, in conformity to the ſaid Alliance, to have been communicated to the principal Parties, at leaſt, in it: But all that was communicated was verbal only; and, conſequently, inſufficient to remove the Umbrage thoſe myſterious Conferences did undoubtedly occaſion: And Thoſe, who, on our Side of the Water, undertook to ſet a Gloſs on King *William*'s Conduct at this Criſis, lay it down as a Fundamental, That the Emperor's Behaviour to his Majeſty was ſuch, as juſtify'd all the ſubſequent Procedings of the Latter in Reſentment of it. A. D. 1698.

Various Opinions concerning the King's Conduct.

" The Emperor, ſays One of them, abandoning all other Thoughts, had, during the laſt War, perſued his Advantages againſt the *Turks*, and, thereby, had both exhauſted his own Strength, and diſguſted his Allies: And on the Concluſion of the Peace of *Ryſwick*, he had ſhew'd ſo great an Inclination to ruin Hereſy at any Rate, and ſo little Regard to the Honor of a Prince to whom he *ow'd ſo much*, that This, with ſome other Things, (which I love not to remember, becauſe I hope that Court will grow wiſer) had given ſo juſt a Diſcontent, that Few ſeem'd willing to engage in a new War for *him* and *his* Family." [State Tracts, Temp. Guil. III. Vol. III. P. 184.]

As to the Reproach of Ingratitude contain'd in this Paragraph, (tho' Reproaches of that Nature have ſeldom any Weight with Sovereigns) it is eaſy to conceive, how it might be retorted by the *Imperial* Court: And unleſs the Services redounding to King *William* from the League of *Auſbergh*, were, fully and circumſtantially, ſet in oppoſition to the Services redounding to his *Imperial* Majeſty from the Grand Alliance, it is ſcarce poſſible to direct the Cenſures of Poſterity.

Our Anti-Court-Writers of theſe Times, alſo tell us, That their very Antagoniſts themſelves not only admited, but pleaded, That what paſs'd at theſe Conferences, was the Foundation of all which happen'd afterwards: But then, inſtead of allowing this Plea, the Former call it, an Acknowledgment of Breach of Faith: For by the *Grand Alliance*, no ſeperate Meaſure was to be taken in the Diviſion of a common Cauſe: And they affirm, That the *Manner* of making the Peace, was the firſt *Overt-Act* of a *Conſpiracy* againſt the Rights and Clames of his *Imperial* Majeſty: Beſides; there are others who go yet farther ſtill, and maintain, in effect, That this Breach of Engagements on one Hand, in the ſame Inſtant produced contrary Engagements on the other. " They (meaning the *French*, for ſo the Paſſage runs) had already bought a Peace from the Duke of *Savoy* by reſtoring *Pignerol*, in hope his Seperation from the Confederates would facilitate the general one; and in This they ſacrific'd their Ally King *James*, who had put himſelf under their Protection, to their [Ibid. p. 88.]

A. D. 1698. common Enemy, (g) *R.*— *G.*— with whom they enter'd into *private Measures* for a *ſtricter Alliance*, by virtue of which the undoubted Right of the Emperor and his Male Line to the Succeſſion of *Spain*, was to be ſacrific'd in Requital, as appear'd ſoon after. "And again, in another Paſſage which follows cloſe upon the Heels of This, it is farther ſaid, "The Continuation of the War would have kept the two great *Maritime* Powers united to the *Emperor* and *Spain*, by virtue of their Alliance; which was ſo prejudicial to *France*, and yet no way to be diſſolv'd but by a Peace, that it became abſolutely neceſſary to make one: The Conferences of M. *de Beuſſlers* with the Earl of *Portland*, the Embaſſy of that Earl to *France*, and the extraordinary Honors done him there, were the Fore-runners of the Diſſolution of the Confederacy, and the Meaſures taken between the *French* Court and thoſe Powers to ſecure the Succeſſion of *Spain* to the Electoral Prince of *Bavaria*." Which is the great Tranſaction preſently to be explain'd.

A true Picture of a Modern Whig, p. 2. p. 201, &c. Hereditaries of our Miniſters to the Miniſter of France.

Laſtly, Dr. *Davenant*, (ſumming up the Reproaches about this Time caſt upon the modern *Whigs* by the reſt of the Nation, as, That they had ſtoop'd below all the moſt ſervile Flatterers of the two late Courts: That they had promoted all the bad, and oppos'd all the good, Meaſures in the Houſe of Commons for ſeveral Years together: That they had been for Standing Armies and againſt the Bills, for regulating Trials and for triennial Parliaments) adds, That from the Treaty of *Ryſwick*, the Grandees of the Court had been in ſo cloſe a Connection with *France*, that it was become notorious and ſcandalous to the meaneſt of the Vulgar; and that every body ſmil'd with Scorn and Indignation to ſee Favorites and prime Miniſters acting the Parts of Gentlemen-Uthers, in receiving Count *Tallard* at the Foot of the Stairs at *Kenſington*; and wonder'd to find a *French* Embaſſador more careſs'd at Court under a *Whiggiſh* Miniſtry, than ever *Boſſillon* had been, in the Reign of King *Charles* II.

And now, having proceed thus far in diſplaying the Complection of the Times, all that is neceſſary to be farther premis'd, is a ſlight Sketch of the Clames of the ſeveral Pretenders to the great Succeſſion in diſpute.

Clames of the ſeveral Parties on the Spaniſh Succeſſion.

Firſt then the Emperor, in behalf of himſelf and his Deſcendants, put in his Clame to the whole in general, 1ſt, As the *Heir-Male* of the *Auſtrian* Family, as being deſcended in a right Line from the Emperor *Ferdinand*, youngeſt Son of *Charles* V. and Brother of *Philip* II. King of *Spain*. 2dly, In Virtue of certain Family-Compacts between the two Branches, by which the Male-Heir of the Collateral-Line on either Side was to ſucceede to the Inheritance preferably to the Females of the right Line. 3dly, In conſequence of the ſeveral ſolemn Renunciations of all the ſaid Females, for themſelves and their Heirs, enfore'd and confirm'd by Treaties, Oaths, and almoſt every other kind of Obligation. And, 4thly, The Will of *Philip* IV. by which the ſaid Succeſſion was bequeath'd in form to the Males of the Imperial Line, in caſe of Failure in the other Branch. A. D. 1698.

But, on the other Hand, it was alledg'd, That, according to the Fundamentals of the *Spaniſh* Conſtitution, the Order of Succeſſion was lineal, without making any Diſtinction between Male or Female: That the Emperor *Charles* V. in whoſe Right the preſent Emperor laid his Clame, inherited not in Right of his Father *Philip* I. (who attain'd the Throne, by marriage with *Jane* Daughter and Heireſs of King *Ferdinand*) but of the ſaid Queen *Jane* his Mother: That, therefore, if the ſaid collateral Right was to be admitted, there were ſtill living Males of both the Royal Houſes of *Caſtile* and *Arragon*, who, in virtue of that Right, would exclude the Houſe of *Auſtria* even on their own Principles: And, laſtly, That the Order of Succeſſion not depending on the good Will and Pleaſure of the King regnant, but being a Fundamental not in the Power of the Throne to alter, all Family-Compacts, teſtamentary Bequeſts, and occaſional Renuntiations, were void and of none Effect: Whence the Inference was wholly in favour of the Houſe of *Bourbon*; with this Exception, That it was alſo a Fundamental of the *Spaniſh* Conſtitution, That the two Crowns of *Spain* and *France* were incompatible, and therefore could never be worn on the ſame Head.

General Reflections on the whole.

To all which may be added, That tho' Matter of Right on This, and all other Occaſions, is conſtantly urg'd, Matter of Intereſt is always the Point in ſight: And ſuch being the Caſe, we are not to wonder, that Facts as well as Arguments are warp'd to oppoſite and irreconcileable Purpoſes.

But wherever the Right lay, the neighbouring Powers could take no other ſenſible Part in the Diſpute or the Deciſion, than was ſuggeſted by their Intereſt: And, it appear'd at firſt Glance, That the Emperor aſk'd too much: For the Whole of the *Spaniſh* Succeſſion, added to the Empire and his own hereditary Dominions, would have render'd the *Auſtrian* Scale as much too heavy, as That of *Bourbon* had already been found: Nor would the Monarchy of *Spain*, which had ſo recently trembled under the Superiority of *France*, bear any Diminution: And, on the other Hand, it was equally apparent, That either the late *Grand Alliance*, and the *War* which follow'd upon it, were Impoſitions on the Credulity of Mankind, or any Addition to the Power of *France*, would have render'd the *Rectification* of the *Balance* on any Emergency whatſoever, impoſſible.

The

(g) Theſe Initials apparently ſtand for the Words *Roy Gratianus*: For the Tract from whence this Paſſage is taken, was written originally in *French*, under the following Title, *Le Partage du Lievre de la Fable*, &c. *Imprimé a Co... An.* 1700

A. D. 1698. The Expedient, nevertheleſs, *propounded* by that inſidious Power, as we in *England* have been taught to believe, and *adopted* by King *William*, was to render *Spain* weaker, and *France* ſtronger than ever; to the utter Excluſion of the Emperor and his Clame; tho', according to the ſaid Grand Alliance, his Majeſty had ſolemnly acknowledg'd, That the whole Inheritance *lawfully* belong'd to him and his Houſe.

Thus, that there was ſome Inconſiſtency, and not leſs Impolicy in his Majeſty's Conduct, can ſcarce be deny'd, if the Balance of Power is a Matter of that Importance, as in our annual Speeches from the Throne, it has been annually repreſented for above ſixty Years paſs'd: And whether, in point of Equity and Decency, his Majeſty was wholly acquitted for becoming inſtrumental to the Diviſion of an Inheritance which he had no Concern in, and which conſequently he could have no Authority over, unleſs from the joint Reference of all the ſeveral Claimants, let the Caſuiſts determine!

Indeed, his beſt Advocates endeavour to derive ſome Warrant for what he did, from the Intractability of the Emperor. "No Arguments were omitted (ſays One of them) to draw him into new Meaſurs, (after the Treaty of *Ryſwick* that is to ſay) in order to make the ſeperate Article of the *Grand Alliance* ſignificant and effectual: And it was highly reaſonable to inſiſt upon *Terms*, when it was ſo freſh in Memory, *where the Burden of the War lay*: But by reaſon of the very ſlow Meaſures of the Court of *Vienna*, and the particular Intereſts which the Emperor thought himſelf under a Neceſſity of managing with the Court of *Madrid*, nothing had been done, or was like to be done on that Side: And, at the ſame Time, the Subjects of *England* and *Holland* ſeem'd neither willing nor well able to enter into a War: *France* did not only continue arm'd as during the War, but was at vaſt Expence in buying Horſes for remounting their Cavalry, and for liſting the ableſt Men, as faſt as they were diſbanded by the Confederates. Without a Treaty, a War was inevitable, or rather *France* was *Maſter* of *all* without a War. This was the unhappy Neceſſity under which the King and the *States* found themſelves."

[State Tracts, temp. Gull. III. Vol. III. p. 188.]

In part, alſo, to the ſame Effect, M. *de Lamberty* obſerves, That, by the Hurry M. *de Caunitz* was in to leave the Congreſs, in order to take poſſeſſion of his new Employment of Chancellor to the *Imperial* Court, there was no Time for negociating a new League, in order to ſecure the *Spaniſh* Succeſſion to the Houſe of *Auſtria*: The King of *England*, and the *States-General*, continues he, were ſtrongly inclin'd that way: *D. Bernard de Quiros*, (Miniſter of *Spain*) had even Orders to concur in it:—But the Inſtances of the Miniſters of thoſe Powers, could not prevent the Departure of the *Imperialiſts*: And ſo the Deſign fell; the *Imperial* Court not attending to thoſe ſage Repreſentations, becauſe they had been taught to believe, They ſhould ſucceede better, by making a Party among the Grandees, and by intriguing with the Queen of *Spain*, and the Counteſs of *Berlip*, the reigning Favourite at the Court of *Madrid*, &c."

[Tom. I. p. 11, 12.]

But, unfortunately, M. *de Lamberty* himſelf, in the very next Paragraph, mentions an Opinion which had obtain'd, That the Earl of *Portland* had laid the Foundation of this Treaty with M. *de Boufflers* three Years before, when the Latter was taken Priſoner by M. *Dykvelt*, in marching out of *Namur*: And if it be true, that either then, or in the *Field-Conferences*, which took place during the Congreſs, the Plan of the Project was laid, it will follow, That there was no Sincerity in the Offer of renewing the Alliance made at *Ryſwick*: Or elſe that they were made in ſuch a Manner, or cloge'd with ſuch Conditions, as the Makers of them foreſaw would beſpeak a Refuſal: Nor, after all, did this Refuſal on his Side, neceſſitate the Treaty which follow'd: For if his *Imperial Majeſty* was not then in a Humor to place his Dependence on ſuch Friends as he had either *diſobliged*, or as had *deſerted* him, ſurely it does not follow, That we ought immediately to ruſh on Meaſures quite oppoſite, and to cut off all his Hopes at once, becauſe he would not ſubmit implicitely to be ſerv'd juſt at our Time, and in our Way.

And, finally, if *France* was *Maſter* of *all* without a Treaty, and was ſo little to be reſtrain'd by Treaties, as our *Court-Doctors* had always maintain'd, How was the Caſe mended by admitting their Clame in conſequence of this Compoſition, againſt expreſs *Renuntiations*; and thereby authoriſing them to ſtart ſuch farther Pretenſions from Time to Time, as, by the Help of that irreſiſtable Force which, it ſeems, they had in Readineſs, might put them in poſſeſſion of the Reſt?

But, to ſuſpend Diſſertation for a while, and reſume Facts; it has been ſaid, The King had only dropp'd a *Hint* of his Purpoſe in relation to this momentous Affair, to the Chancellor, before he went Abroad: And it is now to be added, That he was no ſooner got to *Loo*, and ſurrounded with none but his own Creatures, than he fell roundly to work with M. *de Tallard*, who was of the Party; and when the Articles were in a Manner adjuſted, his Majeſty was graciouſly pleas'd to write to his Chancellor as follows.

Auguſt $\frac{1}{11}$, 1698.

K. William's ſecret Letter to the Lord Chancellor for Blank-Powers.

"I imparted to you, before I left *England*, that in *France* there was expreſs'd to my Lord *Portland*, ſome Inclination to come to an Agreement with us, concerning the Succeſſion of the King of *Spain*; ſince which, Count *Tallard* has mention'd it to me, and has made ſuch Propoſitions; the Particulars of which my Lord *Portland* will write to *Vernon*, to whom I have given Orders not to communicate them to any other beſides yourſelf, and to leave to your Judgment to whom elſe you would think proper to impart them; to the End, that I might know your Opinion upon ſo important an Affair, and which requires the greateſt Secrecy.

A. D. 1698.

A. D. 1698. crecy. If *it* be FIT this Negotiation ſhould be carried on, there is no Time to be loſt, and you will ſend me the full Powers under the Great Seal, with the Names in BLANK, to treat with Count *Tallard*: I believe this may be done (ſo) ſecretly, that none but you and *Vernon*, and Thoſe to whom you ſhall have communicated it, may have Knowledge of it; ſo that the Clerks, who are to write the Warrant and the full Powers, may not know what it is: According to all Intelligence, the King of *Spain* cannot outlive the Month of *October*; and the leaſt Accident may carry him off every Day: I receiv'd yeſterday your Letter of the 9th: Since my Lord *Wharton* cannot at this Time leave *England*, I muſt think of ſome Other to ſend Ambaſſador to *Spain*; if you can think of any one proper, let me know it, and be always aſſur'd of my Friendſhip.

WILLIAM R."

The Chancellor, when this Letter arriv'd, was at *Tunbridge*-Wells, for the Benefit of the Waters, whither it was tranſmitted to him by Mr. Secretary, together with the Letter of Lord *Portland*'s referr'd to by his Majeſty: And the Perſons he thought fit to impart this Secret to, were Lord *Orford* and *Montagu*, who were of the *Regency* as well as the *Triumvirate*, and the Duke of *Shrewſbury*: But neither the Laſt nor the Firſt, for aught that appears, would have any Concern in a Tranſaction that, both for Matter and Manner, was ſo juſtly exceptionable: And it cannot enough be wonder'd at, That the *Chancellor* ſhould ſuffer himſelf to be flatter'd into a Part ſo unworthy both of his Character and Office; and which at the ſame Time expos'd him to that very Diſgrace he meant, no doubt, by his fatal Compliance on this Occaſion, to avoid.

As to what paſs'd among the reigning Junćto, when the ſeveral Points referr'd to them were under Debate, it is altogether as unknown, as what paſs'd on the ſame Subject at *Loo*: But what they agreed to acknowledge, is contain'd in the Chancellor's Anſwer to his Majeſty, which was as follows.

Tunbridge-Wells, 28th *Auguſt*, 1698, O. S.

SIR,

His Lordſhip's Anſwer.

"Having your Majeſty's Permiſſion to try if the Waters would contribute to the Re-eſtabliſhment of my Health, I was juſt got to this Place when I had the Honor of your Commands: I thought the beſt way of executing them, would be to communicate to my Lord *Orford*, Mr. *Montagu*, and the Duke of *Shrewſbury*, (who, before I left *London*, had agreed upon a Meeting about that Time) the Subject of my Lord *Portland*'s Letter; at the ſame Time letting them know, how ſtrictly your Majeſty requir'd, that it ſhould remain an abſolute Secret.

Since that Time Mr. *Montagu* and Mr. Secretary are come down hither; and upon the whole Diſcourſe, three Things have principally occurr'd, to be humbly ſuggeſted to your Majeſty.

Firſt, That the *entertaining* a Propoſal of this Nature, ſeems to be attended with very many ill Conſequences, if the *French* did not act a ſincere Part; but we were ſoon at Eaſe, as to any Apprehenſion of this ſort; being fully aſſur'd your Majeſty would not act but with the utmoſt Nicety, in an Affair wherein the Glory and Safety of *Europe* were ſo highly concern'd. A. D. 1698.

The Second thing conſider'd, was the very ill Proſpect of what was like to happen upon the Death of the King of *Spain*, in caſe nothing was done previouſly towards the providing againſt that Accident, which ſeem'd probably to be very near: The King of *France* having ſo great a Force in ſuch a Readineſs, that he was in a Condition to take Poſſeſſion of *Spain*, before any other Prince could be able to make a Stand: Your Majeſty is the beſt Judge whether this be the Caſe, who are ſo perfectly inform'd of the Circumſtances of Parts Abroad.

But, ſo far as relates to *England*, it would be want of Duty not to give your Majeſty this clear Account, That there is a Deadneſs and Want of Spirit in the Nation univerſally, ſo as not at all to be diſpos'd to the Thought of entering into a new War, and that they ſeem to be tir'd out with Taxes to a degree, beyond what was diſcern'd, till it appear'd upon the Occaſion of the late Elections: This is the Truth of the Fact, upon which your Majeſty will determine what Reſoſutions are proper to be taken.

That which remain'd, was the Conſideration what would be the Condition of *Europe*, if the Propoſal took place: Of this we thought ourſelves little capable of judging: But it ſeem'd, That, if *Sicily* was in the *French* Hands, they will be intirely Maſters of the *Levant* Trade; that, if they were poſſeſs'd of *Final*, and thoſe other Sea-ports on that Side, whereby *Milan* would be intirely ſhut out from Relief by Sea, or any other Commerce, that Duchy would be of little ſignification in the Hands of any Prince; and that, if the King of *France* had poſſeſſion of that Part of *Guipuſcoa*, which is mention'd in the Propoſal, beſides the Ports he would have in the Ocean, it does ſeem, he would have as eaſy a way of invading *Spain* on that Side, as he now has on the Side of *Catalonia*.

But it is not to be hop'd, that *France* will quit its Pretences to ſo great a Succeſſion, without conſiderable Advantages; and we are all aſſur'd, your Majeſty will reduce the Terms as low as can be done, and make them, as far as is poſſible in the preſent Circumſtances of Things, ſuch as may be ſome Foundation for the future Quiet of *Chriſtendom*; which all your Subjects cannot but be convinc'd is your true Aim: If it could be brought to paſs, that *England* might be ſome way a Gainer by this Tranſaction, whether it was by the Elector of *Bavaria* (who is the Gainer by your Majeſty's Interpoſition in this Treaty) his coming to an Agreement, to let us into ſome Trade to the *Spaniſh* Plantations, or in any other Manner, it would wonderfully endear your *Majeſty* to your *Engliſh* Subjects.

I

A. D. 1698. It does not appear, in case this Negotiation should proceed, what is to be done on your Part, in order to make it take place: Whether any more be requir'd than that the *English* and *Dutch* should sit still, and *France* itself to see it executed: If that be so, what *Security* ought we to expect, that if, by our being neuter, the *French* be successful, they will *confine* themselves to the Terms of the Treaty, and not attempt to make *farther* Advantages of their Success?

I humbly beg your Majesty's Pardon, that these Thoughts are so ill put together: These Waters are known to discompose and disturb the Head, so as almost totally to disable one from writing: I should be extremely troubled, if my Absence from *London* has delay'd the Dispatch of the Commission one Day: You will be pleas'd to observe, that two Persons (as the Commission is drawn) must be nam'd in it, but the Powers may be executed by either of them: I suppose your Majesty will not think it proper to name Commissioners that are not *English*, or naturalis'd, in an Affair of this Nature.

I pray *God* give your Majesty Honour and Success, in all your Undertakings. I am, with the utmost Duty and Respect,

SIR,
Your Majesty's most dutiful and most obedient Subject and Servant."

P. S. The Commission is wrote by Mr. Secretary, and I have had it seal'd in such a Manner, that no Creature has the least Knowledge of the Thing, besides the Persons named.

Remarks upon Both. It is in this artificial Manner that Men of the best Understandings in the Service of Kings, who have no other Hold upon their Masters than what they derive from their Compliances, trim and temporise, between what is requir'd of Them, and what They would be glad to avoid. There is scarce any Thing positive in the whole Letter in favour of the Treaty, but, that the People of *England* were weary of War and Taxes, and that *France* would not wave their Pretensions to the *Spanish* Inheritance without *great Advantages*: On the other Hand, having hinted Objections enough (considering his Majesty's peevish, way-ward Temper) to put him extremely out of Humor, he *insists* upon nothing with any Force that could be of Service to his Country: And, lastly, having struck at Lord *Portland*, in the Caution which, for Party-Considerations, he ventures to give at concluding, he, nevertheless, takes the worst Part of this clancular Proceding upon himself, by furnishing the *Blank*-Commissions requir'd by the King, which was in effect, putting the Fate of the Kingdom at one Stroke into his Majesty's Power: For, in virtue of Them, he might have reconvey'd the Crown, for some *foreign Consideration* upon his own Decease, to the Posterity of the abdicated King. A. D. 1698.

What Notions he had entertain'd of the *English*, what Resentments he had conceiv'd against them, in what Manner he had occasionally express'd those Resentments, and how capriciously he had sometimes found himself dispos'd to act in consequence of them, the *Chancellor* could scarce be ignorant; nor of what follows, (which, notwithstanding the (*b*) different Accounts in our Histories, is not unworthy Notice) "That, when the Negotiator *(Portland)* return'd from sowing those Seeds of Jealousy by his endearing Embassy, great Notice was taken, of his extravagant commending the Prince of *Wales*, as if he had been in Love with him; which, with some other Imprudences in him and his tatling Crew, and Reasons of more weight not to be mention'd, have given a Jealousy, even to Men of Understanding, That he was *partitioning* for more Princes than one." State Tracts. Temp. Guil. III. Vol. III. p. 84.

This Word *partitioning* not having occur'd before, it is necessary to observe, That the secret Treaty at this Time carrying on at *Loo*, came to be generally call'd, A Treaty of *Partition*; except at Court: For there that Appellation was look'd upon as an *Abuse*; and it was the Fashion to call it, *A Treaty for the Preservation of the Peace of* Europe.

Besides; tho' his Majesty, in his Letter, seem'd to desire the *Chancellor's* Opinion of the Negotiation, we ought to conclude, the full Powers were all he wanted, if it be true that the said Treaty was concluded four Days after the Dispatch of the said Letter to *England*: Indeed, the Instrument bears Date *October* 11, *(N. S.)* But then, at the Head of all our printed (*i*) Translations of it, we find it affirm'd in so many

(*b*) *Vra.* In the Detail of the Honors shewn him at the *French* Court, as follows.

"On the 15th of *May* his Excellency dined at *Versailles*, with the Marechal *de Villeroy*, who in the Afternoon conducted him to *Marli*, to see the Gardens and Water-works: The next Day he went to *Meudon*, where he hunted and supp'd with the *Dauphin*, and on the 17th return'd to *Versailles*, where he had a private Audience of the King. The following Days he continued to take his Leave of the Court, and on the 23th there being a Review of the Troops of the Houshold in the Plain of *Arcbers*, where the King and the *Dauphin*, the young Princes of *France*, and divers Persons of Quality were present, his Excellency went thither also, but would, perhaps, have forborn coming, if he had known that King *James*, and the titular Prince of *Wales*, had likewise been there. The Prince of *Wales*, by his Father's Directions, endeavour'd to join Conversation with the Lord *Woodstock*; but the Lord *Portland*, his Father, knowing the young Prince's Design, order'd his Son to avoid him; as he did himself all Those that belong'd to the Court of St. *Germains*; tho' it was reported, King *James* had caus'd it to be intimated to his Excellency, that he never pretended to make his Lordship answerable for the ill Usage he receiv'd from him he represented. At this Review, King *James* himself did all he could to engage the Lord *Cevenstein*, and the other *English* Noblemen, to accost him; but all imitated the Earl of *Portland*; who a Week after went to *Versailles*, and had a private Audience of the King in his Closet, where his Excellency took his last Leave; as he did afterwards of the *Dauphin*, and of the Duke and Dutchess of *Orleans* at St. *Cloud*. The King sent the Earl the usual Present of his Picture set with Diamonds, but with this Difference, that the Stones were worth three Times as much as those of other like Gifts: Besides This, his *Most Christian* Majesty presented him with all the Stamps and Prints engrav'd at the *Louvre*, consisting in twelve large Folio's; in return of which, the Ambassador made the King a Present of nine very fine *English* Horses. On the 8th of *June* his Excellency left *Paris*, and went to *Chantilli*, a House belonging to the Prince of *Conde*, where he was entertain'd in a splendid Manner till the 11th, when he took Leave of his Highness." *Rennet, Bowr. &c.*

(*i*) Four several Editions of which are now lying before me.

A.D. 1698. many Words, That it was concluded upon the 19th of *Auguſt*, *O. S.* or 29th *N. S.* and the Fact is no where controverted. Laſtly, on comparing the Treaty with the *Chancellor's* Letter, we ſhall not only find, that what he ſo prudently recommended with regard to the *Weſt-Indies* was wholly ſlighted, but alſo, that the *whole* of the Plan had not been communicated to him.

For tho' it ſtands in our Hiſtories, as if it conſiſted but of Four Articles, it conſiſted of Fifteen: Of theſe the Firſt renews and confirms the Treaty of *Ryſwick*: The Two contracting Parties next avow and declare, That the Deſire of preſerving the public Tranquility, and preventing the Umbrage which might be taken from the over-grown Power of any one Prince, are the ſole Motives of the *Partition* which enſues of the Dominions of *Spain*.

An Abſtract of the Partition Treaty.

The Fourth ſtipulates and provides, That the *Dauphin*, in lieu of his Clame to the whole Succeſſion, ſhall have for his *Share (Son Partage)* in full Propriety, Poſſeſſion, *&c.* to have and to hold to him and his Heirs for ever, free from all Moleſtation upon any Pretence, or any Clame on the ſaid Succeſſion whatſoever, the Kingdoms of *Naples* and *Sicily*; the Places on the Coaſt of *Tuſcany*, or the Iſlands adjacent, then belonging to *Spain*; namely, St. *Stephano*, *Porto Hercole*, *Orbitello*, *Telamone*, *Porto Longone*, and *Piombino*, in the ſame Manner as they were then had and held by the *Spaniards*, together with the Town and Marquiſate of *Final*, the Province of *Guipuſcoa*, *particularly* the Towns of *Fontarabia* and St. *Sebaſtian*, ſituated in that Province, and *eſpecially* the Port *du Paſſage* compris'd in it; with this Exception, that if any Places belonging to the ſaid Province lay on the other Side of the *Pyrenees* and the other Mountains of *Navarre*, *Alava*, or *Biſcay*, they ſhould belong to *Spain*; and contrary-wiſe, all ſuch Places belonging to *Spain*, as lay on this Side the ſaid Mountains, ſhould belong to *France*; the Paſſes of the ſaid Mountains to be equally divided between the two Kingdoms: The whole of the ſaid Premiſſes, together with the Fortifications, Ammunitions, Powder, Ball, Cannon, Gallies, *&c.* which ſhould be found belonging to the King of *Spain* at the Time of his Death, without Iſſue, to be annex'd to the Kingdoms, Places, Iſlands, and Provinces which are to compoſe the *Share* of the *Dauphin*: In conſideration of which ſaid Share ſo compos'd, the *Moſt Chriſtian* King for himſelf, the *Dauphin*, his Children Male and Female, his Heirs already born, or to be born; as alſo the *Dauphin* for himſelf, his Children, Heirs, *&c.* did promiſe to renounce, and on theſe Conditions did then renounce all their Rights and Pretenſions to the ſaid Crown of *Spain*; and all other the Realms, Iſles, Eſtates, Countries thereunto belonging, *&c.*

The Fifth provides, That the Crown of *Spain*, together with the other Kingdoms, Iſlands, States, Countries, and Places belonging thereto, (except Thoſe before excepted) ſhould be given and aſſign'd to the electoral Prince of *Bavaria*, in full Propriety and Poſ- A.D. 1698.
ſeſſion, to have and to hold to him and his Heirs for ever, as his *Share* of the ſaid Inheritance, againſt all Rights, Clames, and Pretenſions, *&c. &c.* either on the Part of the *Moſt Chriſtian* King, the *Dauphin*, *&c.* on one Part, or the Emperor, the King of the *Romans*, the Archduke, *&c.* on the other; in conſideration of which, the ſaid Elector of *Bavaria*, as well in the Quality of Father, as of lawful Tutor and Adminiſtrator, to the ſaid Electoral Prince, ſhould, in the Name of the ſaid Prince, his Heirs, *&c.* hold himſelf fatisfy'd with the ſaid *Share*, and renounce all Rights, Clames, and Pretenſions whatſoever on the *Shares* aſſign'd to the *Dauphin* and the Archduke; as the ſaid Electoral Prince was alſo to do, when out of his Minority.

By the Sixth, the Duchy of *Milan* was aſſign'd to the ſaid Archduke, as his *Share* of the ſaid Inheritance, and in Extinction of the Clames of all his Family: For as He, the ſaid Archduke, by the ſaid Article was to renounce, when he became of Age, all the Kingdoms, Provinces, *&c.* already diſpos'd of, ſo, by the next Article, the Emperor for himſelf and his Heirs, and the King of the *Romans*, were ſeverally to declare and execute the like Renunciations, on the Death of the *Catholic* King, in conſideration of the Allotment of the ſaid Duchy to the Archduke.

By the Eighth, the Treaty was to be communicated to the Emperor and the Elector of *Bavaria*, immediately after the Exchange of the Ratifications; and upon the Death of his *Catholic* Majeſty, They were to be invited to approve thereof.

By the Ninth, in caſe either of the ſaid Princes ſhould reject the ſaid Treaty, and ſhould nevertheleſs make any Attempt to take Poſſeſſion of the *Share* ſo allotted to him, or of any other Part of the ſaid Inheritance, by Force, the ſaid contracting Parties were to oppoſe ſuch Attempt with all *their Force*; and in the mean Time the *Share* allotted to the Son or Brother of the Prince ſo rejecting the ſaid Treaty, was to remane as in Sequeſtration, in the Hands of ſuch as ſhould be then Viceroys or Governors thereof.

The Tenth, Eleventh, Thirteenth and Fourteenth, had no other Object but the making good the ſaid Treaty by *Force* againſt all Oppoſers: And in the laſt of theſe Four Articles, it was ſpecially ſtipulated and agreed, That if any Prince whatſoever ſhould oppoſe the Execution of the ſaid Treaty according to the Allotments made therein, the ſaid contracting Parties ſhould, in ſuch Caſe, be oblig'd to aſſiſt each other againſt all ſuch Oppoſition with all *their Forces*, and the Proportions, as well by *Sea as Land*, ſhould be ſettled as ſoon as the ſaid Treaty was ſign'd.

By the Twelfth Article, an Opening was left for all Kings, Princes, and States to become Parties in the Treaty, if they thought fit, and alſo Guarantees: And by the Fifteenth and laſt, the Ratifications were to be exchanged in three Weeks, or ſooner, if poſſible.

A. D. 1698. possible, to be computed from the Day of Signing.

Secret Articles. This is in Substance what was contain'd in the Body of the Treaty: But there were also certain seperate and secret Articles, which Posterity ought not to lose sight of, *viz.* That the Elector of *Bavaria* should be Tutor and Administrator to his Son, and should have the Administration of all his Kingdoms, &c. during his Minority: That if the said Prince his Son should happen to dye without Issue, then the said Elector should succede to all the said Kingdoms, &c. And that in case the Duchy of *Milan* should come to be sequester'd, according to the Stipulation in the Ninth Article, the Administration thereof should be vested in the Prince *de Vaudemont*, its present Governor; and, upon his decease, in Prince *Charles de Vaudemont*, his Son.

Thus all the Pretentions of the *Imperial* Court to the *Spanish* Succession, however founded or deriv'd, were at one bold Stroke set aside, by the superior Influence of *France* in *concurrence* with the *Maritime* Powers, who had before made the Establishment and Security of those Pretensions, the principal Motives of a general War.

A French Bias manifested upon the subject. And as the whole Bias of the Treaty was *French*, so in several Particulars the same Bias manifested itself in such a Manner, as fully authoris'd the lively Saying of a *Frenchman*, when it came to be divulg'd, *viz. Voicy un Roy d'Angleterre encore plus commode pour nous, que n'estoit le Roy* Charles. *We have now a King of* England *more for our Turn, than even King* Charles *himself.*

Mem. of Eur. p. 17.

For the Kingdoms and Provinces assign'd to the *Dauphin*, were of course to be annex'd to the Crown of *France*, whenever there should be a Demise of that Crown; whereas the Duchy of *Milan*, assign'd to the *Imperial* House as their *Share*, was assign'd to the Archduke, that its Connection with the Empire might be as remote and slight as possible: Besides, the Emperor, as afterwards appear'd, had a Clame on this Duchy as a Fief of the Empire, fallen in for want of Heirs Male in the Right Line; as also on the Duchy of *Haut-Gueldre*: And tho' the Elector of *Bavaria* and the Electoral Prince were oblig'd to renounce specifically the Duchy of *Milan* so assign'd to the Archduke as his *Share* of the *Spanish* Succession, the *Dauphin* is laid under no such specifical Obligation with regard to the said Duchy. Lastly; whatever might be urg'd in Behalf of the Electoral Prince of *Bavaria*'s Clame upon, and Interest in, the Succession, as being A. D. 1698. the only Son of *Mary Antoinette*, Daughter of his *Imperial* Majesty, (who, by the way, was at this Time in her Grave) and of *Margaretta Teresa*, second Daughter of *Philip* IV. no Pretence of any tolerable Kind could be urg'd in favour of the Elector himself: For he had not the Shadow of a Right either in Law or Equity, nor was there Ground for any such political Basis, as would bear the Weight which was to rest upon it: And yet we see an express Provision was made, That in case the said Electoral Prince dy'd prematurely, his *Share* should belong not only to his Father, but his Heirs.

Full Powers. With regard to the full (*i*) Powers, in Virtue of which this unprecedented Negotiation was carry'd on and completed, Those of M. *de Tallard*, bearing Date *August* 19, *N. S.* were both from the King and the *Dauphin*; and are extant in print: But neither Those transmitted by the *Chancellor* in *Blank* from *England*, nor those given by the *States*, have ever yet been made public.

Manner of Signing. The Body of the Treaty, or first fifteen Articles, were sign'd, by *Tallard* only on Behalf of *France*, (for, at so pliant a Crisis, one *French* Minister was equal to any Negotiation); by Lord *Portland* and Sir *Joseph Williamson* for King *William*; and by no less than seven, of whom *Heinsius* the Grand Pensionary was one, on Behalf of the *States*: The Two secret Articles in relation to the Elector of *Bavaria*, in case he survive'd the Prince his Son, and the Sequestration of *Milan*, were sign'd by *Tallard*, and *Portland* and *Williamson* only: And, then again, another Article explanatory of the Fifth, Seventh, and Tenth of the Treaty, was sign'd by the same Persons who had before sign'd the said Treaty.

And now, whether this Measure was in Essentials good or bad, or in Manner and Circumstance justifiable or unjustifiable, it was reasonable to think, That once establish'd, the Parties concern'd would have plac'd their Reliance upon it, and made the necessary Dispositions to carry it (when Time should serve) into Execution:—Whether They did or not, the Sequel will shew: But this is certain, That his Majesty King *William*, if any Judgment can be deriv'd from Appearances, was fully perswaded, He had provided at least for his own Repose, during the Remainder of his Life: He had, in the Beginning of the Year, enter'd into a new (*k*) *Triple* League with the King of *Sweden* and the *States* on a defensive Plan, which provided

A new Triple League between England, Sweden, *and the* States.

(*i*) In the Preamble of the said Powers it is said, That the Desire of maintaining the Peace of *Europe*, together with the Effects and Friendship which *Lewis* King of *France* and *Navarre* had conceiv'd for his most dear and most beloved Brother the King of *Great-Britain*, had induc'd him to enter into closer Engagements than before with his said Brother, and to concert with him the necessary Measures for preventing such Emergencies as might occasion a new War, &c.

(*k*) But, whereas this *Triple* League was concluded and sign'd *May* 4, *N. S.* on the 9th of *July* following, the *Swedish* Court enter'd into another Alliance with *France*, of which the following were the principal Heads, *viz.*

I. That the antient Alliance was renew'd between the Kings of *France* and *Sweden*, their Heirs and Successors.

II. That the Aim and Intention of this Treaty, was to preserve and secure the common Peace, by such Means as should be judg'd most proper and convenient. III. That if it should be disturb'd by any Breach and Hostilities, the two Kings would make it their Business to repair the Wrongs in an amicable way. IV. That if their Endeavours prov'd ineffectual, they would jointly consider of Ways to defend the Rights of the Country injur'd. V. That in case any Prince or State would enter into this Treaty within a Year, they should be admitted by the Consent of both Kings. VI. That neither the one nor the other, should make Peace or Truce without comprehending the other therein. VII. That the Articles of the Treaties formerly concluded by either of the two with other Kings, Princes or States, should remain

A. D. 1698. provided not only, That in caſe either of the contracting Parties was invaded or menac'd with an Invaſion, the Others ſhould immediately aſſiſt the ſaid Party with Intelligence, Advice, and Aſſiſtance, but alſo, That the View and Scope of the ſaid League ſhould moreover extend to the Preſervation of the Peace of *Europe*, againſt any Aggreſſors whatſoever: And the Miniſters of the ſaid Parties were to meet forthwith, in order to adjuſt all and ſingular the Points, which ſhould be thought neceſſary for perfecting the ſaid League. But after this Adjuſtment with *France*, we hear no more of this Meeting, or at leaſt of any thing it produc'd: And his Majeſty waſted the reſt of the Summer in reviewing the *Dutch* Troops, interchanging Complements with the Princes of *Germany*, particularly of the Houſe of *Lunenburgh*, &c: Indeed; our *Hiſtorians* tell us, with what Probability, let the preceding Narration bear witneſs, That his Majeſty's Viſit to the Duke of *Zell*, gave the Court of *France* as much Uneaſineſs, as the *French* Camp at *Compeigne* gave the Allies: Tho' 'tis moſt certain, continue They, that his Majeſty had nothing in View, but to cement the Union of the ſaid Princes, by a Match between the King of the *Romans*, and the Princeſs of *Hanover*, which was now agreed upon, and ſoon after completed; as alſo, by removing the Apprehenſions ſome of the Members of the Empire were under of the *growing Power* of the Emperor; which, it muſt be own'd, his Majeſty had effectually done, by his *Partition-Treaty*.

Neglected.

Reviewing, Viſits, &c.

[Kennet, Boyer, &c.]

Thoſe Authors, however, deduce the ſame Inference from the Succeſs of his Majeſty's Mediation, conjunctly with That of the States, in terminating the *Hungarian* War, which had now laſted Fifteen Years.

But if the Two Courts of *Vienna* and *Conſtantinople* had not found themſelves without the *Support* which they had hitherto drawn from their ſeveral *Allies*, or if the Emperor had not eſteem'd the *Spaniſh* Succeſſion better worth his Attention than new Acquiſitions in *Hungary*, it is probable that Mediation had ſtill continued as unſucceſsful as ever.

As it was, the Two Armies kept the Field during the whole Summer, tho' without making any Attempt againſt each other: And in that of the *Imperialiſts*, which wanting Pay wanted every Thing, a Conſpiracy of ſo extenſive and dangerous a Kind was ſet on foot, as, if not providentially diſcover'd, had probably render'd them an eaſy Prey to the Enemy.

Conferences at Carlowitz.

It was the 7th of *November* before the ſaid Mediators (Lord *Paget* for *England*, and M. *Colliers* for the *States*) deliver'd to the *Turkiſh* Plenipotentiaries (at *Carlowitz*, the Place of Meeting) the preliminary Articles, which were in Subſtance, That all the ſeveral Parties ſhould retain what They were in poſſeſſion of: Five Days more were ſpent in canvaſſing theſe Articles; and then a Diſpute about Precedency, had like to have broke up the Congreſs in Confuſion: But Expedients having been propos'd and ſubmitted to, which remov'd the Difficulty, by removing the Thing itſelf, Matter of Form gave place to Matter of Buſineſs, and for three Days the Conferences were carried on with a good deal of Succeſs: But then ſome Debates ariſing, about the giving up of *Teckely*, and the holy Sepulchre; the diſmantling of *Caminieck*, and the ſurrendring of another Place upon the *Black-Sea*; beſides the quitting of *Aſoph* to the *Muſcovites*; and, chiefly, about the Regulation of Limits between the two Empires, and the *Venetian* and *Turkiſh* Territories; the Plenipotentiaries ſent Expreſſes to their reſpective Maſters, which waſted a great deal of Time: However, at length, the *Imperialiſts* and *Poles* concluded their Part of the Treaty on the 26th of *January*, 1699, and perhaps would have done it ſooner, but in ſome ſort of Complacency to the *Venetians*, who did not ſign theirs till the Middle of the next Month. As for the Articles between the *Czar* of *Muſcovy* and the Sultan, they contain'd only a Truce for two Years, and ſo were ſoon agreed upon, and ſign'd on the 25th of *December*, 1698. By this Peace the Emperor preſerv'd his late Acquiſitions, and vaſtly enlarg'd his Territories: The *Poles* (tho' worſted in an Action with the *Tartars* this Summer) had the important Place of *Caminieck* reſtor'd to them, in its preſent State, with other Advantages: The *Muſcovites* were Gainers by the keeping of *Aſoph*: And tho' the *Venetians* ſeem'd to have far'd hardeſt in this Negotiation, as is uſual with thoſe who make their Terms laſt, yet they had all the *Morea*, and ſeveral Fortreſſes in *Dalmatia*, yielded up to them: So that, according to ſome Computations, the *Turks* loſt the beſt Half of their Dominions in *Europe*. By this Time alſo, the new King of *Poland*, having brought the Cardinal-Primate, who had ſo obſtinately ſtickled for the Prince of *Conti*, to acknowledge his Majeſty's Title, and in ſome ſort compos'd the Troubles of *Lithuania*, *Chriſtendom* wore a Face of Tranquility, which by ſo much the more pleaſing it was, was ſo much the more deceitful: For, as the Seeds of Miſchief which had been ſcatter'd wide over the North were ripening apace, ſo in the South, as in part we have ſeen, Fraud and Ambition were altogether as vigilant and as active, in order to produce a ſimilar Crop.

A. D. 1699.

The Treaty concluded.

France, in particular, had all along play'd a double Game: For, while ſhe was meditating and conducting ſo artful a Negotiation with the *Maritime* Powers, her Miniſter, the Marquis *de Harcourt*, us'd no other Language

Intrigues at the Court of Spain.

---

remain in full Force and Vigour, ſo far as they ſhould not be contrary to this. VIII. That the Freedom of Commerce between the Subjects of the two Kings, ſhould be preſerved as formerly. IX. In purſuance of which, all Ports, Cities and Provinces ſhould be open to the Subjects of both Crowns, according as the Laws and Cuſtoms ſhould permit, both to ſell their Commodities in theſe Places and buy others. X. And that this particular Treaty ſhould continue ten Years, with Liberty to prolong this Term, if it were judg'd convenient by the two Kings; who by conſent ſhould have a watchful Eye upon the Means to preſerve the Peace againſt the Danger that threaten'd it.

A. D. 1698. guage of the Court of *Spain*, but such as might induce his *Catholic* Majesty to believe, That he had not so cordial a Friend in the World as the King his Master: Tho', at the same Time, he caus'd a large Body of his best Forces to move towards the Frontiers of *Catalonia* on one Side and of *Navarre* on the other, that Terror might have its Operation, as well as Courtship and Complement: M. *de Harcourt* was also furnish'd with Instructions of all Sorts, as well to defeat the Intrigues of the *Imperial* Minister, the Count *de Harrach*, with the Queen and Madame *de Berlip*, as to facilitate his own: Knowing the Dread conceiv'd by the *Spanish* Grandees of coming under the Dominions of *France*, he was to offer them as a Palliative, the Choice of the *Dauphin*'s three Sons; or, in case of Refusal, the Electoral Prince of *Bavaria*, in preference to any Prince of the *Imperial* Family; or even any One else whom They should chuse to be their Sovereign from amongst themselves: Nor was the Necessity of forming a sufficient Party in the Nation, the Court and the Cabinet; and, above all, of retaining a sufficient Co-adjutor in the Latter, who should be deeply interested in the Cause, and capable, as well by his Abilities as his Situation, to give the most favorable Turn to every Incident that arise, and to influence by his Authority and Example, in Aid of all other Considerations, unthought of, or unattended to.

Cardinal Porto Carero *in the* French *Interest.*

For This necessary and able Co-adjutor he found in the Person of the Cardinal *Porto-Carero*: And, being thus furnish'd with Creatures to his Purpose, he began to spread his Snares accordingly.

The Queen removes the Court to Toledo.

The Queen, on the other Hand, more afraid of his succeeding, than confident of her own Power to defeat him, thought it her wisest Course to hurry his *Catholic* Majesty out of his Way; and, agreable to this Resolution, the, all at once, prevail'd with him, to remove from *Madrid* to *Toledo*, under a Pretence, That the Air of the Former did not agree with him; and also, to forbid all the Foreign Ministers from following him, under another similar Pretence, That his Majesty's Health requir'd some Respite from the Fatigues of State.

This Scheme being thus laid, and this Motion made in consequence of it, M. *de Harcourt* had nothing to do, but to keep his Eye on the Count *de Harrach*: But, upon Enquiry, he found, the said Count had disappear'd just before: Concluding, therefore, that he was of the *Toledo*-Party; and from this Piece of Management, growing so much the more apprehensive of his Influence there, he posted down after him; and demanding an Audience, presented a Memorial to his *Catholic* Majesty, setting forth, That he had receiv'd positive Orders from the King his Master, to make him an Offer of Succours by Sea and Land against the *Moors*, who were then besieging both *Ceuta* and *Oran*; and, in excuse of his own unexpected Appearance there, alledging, That he was not permitted to make that Offer to any Body but his Majesty in Person.

Pretence of the French *Minister to follow it.*

But tho' the Plea serv'd very well to authorise his coming, it would not serve for his Stay: For the King gave him to understand, by way of Answer, That he had left his Foreign Affairs in the Hands of the Cardinal *de Toledo* at *Madrid*; and that his Business at *Toledo*, was to avoid Business. A. D. 1698.

This cold Reception oblig'd him to return to his former Post, where he found the Cardinal he was refer'd to, ready furnish'd with an Answer, *viz.* That when his *Catholic* Majesty found the Two Places in Danger, which his good Brother of *France* had offer'd his Succors to relieve, he should thankfully accept them: And that, in the mean Time, he should lose no Opportunity of maintaining the good Correspondence subsisting between their Majesties: So that all the Benefit he deriv'd from his political Journey was This, That his *Catholic* Majesty, to save Appearances, was not only oblig'd to dismiss M. *de Harrach* from his Attendance at *Toledo*, (where he actually was) but to cause it to be given out, That he had only saluted their Majesties in the Walks. *The Reception he met with.*

All This, it must be observ'd, pass'd in *Spain* before the *Partition*-Treaty was sign'd, and, very probably, quicken'd the Process on the Part of *France*, whose Ministers, in exact proportion as the Prospect narrow'd on one Hand, open'd it for themselves on the other: In which they had altogether the Advantage, in point of Intelligence, both of King *William* and his All-sufficient *Fortland*: For neither the *Imperial* or *Catholic* Courts were upon good Terms with him, consequently plac'd no Confidence in him: And tho' his Majesty had not only wrangled the Latter into a Re-admission of *Schoenenburgh* the *Jew*, but had also honour'd him with the Character of his Envoy as King of *England*, (in Consequence of which, the *British* Arms were now over his Gate, and he stood upon higher Ground than ever) This forc'd Elevation of his, only lower'd his Master as much as it rais'd him; and he was serv'd accordingly: For the *Spaniards* not only continued to hate, distrust, and despise the Man, but the Character for his Sake: And, very probably, the true Reason, why Lord *Wharton* (who had been nam'd to that Embassy, and who, as we have seen by the King's Letter to the Chancellor, had excus'd himself from going) declin'd that Service, was, on the *Jew*'s Account, who, he knew, would have the Secret, whoever had the Commission. *The Court of* England *not upon good Terms with the Court of* Vienna *and* Madrid.

But, what Reason soever the Court of *Spain* had to resent the Behavior of his *Britannic* Majesty in the Case of *Schoenenburgh* and other Matters, and That of All the several Parties in the *Partition*-Treaty more especially, the *Imperial* Court had not Credit or Address enough to derive any Advantage from it: On the contrary, no sooner had that Secret taken Air, but a violent Ferment follow'd in his *Catholic* Majesty's Cabinet: And the Result was, a Will, not conformable to Those of *Philip* III. and *Philip* IV. in behalf of the Males of the House of *Austria*, but in behalf of the Electoral Prince of Bavaria. *The King of* Spain *makes a Will in favour of the E. Prince*

A. D. 1698. of *Bavaria*, who was therein declar'd his Majesty's Universal Heir, to the equal Disappointment of both the Rival-Families.

In what Manner the Court of *Vienna* behav'd upon the Occasion, is not, indeed, explain'd: But as to the Court of *France*, they made no Difficulty to order M. *de Harcourt* to present an expostulatory (*l*) Memorial thereon, to the following Effect, *viz.*

French *Memorial thereon.*

"*SIR*,

The King my Master has commanded me to tell your Majesty, That, after the positive Assurances I had given him in your Majesty's Name, That you would never make any Innovation in the Peace, or fail in the punctual Observance of it, he could not tell how to give Credit to a Report which prevail'd, concerning a Will made by your Majesty in favour of the Electoral Prince of *Bavaria*, till it was confirm'd to him in such a Manner, as left no Room for Contradiction: That in a Case so little expected by his Majesty, considering the Confidence he plac'd in your Majesty's Royal Word, he should himself be wanting to the Friendship of which in the late Peace he gave your Majesty so many Proofs, to the Preservation of that Peace, and to the Maintenance of those Rights which the inviolable Laws and Customs of the Monarchy have vested in the *Dauphin* his only Son, if he should not declare, as he has commanded me to do, to your Majesty, That he will take the same necessary Cautions to prevent a Renewal of the War on one Hand, as the Injury meditated against his Family on the other. I am also to add, That it is the passionate Desire of the King my Master, to see your Majesty long enjoy the Dominions which you receiv'd from *God*, in Right of your Birth: And that as to myself, your Majesty knows, I have never importun'd you concerning the Succession: Lastly, Sir, it is to be consider'd; Whether the disinterested Respects of my Master, and his Desire to maintain a good Correspondence with your Majesty, deserve the Resolution you have taken: And what Reason all *Europe* may have to complain of your Majesty, if, to the general Misfortune, the Solicitude of my Master cannot prevent the Disturbance to be fear'd from such an Incident."

And now One would have thought, That, in answer to this half-plaintive, half-menacing Memorial, the Court of *Spain* would have justify'd the Measure his *Catholic* Majesty had taken in favour of the *Electoral* Prince of *Bavaria*, by complaining in their Turn of the *Partition*-Treaty, which both preceded and provok'd it: But the Death of that Infant-Prince, which happen'd about the Time of presenting this Memorial, and of which they had soon after Intelligence at *Madrid*, in all Probability, qualify'd the Eagerness of the *Answer* which M. *de Harcourt* would otherwise have receiv'd: For the Answer he did receive, by the Order, and in the Name, of his *Catholic* Majesty, was conceiv'd in the Terms which follow,

A. D. 1698.

"*Most excellent Lord*,

Upon considering the Memorial presented by your Excellency to his Majesty, He commanded me to tell you, That he was conscious, nothing had been wanting on his Side to the punctual Observance of the Peace, agreable to what he has, upon other Occasions, suggested to your Excellency: That he will persevere in the same Sentiments: That his Zeal for preserving the Tranquility of *Europe*, is equal to That of the Most *Christian* King: That he could not but be surpris'd at his Excellency's Memorial, at a Time when the divine Goodness had so recently restor'd him to Health, and, by consequence, when there was no longer any pressing Motive upon him to quicken his Resolutions; But that he hop'd he should have sufficient Time allow'd him, to make his Most *Christian* Majesty a long Series of such Returns, as were suitable to his Majesty's Professions of Friendship and Esteem for him; as also, to concur with him in whatever should be found necessary for continuing the public Repose; which would be the constant Tenor of his Prayers, and which he should recommend to Posterity as a Fundamental most worthy their Regard and Observance."

Spanish *Answer.*

Thus stood this great Affair at the Beginning of the Year 1699; and no more need be added to this Recital in this Place, than Bishop *Burnet*'s Epitome of it; and a Word or two, to clear the Perplexity and expose the Unfairness thereof, that the Prejudices of that egregious Writer may be for ever done away.

"The frequent Relapses, (quoth He) and the feeble State of the King of *Spain*'s Health, gave the World great Alarms: The Court of *Vienna* trusted to their Interest in the Court of *Spain*, and in that King himself; the *French* Court was resolv'd not to let go their Pretensions to that Succession, without great Advantages; the King and the States were not now strong enough, to be the Umpires in that Matter: This made them more easily hearken to Propositions, that were set on foot by the Court of *France*: The Electoral Prince of *Bavaria* was propos'd, he being the only Issue of the King of *Spain*'s Second Sister, who was marry'd to the Emperor: Into this the King, the States, and the Elector of *Bavaria* enter'd; the Court of *Spain* AGREED TO THIS; and that King, by his Will, confirm'd his Father's Will, by which the Succession of the Crown was settled

B. Burnet's Epitome of this Affairs.

(*l*) A Copy of which, according to *Mr. Lamberty*, who has preferr'd it in his Collection, M. *Dykvelt* was the first Person to procure, in the original *Italian*. A Translation of it is also to be met with in the *State* of *Europe* for *February* 1699. The Author of which, having touch'd on the very civil Footing on which the *Imperial* and *French* Ministers liv'd with each other at *Madrid*, and the Conjectures made by the Public upon it; as if they were engag'd in a joint Negotiation concerning the Succession, adds, (not being as yet in the Secret of the *Parties*, nor aware of the Force of his own conclusion) *As if that great Affair were of such a Nature, as to suffer Transactions about Right of Inheritance, during the King's* Life, *and without his* Knowledge.

A.D. 1698. settled on the Iſſue of the Second Daughter; and it was reſolv'd to engage all the Grandees and Cities of *Spain*, to maintain the Succeſſion according to this Settlement: The Houſe of *Auſtria* complain'd of this, and pretended that, by a long Tract of reciprocal Settlements, ſeveral mutual Entails had paſs'd between thoſe two Branches of the Houſe of *Auſtria*: The Court of *France* ſeem'd alſo to complain of it; but they were ſecretly in it, upon Engagements, that the Dominions in *Italy* ſhould fall to their Share."

Now, one would conclude from hence, That the *Partition*-Treaty we have been diſcourſing of, and the King of *Spain*'s Will in favour of the *Electoral* Prince, had the ſame Purpoſe in view, and that the Latter was the Reſult of the Former: Whereas our own (*m*) Writers obſerve, That the Court of *Spain* reſented the One to the higheſt Degree, and as an Expedient of Oppoſition, according to the Proofs already before us, fell upon the Other, (for the Engagements of the Grandees were againſt a *Partition* of any Kind): And, laſtly, it is obſervable, That with an Inſincerity, or a Negligence, which can never be too ſeverely expos'd, he never ſo much as mentions the *ſecret* Article in favour of the Elector of *Bavaria* at all.

[State Trials, Temp. Gul. III. Vol. III. P. 98, 206.]

and his State of Affairs at Home;

In the ſame indiſcriminate, if not in the ſame uncandid, Manner, he alſo treats of our domeſtic Affairs, or rather the Aſpect they wore, at the Meeting of the new Parliament: For, having mention'd the Difficulty apprehended of managing them, as before cited, he procedes in theſe Words, "The King himſelf did not ſeem to lay this to Heart ſo much as was fitting: He ſtay'd long beyond Sea; and croſs Winds hinder'd his Return to *England* ſo ſoon as he had intended; upon which the Parliament was prorogu'd for ſome Weeks after the Members were come up: Even This four'd their Spirits, and had too great a Share in the ill Humor which appear'd amongſt them."

Corrected.

The plain Matter of Fact was This: The Parliament having been prorogu'd from the 27th of *September* to the 27th of *October*, and again to the 29th of *November*, a Proclamation was iſſued on the 3d of that Month, importing, That the Seſſion ſhould then be open'd, and that the Members were to give their Attendance accordingly: Thus the whole Kingdom was inform'd, That his Majeſty, inſtead of receiving the Compliments of the Nobility and Gentry on his Birth-Day, had ſolicitouſly deferr'd his Return as long as poſſible, without any better or other Pretence to excuſe the Delay, than what had already been urg'd to excuſe his Abſence: And when the Perſon of a King is put into the Balance againſt a whole Nation, it is no great Immodeſty to ſuggeſt, That Slights on one Hand may warrant Reſentments on the other. The King was all this while at *Loo*, or at leaſt till the 7th of *November*, O. S. when Sir *Cloudſley Shovel*, arriv'd with a Squadron on the Coaſt of *Holland*, to convoy him home: And all the Formality of what Buſineſs he had to tranſact with the States, was ſtill to be diſpatch'd. Thus it was the 15th before his Majeſty could aſſiſt in the ſeveral Aſſemblies of the Council of State, and of the States-General, where the military Diſpoſitions of the Year were to be adjuſted, in order to be tranſmitted to the ſeveral Provinces: And by that Time the ſaid Formalities were thus diſpatch'd, and what other Matters were then depending, ſuch a Courſe of weſterly Winds ſet in, as detain'd him at the *Hague* till the 11th of *December*: So that there was a Neceſſity to prorogue the Parliament again till the 6th of that Month, which was done accordingly; not without ſome Apprehenſion, That yet another Prorogation might be found neceſſary: For, with all the Seamanſhip Sir *Cloudſley* was Maſter of, it was the 3d before he could reach *Margate*; and it was the 4th in the Evening before his Majeſty reach'd *Kenſington*: After which there remain'd but one Day for the propounding and digeſting ſuch Preparations as were neceſſary, at leaſt, for the Choice of a Speaker, on which, at this Criſis, both Parties ſeem'd to think the Iſſue of the Parliament in a good Degree depended; as it appears by a Paper publiſh'd about this Time, under the Title of *Conſiderations upon the Choice of a Speaker*, &c. the Author of which ſeems to be equally apprehenſive of a known Profligate in the Service of the Court, and of a known Profligate *pretending* to be in the Service of the People: For, having premiſ'd, That whenever Slavery ſhould be entirely fix'd in *England*, as it was amongſt all our Neighbours, it muſt be by the two-fold Influence of a corrupt Parliament, and a ſtanding parliamentary Army, according to that famous Maxim of Lord *Burleigh*, *That* England *can never be undone but by a Parliament*; as alſo, That a corrupt Speaker was the fitteſt Perſon to corrupt and otherwiſe influence the Proceedings of the Houſe, he enters his firſt Caveat againſt a Perſon who had no other Characteriſtics than Confidence and Dexterity, a Perſon already debauch'd, and once rejected by the Houſe on a like Occaſion; and who being already a Lord of the Treaſury, was under the greateſt Temptation to do whatever was demanded of him, and conſequently could neither with Honeſty or Decency hold two ſuch Truſts as were inconſiſtent with each other. After which, he

A.D. 1698.

The King returns from Holland.

Conteſt on the Choice of a Speaker.

ſpeaks

(*m*) Says One of them, "Now, all *Europe* knows what Memorials the *Spaniſh* Miniſters have given every where, both before and ſince the laſt Treaty, [of which we ſhall hear in its Place] complaining of *partitioning*, as an unprecedented Practice againſt the Laws of God and Man, and as an Indignity done them, which they would oppoſe and revenge with the laſt Drop of their Blood: Did not *D. de Harcourt*, ſeveral Months before the Treaty, (which ſhews the Deſign of the Treaty older than we pretend) warn the States, That there was no Expedient imaginable that could prevent the Dismembering their Monarchy that they would not lay hold on? Nay, that they would all arm from Fifteen to Sixty, rather than ſuffer it?" And ſays alſo Another, "Did not the *Spaniards* return an Anſwer to the Agents of the *French*, with a Haughtineſs natural to the Temper of that People, when the *Electoral* Prince of *Bavaria* was pitch'd upon to ſucceed the *Spaniſh* Monarchy?"

A. D. 1698. speaks of another Gentleman, who at the Revolution was 16,000 *l.* in debt to the Crown, and by a particular Clause in the Act of Indemnity, procur'd a Release: And again, towards the Close of his Paper, characterises the same Gentleman, as an old Prostitute of the exploded, pension'd Parliament in *Charles* the Second's Reign, who had, from that Time, been tricking the House in so shameful a Manner, that the several Periods of his Life might be mark'd out by the Bargains he had made with the Court, when the Court came up to his Price.

By the last of these Gentlemen he meant Sir *Edward Seymor*, and by the first Sir *Thomas Littleton*; concerning whom, and what was to be expected from him, he farther writes as follows: "Suppose there is a Debt growing every Day upon the Nation by Seamen not discharged, while the Money given for so necessary a Purpose, has been dispos'd of for keeping up an Army, that should have been disbanded pursuant to the Determination of the last Parliament, after the most mature and solemn Debates, must not the House expect Interruptions in bringing on that Matter, Difficulties in wording, and Delays in putting the Question, from one who, in his Station at Court, may be, perhaps, charg'd with advising the keeping up of the Army, and in the last Parliament was the best and most artificial Advocate for not disbanding at all?"

Now the Person tacitly recommended by the Disqualifications thus fasten'd upon these Two, was Mr. *Harley*: But when the Question came to be put, it appear'd, That the Majority were for Sir *Thomas Littleton*, which look'd like a good Omen on the Side of the Court, promising a smooth and happy Session.

Sir T. Littleton *chosen.*

As to the gracious Speech from the Throne, deliver'd three Days after, (for till then both Houses complaisantly adjourn'd themselves, that the Court might have Time to concert their Measures) it was conceiv'd in these Words.

The King's Speech.

"*My Lords and Gentlemen,*

I have do doubt but you are met together, with Hearts fully dispos'd to do what is necessary for the Safety, Honor, and Happiness of the Kingdom; and that is all I ask of you.

In order to this, Two Things principally seem to require your Consideration.

The One is, What Strength ought to be maintain'd at Sea, and what Force kept up at Land for this Year? All that I shall observe to you on this Head, is, That the flourishing of Trade, the supporting of Credit, and the quieting of the Peoples Mind at Home, will depend upon the Opinion they have of their Security: And, to preserve to *England* the *Weight* and *Influence* it has, *at present*, on the *Councils* and *Affair Abroad*, it will be requisite *Europe* should see you will not be wanting to yourselves.

The Second thing I shall mention to you, as of great Consequence, is, the making some farther Progress towards a discharging the Debts, which the Nation has contracted, by reason of the long and expensive War: In this the public Interest, as well as Justice, is concern'd; and I think an *English* Parliament can never make such a Mistake, as not to hold sacred all parliamentary Engagements.

A. D. 1698.

Gentlemen of the House of Commons,

I do earnestly recommend these Things to you, that you may provide such Supplies, as you shall judge necessary for these several Occasions.

My Lords and Gentlemen,

I think it would be happy, if some effectual Expedient could be found for employing the Poor, which might tend to the great Increase of our Manufactures, as well as remove a heavy Burden from the People.

I hope also you will employ your Thoughts about some good Bills for the Advancement of Trade, and for the future Discouragement of Vice and Profaneness.

The Things I have mention'd to you being of common Concern, I cannot but hope for Unanimity and Dispatch."

Remarks thereon.

Thus it appears through all Disguises, That the King's favorite View was to be important on the Continent; which is the most ruinous Principle that can be adopted with regard to the *natural* Interest of this Country; and that his favorite Measure was to have as considerable a Land-Force as he could possibly procure, both to figure with Abroad, and to be safe at Home: And it is impossible to pass over the stupid and servile Reflections, made by our pretended Historians upon it, without a suitable Mixture of Concern and Indignation: For, tho' nothing is more manifest than that his Majesty grafted his own Interests on the Interests of *France*, and that all the Engagements he was under, were such as had been concerted with *France* to force the *Imperial* Court into an Acquiescence with the *Partition*, these Writers, with the Evidence of the Fact before their Eyes, which at this Time (except in the Cabinet) was not so much as suspected in *England*, talk upon all Occasions, as if he had no other Purpose to serve with these Land-Forces, but to cover the Nation from the Insults of *France*. Three of them, in the very same Words tell us, "The King was apprehensive, That if *England* was entirely disarm'd, it would be too great a Temptation to the *Ambition* of *France*:" Another says, "It was obvious to all thinking Men, not biass'd by Faction or Prejudice, that it was absolutely necessary for *England* to keep up a good Naval and Land-Force, to be prepar'd against any *Invasion* from *France*:" And even *Burnet*, who admits, the King's keeping up an Army beyond the Votes of Parliament, was much resented, adds, *nor was the* Occasion *for doing it much consider'd*: Whereas, in the Papers set forth by the Anti-Courtiers of those Times, the *Occasion* is more fully consider'd, or rather, is supposed more interesting, than it deserv'd: For, according to the mistaken Opinion which then prevail'd, That the King had all the Steddiness and Consistency of Conduct, which he had so pathetically lamented the Want of,

Kennet, Boyer, Tindal.

Oldmixon.

A. D. 1698. of, in his Royal Uncle *Charles* II. They farther preſum'd, That *France* was ſtill the Object of his Majeſty's Jealouſy, and the only Power which he was to be arm'd againſt: As alſo, that the *Spaniſh* Inheritance would be the Object of that Power, not *England*; That our Part on ſuch an Emergency, would be to aſſiſt the Weakeſt; and that, under the Load of Preſſures and Anticipations laid upon the Nation in the Courſe of the laſt War, 2,300,000*l.* would be all that we ſhould have to lay out on the Experiment: So that the Queſtion would not be as it was then, How a new War could be carry'd on againſt *France* at large, but how that Sum could be diſpos'd of to the greateſt Advantage: In anſwer to which, they reaſon'd as follows.

"Moſt Men, at this Time of Day, I believe, will agree with me, That 'tis not our Buſineſs to throw Squibs in *Flanders*, ſend out vaſt Sums of Money to have our Men play at Bo-peep with the *French*, and, at beſt, to have their Brains beat out againſt Stone-Walls: But if a War is neceſſary there, 'tis our Intereſt to let the *Dutch* and *Germans* manage it, which is proper for their Situation, and let our Province be to undertake the Sea: Yet, if we have not Wit and Honeſty enough to make ſuch a Bargain with them, but that we bring ourſelves again to a Neceſſity of maintaining Armies there, we may hire Men from *Germany* for half the Price we can raiſe them here; and they will be ſooner ready, than they can be tranſported from hence; That Country being full of Men, all Soldiers, enur'd to Fatigue, and ſerving for much leſs Pay than we give our own: Beſides; we ſhall carry on the War at the Expence of others Blood, and ſave our own People, which are the Strength and Riches of all Governments; we ſhall ſave the Charge of providing for the Officers when the War is done, and not meet with ſuch Difficulties in diſbanding them."

And, again, afterwards, They manifeſt their Diſcernment rather than their Intelligence, by giving the Court-Managers this wholeſome Admonition, *viz.* "If theſe Gentlemen are really afraid of a new War, and don't uſe it as a Bug-Bear to fright us out of our Liberties, and to gain their little Party-Ends, the Way to bring the People into it heartily, is to ſhew them, That all their Actions tend to the public Advantage, to leſſen the national Expences, to manage the Revenue with the greateſt Frugality, to poſtpone part of their own Salaries, and not to grow rich while their Country grows poor, to give their hearty Aſſiſtance for appropriating the *Iriſh* Lands, gain'd by the Peoples Sweat and Blood to the public Service, as was promis'd by his Majeſty; and not to ſhew an unhappy Wit in puniſhing ſome Men and excuſing Others for the ſame Fault, and ſpend three Months in Intrigues, how to keep up a Standing-Army, to the Dread of the greateſt Part of the Nation: For, let them fancy what they pleaſe, the People will never conſent to the raiſing a new Army, till they are ſatisfy'd they ſhall be rid of them when the War is done: And there is no way of convincing them of That, but the Diſbanding Theſe with Willingneſs." A. D. 1698.

Thus it appears, the *Occaſion* or Neceſſity of a Land-Force at this Criſis was thoroughly conſider'd, tho' on miſtaken Grounds: And this Miſtake was more advantageous to the Court, than all the Arguments they had to offer: For if, at this Criſis, the Secret of the *Partition* had been known to the Public, and with it, that the Uſe and Application of this Force was to be againſt the Emperor, not againſt *France*, it is reaſonable to think, tho' (*n*) one Author has been hardy enough to aſſert the contrary, That the Ferment would have roſe much higher againſt the Court than it did; and that the King would have loſt the Confidence of his People for good and all.

But the ſame Prelate, moreover, admits, That the Reſentment conceiv'd againſt the King on account of his not diſbanding the Army, agreable to the Reſolutions of his Parliament, was *much increas'd by his own Management after he came over*: "The Miniſters, continues He, repreſented to him, That they could carry the keeping up a Land-Force, of Ten or Twelve Thouſand, but that they could not carry it farther: He ſaid, ſo ſmall a Number was as good as none at all, therefore, he would not authoriſe them to propoſe it: On the other Hand, They ſhould loſe their Credit with their *beſt Friends*, if they ventur'd to ſpeak of a greater Number."—So that we have here an explicit Confeſſion, That this favorite Meaſure of the King's was not only unpleaſing to the Anti-Courtiers in Parliament, and the Bulk of the Nation, but alſo to his own Miniſters, and to Thoſe they rely'd on moſt: And it is not unworthy Remark, That not the leaſt Trace of any Addreſs from the Commons, in Acknowledgment of his Majeſty's Speech, is to be found in any of our Books: Whence it may be inferr'd, That what with the Sullenneſs of the King and the Timidity of his Miniſters, and the Animoſities which prevail'd in the Houſe, it being found impracticable to reconcile the Compliments expected on one Hand, with the Pre-engagements taken on the other, the Houſe neither did or could agree upon any Addreſs at all.—So that we have here an Exception, to what is in our Times become an indiſpenſible Rule, *viz.* That every Speech from the Throne, deſerves not only the Acknowledgments of the Houſe, but a ſort of Engagement to comply with every Thing propos'd in it. *No Addreſs from the Commons.*

Nor was the Zeal of the Lords on this Occaſion very eaſily kindled, nor when kindled

(*n*) *Boyer* in his Life of King *William*, Vol. XIV. p. 369, where he moſt abſurdly and inconſiſtently ſays, "Had the late *Partition*-Treaty been communicated to Parliament, they would, perhaps, at that Time, if not abſolutely have approv'd of it, yet have been ſo far under the ſame Apprehenſions with his Majeſty, as to ſee the Neceſſity of keeping *France* within the Bounds ſet her by the Peace of *Ryſwick*."

A. D. 1698. kindled did it flame out very bright: For as it was the 22d before they agreed to their Addreſs, and the 3d of *January* before they waited upon his Majeſty with it, ſo it was conceiv'd in ſuch general Terms, as were more ſuitable to the Decorum of the Houſe, than the more immediate Views of his Majeſty: For having declar'd themſelves highly ſenſible of his Majeſty's great Grace and Goodneſs towards his People, expreſs'd on ſo many Occaſions, and particularly in his late Speech, they begg'd Leave humbly to aſſure his Majeſty, That as they ſhould always retain a lively Impreſſion of thoſe great and continued Obligations which he had laid upon the Nation, ſo it ſhould be, upon every Occaſion, their perpetual Care and Study, with the moſt zealous Duty and moſt grateful Affections imaginable, to make his Majeſty all ſuitable Returns within their Power: As alſo, That they ſhould not fail to uſe their moſt diligent Endeavours for the attaining thoſe great and good Ends, which his Majeſty had been graciouſly pleas'd to recommend to his Parliament.

The Addreſs of the Lords.

His Majeſty, however, made the moſt of it: For in his Anſwer he expreſs'd himſelf as follows.

"*My Lords*,

The King's Anſwer.

I take this Addreſs very kindly; and give you my hearty Thanks: The Houſe may always depend upon my Kindneſs, as I do on this Aſſurance of their Duty to me, and their Zeal for the public Good."

Thus the Triumph of the Court, in carrying their Speaker, was very ſhort-liv'd; and that Gleam of Sun-ſhine only ſerv'd to make the Gloom and the Damp which follow'd it, ſo much the more ſenſibly felt.

The Conduct of his Miniſters with regard to the Bill for diſbanding the Army.

Nor, as *Burnet* farther obſerves, was the Diſpoſition with regard to the Court leſs favorable to their Purpoſes, than their own feeble and abſurd Conduct: For as the Miniſters had not Credit enough with their Maſter to carry their own Meaſures, nor with the Houſe to carry his, when the Affair of the Army came under Debate, they brought in no Eſtimates; they made no Propoſals; but left the whole Game in the Hands of the Oppoſers, who play'd it accordingly: For having propos'd 7000 Men, as a ſufficient Eſtabliſhment for Guards and Garriſons, which was all we wanted in Time of Peace, they carry'd their Point without any great Difficulty, as appears by the following Reſolution upon it, *viz.*

The Reſolutions of the Commons thereon.

"That all the Land-Forces of *England* in *Engliſh* Pay, exceeding 7000 Men, (and thoſe conſiſting of his Majeſty's natural-born Subjects) be forthwith paid and diſbanded; and that all the Forces in *Ireland*, excepting 12,000 Men, (and thoſe natural-born Subjects, to be kept and maintain'd by the Kingdom of *Ireland*) be, likewiſe, forthwith diſbanded:" And, agreable to this Reſolution, they order'd a Bill to be brought in, which being warmly proſecuted by the Undertakers on that Side, was ſoon brought to Perfection, to the immortal Honor of this Parliament, and the great Relief and Satisfaction of the People in general: For, notwithſtanding the maudlin Lamentations of our purblind Hiſtorians over this juſt, ſeaſonable, and ſalutary Meaſure, all that deſerves to be lamented in it, is the Want of ſuch a Preamble to the Bill, as ſhould have deterr'd any Man, how daring or profligate ſoever, from making any future Effort, to reſt the Security of the Government upon any other Baſis, than the Love, Gratitude, and Eſteem of a brave, free, diſcerning People, agreable to the firſt Principles of our antient Conſtitution. A. D. 1698.

But, content with the enacting Clauſes, the Advocates for the Bill, did not ſtickle for any Preamble at all: And, accordingly, it now ſtands in our Statute-Books, as a Matter of Fact, unſupported either by Maxim, Argument or Inference.

Heads of the Bill.

As to the ſaid enacting Clauſes, the firſt provided, That the Army, and all the reſpective Regiments, Troops, Companies, &c. in *England*, *Wales*, &c. ſhould, on or before the 26th of *March* then next enſuing, be diſbanded, except ſuch Regiments, Troops, and Companies, not exceeding 7000 Men, Officers of all Sorts included, as before the firſt Day of the ſame Month of *March* ſhould be particularly expreſs'd in his Majeſty's Royal Proclamation under the Great Seal: The five following Clauſes, only ſerv'd to explane and enact the ſeveral Parts of the Reſolutions on which the Bill was founded: The Seventh was calculated to inflict Pains and Penalties, on all ſuch Officers as ſhould preſume to exerciſe any kind of military Power over their ſeveral Corps, after they had been ſo diſbanded; as alſo, on every Perſon or Perſons who ſhould wittingly and willingly adviſe, frame, contrive, counterſign, or put in Execution any Proclamation, Commiſſion, Act, Order, or Command whatſoever for continuing together any of the ſaid Corps, after they ſhould be ſo diſbanded; and to prevent any of the Soldiers, ſo diſbanded, for continuing together above Ten in a Company, after the Space of Two Days, after they were ſo diſbanded: The Eighth made Proviſion for a Loan of 800,000 *l.* at 7 *per Cent.* on the general Credit of the *Exchequer*, for the Payment of the Troops ſo diſbanded; the Overplus to be afterwards apply'd for other neceſſary Occaſions of the Kingdom: By the Ninth, no Perſon naturaliz'd in *Ireland*, was to be reputed a naturaliz'd Subject of *England*, or capable of being continued in the Service: And the Tenth contain'd a Proviſo, to exempt any of the Regiments, &c. ſo diſbanded, as ſhould, after Embarkation, or being in Readineſs to embark, in order to be tranſported beyond the Seas, be prevented and detain'd by contrary Winds, from the Pains and Penalties contain'd in the Act."

But of all the Precautions taken by the Commons to ſecure their Point, That of making it the firſt Buſineſs of the Seſſion, and of poſtponing every other Conſideration, was the moſt material; and what, upon ſimilar Occaſions, ought to be held moſt worthy of Imitation; if ever a Criſis ſhall come, when a Parliament ſhall be diſpos'd to read

A. D. 1698. in the Steps of This: For it ought not to be forgotten, That both Houſes ſeem'd to be inſpir'd with the ſame Spirit: If the Bill was but feebly oppos'd below, it was yet more feebly oppos'd above: And even B. *Burnet* himſelf allows, That ſo faint and ill-ſupported an Attempt, was rather a Reproach than a Service to the Government: Beſides; what renders This ſo much the more extraordinary, the ſame Author farther obſerves, "That the King not only ſeem'd to lay the whole of this Procedure much to Heart, but to ſink under it: He try'd (continues He) all that was poſſible to ſtruggle againſt it, when it was too late; it not being ſo eaſy to recover Things in an After-game, as it was to have prevented this Miſunderſtanding, that was like to ariſe between him and his Parliament." And, again, "In the carrying theſe Points, many hard Things were ſaid againſt the Court, and againſt the King himſelf: It was ſuggeſted, That he lov'd not the Nation, That he was on the Reſerve with all *Engliſhmen*, and ſhew'd no Confidence in them: But that, as ſoon as the Seſſion was over, he went immediately to *Holland*: And They ſaid, This was not to look after the Affairs of the *States*, which had been more excuſable; but that he went thither to enjoy a lazy Privacy at *Loo*; where, with a few Favourites, he hunted and paſs'd away the Summer, in a way that did not raiſe his Character much. It is certain, the Uſage he had met with of late, put his Spirits too much on the Fret; and he neither took care to diſguiſe *That*, nor to overcome the ill Humour which the *Manner* of his *Deportment*, rather than any *juſt Occaſion* given by him, had rais'd in many againſt him." So that the *Biſhop* would have us believe, That he did, and did not, give Occaſion for the ill Opinion that was entertain'd of him, and the hard Things that were ſaid of him. But this is not all; for his Lordſhip (tho', according to Cuſtom, he ranges his Matter very imperfectly) moreover tells us, "It was ſurmis'd, That he was reſolv'd not to paſs the Bill; but that he would abandon the Government, rather than hold it with a Force that was too ſmall to preſerve and protect it." And Mr. *Tindal* not only confirms This, out of an original Letter of Lord *Sommers*'s to the Duke of *Shrewſbury*, wherein it is aſſerted, That the King had actually form'd ſuch a Deſign, but has favor'd the World with a Copy of the Speech which his Majeſty had prepar'd on that extraordinary Occaſion, as follows.

Burnet's Remarks on the King's Conduct.

An intended Speech of the King's, containing a Sort of Abdication.

"I came to *this Kingdom*, at the Deſire of *this Nation*, to ſave it from Ruin, and to preſerve your Religion, your Laws and Liberties; and for that End I have been oblig'd to maintain a long and burdenſome War for *this Kingdom*; which, by the Grace of *God*, and the Bravery of *this Nation*, is at preſent ended in a good Peace; under which you may live happily and in quiet, provided you will contribute to your own Security, in the Manner I had recommended to you at the opening of the Seſſions: But ſeeing, on the contrary, that you have ſo little Regard to my Advice, and that you take no Manner of Care of your *own Security*, and that you expoſe yourſelves to *evident Ruin*, by diveſting yourſelves of the only Means for your Defence, it would not be juſt nor reaſonable, that I ſhould be witneſs of your Ruin; not being able to do any Thing of myſelf, it not being in my Power to defend and protect you, which was the *only View* I had in coming into this Country: Therefore, I am oblig'd to recommend to you to chuſe and name to me ſuch Perſons, as you ſhall judge moſt proper, to whom I may leave the Adminiſtration of the Government in my Abſence; aſſuring you, That, tho' I am at preſent forc'd to withdraw myſelf out of the Kingdom, I ſhall always preſerve the ſame Inclination to its Advantages and Proſperity: And when I can judge, that my Preſence will be neceſſary for your Defence, I ſhall be ready to return, and hazard myſelf for your Security, as I have formerly done; beſeeching the great *God* to bleſs your Deliberations, and to inſpire you with all that is neceſſary for the Good and Welfare of the Kingdom."

A. D. 1698.

Mr. *Tindal* adds, By what Means the King was diverted from This, does not appear: And yet B. *Burnet* ſays, *This was conſider'd only as a* Threatning: *So that little Regard was had to it*; which, very probably, was the Caſe: For it was a Threatning which he had practis'd twice before: That is to ſay; Firſt, while the *Convention* was delibe- Burnet, Vol. I. rating on ſuch a Method of ſupplying the P. 820. Vacancy in the Throne, as was not agreable to his Views and Deſigns: And, again, in the Firſt Year of his Reign, when, according to the ſaid Prelate, *he thought he* —Vol. II. *could not truſt the* Tories, *and he was reſolv'd* P. 39, 40. *he would not truſt the* Whigs: Beſides; by abſenting himſelf Half the Year, he had taken off the Edge of his own Weapon; and there was ſome Danger of his being taken at his Word; in which Caſe, he had no After-game to play, but what might ariſe out of the Diſſentions, likely to enſue in the Nomination of a Regency; which was, perhaps, the very Reſerve he had in View: For by the Word *Perſons*, he did not mean to recommend the Princeſs of *Denmark*; and it is reaſonable to think the Nation would have accepted no other.

But whether he was in earneſt or not in propoſing this peeviſh Meaſure, and whether it was by Perſuaſion or Neglect he departed from it, he reſolv'd at laſt to comply with the Voice of his People, and paſs the Bill; which he accordingly did on the 1ſt of (o) *February*, with the following Speech. 1698-9.

"*My Lords and Gentlemen*,

I am come to paſs the Bill for diſbanding *His real Speech.* the Army, as ſoon as I underſtood it was ready for me. Though

(o) Upon the ſame Day alſo an Act was paſs'd to take off the Bounty upon Corn exported, for a certain Time therein specify'd.

A. D. 1698.-9 Though in our preſent Circumſtances there appears great *Hazard* in breaking ſuch a Number of Troops; and tho' I might think myſelf unkindly uſed, that thoſe *Guards*, who came over with me to *your Aſſiſtance*, and have conſtantly attended me in all the Actions, wherein I have been engag'd, ſhould be remov'd from me; yet it is my fix'd Opinion, that nothing can be ſo fatal to us, as that any *Diſtruſt* or *Jealouſy* ſhould ariſe between me and my People, which I muſt own would have been very unexpected, after what I have *undertaken*, *ventur'd*, and *acted* for the reſtoring and ſecuring of their Liberties.

I have thus plainly told you the only Reaſon, which has induc'd me to paſs this Bill: And now I think myſelf oblig'd, in diſcharge of the Truſt repos'd in me, and for my own Juſtification, that no ill Conſequences may lie at *my Door*, to tell you as plainly my Judgment, that the Nation is left *too much expos'd*.

It is therefore incumbent upon you to take this Matter into your ſerious Conſideration, and effectually to *provide* ſuch a *Strength*, as is neceſſary for the *Safety* of the Kingdom, and the Preſervation of the Peace, which *God* has given us."

Thus his Majeſty deſtroy'd the Merit of his own Act, by avowing the Reluctance with which it was done; and by ſuch an ungracious Intermixture of Reſentment, Reproach, Menace and Diſapprobation, as from a Houſe of Commons leſs obſervant of Decorum, might have drawn very diſagreable Returns: For as his Riſque had been great, ſo had been his Reward: And Thoſe who are upbraided with Services, are very apt to recollect the Price they have paid for them.

Beſides; in the laſt Paragraph of his Speech, he inſiſts, in a Manner, on their undoing what they had done, under the Penalty he had aſſign'd before, of their being anſwerable for all Events: And to ſhew with what Sincerity he co-operated with his Parliament in this Affair, we need only inſert his Letter to Lord *Galway*, dated juſt four Days before he gave the Royal Aſſent to the Act, as tranſlated from the original *French*, for the Information of Poſterity, by Mr. *Tindal*, viz.

Kenſington, Jan. 27, 1698.

His Letter to Lord Galway. " I receiv'd ſome Days ago a Letter from you without Date, by which I ſee you are uneaſy at the Proceedings of the Parliament here againſt the *Foreigners*: I think you have too much Cauſe to be ſo; tho', as yet, nothing has paſs'd about you, and I have good Reaſon to hope you will be left undiſturb'd: At leaſt, you may be aſſur'd, I ſhall do my utmoſt, that nothing be done to your Prejudice; ſatisfy'd, as I am, with your Conduct, and uſeful, as you are, for my Service: So you may be ſure, that I will not recall you, unleſs I am forc'd to it, which I hope will not be the Caſe. It is not to be conceiv'd, how People here are ſet againſt the *Foreigners*: You will eaſily judge on *whom* this *reflects*: I deſign very ſhortly to ſend into *Ireland* five Regiments of Foot, and two of Horſe, and ſoon after three more of A. D. 1699. Foot, eight in all: I will ſend you, in a few Days, Orders to diſband *Wooſley*'s Regiment of Horſe, and nine Regiments of Foot, intending to keep only thoſe of *Hamner* and *Hamilton*: I deſign alſo, when the Parliament riſes, to ſend you your Regiment of Horſe, and the *three* FRENCH *Regiments*, and, perhaps, *Miremont*'s Dragoons; but that muſt be very *ſecret*, tho' I much fear my Deſign is already *ſuſpected* here: I am in doubt whether I ſhall ſend likewiſe into *Ireland Eppinger*'s Regiment: All this together would amount to eighteen Battalions of Foot, three Regiments of Horſe, and five of Dragoons, reckoning *Eppinger*'s for two; and this would be in a Manner agreable to your Project, and, according to my Calculation, the Expence no greater; but, if it ſhould be, ſomething muſt be retrench'd, of which I ſhould be glad to know your Sentiments: You will eaſily perceive how neceſſary it is, that all this be kept *ſecret*: I thought it requiſite to give you early Notice of my Intention, that you might take your Meaſures accordingly; mine muſt be regulated according as Things go in the Parliament, of which there is no being *ſure*, till the Seſſion is over: There is a Spirit of *Ignorance* and *Malice* prevails here beyond *Conception*: Be always aſſur'd of my Friendſhip.

WILLIAM R."

Thus we have a new Proof, under the King's own Hand, That he did not look upon the Exerciſe of a *Diſpenſing Power* in the ſame Light now as he had formerly done: Then as to his Majeſty's Charge of Ignorance, which he urges with ſo much Warmth againſt his Parliament, it is Matter of Lamentation, That they did not know more: For with this *Letter*, and the *Partition*-Treaty before them, Doubts, Suſpicions, and Surmiſes, would have been converted into Facts, Certainties, and Demonſtrations.

And as to their *Malice*, whatever might be imputed to Individuals under that Head, the Parliament in general ſeems to be wholly clear of any ſuch Imputation, if we may judge from the Language they us'd, and the general Current of their Proceedings, which, agreable to the two-fold Duty incumbent on them, were alike ſuited to the Reſpect they ow'd to the Crown, and their Obligations to their Country.

For on the ſame Day the Speech was *The Commons Addreſs.* made, the Commons unanimouſly reſolv'd, That an Addreſs of Thanks ſhould be preſented to the Throne, with Aſſurances of aſſiſting his Majeſty, and ſupporting his Government againſt all his Enemies whatſoever; in which, having declar'd, " How ſenſible they were of the Difficulties he had undertaken, the Labours he had ſuſtain'd, and the Hazards he had run, in reſcuing them from Popery and arbitrary Power, reſtoring their Liberties, and giving Peace and Quiet to all *Chriſtendom*; and how thankful for his moſt gracious Speech, in which he had expreſs'd ſo great a Regard for the Goodwill and Affection of his People, and had given ſo undeniable Proof of his Readineſs to comply with

A. D. 1698-9 with the Deſires of his Parliament. They procede to aſſure him, That as his Majeſty had ſhewn a moſt tender and fatherly Concern for the Security and Safety of his People, ſo he ſhould never have Reaſon to think the Commons were undutiful or unkind to him, but that they would, upon all Occaſions, ſtand by and aſſiſt him in the Preſervation of his ſacred Perſon, and Support of his Government, againſt all his Enemies whatſoever."

The Lords alſo were particular in their Acknowledgments for thoſe gracious Expreſſions in his Speech, " *That it was his Majeſty's fix'd Opinion, that nothing could be ſo fatal to them, as that any Diſtruſt or Jealouſy ſhould ariſe between his Majeſty and his People:* As likewiſe, for his Care and Concern for the Safety of the Kingdom upon all Occaſions; aſſuring his Majeſty, That at all Times, for the Safety of the Kingdom, and the Preſervation of the Peace, which *God* has given them, they would aſſiſt and defend his Majeſty againſt all his Enemies, both at Home and Abroad."

The King's Anſwer to each was after the uſual Form; except, that he ſeem'd to put his Complaiſance rather more to the Stretch in what he ſaid to the Commons, than in what he ſaid to the Lords.

But the Diſtinction made on this Occaſion, was not, in any Degree, ſo extraordinary as That which follow'd a few Days afterwards: " For when it it was *hop'd* (to uſe B. *Burnet*'s Words) that the paſſing the Act had ſoften'd Peoples Minds, a new *(p)* Attempt was made for keeping the *Dutch* Guards in *England*:" And this Attempt was made by the following Meſſage, all in the King's own Hand-writing, by the Earl of *Ranelagh*, (Pay-Maſter) to the Houſe of Commons only.

" *William* R.

The King's Meſſage about the Dutch Guards.

His Majeſty is pleas'd to let the Houſe know, That the neceſſary Preparations are made for tranſporting the Guards, who came with him into *England*; and that he intends to ſend them away immediately, unleſs, out of Conſideration to him, the Houſe be diſpos'd to find a Way for continuing them longer in his Service, which his Majeſty would take very kindly."

The Commons, indeed, were not to be mov'd by this Diſtinction, great as it was, nor the other condeſcending Circumſtances attending it: On the contrary; with a Firmneſs never to be enough prais'd, or too often imitated, they ſhut their Ears againſt the Voice of the Charmer, and reſolv'd to adhere to the Act, without giving way to the leaſt Qualification: In doing which, tho' they render'd themſelves obnoxious to the King's Diſpleaſure, they did him a far more eſſential Piece of Service, (whatever the Flatterers of his Reign may urge; who, inſtead of forming their Judgments on a Compariſon of the occaſional Stands made in theſe Times againſt the Encroachments of the Court, with the implacable Spirit of Oppoſition which rag'd in the *Exchuſioners*, moſt abſurdly and perniciouſly endeavour to give their Readers a corrupt Bias, drawn from the Corruptions of their own ſervile Times) than if they had gratify'd him in his Requeſt: For the undue Preference given on many Occaſions to this Body of *Dutch Janizaries*, (at the Expence of the *Scots* Guards in particular) had blunted the Zeal of his national Troops, and almoſt depriv'd him of the Hearts of his People: Beſides; in remaining thus inflexible, they preſerv'd their own Conſiſtency; they countenanc'd the Proceedings of former Parliaments, who could not be induc'd to give their Conſents, That their own native Kings ſhould have Guards of their own native Subjects: And they ſhut the Door, for ever, as They thought, againſt the like ſhameful Innovation. A. D. 1698-9

The Courtiers, however, did not fail, on this Occaſion, to muſter their whole Strength, and put in practice all the Devices in their Power, to gratify their Maſter at the Expence of their Country: For, firſt, in order to gain Time for Job-work and Expedient, they mov'd, That a Day might be appointed for taking the Speech into Conſideration; which being carry'd in the Negative, and a Committee appointed to draw up an Addreſs, repreſenting the Reaſons, why the Houſe could not comply with his Majeſty's Meſſage, they mov'd, in the next Place, on the Report of the ſaid Addreſs, That it might be recommitted; but were again defeated on a Diviſion of the Houſe, by a Majority of Nineteen Voices: The Yeas being 156, the Noes 175.

Now, the Addreſs was conceiv'd in theſe Words.

" *Moſt gracious Sovereign,*

The Commons Addreſs in Anſwer to his Majeſty's Meſſage.

We your Majeſty's moſt dutiful and loyal Subjects the Commons in this preſent Parliament aſſembled, do, with unfeigned Zeal to your Majeſty's Perſon and Government, (which *God* long preſerve) moſt humbly repreſent to your Majeſty, That the paſſing the late Act for diſbanding the Army, gave great Satisfaction to your Subjects; and the Readineſs your Majeſty has expreſs'd by your Meſſage, to comply with the punctual Execution thereof, will prevent all Occaſions of Diſtruſt or Jealouſy between your Majeſty and your People. It is, Sir, to your loyal Commons, an unſpeakable Grief, that your Majeſty ſhould be *adviſ'd* to propoſe any Thing in your Meſſage, to which they cannot conſent, with due Regard to that Conſtitution which your Majeſty came over to reſtore, and have ſo often expos'd your Royal Perſon to preſerve; and did, in your *gracious Declaration*, promiſe, *that all thoſe* Foreign Forces *which came over with you, ſhould be ſent*

(p) Of which the predominant Party was ſo apprehenſive, that they would not procede with the Land-Tax Bill, till they were ſufficiently ſecur'd againſt it: For a Motion being made on the 11th of *March* to read the ſaid Bill a ſecond Time, it was over-rul'd, by a Majority of 139 againſt 72: And ſoon after they alſo over-rul'd a Motion to authoriſe the Treaſury to iſſue more Bills of Credit; on the Diviſion, Yeas, 143, Noes, 182.

A. D. 1698-9. *sent back*: In Duty therefore to your Majesty, and to discharge the Trust repos'd in us, we crave Leave to lay before your Majesty, That nothing conduceth more to the Happiness and Welfare of this Kingdom, than an entire Confidence between your Majesty and your People, which can no way be so firmly establish'd, as by entrusting your *sacred Person* with your own *Subjects*, who have so eminently *signaliz'd* themselves on all Occasions, during the late long and expensive War."

And to this the House having given their Sanction, all that the Courtiers had farther to endeavour, was to get rid, if possible, of the most obnoxious Part of it: Namely; That which put his Majesty in Mind of the *Promise* made in his Declaration, before he had taken Possession of the promis'd Land. But this very Passage contain'd so full a Justification of the Refusal contain'd in the Address, that the Addressers would not part with it: And upon another Division, it appear'd they were still the Majority; the Numbers for the said Passage being 163, Noes, 157.

Thus according to the Number of Efforts on the Court Side, was the Number of Foils they receiv'd: The Point was an *English* one: It was maintain'd with a true *English* Spirit: And, seeing no Remedy, his Majesty was well advis'd to make a Virtue of Necessity, and acquiesce with the best Grace he could.

Accordingly, his Majesty's Reply was as specious as it could be contriv'd: And if, in order to obviate one of the Points which affected him most in the Address, he seems more particularly solicitous to justify his Message to the *English* Soldiers, it may be consider'd in his Excuse, That he was from henceforth to have none but such on this Side of the Water: And that, like all other Princes of the Continent, he had no Notion, That a King governing according to Law, might here be as safe as a Justice of Peace.

The said Reply was as follows.

" *Gentlemen*,

His Majesty's Reply. I came hither to restore the antient Constitution of this Government: I have had all possible Regard to it since my coming: And I am resolv'd, thro' the Course of my Reign, to endeavour to preserve it entire in all the Parts of it: I have a full Confidence in the Affections of my People, and I am well assur'd, they have the same in me; and I will never give them just Cause to alter this Opinion.

As to my Subjects, who serv'd during the War, I am an Eye-witness of their Bravery, and of their Zeal for my Person and Government; and I have not been wanting to express my Sense of this to my Parliaments, as well as upon other Occasions: I have all the Reason to trust and rely upon them that a Prince can have; and I am satisfy'd there is not one Man among them capable of entertaining a Thought, that what was propos'd in my Message, proceded from any Distrust of them. A. D. 1699.

It shall be my Study, to the utmost of my Power, to perform the Part of a just and a good King; and, as I will ever be strictly and nicely careful of observing my *Promises* to my Subjects, so I will not doubt, of their tender Regards to me."

It was in this Manner the King gave up, or was oblig'd to give up, his darling Point: And it was in the following Manner that his Opposers justify'd themselves to their Fellow-Subjects.

Vindication of the Proceeding. " But this Controversy is now at an End; since the whole Body of the People in Two Parliaments, have given a Sanction to the juster Opinion, and (with a true *Roman* Resolution, worthy their illustrious Predecessors, worthy the noblest, the manliest, the best Cause in the World, the Cause of Liberty) have declar'd, That they have Courage, Honesty, and Wisdom enough to defend themselves, and that they want no Keepers: Nor was this Debate carry'd on with that Heat and Faction, which is often found in popular Assemblies; no leveling at the Ministry, nor breaking their Discontents under the Notion of public Service: But it was manag'd with that Gravity, that Sedateness, that Candor, and yet with that noble Constancy, as might convince the whole World, that their Resolutions were the Results of the most mature Consideration, unshaken Love to their Country, and Zeal for Liberty. This is declaring, in Characters legible to all *Europe*, That it was not private Resentment, popular Faction, or a Propensity to change, but a just Sense of our Country's Liberty, which made us throw off our late Allegiance: It shews, That we did not expel our King, but that we depos'd a Tyrant: Whereas, if we had been so transported by our Fortune, so debauch'd in our Understandings, and so destitute of all Sense of Love and Honour due to our native Country, as to have allow'd That to one King, for which we depos'd Another, we had been the Scorn and Reproach of Mankind, and justly call'd Traytors, Cowards, and Fools.

However ungrateful this Vote may appear to the Flatterers and Courtiers, (who are but Insects bred and nourish'd out of the Corruption and Stench of bad Governments) yet I doubt not but his Majesty will consider it almost as the unanimous Opinion of this People, who voluntarily offer'd him Two most potent Crowns, set him at the Head of the Force and Councils of the greatest Confederacy that has ever been united, and supported him through the War, at a Charge that neither we, nor our Forefathers ever knew, till at last they enabled him to humble his powerful Adversary, and to bring him to Terms both safe and honorable: Nor did their Affection terminate with the War: For tho' we were in Debt near (*q*) 20,000,000 *l.* they have increas'd the Civil-List beyond what it

was

(*q*) A great Exaggeration, as may be seen by turning back to P. 769.

A. D. 1698-9. was known in the Reigns of any of his Predeceſſors, and ſettled a great Revenue upon him for Life to ſupport it: Nay, this very Parliament have give all the Teſtimony of their Duty, which can be conſiſtent with their Country's Safety: They have choſen a Speaker out of his own Family; and have left him 7000 Men for Guards and Gariſons, which, if our Courtiers were honeſt, they would not ſo much as pretend to be neceſſary: For, if we dare take the Word of a noble Lord, (who has never diſtinguiſh'd himſelf by his Averſion to arbitrary Power, or Hatred to Armies) 3000 Men are enough to ſupply the Gariſons, and double as many as were eſtabliſh'd in King *Charles* the Second's Time for that Purpoſe: Then what Reaſon, or rather what Colour is there for 4000 Guards?"

The whole of this Piece, is ſtill extant in the *State-Tracts* of this Reign, Vol. II. And as to the final Iſſue of the Controverſy it is ſaid, ſuch a Reform in point of Numbers, as the Act preſcrib'd was made: But then it was ſo unequally made, That the Army which remain'd came to be call'd an Army of Officers: And as to the *Dutch-Phalanx*, when there was no Remedy, they were embark'd for their own Country, whereby the Nation had the (*r*) Comfort to be *deliver'd* from thoſe *Un-national Deliverers*.

Expence of Diſbanding, &c. Then as to the Expence of this Meaſure, tho' 800,000 *l.* was allow'd to defray it, the Service was perform'd for (*s*) 351,779 *l.* 17 *s.* 8 *d.* And adding to this, for Subſiſtance and clearings of Gariſons, 189,740 *l.* 4 *s.* 7 *d.* for Half-Pay, 39,475 *l.* 16 *s.* 1 *d.* and for Land-Ordnance, 19,004 *l.* 1 *s.* 8 *d.* the Military Diſburſements for this Year amounted but to 600,000 *l.*

Kennet, Boyer, *&c.* And, laſtly, whereas ſome of our Compilers, and among Theſe Mr. *Tindal*, will have it, That one of the Conſequences of the Diſbanding Act, was a more *viſible* Concourſe of *Jacobites* and *Papiſts* about the Town and Court, which occaſion'd an Addreſs from the Commons, That the Laws might be put in force againſt ſuch as diſown'd his Majeſty's Government, it is fit to be remark'd, That the ſame Author afterwards aſſigns another Reaſon of the ſaid more *viſible* Concourſe, which (conſidering the Temper of the Houſe) it is moſt probable, gave Riſe to the ſaid Addreſs:—But for once let us cite thoſe very Words, which, as they ſtand, we are to take for his own, tho' in Vol. II. p. 228. Truth they are *Burnet*'s, who furniſhes ſeveral other Particulars, which might be urg'd to fortify that Conjecture.

Different Accounts of the Reaſons of Papiſts, &c. to London.

"Theſe Complaints of the Growth of *Popery*, were not without Reaſon; for, upon the Peace of *Ryſwick*, a great Swarm of Prieſts came over to *England*, not only Thoſe whom the Revolution had frighted away, but many more new Men, who appear'd in many Places with great Inſolence; and it was ſaid, That they boaſted of the Favour and Protection, of which they were aſſur'd: Some Enemies of the Government began to give it out, That the favouring that Religion, was a ſecret Article of the Peace; and ſo abſurd is Malice and Calumny, that the *Jacobites* began to ſay, That the King was either of that Religion, or at leaſt a Favourer of it: Complaints of the avow'd Practices and Inſolence of the Prieſts were brought from ſeveral Places, and thoſe were maliciouſly aggravated by ſome, who caſt the Blame of all on the King."

A. D. 1698-9.

Navy-Accounts call'd for. The Commons alſo, even while this great Affair of the Army was yet before them, were not inattentive to the Receipts and Iſſues of the Navy: But, on the contrary, call'd for Accounts, Vouchers, *&c. &c.* as if they were determin'd to leave no Crevice open either for Miſmanagement or Miſapplication: Whether factiouſly, for the Sake only of affronting and diſgracing Lord *Orford*, who had both the Direction above and the Diſtribution below, or nationally, for the Sake of preſerving a rigid Oeconomy, is not very eaſy to determine:—But then, whether they were led by the beſt or the worſt Principle, or a Mixture of Both, which is uſually the Caſe, the Precedent was a good one; and all that we have now to lament is, That it ſeems to be out of Uſe.

It had tranſpir'd, That the Auditors of the Impreſts had declin'd paſſing his Lordſhip's Accounts, for want of ſufficient Vouchers: As alſo, That his Lordſhip had a vaſt Sum of public Money in his Hands, which he detain'd unneceſſarily, to the Prejudice of the poor Seamen, and his own great Advantage.

They call'd, therefore, for the ſaid Accounts, and found there actually was ſuch a Demur for want of ſuch Formalities, which could only be ſupply'd by an extraordinary Authority from the Crown: And that the Balance then in his Hands, of Money, Tallies, *&c.* as Treaſurer of the Navy, was 460,190 *l.* 10 *s.* 7 *d.*: Of which, however, he ſignify'd, the Money due for Wages, amounting to 382,532 *l.* 12 *s.* 11 *d.* was then paying off; and that 60,031 *l.* due to the Yards, (the Tallies for which he had juſt receiv'd) would likewiſe be paid as ſoon as they could be converted into Caſh.

And,

(*r*) Mr. *Oldmixon*, (Vol. II. p. 186.) calls this *Deliverance* a *Driving out* of the Nation's *old Servants*; repreſents their Departure as a tragical Spectacle, of which, it ſeems, he was an Eye-witneſs; will not allow it to be ſaid, That it gave great Satisfaction; nor that ſo ſmall a Number as one Regiment of 5 or 600 Proteſtants, could occaſion any Diſtruſt or Jealouſy between King and People: But tho' the Religion of a Soldier, is, perhaps, of no great Moment, it is a known Thing, That theſe Guards were compoſ'd of Papiſts and Proteſtants indiſcriminately; that inſtead of one Regiment, they were two, one of Horſe the other of Foot; and that inſtead of being no more in Number than 5 or 600, they were 2890; that is to ſay, 270 Horſe, and 2620 Foot. (See the Eſtabliſhment in the *State-Tracts* of this Reign, Vol. II. p. 670.) Beſides, one Regiment of four Battalions might ſoon have been doubled: And we have already ſeen what Proviſion his Majeſty had made to have a *Corps de Reſerve in Ireland*.

(*s*) Theſe Items, it muſt be obſerv'd, are taken from *Exchequer*-Authorities; and are the actual Payments on the ſeveral Heads; But, according to the Eſtimates of Half-Pay, deliver'd to the Houſe of Commons, 57,334 *l.* 15 *s.* 10 *d.* was requir'd for thoſe Ends.

It appear'd alſo by the Liſt of General Officers on the Eſtabliſhment, (which is now familiarly call'd the *Staff*,) That

A. D. 1698-9. And, upon the Iſſue of the whole Proceeding, they repreſented to the Throne by way of Addreſs.

Addreſs thereon. "That the *Streights* Squadron not ſailing till *September* laſt, was prejudicial to *England*, and a great Miſmanagement.

That the Order made by the Commiſſioners of the Admiralty, *September* 12, 1695, giving *Henry Prieſtman*, Eſq; an Allowance of Ten Shillings *per Diem*, from the Date of his Commiſſion, as Commander in Chief before *Sallee* in 1684, till the Ship *Bonadventure* was paid off, over and above his Pay as Captain of the ſaid Ship, was very unreaſonable, and a Miſapplication of the public Money.

That the (*t*) Victualling any of his Majeſty's Ships by Others than by the Victuallers appointed for that Service, or their Agents, is contrary to the Courſe of the Navy, and may be of ill Conſequence.

That many new and unneceſſary Charges have, in an extraordinary Manner, been introduc'd into the Navy, contrary to the Rules of the Navy, which is a great Miſmanagement.

That the Deductions of Poundage taken by the Pay-Maſters of the Navy, for Slop-Clothes, Dead-Mens Clothes, Tobacco, Cheſt at *Chatham*, Chaplain and Surgeon, is without Warrant, and ought to be (*u*) accounted for.

That it is inconſiſtent with the Service of the Navy, for the ſame Perſon to be one of the Commiſſioners for executing the Office of Lord High-Admiral, and Treaſurer of the Navy at the ſame Time.

And that the paſſing any Account of Monies impreſs'd for the contingent Uſe of the Navy, without regular Vouchers, or ſuch other Proof as the Nature of the Service will admit, either with, or without, a Sign Manual, is contrary to the Rules and Methods of the Navy, and of dangerous Conſequence.

All which (ſaid They) we beg Leave to lay before your Majeſty; deſiring that you will be graciouſly pleas'd to (*x*) *take effectual Care*, That the Miſmanagements herein complain'd of, may be prevented for the future."

And this Addreſs being afterwards preſented, his Majeſty's Anſwer was as follows.

His Majeſty's Anſwer. "*Gentlemen*,

I will conſider your Addreſs: It is my Deſire that all Sorts of Miſmanagements and Irregularities ſhould be prevented or redreſs'd: You may be aſſur'd I will take the beſt Care I can in relation to the Navy, the right Management whereof, is of ſo great Concern to the Kingdom."

A. D. 1699. In this Interval, alſo, the Commons reſolv'd, That 15,000 Seamen ſhould be employ'd for a Summer and Winter-Guard, for the enſuing Year: And for fear the King ſhould commit another Treſpaſs on the Votes of Parliament, by augmenting his Land-Forces under the Notion of Marines, they took care to ſpecify, That the ſaid 15,000 Men ſhould conſiſt of Seamen only.

Land Tax Bill. And to anſwer all the ſeveral Services of Navy, Army, Diſbanding, *&c.* they made a ſuitable Proviſion in one Bill; granting to his Majeſty 1,484,015*l.* 1*s.* 1¼ by a Tax of 3*s.* in the Pound on Land, *&c.* as alſo for appropriating 40,000*l.* ariſing from the Surpluſes of the Cuſtoms, for the circulating Exchequer-Bills; and re-appropriating certain Tallies lying in the Hands of the Treaſurer of the Navy for Wages, to the Uſe of the Courſes of the Navy, *&c.*

But this Act brought in no more than 1,400,000*l.* excluſive of the 40,000*l.* from the Cuſtoms: And as to the Expenditure thereof, That of the Navy, under (*y*) ſeveral Heads, amounted to 800,000*l.* and That of the Army, as above, 600,000*l.* which with the 40,000*l.* for Exchequer-Bills, took up the whole.

A Clauſe in relation to the Irish Forfeitures. In the ſame Act, tho' very much againſt the Grain of the Court, a Clauſe was inſerted, for Commiſſioners to take an Account of the Eſtates forfeited in *Ireland*, in order to their being apply'd in Eaſe of the Subjects of *England*; and the Houſe appointed Commiſſioners accordingly. When, however, the Bill was ſent up to the Lords, this Clauſe was not only objected to, but proteſted againſt (tho' in vain) by nine Lords, who were a Mixture of *Whigs* and *Tories*; for theſe Reaſons, *viz.* Becauſe it was a Matter foreign to the Bill, and more proper for a Bill of itſelf: Becauſe the tacking a Clauſe of that Nature, was contrary to the antient Method of Proceedings in Parliament, and might be of ill Conſequence to the Freedom of Debate, the Privileges of the Peers, and the Prerogative of the Crown.

proteſted againſt.

Other Reſolutions which were dropp'd. The Commons, alſo, came to the following Reſolutions, (but did not proſecute them; for what Reaſon, or under what Pretence, neither the Complaints of one Party, nor the Extenuations of the other, have made us acquainted with) *viz.* "That Proviſion be made from Time to Time, for making good the

---

That Three Generals of Horſe, at 6*l.* a Day, Seven Lieutenant-Generals at 4*l.* a Day, Eight Major-Generals at 2*l.* a Day, and Eleven Brigadier-Generals at 1*l.* 10*s.* a Day, or 29,382*l.* 10*s.* a Year, were thought neceſſary for an Army of 7000 Men.

(*t*) While this Article was under Debate, the following Words were offer'd to be added to it by way of Amendment, *except only in Caſes of Neceſſity happening Abroad*, and paſs'd in the Negative, Yeas, 154, Noes, 167.

(*u*) Another Amendment was propos'd by leaving out theſe Words, *to be accounted for*, and inſerting in their ſtead, *not to be taken for the future*; but over rul'd.

(*x*) An Objection being made to the Words *take Care*, the Queſtion was put, That the ſaid Words ſtand as Part of the Reſolution, and paſs'd in the Affirmative, Yeas 204, Noes 160. And when the Addreſs was reported, it was agreed that the ſaid Words ſhould be alter'd to, *take effectual Care*.

				l.	*s.*	*d.*
(*y*) *Viz.* Wages,	—	—	—	500,000	00	0
Wear and Tear,	—	—	—	106,362	18	5½
Victualling,	—	—	—	75,073	8	4
Ordinary,	—	—	—	91,071	3	3
Ordnance,	—	—	—	26,502	8	11
And over and above out of the Tal. } lies above ſpecify'd,	—	—	—	800,000	00	0
Victualling,	—	—	—	96,905	4	7
Courſes,	—	—	—	188,732	9	2
In all,	—	—	—	1,885,727	13	9
By a Paper laid before the Houſe it alſo appear'd, That the Treaſure Debt was	—			432,000	13	4
Navy-Debt, excluſive of what } was due to Seamen,	—	—	—	2,245,957	16	1

A. D. 1699. the Principal and Intereſt due on all parliamentary Funds, granted ſince his Majeſty's happy Acceſſion to the Crown; and, particularly, that a further Proviſion be made within the Year 1699, for the Exchequer-Bills: That Proviſion be made both for ſecuring and paying off the Principal and Intereſt due on the Aid of Three Shillings in the Pound granted in the Year 1697, the Duties on Paper, Vellum, and Parchment; and on ſuch of the Malt-Tickets, as were or ſhould prove deficient: For paying and diſcharging the Arrears of the Annuities lately charg'd on the Tonnage Duties, and now on the additional Exciſe: For ſecuring and paying the Debt due for Tranſport-Service, perform'd at any Time, ſince the Beginning of the late War: For giving Half-pay to the Commiſſion-Officers, his Majeſty's natural-born Subjects of *England*, of Horſe, Dragoons, and Foot, diſbanded and to be diſbanded, till the ſaid Officers ſhould be fully paid off, or otherwiſe provided for: For ſecuring and paying the Arrears due to the General Officers of the Army, upon the *Engliſh* Eſtabliſhment; and for ſecuring and paying the Arrears of Pay and Subſiſtence due to the Officers and Soldiers of the Army upon the *Engliſh* Eſtabliſhment."

Bills receiv'd paſs'd without one Money-Bill.

It is alſo remarkable, That twice this Seſſion his Majeſty had the Trouble to come down to the Parliament Houſe, in order to paſs Bills, among which there was not one Money-Bill: For, on the 24th of *March*, which was the Second Time of his attending on that Account, A Bill to prohibit the exceſſive diſtilling of Spirits and low Wines from Corn, to prevent the Exportation of Beer and Ale, as alſo the Frauds of Diſtillers; A Second to enlarge the Trade to *Ruſſia*; and, a Third, to lay farther Reſtraints on the Proceedings of Sheriffs, and other Returning Officers, were all the public Bills that were ready for the Royal Aſſent. And, over and above this Backwardneſs in the *one Thing needful* to Courts, the Commons render'd themſelves yet more ungracious to his Majeſty, by calling for an Account of all the

Grants call'd for.

Grants which had been made ſince *January* 1, 1697, as well in *England* as in *Ireland*: But of theſe they did not, however, make the moſt ungracious Uſe that was in their Power: For there being one Item of 500*l.* a Year out of the Poſt-Office in Blank, they did not inſiſt on having the ſaid Blank fill'd up; nor did they take any Notice of a Grant of 300*l.* a Year out of the ſame Office, not only to *Oates* the Witneſs, but alſo to his Wife, for 99 Years, in caſe either of them liv'd ſo long; nor of another Grant to the ſame meritorious Perſon of a Bounty of 500*l.* nor of a Third to Lord *Coningeſby*, of 6*d.* in the Pound out of all Payments by him made, in the ſeveral Offices of Vice Treaſurer, Receiver General, Pay-Maſter General, and Treaſurer at War in *Ireland*; all which Places were held by him at one and the ſame Time: Nor that the Grant of 15,000*l.* a Year to the Duke of *Glouceſter*, was only during *Pleaſure*: Nor that, in Conſequence of his Majeſty's Brigues in the North, he had prevail'd with Prince *George* of *Denmark*, to ſurrender to the Duke of *Holſtein*, the Iſland of *Jeanneren*, and the Bailiwicks of *Tranſtuttle* and *Steinhorſt*, held by the ſaid Prince in Mortgage for a Loan of 340,000 Rix-Dollars; in conſideration of which Surrender, his Majeſty had taken the Debt upon himſelf, at the Rate of 85,000*l. Sterling*, for which he was to pay his Highneſs 6 *per Cent.*—In ſhort, the Papers were ſuffer'd to lye on the Table unmoleſted, and no Uſe was made of any one Article contain'd in them.

A. D. 1699.

But no Uſe made of them.

Laſtly; as to the Reſt of the Seſſion, it may be ſumm'd up in the (z) Titles of the following Bills, which, together with the Land-Tax Bill, receiv'd the Royal Aſſent *May* 4, being the laſt Day of the Seſſion; namely, An Act to prevent the Exportation of *Engliſh* and *Iriſh* Wool, and to encourage the Woollen Manufacture of *England*: An Act for taking off the remaining Duties on Glaſs, *&c.* after *Auguſt* 1: An Act for the more full and effectual charging Duties upon *Iriſh* Salt; (in which a Proviſion was dexterouſly made for the Currency of Bank Bills in the Revenue, (when not under Par.) from *May* 1, to the End of the next Seſſion of Parliament): An Act to encourage the *Newfoundland*-Trade: An Act for laying a farther Duty on Sweets, and leſſening the Duties on low Wines one Half, (the Product of this Branch was appropriated to the Diſcharge of Malt-Tickets: But then there was alſo a Duty of 5*s. per* Chaldron upon Cinders for four Years, which was not appropriated at all): And an Act for ſuppreſſing Lotteries; levell'd principally againſt a gaming Lottery call'd, The *Royal-Oak* Lottery, (becauſe granted at firſt by King *Charles* II. to certain indigent Cavaliers, whom he had not the Heart to provide for any other way) which was ſo lucrative a Thing to the Undertakers, that they were able to pay Penſions out of their Profits, to the Amount of 3,950*l. per Annum*.

Other Acts paſs'd.

And now nothing material remains but to give his Majeſty's Speech at the Cloſe of the Seſſion, which, gracious as it was call'd in common with all other Speeches from the Throne, partook ſtrongly of Complaint, and contain nothing of Acknowledgment.

" *My Lords and Gentlemen,*

The King's Speech at the End of the Seſſion.

At the opening of this Parliament, I told you my Opinion was, That you were come together

(z) Except, That the old *Eaſt-India* Company, under the Patronage of the famous *Jack Hew*, as he was call'd, preſented a Petition to the Commons, praying, That their Caſe might be taken into Conſideration, and that ſome ſuch Proviſion might be made in favor of their Charter, as might ſecure to them the Benefit of it for the Reſidue of the Term of Twenty-one Years, for which it was granted, *&c.* But tho' a Bill was order'd to be brought in agreeable thereto, it was rejected on the Second Reading: And *Darien* has injuriouſly and idly branded the Attempt as to contrary to the fundamental Maxims of the Conſtitution, that it gave Cauſe of Jealouſy, it could be intended for nothing but the Ruin of the Government.

A. D. 1699. together with Hearts fully dispos'd to what was necessary for the Safety, Honor, and Happiness of this Kingdom; and, having nothing else to recommend to you, I had reason to hope for Unanimity and Dispatch.

You have now sat so many Months, that the Season of the Year, as well as your particular Affairs, make it reasonable you should have a Recess: I take it for granted you have finish'd all the Bills, which, for the present, you think requisite to be pass'd into Laws; and I have given my Assent to all you have presented to me.

If any Thing should be found wanting for our Safety, the Support of public Credit, by making good the Faith of the Kingdom, as it stands engag'd by parliamentary Securities, and for Discharge of the Debts occasion'd by the War, or towards the advancing of Trade, the suppressing of Vice, and the employing of the Poor, which were all the Things I propos'd to your Consideration, when we met first, I cannot doubt but effectual Care will be taken of them next Winter, and I wish no *Inconvenience* may happen in the mean Time."

Alterations in the Ministry.

But what follow'd close on the Heels of the Prorogation, was a new Change in the Ministry, which our Writers take little or no Notice of; or at least none that would give an intelligent Reader the least Satisfaction: If Lord *Orford* quitted the Admiralty and Navy-Boards, as also the Fleet, they would have us believe it was from a *Foresight* of the *Storm* which was gathering against him in the House of Commons: If the Duke of *Shrewsbury* did the same by the Secretary's Office, it was because he had been render'd incapable of undergoing the Fatigues of it, by a Fall from his Horse, or because Travelling was held necessary for the Recovery of his Health, impair'd in the Service of the Public: And, instead of receiving Information from Bishop *Burnet*, from whom it was reasonable to expect it, considering that he writes professedly of his *own Times*, and was then of the Court, he slides over the whole Affair, till he gets into the next Session of Parliament; and then only drops the following loose Expressions, in his way to something else: "*Russel*, with his *Friends*, being laid aside, and a Set of *Tories* being brought into their Places:" Whence one would imagine the whole *Triumvirate* was remov'd, and that the King had not kept one *Whig* about him.

Boyer. Tindal.

Kennet.

But Lord *Sommers* and Mr. *Montagu* still kept their Ground, tho' the Earl of *Tankerville*, and Mr. *Henry Boyle* were plac'd at the Treasury-Board, in the Room of the Speaker *Littleton*, and Mr. *Thomas Pelham*: It was not *Rooke* who succeeded *Russel*, but the Earl of *Bridgwater*, a Nobleman wholly unacquainted with Sea-Affairs: Lord *Haversham*, another Land-Admiral, as the Seamen in this Reign began to call the Admiralty-Commissioners, succeeded *Priestman*, remov'd at the same Time: *Villiers* Earl of *Jersey*, a Creature of the King's own, who had been Gentleman of the Horse to the Queen, while Princess of *Orange* in *Holland*, who had been ennobled by his Majesty, and who was of the Cabal against Lord *Portland*, succeeded the Duke of *Shrewsbury* in the Secretary's Office, (having been recall'd from his Embassy in *France*, it may be presum'd, for that Purpose): And the Duke of *Leeds*, (if any Thing, a veteran *Tory*) who, notwithstanding all the Imputations he labour'd under, had held the President's Chair so long, was displac'd to make Room for the Earl of *Pembroke*, the Latter of whom was complimented out of the Privy Seal, that his Majesty might bestow it on *Lowther* Lord *Lonsdale*, also a Peer of his own making, and as good a *Whig*, for aught that appears to the contrary, as *Lowther* of *Whitehaven*, who, since the Revolution, had serv'd as a Lord of the Admiralty, under every Administration, for Eight Years successively: So that no Enquiry we can make, will as yet direct us to these *Tories*, whom the good Bishop talks of.

It is true, the Duke of *Shrewsbury* had been hurt by a Fall from his Horse, and did make that Accident an Excuse for not being over-diligent in the Discharge of his Functions as a Minister: But then, tho' he had such an Interest in both Parties, that the King once took Occasion to say, He was the only Man that both *Whig* and *Tory* spoke well of: And tho' he was in general so popular, that he was frequently call'd the *King of Hearts*, he had not the Secret of captivating his Majesty; and the Reason assign'd for it by Some is, The exorbitant Demands he was induc'd to make, if not in Behalf of himself, in Behalf of his Party, which at last render'd his Majesty so uneasy, That he told him one Day, "I should be glad, if you "would put all your Demands together un- "der one Head, That I might see if the "whole Kingdom would satisfy them." The same Persons also suggest, That upon the first Denial which another great Lord (meaning Lord *Orford*) receiv'd from the King, he turn'd short upon his Majesty with these Words, "That he was very sorry his "Service was not agreable to his Majesty; "and that he begg'd his Majesty's Leave to "retire into the Country:" And that his Majesty, to his Surprize, assenting, he withdrew, with scarce Restraint enough upon his Passion to preserve him in his Duty.

M. S. Secret Hist. of one Year, p. 26.

But, tho' it is reasonable to think, from such a Variety of Evidence, as occurs upon that Head, That sometimes Altercations of a very pointed Nature pass'd between the King and his *Whig*-Friends, the Latter upbraiding him with having set the Crown upon his Head, and the Former replying, That, if so, they had apparently done it for their own Sakes, it cannot be depended upon; That they pass'd just at this Crisis: Something of the Kind has already been touch'd upon from *Burnet*: We have had a Course of Evidence, That the Duke of *Shrewsbury* had been upon ill Terms with the King for a long Time past'd; and very probably, the Lord Chancellor's advising with him on the great Secret of the *Partition*-Treaty, and his Behaviour upon it, as also That of Lord *Orford*'s, (neither of whom had

A.D. 1699. had repair'd to the Chancellor's Head-Quarters at *Tunbridge*, with *Vernon* and *Montagu*, to give their Sanction to it) were the immediate Cauſes of thoſe Bickerings which produc'd the Changes we are now diſcourſing of; and which, by the way, are treated of as unaccountably in the *Gazette*, as any where elſe: For, in the Article dated *May* 14, which ſpecifies the King's conſtituting Lord *Jerſey* Secretary of State, no mention at all is made of the Duke of *Shrewſbury*: In That alſo, dated the 18th, which ſpecifies the Removal of Lord *Pembroke* to the Head of the Council-Board, no mention is made of the Duke of *Leeds*: And as to the Alterations in the Admiralty and Treaſury Commiſſions, they were not ſuffer'd to make an Article: Only in That dated *May* 31, in which the Lords-Juſtices who were to govern the Kingdom in the King's Abſence, (for his Majeſty was again bound for *Holland*) Lord *Bridgwater*'s Name occurs amongſt the reſt as firſt Commiſſioner of the Admiralty: And there is good Reaſon to believe, That both his Lordſhip's Commiſſions were order'd the ſame Day.

This is the beſt Account that our ſcanty Materials will furniſh of this Change: And even This will ſerve to confute Biſhop *Burnet*; if not altogether ſo full and ſo ſatisfactory as it ought to be.

The reſt of the Regents were, the Archbiſhop of *Canterbury*, the Lord Chancellor, the Lord Preſident, the Lord Privy Seal, the Lord Steward, the Earl of *Marlborough*, Mr. *Montagu*, and (as if to diſtinguiſh the Omiſſion of the Duke of *Shrewſbury* the Year before) the Earl of *Jerſey*, his Succeſſor.

Then as to the Temper in which his Majeſty went Abroad, another of his Letters to Lord *Galway*, which enſues, will ſufficiently diſplay it.

Tindal.

Kenſington, June 1, 1699.

"I have not writ to you all this Winter, by reaſon of my Vexation at what paſs'd in the Parliament, and becauſe of the Uncertainty I was under to know what to ſend you: It is not poſſible to be more ſenſibly touch'd than I am, at my not being able to do more for the poor Refugee-Officers, who have ſerv'd me with ſo much Zeal and Fidelity: I am afraid the good *God* will puniſh the *Ingratitude of this Nation*: I could hardly get the Eſtabliſhment of *Ireland* paſs'd, as it will be ſent you: There are Retrenchments, which I was forc'd to make, tho' I lik'd them not; and, doubtleſs, ſome of them muſt be chang'd: The Duke of *Bolton* ſeems pleas'd with you, but not with the Chancellor: I have this Day diſpatch'd a new Commiſſion for the Lords Juſtices of *Ireland*, by joining with the Duke of *Bolton*, and you, the Earl of *Berkley*, who is an eaſy Man, and will be agreable to you: I am perfectly ſatisfy'd with your Conduct; and hope, now, you will be left undiſturb'd, ſince, in the laſt Parliament, nothing was ſaid of you, tho' you were much threaten'd: I fear, the Commiſſion given here by the Commons, for the Inſpection of the Forfeitures, will give you a great deal of Trouble, and me no leſs, the next Winter: Aſſuredly, on all Sides, my Patience is put to the Trial: I am going to *breathe* a little beyond Sea, in order to come back as ſoon as poſſible: I think it for my Service to change the Commiſſion of the Treaſury in *Ireland*, where, I doubt, the Revenue is not well manag'd; of which it is neceſſary that you let me know your Sentiments immediately: The Eſtabliſhment of the next Year muſt abſolutely be reduc'd, that my ordinary Revenue may ſerve to pay it; and a Parliament in *Ireland* muſt not be thought of ſo ſoon: Of this you ought inſtantly to conſider; and take your Meaſures for the future: Be always aſſur'd of my Friendſhip.

WILLIAM R."

A.D. 1699.

After what Manner his Majeſty took *Breath* in *Holland*, we are not as yet, however, at Leiſure to explane: For, (as we are told by one of the moſt enlighten'd *Court-Writers* of theſe Times, who takes upon him to juſtify the *Diſpoſition* the King had made of the *Spaniſh* Succeſſion, That the *Proteſtant Intereſt* was what we were *concern'd* for *above all Things*) it is neceſſary firſt to take Notice of an Incident, which happen'd during the laſt Seſſion of Parliament, and which, together with the Fourth Article of the Treaty of *Ryſwick*, will ſhew what that *Concern* amounted to: For, at the very Time when, according to the gracious Speech from the Throne at the opening of the ſaid Seſſion, *England* had ſo much *Weight* and *Influence* on the *Councils* and *Affairs Abroad*, and his Majeſty, as we have otherwiſe learn'd, had gone ſuch great Lengths to merit the *Conſideration* of his Moſt *Chriſtian* Brother of *France*, his ſaid Moſt *Chriſtian* Brother made no Difficulty to revoke and annul the famous Edict of *Nantes*, and to iſſue forth ſeverer Edicts againſt his *Proteſtant* Subjects than ever: And if Lord *Jerſey* had any Inſtructions to interpoſe in their Favour, his Interpoſition had no Effect: The Perſecution, as it is call'd by *Burnet*, (tho' he chuſes but juſt to touch upon it, and that more like a *Divine* than a *Hiſtorian*) continued to rage as before: And *England* (for want of a large *Standing-Army* no doubt it will be urg'd) had no other Reſource but That of the primitive *Chriſtians*, Prayers and Faſting, for the Succour of their oppreſs'd Brethren: For ſo it appears by the King's Proclamation, dated *March* 12, appointing a general Faſt and Day of ſolemn Humiliation, to implore a Bleſſing from Almighty *God* upon his Majeſty and his Dominions, to avert thoſe Judgments which our manifold Sins and Provocations had juſtly deſerv'd, and to intercede with the divine Majeſty in Behalf of Such as ſuffer'd Abroad for the Proteſtant Religion.

[State-Tracts. Tem. Guil. III. Vol. III. p. 191.]

Edict of Nantes *revok'd.*

The Progreſs of the *Scots* Company of Adventurers, muſt alſo be attended to; which we left labouring under many Difficulties and Diſcouragements, and muſt reſume in order to ſhew, that by this Time it labour'd under many more.

Progreſs of the Scots *Company.*

It has already been hinted, That they had ſent Ships to Sea: Theſe Ships were Two

out

A. D. 1699. out of Four which they had caus'd to be built at *Hamburgh*, in hope, That the laying out such a Sum of Money there, would have forwarded the great Affair of procuring Subscriptions for advancing the Purposes in View: On board these Ships and their Tenders, a mix'd Cargo was embark'd, consisting partly of Goods (such as *Scotland* afforded) for Traffick; Guns and military Stores, for Service, if Occasion offer'd, and Provisions for the Support of the Adventurers: These were in Number between Eleven and Twelve Hundred; and consisted partly of Seamen and partly of Soldiers, marshall'd into Twelve Companies, under as many Captains, but enter'd in the Name of Planters, among other Reasons, to avoid an Application to the *Scots* Privy-Council, which was requisite for Leave to make Levies in the Military way: The Direction of all was given to a Council of Seven, (of whom *Paterson* was one, who was formerly discours'd of, as the principal Projector of the Bank of *England*, and who was also the Projector of the Company, and the Adventure now opening to us): And they were bound to the Isthmus of *Darien*, there to make an Establishment; on a Presumption, That the *Spaniards* had no Footing there: That the Natives were still Lords of the Soil: That They should be most gladly receiv'd and welcom'd by Them: And that in consequence thereof, they should, one way or other, go Halves with the *Spaniards*, in all the Wealth of all their Mines.

But the Project of this Adventure had its Birth from the Abortion of the Former: The *African* and *East-India* Trades, were certainly the Points they had first in View: And it was not till they had been successively (*a*) defeated in their Solicitations of Subscriptions in *London*, *Amsterdam*, and *Hamburgh*, that they exchang'd the One for the Other.

The Conduct of the Company. In this Interval they had also committed as many Errors, as they had incurr'd Misfortunes: They had cheated and been cheated in their Turn; and had so far confounded all the Cash they could raise, and put their Credit so to the Rack, in the Pourlieus of their Undertaking, that the Remnant of Both was scarce sufficient to send their Ships to Sea at all, and was not sufficient to accommodate them, in a Manner proper for so doubtful and hazardous an Undertaking: For of their Provisions, we are told by one of their own Officers, (tho' he apostatis'd afterwards, and expos'd the whole Undertaking in print, with all the Wit and Malice he was Master of) one Third was consum'd before they weigh'd Anchor: And such was, at that Time, the Scarcity which rag'd in *Scotland*, and, indeed, in the greatest Part of *Europe*, that if their Flow of Cash had rose ever so high, they could scarce have procur'd a suitable Supply in any reasonable Time. But then the Ships, tho' so miserably furnish'd, had but 100 *l.* Sterling each, and 10 *l.* to each Tender allow'd them, either for a Recruit, or to relieve them in case of any other Emergency; so many of which they were to many Ways liable to.

[A Defence of the *Scots* abdicating *Darien*.]

Thus from the very Beginning their Foundation was both too narrow and too feeble for their Building; which must have sunk with its own Weight, if no Force of any kind had been made use of to hasten its Downfall.

Upon the 17th of *July* 1698, the said Ships *Five Ships fail.* fail'd from *Edinburgh-Frith*, (which shews, That when the Company clamour'd loudest against the Memorials of the Two *English* Ministers at *Hamburgh*, they were long before at the End of their Negotiations there) and having touch'd at *Madeira*, for a Supply of Wine, in which they laid out all their little Stock of Money, made for *Crab-Island*, lying between *Santa-Cruz* and *Porto-Rico*, and in the Neighbourhood of St. *Thomas*, belonging to the *Danes*. This little Island they were to take Possession of in the Company's Name, and to leave a Detachment there: But the People they sent into St. *Thomas*'s for Pilots, having indiscretely broach'd their Design, the *Danes* dispatch'd a Sloop to take Possession of it first: So that when the *Scots* came into the Road, they discover'd a large Tent set up on the Strand, with the King of *Denmark*'s Colours flying over it.

Thus the same ill Fortune which had blasted their Purposes in the Bud, accompany'd them to *America*: And when they arriv'd at *Golden-Island*, which was about the Middle of *October*, the Wants and Miseries, as well as Difficulties and Dangers, they had to struggle with, soon convinc'd them of the Impracticability of their Undertaking, (in the wild Manner it had been conducted) and almost as soon dispos'd them to think more of a Deliverance than of an Establishment. *and arrive at Golden-Island.*

Their Managers meet at Home. The Managers at Home, in the mean Time, instead of devoting all their Cares to the Support of the Infant-Colony they had so desperately expos'd, made it their great Point, to ply the Court with Complaints and Expostulations, with regard to the *Hamburgh* Affair, (tho', as above manifested, their Hopes from that Quarter were all at an End long before their Ships set Sail) as if they were more anxious for Indemnification, than any thing else.

But now, instead of the equally frivolous and provoking Answers hitherto given the Company, Measures were taken to find Matter of Recrimination against them on one Hand,

(*a*) At *London* and at *Hamburgh*, as we have seen: And at *Amsterdam*, by some unguarded Expressions (as we are told) which dropp'd from *Paterson*, when in Liquor, to this Effect, *viz.* "That their Act empower'd them to grant Commissions to any Kind of People (without asking their Nation) to trade to the *Indies* under *Scots* Colours: And that such People might dispose of their *India* Goods where they pleas'd, provided they made a sham Entry in *Scotland*: And that if the Company should agree to take 5 *per Cent.* for the said Goods, such Ships as traded with their Commissions, would be able to undersell the *English* and *Dutch* full 15 *per Cent.*" After which Lapse took Air, the *Dutch* would treat with the Company upon no other Terms.

A. D. 1699. Hand, and to fruſtrate their Enterpriſe on the other.

To the firſt of theſe Ends, *Secfield* the *Scotiſh* Secretary of State, inform'd them, "That he had preſented their Petition to the King, and was commanded to let them know, That, there being Accounts, that the Ships belonging to the Company were arriv'd on the Coaſts of *America*, and the particular Deſign not being communicated to his Majeſty, he therefore delay'd to give an Anſwer, till he had receiv'd certain Information of their Settlement." The Company, on the other Hand, in order to obviate this Snare, ſignify'd by their Council-General, "That the ſaid Ships had arriv'd ſafe at their intended Port, within a League of *Golden-Iſland*, on the Coaſt of *Darien*; and, after having (*b*) *treated* aboard the Ships with the Natives, who were always own'd to be *Proprietors* of that Part of the Coaſt, their Men had, at the *Requeſt* and with the *Conſent*, of the Natives, landed on the 4th of *November*, 1698, and taken Poſſeſſion of an uninhabited Place, never *before* poſſeſs'd by any *European* whatever; and that, in purſuance of the *Treaty*, the chief Men and Leaders of the Natives had join'd with, and taken Commiſſion from, the Council: That they thought it their Duty, at their firſt Meeting, to give his Majeſty an Account thereof; and likewiſe, That by Letters from the Council, bearing Date at *New Edinburgh* in *Caledonia* (the Name given to their new Settlement) the 28th of *December*, they were poſitively inform'd, That the *French* had a *Deſign* upon all that Coaſt, or at leaſt to make a Settlement ſomewhere *thereabouts*: And they humbly conceiv'd, That the firm Settlement of their Colony in thoſe Parts, might be a Means of preventing, or at leaſt leſſening, the evil Conſequences that might ariſe from his Majeſty's Kingdoms and Dominions *every where*, by the Settlement of any powerful foreign Neighbour upon any Part of that Coaſt: And that, as they were always bound thankfully to acknowledge his Goodneſs for granting them thoſe Privileges, and his Letters Patents, by which their Company was eſtabliſh'd; ſo they did in all Humility confidently expect his Royal Favor and Protection, as having, in all the Steps of their Conduct, thro' the whole Courſe of that Affair, ſtrictly obſerv'd the Conditions requir'd by the Act of Parliament and Letters Patents: And they referr'd That, together with the Contents of their laſt Petition, to his Royal Conſideration, to give ſuch Directions therein, as to his Wiſdom ſhould ſeem meet and expedient."

But before this Anſwer, which was dated *March* 21, to the Secretary's Letter of *February* 7, could be receiv'd at Court, and conſequently, before the artificial Uſe which the Company had made of the pretended Deſigns of *France*, could be examin'd, the *fruſtrating* Meaſures were already gone forth, as appears by the following extraordinary Proclamation of Sir *William Beeſton*'s, Governor of *Jamaica*, dated the 9th of *April*, viz. A. D. 1699

"Whereas, I have receiv'd Orders from his Majeſty, by the R. H. *James Vernon*, one of the principal Secretaries of State, importing, That his Majeſty was not inform'd of the Intentions and Deſigns of the *Scots* in peopling *Darien*, which is contrary to the Peace between his Majeſty and his Allies, commanding me, not to afford them any Aſſiſtance; in compliance therewith, in his Majeſty's Name, and by his Order, I do ſtrictly charge and require all and every his Majeſty's Subjects, That, upon no Pretence whatſoever, they hold any Correſpondence with the *Scots* aforeſaid, or give them any Aſſiſtance, with Arms, Ammunition, Proviſion, or any Thing whatſoever, either by Themſelves, or any Other for them; nor aſſiſt them with any of their Shipping, or of the *Engliſh* Nation's, upon Pain of his Majeſty's Diſpleaſure, and of ſuffering the ſevereſt Puniſhment." *Proclamation iſſued againſt them from Jamaica, &c.*

Thus without any previous Hearing, and before the Court of *Spain* had prefer'd any formal Complaint againſt them, or made any Requiſition concerning them, a Body of his Majeſty's *Scotiſh* Subjects, acting both under an Act of Parliament and a Royal Charter, were thrown from out of his Royal Protection; with this farther Aggravation, That the Lord Preſident of the *Scots* Seſſion, and the Lord Advocate, were at the very Time of iſſuing this Proclamation on the Road from *Scotland*, by Order from Court, to plead the Cauſe of their Country.

It is no Wonder, therefore, That with the Face of their own Court thus early and thus peremptorily ſet againſt them, the Powers moſt concern'd in point of Intereſt, or in point of Policy, join'd in the Perſecution: What Part *Holland* took in it, (if any) was of ſuch a clancular Nature, and ſo clancularly manag'd, that nothing can be ſaid with any certainty concerning it: But on the 3d of *May* following, the Marquis *de Canaillet*, who was, at that Time, the Miniſter Reſidentiary of *Spain* in *England*, diſcover'd as well the Want of Harmony between the Two Courts, as the Diſpleaſure of his own, againſt this miſerable Colony, in a Memorial which was very little ſhort of a Declaration of War: For having premis'd, That the King his Maſter had receiv'd Advice of the *Darien*-Adventure from different Parts, he proceded to ſay, in effect, That thoſe Advices were very diſagreable to his Majeſty; as denoting very little Friendſhip, and a Rupture of the Alliance which had always been between the two Crowns, which his Majeſty had hitherto ſo religiouſly obſerv'd, and meant to obſerve, and which had produc'd ſo many Conveniencies and Advantages as well to the King (of *England*) as to his Subjects: That in the Midſt of ſo good a Correſ- *Memorial of the Spaniſh Miniſter.*

(*b*) According to the Tract, call'd, *A Defence of the* Scots *abdicating* Darien, p. 51, 52. theſe Words ſhould have run thus, *and after having treated the Natives on board the ſaid Ships, &c.*

A. D. 1699. Correspondence, and in full Peace, his Majesty did not expect such Insults and Hostilities from the Subjects of his Majesty (without any Cause or Pretext) in the Heart of his Dominions: And that all the King his Master desir'd was, To have his extreme Sensibility of a Procedure so unjust represented to his Majesty: For he would take such Measures concerning them, as he should see convenient."

It is obvious from the *Jamaica*-Proclamation, already inserted, and from a Course of the like Proclamations issued from all the rest of the *English* Plantations, That the *Matter* of this Memorial would not be very disagreable to his Majesty: But then, the *Manner*, which was offensive enough, must have touch'd him to the Quick: For, notwithstanding all that has been said of his Contempt of Pomp and Parade, or of those burdensome Ostentations which Policy occasionally enjoins, to captivate the Vulgar, he was, perhaps, rather more vain of his Royalty, more precise in exacting the Observance due to it, and more vindictive in case of any Trespass upon it, than those Princes usually are, who are Kings by Inheritance: Of which the Year now passing before us, will furnish a Variety of Instances.

The King vain of his Royalty.

—Thus, certain of the Nobility having put their Servants into *Scarlet Liveries*, Notice was given in the *Gazette*, by the Duke of *Norfolk*, Earl Marshal, That it was his Majesty's Royal *Will* and *Pleasure*, That, for the Future, no Person whatsoever should presume to use, give, or suffer to be worn for their Liveries, *any Sort of Scarlet*, or red Cloth, or Stuff, except the Royal Family or Foreign Ministers. And thus, when this very Marquis *de Canaillet*, the *Spanish* Minister, (chusing, perhaps, to recollect the Prince of *Orange*, and to forget the King of *England*) was rude enough to appear at Court in his Majesty's Presence with his Hat on, he could not forgive the Folly, or overlook the Affront; but caus'd him to be told, either to alter his Deportment, or forbear his Visits; which Acknowledgment of being hurt, only serv'd to put it into the Power of the brutal Minister to hurt him more: For, instead of complying with the former Part of the King's Requisition, he chose the Latter.

No. 3482.

New Intrigues between England and France in relation to the Spanish Succession.

And here, for a while, we must leave the *Darien*-Adventure in suspence, in order to interweave, as well as our Materials will give us Leave, a new Vein of Intrigue between *England* and *France*, in relation to the *Spanish* Succession, which the Death of the Electoral Prince of *Bavaria*, before-mention'd, had once again unsettled, notwithstanding the secret Article in favour of the *Elector* his Father: For as to the Suspicion entertain'd by the Credulity of some, and afterwards improv'd by the Craft of others, That the Infant Prince was prematurely dispatch'd out of the way, it is accompany'd with no Proof, and therefore deserves no Credit.

[Lamberty, Tom 1. p. 20.]

But then, in what Manner, for what Reason, or under what Pretext, the *Elector* was dropp'd by these great *Disposers of Kingdoms*, must be left to the Conjectures of Futurity; none of our Compilers having left us any such Lights as will serve to explane the Secret: For that there was a Faction which oppos'd him in the Court of *Spain*, and that he was odious for his Mal-Administration to the *Flemings*, was sufficiently known to all *Europe* before; and the Inclinations of the People so to be dispos'd of, was a Matter of the least Concern to the Disposers.

This, however, is certain, That King *William* had scarce discharg'd the Complements which he ow'd to the Republic he serv'd in the Capacity of Stadtholder, by assisting in their Assemblies, reviewing their Troops, Fortifications, *&c.* and had just began to take *Breath* at *Loo*, before M. *de Tallard* was at his Elbow, with new Instructions, and a new Negotiation was commenc'd, rather more favorable in Appearance to the House of *Austria*, but in no respect more unfavorable to the House of *Bourbon*, on a like Plan of *Partition* with the Former.

Mistake of M. de Lamberty in relation thereto.

And here it may not be unfit to observe, That M. *de Lamberty* supposes the Plan of it was laid during Lord *Portland*'s splendid Embassy in *France*; in which he is altogether as erroneous, as in his Supposition with regard to the Former; namely, That it was first concerted between the said Lord and M. *de Boufflers*, when taken Prisoner by M. *Dyckvelt*, marching out of *Namur*: But if he had plac'd it to the Account of Lord *Jersey*'s Embassy, he would not have been far from the Truth: For, in Virtue of that Lord's Connections with the reigning Cabal, he succeded Lord *Portland* in the Secret of Affairs, as well as in his Embassy to *France*; and being at *Paris* when the Electoral Prince of *Bavaria* dy'd, (*c*) unquestionably had Orders to confer with the *French* Ministers upon that Event; and at his Return to *England*, to enter on the Secretary's Office, came fully instructed in their Sentiments concerning it: Or if, thro' the Suddenness of his Revocation, any material Point was left in Suspence, it may be presum'd, That Mr. *Prior*, his Secretary and Privado (who remain'd at *Paris*, tho' without a Character, till Lord *Manchester* arriv'd) was enabled to supply all Defects: For when the Latter quitted *Paris*, instead of returning to his Principal at *London*, he waited upon his Majesty at *Loo*; And, as he himself in a Letter from thence, dated *September* 11, informs Lord *Manchester*, he had, soon after his Arrival there, a long and very particular Audience of the King, in which

(*c*) Mr. *Cole*, in his Introduction to his State-Papers, says, The King sent the Earl of *Jersey* into *France* with Instructions to negotiate this Second Treaty: But tho' he had such Instructions afterwards, it can scarce be conceiv'd he had them at first: For he made his public Entry into *Paris* January 4, 1698-9; whereas the Death of the Electoral Prince did not happen till the 16th of *February* following.

A. D. 1697. which he gave his Majesty a circumstantial Account of every Thing he knew, in relation to the Affairs of *France*.

Lord Manchester, the English Minister at Paris, was in the Secret.

On the other Hand, Lord *Manchester* (who arriv'd at *Paris August* 5, N. S.) had for many Months together nothing in charge, as is manifest both by his Instructions and printed Correspondence, but to purchase and employ Spies upon the Court of St. *Germain's*, to solicit the important Affairs of the Principality of *Orange* and *Neufchastel*, to mediate in favour of such unhappy Sufferers on account of Religion, as happen'd to have Friends at the Court of *Loo*, and to remonstrate against Insults offer'd on the high Seas, to the Ships, and Depredations committed on the Subjects, of *England*: And he more than once complains in the Course of his Letters of his own Insignificancy; as also of the Confidence plac'd in M. *de Tallard*, who, all this Time, manag'd the whole Correspondence between the Two Crowns; of whole high Favour at Court, he gives this signal Instance, "That he had seen him speak to the King about Business, even to much as without asking an Audience, or acquainting the Secretary of State with it."

Cole's Mem. p. 89.

In short, his Excellency was kept so totally in the Dark, as to what was transacting at *Loo*, That the first Intelligence he receiv'd concerning it, was from Mr. *Stanhope*, his Majesty's nominal Minister at *Madrid* (for, as we have seen, *Shonenberg* was the Man of Business) and Mr. *Stanhope* himself came at the Secret (as we shall farther see) by the Effects it produc'd: For, as soon as the *Spanish* Ministry were convinc'd, That the *Re-partition* of their Monarchy was the Matter in Agitation, a grand Council was held, and upon the Issue, a Resolution was taken, to remonstrate against it in the strongest Terms, as well by their own Ministers residing at foreign Courts, as to the foreign Ministers residing at their own: Accordingly, a Paper containing such a Remonstrance, was sent to Mr. *Stanhope*, by Don *Antonio de Ubilla*, Secretary of State, and this Paper was by him forwarded to Lord *Manchester*, as what *concern'd*, or by the *Contents might be supposed to concern, his Excellency's Negotiations at the Court of* France.

But notwithstanding Lord *Manchester's* Sensibility of the Preference given to M. *de Tallard* in his Lordship's own Walk of Business, and Mr. *Stanhope's* Hint concerning the *Spanish* Remonstrance, in his next Letter to Lord *Jersey*, he contents himself with writing thus coolly and concisely of the whole Affair, "The *Spanish* Embassador is endeavouring to get a private Audience of the King: The first Matter he is to represent is, in relation to *some Transactions* at *Loo*: The Declaration of his King makes also a great Noise here." Again; in a Letter written some Days after to Mr. *Yard*, one of the Under-Secretaries, he expresses himself as follows: "They write from *Loo*, That the *Spanish* Embassador (at *London*) had deliver'd to all the Lords Justices, a Memorial relating to the Succession to the Crown of *Spain*, which his Majesty resents very much: I desire you would let me know of what Nature it is, or whether it is not the same which was given to Mr. *Stanhope* some Time ago, and to most of the Ministers Abroad." And it is not till above three Weeks afterwards, that in another Letter to Mr. *Prior*, by this Time appointed Under Secretary to Lord *Jersey*, that he ventures to make use of the following very moderate Expostulation, "When you can do it conveniently, put my Lord *Jersey* in mind of what we have often discours'd about, in relation to the Affairs of *France*, and what he was so kind to say, He would prevent if possible, when I had the Honour of seeing him last: You can easily imagine, I shall not be able to obtain any Thing of this Court, if Matters of Moment must be only transacted by M. *de Tallard's* Not that I am desirous of knowing more than he would think proper in the Post I am in."

A. D. 1698.

Such Incidents, however, arose at last, as brought his Lordship into play almost whether his Employers would or not.—But in order to give those Incidents their due Place, it is necessary first to do the same, by such as lead to it.

It was then, in the Beginning of *July*, that M. *de Tallard* renew'd his Attendance on his Majesty at *Loo*: And we must either suppose, That the Treaty of *Repartition* was at that Time in good Forwardness, or that the Parties in it apply'd themselves with unusual Zeal to expedite it, from the first opening of the Negotiation: For by the next Month, such a Progress had been made in it, that the Court of *Spain*, which had been let into the Secret, tho' it was entrusted in so few Hands, thought it incumbent on them, for once, to quicken the Pace of the Protests and Remonstrances above-mention'd, for fear they should come too late.

Remonstrance of the Spanish Court against it.

That sent to Mr. *Stanhope* by Don *Antonio* the Secretary, was dated the 27th of *August*, and set forth in general, "That the King his Master, having been frequently inform'd by his Ministers in the North, of the strong Informations, and even evident Proofs which by different Advices and Accidents they had receiv'd, That the *English*, *French* and *Hollanders*, in consequence of what had been last Year concluded at *Loo*, were again forming new Treaties, for disposing of the Succession of that Crown, and dividing its Dominions, (which Advices had been so many ways confirm'd, that they were in a Manner public all over *Europe*) his Majesty could no longer dissemble his Knowledge, nor excuse himself from opposing what, if carry'd into Execution, would produce such irreparable Mischiefs: For which Reason he had order'd his Ministers at the Courts of *France*, *England* and *Holland*, to make known his Resentments of a Procedure, never before heard of during the Life of any King, *&c.* As also, to use all their Diligence in making such Instances, as may put a Stop to the said Negotiations, which were as unnecessary as they were pernicious, seeing he was not so unmindful of his Obligations, nor so negligent

A. D. 1699. gent of the Love and Security of his Vaſſals, as to be without due Reflection of what was needful to preſerve the public Tranquility (in caſe he ſhould dye without Heirs) by ſuch a Temperament, that no Body ſhould be able to find Fault with his Juſtice or his Foreſight: And that the Complaint of his Majeſty, (theſe are the very Words of the Secretary, if a literal Tranſlation may be call'd ſo) and the Orders he gives to his Miniſters Abroad, to notify to the Miniſters, in whoſe Courts they reſide, be, at the ſame Time, made public, he has lately order'd it to be made known to the Miniſters here: For which Reaſon, Don *Antonio de Ubilla* communicates it to Don *Alexander Stanhope*, by order of his Maſter, that he may alſo give Notice to his *Britannic* Majeſty, aſſiſting with his prudent Repreſentations this juſt and honeſt Purpoſe, that ſo the univerſal Quiet may be maintain'd, and that he may quit the *Scandal of this Negotiation*, which, 'tis fear'd, will be an unhappy Motive of kindling a voracious Flame of a new War, which being once lighted, will be difficult to be extinguiſh'd either by the greateſt Force, or the moſt dextrous and moſt powerful Mediation."

In pretty much the ſame Form, and in the ſame kind of Language, it may be preſum'd, the Sentiments of *Spain*, on this unprecedented Occaſion, were communicated to the Miniſters of the other Powers concern'd: And it is ſcarce reaſonable to think, That their Inſtructions to their own Miniſters Abroad, ſhould excede the Expreſſions they choſe to make uſe of at Home.

But if this was the Caſe, the Marquis *de Canailles*, in his Memorial to the Lords Juſtices of *England*, choſe rather to commit an inexcuſable Treſpaſs upon his Orders, than to loſe ſo tempting an Opportunity of gratifying his own Malignity, by affronting a Government which, according to his Reckoning, had behav'd ſo ill both towards his Mem. p. 58. Maſter and himſelf: For his Remonſtrance, as tranſlated by Mr. *Cole*, conſiſted of the following Particulars.

The inſolent one preſented by their Embaſſador in London *to the Lords Juſtices.*

"Firſt, That his *Catholic* Majeſty having been inform'd by evident Proofs, that his Majeſty King *William*, the *Hollanders*, and other Powers (in conſequence of what they have treated and ſtipulated laſt Year at *Leo*) are now, at this Time, actually hatching new Treaties for the Succeſſion to the Crown of *Spain*, and (what is next deteſtable) contriving its Diviſion and Repartition, his Majeſty orders his Embaſſador-Extraordinary reſiding in this Kingdom, to make known to the firſt Miniſters and Lords of *England*, the juſt Reſentment which his Majeſty has againſt theſe Operations and Procedings never before ſeen, nor even attempted to be treated of by any Nations in regard to the Intereſts of another; and ſtill leſs during the Life of a Monarch who is of ſo fit an Age to have Reaſon to hope (for many Years) a Succeſſion ſo much wiſh'd for by all Nations; who, without a deteſtable Avarice, could not be provok'd to uſurp and overturn another Prince's Country.

That if This was permitted, and was not A. D. 1699. contrary to the Laws of Nature, no Nation or Dominion could be ſafe againſt the Machinations and Deceits of the ſtrongeſt and moſt malicious: Whereas Reaſon and not Force confines Nations.

That if it was permitted to Strangers to take Notice, and to put their Hands into the Lines of Succeſſion of Kings and Sovereigns, there would be no Statutes nor municipal Laws to be obſerv'd in the One nor in the Other; nor could Any be free from the Attempts from Others, and the CROWN of ENGLAND LESS than ANY.

If we lye watching the Indiſpoſitions of Sovereigns, no Health would be conſtant, no Life ſafe; while the One and the Other depend on the Hand of the Almighty, who regulates Life, Death, and Empires.

That the Impreſſions which one Kingdom makes upon another, to tempt the Faith of the Subjects, and to excite their Minds to a Riſing, are an Offence, and but a Degree leſs than the betraying the good Faith which ought to be obſerv'd among Chriſtians, and more particularly among Allies and Friends.

That we ought not to preſume, That any Prince or Nation, and ſtill leſs the King of the *Spaniſh* Nation, is ſo negligent as not to take juſt Meaſures againſt Accidents that may happen when leaſt thought of, to ſecure the public Peace, and the Repoſe of *Europe*, which has been the Aim of the King and the Nation for ſo many Ages, as it is now, and will always be.

That if theſe Procedings, theſe Machinations and Projects, are not quickly put a Stop to, we ſhall, without doubt, ſee a dire and univerſal War over all *Europe*, difficult to ſtop when we are willing, and moſt ſenſible and prejudicial to the *Engliſh* Nation, which has newly try'd and felt what *Novelties* and the laſt War have coſt them: This Matter is ſo worthy of Reflection and Conſideration, that it is not doubted, but it will be own'd as ſuch by the Parliament, the Nobility, and all the *Engliſh* Nation, which has always been ſo full of Foreſight into the preſent and future Times.

The ſame Nation muſt conſider its particular Intereſts, the Trade and the Treaties which ſhe principally has with the King and the *Spaniſh* Nation; the Alteration, the Diviſion and Seperation of which, would, of Neceſſity, draw after it conſiderable Prejudices and Damages; and all This is prevented by cutting ſhort the Project that is begun, and not to help on *Novelties* that have, from all Times, been hurtful to Empires and Sovereignties.

That the Embaſſador Extraordinary of *Spain*, will manifeſt to the Parliament, when it ſhall be aſſembled, the juſt Reſentment which he now expreſſes, as his Majeſty has caus'd it to be notify'd to all the public Miniſters of the Kings, Princes, and Republics that reſide at the Court of *Madrid*."

Such was this angry, ill-manner'd Paper; which was not, however, preſented in due Form, by the Embaſſador in Perſon, to a Board

A. D. 1699. Board of Regents, but by his Secretary to the Lords Juſtices ſeverally; who had, thereby, a favorable Opportunity to decline all Notice of it, till they had appriz'd his Majeſty, and were made acquainted with his Pleaſure concerning it: And what his Pleaſure was, we find thus expreſs'd in a Paper call'd by Mr. *Cole*, *The Tranſlation of the Paper* ſent *to the* Spaniſh *Embaſſador*, *and which was wrote in* French, *by Mr. Secretary* Vernon, September 30, 1699, *viz.*

He is order'd to depart the Kingdom.

"His Majeſty having ſeen the Paper which the Secretary of the Embaſſy of *Spain* has deliver'd lately, by order of your Excellency, to ſeveral of the Lords-Juſtices of the Kingdom, his Majeſty has found the Contents ſo inſolent and ſeditious, that, in Reſentment of ſo extraordinary a Proceding, and which can by no Means be juſtify'd by the Law of Nations, He orders, That you go out of his Dominions preciſely in Eighteen Days, to be counted from this Notification; and that you keep in your Houſe, without going out of the Limits of it, till your Departure: I am alſo order'd, to let you know, That theſe are the Orders of his Majeſty, And that no Writing be any more receiv'd from you, nor any of your Domeſtics."

On the other Hand, according to M. *de Lamberty*, this Order was ſerv'd on the Embaſſador by Mr. *Vernon* in perſon, verbally; and his Excellency demanding a Copy of it in writing, the Secretary dictated, and the Embaſſador held the Pen: The Former ſeem'd penſive, and the Latter gay upon the Occaſion: Saying, firſt with an Air of Tranſport, *Te Deum laudamus!* and afterwards, That he ſhould not fail to obey the Orders he had receiv'd to a Scruple.

To procede:—His Majeſty, not ſatisfy'd with this ignominious Diſmiſſion of a Miniſter who had ſo highly exaſperated him, yet farther order'd his *Engliſh* Envoy at *Madrid*, Mr. *Stanhope*, to complain of the Affront offer'd him; which he did accordingly, in very lively Terms: Calling it an inſolent and faucy Attempt to ſtir up Sedition in the Kingdom, by appealing to the Parliament and People of *England* againſt his Majeſty; but taking proper Meaſures to exempt the *Catholic* King from any Concern in it; by urging, That his Maſter did not believe, the Marquis had any Order for what he had done from his *Catholic* Majeſty.

The Engliſh *Miniſter likewiſe order'd to leave* Spain.

This Subterfuge, however, did not ſerve: For his *Catholic* Majeſty took the Diſgrace of his Miniſter upon himſelf; and, in like Manner, order'd Mr. *Stanhope* to leave his Dominions in Eighteen Days, and not ſtir out of his Houſe during that Interval: Which Order Mr. *Stanhope* comply'd with; but, nevertheleſs, not without obſerving to the *Spaniſh* Court, That the ſame Expreſs which brought him the Orders for preferring the ſaid Complaint, had alſo brought him Letters of Revocation.

A Remark on the Occaſion.

It is moreover worth recollecting in this Place, That when Don *Pedro de Ronquillo* reſided at the Court of *England* on the Behalf of *Spain*, in the Reign of King *Charles* II. no foreign Miniſter ever made ſo many Appeals to the Public againſt the Court as he did, or was more the Favourite of the *Exclufioners* on that Account: So that *Spain*, in thoſe Days, was as active, tho' by different Methods, in practiſing upon the Succeſſion of *England*, as *England* now was on the Succeſſion of *Spain*: And the Prince of *Orange* then found his Account in the like Inſolence and Sedition, which his *Britannic* Majeſty now complain'd of: Such Inconſiſtencies do we find in the Conduct of Princes and Nations! And ſuch a Proneneſs to complain in their own Caſe, of the ill Treatment they are ſo prone to laviſh upon their Neighbours!

A. D. 1699.

The Spaniſh *Miniſter at the Hague preſents a Memorial to the States.*

Don *Bernard de Quiros*, the *Spaniſh* Embaſſador in *Holland*, in the mean while, did not follow, in every Reſpect, the Conduct of the Marquis *de Canalles*; for his Memorial, in point of Expreſſion, was decent and moderate enough: But then, as he knew, there was a ſtrong Faction ſtill ſubſiſting in the Republic againſt their *Stadtholder*, and in particular againſt the Meaſures then in agitation, for diſmembering the *Spaniſh* Monarchy in favour of *France*, he took care to furniſh them with ſuch a Quantity of inflammatory Matter, that it was not thought adviſable to ſuffer it to be brought into Debate: And no better Means of Prevention occur'd, than to refuſe the Acceptance of it, Till the old Quarrel on Account of *Shonenburgh* (the Accommodation of which, it ſeems, we have before prematurely diſcours'd of) was made up: And then a Reſolution of the States was procur'd to juſtify the Conduct of the Preſident of the Week, for ſo doing.

which they refuſe to accept.

M. Dyckvelt, Conduct with reſpect to the Treaty.

Of this Faction, (or at leaſt ſo far as related to the *Partition*-Treaty) Mr. *Dyckveldt*, Preſident of the States of *Utrecht*, was one: That great Man, ſays M. *de Lamberty*, miſtruſted the Management of *France* in that Affair: He maintain'd, That her Purpoſes in it were, only to entangle *England* and *Holland* in a dangerous Snare, which was manifeſt enough by her communicating the former Treaty to the *Spaniſh* Court, under the Pretence of complaining of the *Catholic* King's Will in favour of the Electoral Prince: And that even the Declaration of M. *de Tallard* to a Perſon in *England*, who offer'd to eſtabliſh a ſecret Correſpondence with him; namely, That he had been particularly inſtructed, not to do the leaſt Thing which might raiſe any Suſpicion at King *William*'s Court, was no better than a Soporific: The ſame Author moreover tell us, That Thoſe who eſpous'd the Meaſure, maintain'd, on the contrary, That the Conduct of the *French* aroſe from their *Fears* of that King, who had been the principal Author of all the Alliances againſt Them: And that to theſe *Fears* were to be attributed the Favors and Diſtinctions heap'd on Lord *Portland* during his Embaſſy in *France*: As alſo the Readineſs they had ſhewn in releaſing, at the Inſtance of his Majeſty, the Effects of M. *de la Feret*, and of *Maynard*, the Miniſter of *Charenton*, which they had left in *France*, when they withdrew on Account of their Religion.

A. D. 1699.

He will not allow, That France proceeded on a Principle of Fear.

To which M. *Dyckvelt* reply'd, That those who reason'd from the Fears of *France*, reason'd very idly: That for his Part, he was too well acquainted with her fierce and haughty Disposition; and remember'd too well the Disasters which had befallen the Allies at *Steenkirk*, at *Landen*, and elsewhere, to be so misled: And that as to the Restitutions specify'd of a few Cottages, *&c.* in favour of an Adventurer and a poor Preacher, no doubt, They thought, That a Suit which it was Meanness to make, it would be Meanness to deny.

Proofs that she did not, from Lord Manchester's Dispatches,

But if These were really M. *Dyckvelt's* Reasonings, with regard to the pretended Fears of *France*, and not M. *de Lamberty's* in his Name, what would he have said, if he had read the following Passage out of Lord *Manchester's* Dispatches, in regard to those Heads of his Instructions, specify'd above; to wit, "I must desire your Lordship (Lord *Jersey*) will be so kind as to prevent as much as you can, any Demands in relation to *French* Refugees: For I am confident, they design to weary us out at last by their Refusals: and that it is not, in my poor Opinion, much for the King's Honor." 2dly, As to the Affair of *Neufchattel*, then held by the Duchess of *Nemours*, and claim'd as well by the Prince of *Conti*, as by his *Britannic* Majesty, in quality of Heir to the House of *Longueville*, in which we are also taught to believe, he was treated with great Consideration by the Most *Christian* King, we find one M. *de Vryberge*, an Agent of King *William's* at the Court of *France* for his own hereditary Clames, informing his Ministers, That when he complan'd, in his Master's Name, of certain Hardships put on the Duchess, by his said Most *Christian* Majesty, They not only avow'd the Facts, but added with some Sharpness, "Well, Sir, why should not the King cause himself to be obey'd by Madame *de Nemours?* And why should not he give her Troops to bring the People of *Neufchattel* to Reason; who, notwithstanding their Nearness to the Kingdom of *France*, have had the Insolence to refuse re-establishing the Minister *Gerard* (dispossess'd for being a Creature of the Prince of *Conti's*) during Two Months?" And as to the other Head, specify'd in the same Place, concerning Insults offer'd to, and Depredations committed on, the Subjects of *England* on the High Seas, none of our Ministers were ever able to obtain the least Satisfaction.

[Boyer.]

[Cole's Mem. p. 50.]

Thus it appears, That the Arguments drawn from the Fears of *France*, were rather the Result of Flattery than of Reason: And now it is Time to bring forward those Incidents which brought Lord *Manchester* into Play; and which, perhaps, will make it farther appear, That the Fears thus imputed to one Party, did really stimulate the Precautions taken by the other.

And that others did.

The new Treaty, it is, in the first Place, to be observ'd, was negotiated between *France* and *England* only; and when the Heads of it were fully settled and agreed upon, were reduc'd into writing, and reciprocally sign'd by the Two Kings, as will presently be manifested: But then his *Britannic* Majesty was to solicit the Concurrence of the Emperor, and actually undertook for That of the *States-General*, before the Treaty could be executed in form.

This, it seems, took up more Time than his Most *Christian* Majesty was willing to allow: For the Emperor was still on the Reserve, and had still his Managements at the Court of *Spain*, which he thought better worth relying on, than the Engagements of the Two Kings for dividing the Succession, not only without the Participation of the said Court, but in Defiance of its Resentment: And, on the other Hand, the Opposition which M. *Dyckvelt* and others had rais'd against the Measure, appear'd to be insuperable: For, according to a Fundamental of the Union, in every Act of the Republic, the formal Consent of every Province was necessary; and while the Opposition continued, This Consent could not be obtain'd.

In the Course of these Delays, *France*, growing out of Humor and out of Patience together, behav'd to his Majesty and to his Ministers, as if they thought those Delays were artful, and as if the King's Ascendancy in the Republic was such, That he could dispense with all the Forms of it; or at least so qualify them, that he could carry any Point he pleas'd: While his Majesty, who was really in earnest, and who did not find himself so omnipotent as they were pleas'd to suppose, offer'd every Expedient in his Power to deserve their Confidence, tho' without the desir'd Effect: For tho' he offer'd to sign the Treaty without the Concurrence of the States, as the only Temperament the Crisis admitted, and actually sent for Lord *Jersey*, his Secretary of State, to officiate at the *Hague* on that Occasion, the Temperament was not accepted of: And when the King, in Despair of influencing either Party to his Purpose, prepar'd to set out for *England*, M. *de Tallard* receiv'd Orders to return home, and did actually return home about the same Time.

Lord Manchester's private Audience of King Lewis.

And these were the Incidents which made it necessary for the Court of *England* to let their Embassador *Manchester* into the Secret, which he had so long been kept in Ignorance of: In order to which Mr. *Prior* was sent over express, to instruct him verbally in the whole Process; as also in the Conduct he was from thenceforth to observe in relation to it: And as to what follow'd upon it, his Excellency's own Dispatch to the Secretary's Office, by Mr. *Prior* at his Return, (which was as soon as ever Lord *Manchester* had receiv'd his Audience) will not only serve as the best Illustration, but also to verify several other extraordinary Points, which as they occurr'd sooner in order of Time, have been touch'd upon already. The said Dispatch was, in Truth, no more than a Detail of what had pass'd at the said Audience, which was of the most private Nature, between the King and the Embassador only, without any previous Communication

A. D. 1699. munication of the Subject-Matter of it to any of the *French* Miniſters; and began with a Sort of Speech, which his Excellency, it ſeems, had made on that Occaſion, to avoid the Miſchiefs to be apprehended from a written Memorial, as follows, to wit.

"*SIR*,

The King my Maſter having found, that M. *de Tallard* was by his Inſtructions oblig'd to quit *Holland* before he ſign'd the Treaty, which was projected with your Majeſty, relating to the Succeſſion of *Spain*; his Majeſty has order'd me to deſire this private Audience, to aſſure you, Sir, That the King continues in the ſame Sentiments he was always of, with regard to that Treaty: Your Majeſty knows very well the good Offices employ'd by the King my Maſter, to make the *Imperialiſts* enter into it: He has alſo done all he could to make the *States* like it: His Majeſty continues to act as he did: And as to what concerns the King's ſigning it, he caus'd the Earl of *Jerſey* to come into *Holland* expreſſly for that End: And I doubt not but the Count of *Tallard* will have told your Majeſty, how often the King my Maſter has offer'd himſelf to ſign it, to ſhew, that he was ready to do all that depended upon him: Your Majeſty will give me Leave to be a little longer in telling you how this Affair has paſs'd, that ſo your Majeſty may have it perfectly clear'd up, that there is no Alteration in the Intention of the King my Maſter: The Buſineſs was propos'd to the *States* of the Province of *Holland*, as to thoſe who were the moſt intereſted in it: For it was not apprehended, that any Obſtacles ſhould be met with elſewhere, if the Conſent of that Province was had: This was alſo the beſt way to make the Secret of this Affair leſs apt to be divulg'd: Sir, if it has been repreſented to you, That the King my Maſter might have made uſe of the Credit he has with the *States*, to cauſe this Treaty to be concluded, I will own, that the King has a great deal of Credit in that Country: But as this Credit does always conform itſelf to the Manners and Cuſtoms of the Country, and if the *States* had found no Objection, the Buſineſs could not have been ended without the Conſent of every City, which could not be had in leſs Time than a Month or Three Weeks, as the Penſionary, and the Earl of *Portland*, has given Count *Tallard* to underſtand: But whilſt his Orders did not give him Leave to wait for the Concluſion of the Affair, the King my Maſter hopes, that your Majeſty will renew your Orders to M. *de Tallard*, or will ſend Orders to M. *de Bonrepos*, (the *French* Reſident in *Holland*) to endeavour to remove all Obſtacles, that ſo the Project of the Treaty may have its Effect."

Then enſued the King's Anſwer, which is tranſlated into theſe Words.

"I own, I was a little ſurpris'd, that the Affair was not finiſh'd at the *Expiration* of the *Time*, and before the King your Maſter did ſet out for *England*: I am *ſatisfy'd* with the Aſſurances which you now give me from him, That he continues ſtill in the ſame Intention; and I hope he will ſtill continue to contribute all he can with the *States*: As for me, I am ſtill of the ſame Mind, and I act with the ſame Sincerity: I will ſoon ſend M. *de Tallard* with the neceſſary Inſtructions."

A. D. 1699.

Laſtly, the Embaſſador procedes to give an Account of a Sort of ſupplemental Conference between his Majeſty and him, as follows, "When I ſaid, that the Reaſon the *States* of *Holland* were not ſooner acquainted with it, was, That it could not be propos'd to them, till it was known whether the *Imperialiſts* would come in or no." The King ſaid, with Warmth, *They have had Time enough given them, and even too much*: As to Count *Tallard*'s having Orders to come away, the King took no Notice of it; nor that he had been inform'd of every Step: Upon my ſaying M. *de Tallard* had been inform'd of all that has been done in this Affair, and has even ſeen all the Letters which M. *Hop* (the *Dutch* Miniſter at *Vienna*) wrote to the Penſionary; and it being firſt propos'd to the Province of *Holland*, it ſeem'd, that he was ſatisfy'd in theſe Points: I took occaſion to ſee if M. *de Bonrepos* had any Orders, ſaying, That the King my Maſter would deſire, that your Majeſty was inform'd by M. *de Tallard* or M. *de Bonrepos*, of all that paſſes: And even the *States* will have a great Regard for all that comes from your Majeſty. The King anſwer'd, *In this Affair, I confided only in M.* de Tallard: *And I know very well, that the King your Maſter has more Credit than I in* Holland *on this Occaſion*. When I ſaid, That the King had recommended it to the Care of the *Penſionary*, and that we hop'd, that the Difficulties were ſuch as might be ſurmounted; the King anſwer'd *That he hop'd it alſo: And that he imagin'd that Somebody would come from the* States *into* England, *and that the Treaty would be ſign'd there*. The King ſaid alſo, *As you know I have it under the* Hand *of the King your Maſter, as he has it under* mine. Then I ſaid, I have alſo, Sir, particular Orders to tell your Majeſty from the King, That, as he has acted on this Occaſion with an open Heart, and with all poſſible Sincerity, ſo he will continue to act on all other Occaſions that may be able to contribute to the ſtrengthening the Friendſhip and the good Correſpondence with your Majeſty: The King anſwer'd, *You may aſſure the King your Maſter, that I will do the ſame*."

Thus it is apparent, That, notwithſtanding the lofty Notions we have been taught to entertain of his Majeſty's firm and equal Conduct with reſpect to *France*, he did in the whole Courſe of this Affair condeſcend to act an Under-Part; and what is yet more extraordinary, for no perſonal Advantage, or at leaſt no apparent Advantage to himſelf. *King William ſuppoſ'd to be afraid of being aſſaſſinated.*

It is true, our Anti-Court-Writers on this Side of the Water, account for every ſuch Inſtance of Condeſcenſion on King *William*'s Side,

A D. 1699. Side, to the (*d*) Dread of a *new* Aſſaſſination-Plot, and date the Alteration of his Conduct, from the Diſcovery of the *Former*: Nor in this Cenſure of Theirs, do they commit any great Offence either againſt Candour or Charity: For, as before obſerv'd, his Majeſty's Miniſter at *Paris*, was abundantly more attentive to the Motions of the Court of St. *Germains*, than thoſe of *Verſailles*; and moſt of his Diſpatches are entirely in the Character of a Spy: Lord *Manchester*, for Inſtance, in one of them to Lord *Jerſey* ſays, "I take all the Care I can to know the Steps of thoſe Fellows that were concern'd in the Aſſaſſination; but they do not appear in public, as they did when I came firſt: I cannot ſee any kind of Danger but from ſuch Villains: I do not like Father *Saunders* his Expreſſion to *Stowe*, That King *James* would ſhortly have Occaſion for him: Whenever any of Theſe are miſſing, I will give your Lordſhip Notice; tho' I hope none are admitted near the King, but ſuch as are known."

Nor is this the only Inſtance that can be given of the Apprehenſions entertain'd on this Head: For, amongſt a great Variety, Mr. *Hill*, his Majeſty's Reſident at *Bruſſels*, was employ'd to ſeize one (*e*) *Obryan*, and Others, who were ſuppos'd to be in King *James*'s Pay for ſome ſuch Purpoſe; and to remove them from Garriſon to Garriſon, till *Obryan* could be ſent to *England*, (where, however, it does not appear, That any Proofs could be brought againſt him): Again; ſoon after, the *States* were pleas'd to iſſue a Placart, requiring all ſuch Perſons as were declar'd Rebels and Fugitives in *England*, and were then within thoſe Provinces, to depart the ſame in fourteen Days, on pain of being treated as Criminals; and declaring, That all ſuch as, for the Future, ſhould appear there, were to expect the like Treatment: And, laſtly, the Author of the *State of Europe*, in a ſulſian Compliment to the King, on his two-fold Dominion in *England* and *Holland*, concludes with theſe Words, "And thus Four diſtinct Nations have nothing to fear but the Hand of implacable Violence, from which Heaven has hitherto ſo miraculouſly preſerved him, that we may ſtill hope him ſafe under the ſame Protection."

A D. 1699. How very ſmall a Share one of theſe Four Nations at leaſt, had of this Protection, if it can be ſaid they had any at all, the Reader may poſſibly collect from what has already been ſaid of the Procedings againſt the *Scots* Company, which certainly had all the Clames upon him that Matter of Right and all the Sanctions of Government could give it: Notwithſtanding which, tho' his Majeſty, during the very ſame Period, could twice make ſo bold with the Succeſſion of the whole *Spaniſh* Monarchy, in favour of his inveterate Enemy, he was ſo far from making any Proviſion in favour of his *Scots* Subjects, that he continued to treat them, by his Proclamations from the *Engliſh* Colonies, as if they were no better than Free-Booters, againſt whom he ſhould be glad to ſee the whole World at war, that they might be extirpated ſo much the ſooner.

To whom they were thus inhumanly ſacrific'd, is not, indeed, altogether ſo eaſy to explane: For tho' *Spain* had complain'd loudeſt, we ought to be convinc'd from all which in this Interval had paſs'd between the two Courts, ſhe was not the moſt favorably heard: *England*, as we ſhall farther ſee in its Place, was grown cool in the Affair, as perceiving by this Time, She had nothing to apprehend from it: And as to *France*, in all my Lord *Manchester*'s Correſpondence with that Court, there is not the leaſt Trace to be met with, That the Miniſters of his Moſt *Chriſtian* Majeſty were ſo bad Politicians as to irritate the *Scots*, by interfering in an Affair which ſo nearly concern'd both the Honor and the Intereſt of the Latter. As Politicians, therefore, do nothing by Chance, and are more eſpecially careful not to make Enemies, except for the Sake of obliging more powerful Friends, it ſeems not irrational to place this Sacrifice to the Account of the *Dutch*: And it is certain the *Scots* themſelves in their Writings on this Occaſion ſet forth, made no Scruple to do ſo. State Tracts, Temp. Guil. III. Vol. III. p. 500.

But, however this may be, ſo faſt and ſo heavy did Difficulties inſurmountable, and Diſtreſſes intolerable, fall on the new Colony, that they were ſoon reduc'd to a Neceſſity of abandoning their Project, and all the ſplendid Hopes they had built upon it: For they were deſtitute of all Things: The *Spaniards* were moreover preparing to diſlodge them

(*d*) Thus, in the *State Tracts* of this Reign, Vol. III. p. 100, after a Digreſſion tending to ſhew, That Princes famous for their Courage in the Field, have trembled at the Apprehenſion of a Piſtol or a Dagger, this Paſſage occurs, "Both I and others have obſerv'd a Change ever ſince *Charnock*'s Plot: And it is the only Key we have for decyphering many Things that have happen'd ſince."

(*e*) When this Man was ſeiz'd, Lord *Manchester* was call'd upon to procure ſome Account of him from the Spies which he had in his pay at the Court of St. *Germain's*: And the Reply he made was in theſe Terms, "The beſt Account I can learn of *Obryan*, is, what he ſaid of himſelf when he firſt came over, viz. That he was always a great Acquaintance of *Goodman*: That they had often robb'd on the High-way: That when he receiv'd the News of his being an Evidence, he was in Cuſtody of a Meſſenger: That he was engag'd with him in the *Aſſaſſination*, tho' none of the others knew of it, which made him reſolve to get *Goodman* out of the way; ſo, employing ſome Friends, he ſoon obtain'd his Liberty: Col. *Ingram* came to him, and told him, That his Friend would ruin Lord *Aylesbury* and Lord *Montgomery*, if it was not prevented; and that thoſe Lords would ſpare any Money, to perſuade *Goodman* to go into *France*, or to have him carry'd away by Force. This *Obryan* undertook; and *Ingram* procur'd a Settlement of 500*l. per Ann.* and 500*l.* in Money: That with ſome Difficulty, *Obryan* and *Ingram* met *Goodman* at the *Dog* in *Drury-Lane*, where with fair Words, but more out of Fear, he conſented to go, and *Obryan* never left him afterwards till he brought him to St. *Germain's*, where he was well receiv'd: But having ſpent their Money, and *Goodman* not finding any Thing would be done for him, he was diſtaſtefully us'd; and left, when my Lord *Portland* came, he might go to his Houſe for Protection, he was ſecur'd, and was never heard of ſince." Turn back to p. 783.—His Lordſhip alſo adds, "He thought, That if *He* (*Obryan*) believ'd he ſhould not be ſoon releas'd, he would diſcover all he knows: And he is fully acquainted with the Proceedings of moſt Lords." His Lordſhip alſo ſays, in another Place, That King *James* could not help expreſſing his Reſentment in public, upon the Duke of *Berwick*'s giving Leave to apprehend *Obryan* at *Bruſſels*. *Cole's Mem.* p. 55, 56.

A. D. 1699. them by Force: And all Resources of all Kinds were cut off.

It is true; Bishop *Burnet* says, They sent a Second and a Third Recruit of Men and Provisions: But then, as we find no Mention of any such Circumstance in the Controversies which arose immediately upon the Miscarriage, we may rely upon it, notwithstanding, That the Wants as well as the Fears of the Adventurers, compell'd them to treat with the *Spaniards* for an Escape, as they had treated before with the *Indians* for a Settlement; in consequence of which Capitulation, They relinquish'd all their Clames as well as their Hopes, and set sail for *Jamaica* first; and, not succeding there, for *New York* afterwards, to negotiate such a Supply of Provisions, as might enable them to prosecute their Voyage home; which they need not have done, if any Part of those Recruits had reach'd them.

The same Prelate also charges the *Jacobites*, with going into the Management (of the Project and of the Resentments excited by the Miscarriage that is to say) with a *particular Heat*: As if the same Conduct was criminal in them when Malcontent, that was meritorious in the Malcontents during the two former Reigns, when every Grievance was improv'd with as much Zeal and as much Artifice as the Managers of those Times could inspire: And, indeed, it is the Policy of all Parties, as well as of the Cabinet always, to take all Advantages against an Enemy.

But tho' Lord *Manchester*, in many of his Dispatches, touches on the Correspondence carry'd on between the Disaffected *Scots* and the Court of St. *Germains* during this Interval, he never supposes that Correspondence to be of any great Consequence, because he could never discover any Disposition in *France* to countenance their Designs.

And, on the other Hand, so agreable to our Court was the first Intelligence of the *Scots* having abandon'd their new Settlement, (which *Beeston* took care to forward as soon as possible to the Secretary's Office) that their Joy in a Manner overflow'd: For it was communicated immediately to all our Ministers abroad, to be by them re-communicated, as what would be altogether as agreable to our Neighbours.

The *Company*, in the mean Time, with the *Scots* Nation in general on their Side, re- A. D. 1699. solv'd to make the Government answerable for the whole of the Misadventure; and by the Dint of Clamour, either to open some way to Indemnification, or Confusion. *The Resentment it occasion'd in* Scotland.

With this View they set every Engine to work that their Imaginations could furnish: In *September* they sent up an *(f)* Address, setting forth the Injuries they had receiv'd, and the Mischiefs they had to apprehend from the *Spaniards*, and beseeching his Majesty's Favour and Protection; which being, as usual, evasively (if at all) answer'd, they follow'd it with a Petition for a Session of Parliament to be held in *November*, according to the last Adjournment, which was conceiv'd as follows.

" That being sensible, that as their Company had its Birth from his Majesty's most gracious Favour, so it could not subsist but by his Protection, they did, therefore, in an humble Manner, petition his Majesty's High Commissioner, and the Estates of Parliament assembled the 19th of *July*, 1698. Upon which the Estates of Parliament had, with great Unanimity, address'd his Majesty, That he would, in his Royal Wisdom, be pleas'd to take such Measures, as might effectually vindicate the undoubted Rights and Privileges of the said Company; and support the Credit and Interest thereof: That that Session of Parliament ending before any Returns could be had from his Majesty, Reports had been spread by the Enemies of their Settlement, as if their Company had not his Majesty's Protection: And as an Evidence hereof, that Proclamations had been issued out in his Majesty's Name, by his Governors in all the *American* Plantations, not only to deprive their said Company and Colony, of the friendly Assistance that might reasonably have been expected from their Neighbour-Nation, but also strictly forbidding all his Majesty's Subjects, or others, within their Plantations, to enter into any Traffic or Commerce with the said Colony: Which Proceedings they had but too much Reason to believe had been of fatal Consequence to their Company and Colony, and therefore they begg'd, his Majesty would be pleas'd to take off the Force and Effect of those Proclamations, and to signify his Royal Pleasure to the Governors of those Plantations, *The Company petition for a Session of Parliament.*

(f) Viz. " That upon their arrival at *Darien*, the Natives receiv'd them with all possible Demonstrations of Joy and Satisfaction, whom they found in open War, on all Sides, with the *Spaniards*, against whom they besought their Assistance; which they could by no Means comply with, by reason of the then Peace between his Majesty and the King of *Spain*: That, notwithstanding their just and peaceable Deportment and Inclination, and their certifying the same by Letters to the two neighbouring Governors of *Panama* and *Carthagena*, they had, to their no small Surprize, receiv'd Information, That several great and warlike Designs and Preparations were carried on by the *Spaniards*, against their Colony: And that, contrary to all Justice and Humanity, as well as the Treaties of Peace, between his Majesty and the *Catholic* King, they unjustly detain'd, and refus'd to deliver up, the Persons and Goods that were fav'd of a Ship, belonging to their Colony, call'd the *Dolphin*, which, by Misfortune of springing a Leak, was oblig'd to run ashore, and suffer Shipwreck near the City of *Carthagena*: That this had been no small Inducement for them to have improv'd the frequent Opportunities they had of taking Measures greatly disadvantageous to the Crown of *Spain*: Yet to avoid, as much as possible, any Thing that might look like a public Breach, until the same were laid before his Majesty, and his Royal Pleasure known therein, they had proceeded no farther, than the granting Letters of Reprisals, for the People and Effects unjustly detain'd from them: That the *Indies*, as well as *Europe*, did at that Time implore his Majesty's Protection: And that as the effectual opening the Door of Commerce to the trading World, and the more easy Access to, and Correspondence with the Ends of the Earth, hath been hitherto hidden by the divine Hand, for one of the singular Glories of his Majesty's Reign; *so* it was no small Satisfaction to them to be any ways concern'd in so hopeful an Accession to the Dominion and Greatness of his Majesty's, and Wealth of his People; and that they laid themselves, their Case, and that valuable Opportunity at his Royal Feet, most humbly beseeching, That as it had its Beginning, *so* it might continue to have its Being and Support from the happy Influences of his special Bounty and Grace."

A. D. 1699. tions, that they might be supply'd with Necessaries, in the common and ordinary way of Commerce: As also, That his Majesty might allow his Parliament to meet at the Day appointed in *November* following, or as soon as possibly could be, that his Majesty might have the Advice and Assistance of the great Council of that Nation, in such a weighty and general Concern."

The King's Answer. But neither had this the desir'd Effect: For his Majesty directed Lord *Seafield* to answer, "That his Majesty very much regretted the Loss which that Kingdom and the Company had lately sustain'd: That he would, upon all Occasions, protect and encourage the Trade of the Nation; and would also take Care, that the Subjects of that Kingdom should have the same Freedom of Trade and Commerce with the *English* Plantations, as ever they had formerly: And as for the Parliament, that they were adjourn'd to the 5th Day of *March* next ensuing; and that he would cause them to meet, when he judg'd that the Good of the Nation requir'd it."

This new Repulse was look'd upon as a new Outrage, and operated accordingly: For as Despair stept in, Phrenzy seem'd ready to follow: And every Stage of a Ferment so national, even in spite of Impotence itself, seem'd also to bespeak a national Revolt.

Besides: As in the Tract call'd, *A Defence of the* Scots *abdicating* Darien, *&c.* an Attempt had been made to expose the Undertaking to the Scorn and Contempt of their *Neighbour-Nation*, the *English*, they thought it not only reasonable to defend their Conduct, but even to turn the Tables on their Adversaries; and to infer, That, in case their said Neighbour-Nation was indifferent to their Oppressions, the like Oppressions might, in the End, overtake Themselves.

Accordingly, They also had recourse to the Press, and set forth a Piece under the Title of, *An Enquiry into the Causes of the* Scots *Miscarriage at* Darien, which is part Apology, and part Recrimination, and which greatly irritated the Court; as we shall be more particularly inform'd in its Place.

For tho' this *Scotish* Adventure has brought us so near home, we are not as yet at liberty to resume the Thread of our own Affairs. The *Inquietude* of *England*, as, about this Time, it was call'd at the *Hague*; or rather that ridiculous Officiousness which had prevail'd in the Court of *England*, ever since it had undertaken to rectify every petit Disorder which affected the remotest Corner of *Europe*, had led us to act as the Peace-Makers of the North, or, at least, under that Pretence, to interfere in all the selfish Squabbles, which those selfish Powers were every Year exciting, for the Sake either of snatching an Advantage from their unwary Neighbours, or of receiving as much Hush-Money from *France* or the Maritime Powers, as amounted to a full Equivalent: Avarice and Ambition being nearer a-kin than is commonly imagin'd; and having Rapaciousness equally dependent on both.

Cole's Mem. p. 198.

Affairs of the North. Already we have seen in the Course of our parliamentary Transactions, that King *William* had incurr'd a Debt of 85,000 *l.* Sterling to Prince of *George* of *Denmark*, by taking upon him to redeem the Island of *Jonneren*, and the Bailiwicks of *Traustuttle* and *Steinhorst*, held by his Highness in Mortgage for 340,000 Rix-Dollars, and surrendering them back to the Duke of *Holstein-Gottorp*, to whom they originally belong'd. A. D. 1697.

This was a Sacrifice to the Balance of the North, and principally to *Sweden*: For tho' we had held so many thousand *Danes* in our pay during the War, we were not upon good Terms with *Denmark*: And, in order to manage one of those Crowns, it was necessary to retain the other. Now, the Duke of *Holstein* had just marry'd a Sister of the young King of *Sweden*, that the Interests of the Two Powers, which were nearly the same, might be yet more closely united by a Union of the Families, and had, thereupon, been constituted Generalissimo of the *Swedish* Forces; which were Circumstances by no Means agreable to *Denmark*: For that Crown had great Pretensions on *Holstein*, and had asserted them with so much Warmth, that the neighbouring Princes, to prevent a Rupture, had undertaken to mediate a Compromise, if possible, between the Two Parties: The Conferences, however, only serv'd to weary their Patience instead of adjusting their Clames; and had often been interrupted by such Acts, as seem'd to shew, That an Accommodation was scarce practicable: Thus the *Danes*, who long'd for *Tonningen*, which was the only strong Place the Duke had in the said Duchy, had some Time before surpris'd and demolish'd the Forts and Lines which had been rais'd for its Security: And now, while his *Danish* Majesty lay on his Death-Bed, his Highness thought the Crisis favourable for rebuilding them: Accordingly, having been re-inforc'd with a strong Body of *Swedes*, he not only proceeded to re-edify but enlarge the former Works: And before the *Danish* Court could take any Measures of Prevention, his *Danish* Majesty dy'd in the Fifty-third Year of his Age.

The Duke of Holstein, by rebuilding certain Forts, offends the Danes.

Death of the King of Denmark.

That Resentment, however, which he had scarce Time to manifest, his Successor, who was not more proud of his new Royalty than of being thought a Man of Enterprise, did manifest at full, as soon as he had got Possession of the Throne; and, as well by the Concert he form'd with the Courts of *Saxony* and *Brandenburgh*, as by his own military Preparations, made the best Disposition in his Power, not only to defeat the Purposes of *Holstein*, but to be aveng'd on *Sweden*.

On the other Hand, *Zell* and *Hanover* took part with *Sweden* and *Holstein*, tho' under the most plausible Pretences, of acting only for the Sake of conserving the Peace.

Secure, however, That *Brandenburgh*, would hold them in cheque, if Matters came to an Extremity, His *Danish* Majesty embark'd his Troops, and resolv'd once more to level what Works the *Holsteiners* and *Swedes* had rais'd.

But here *England* interpos'd, and so far prevail'd, That the Duke not only gave

Interposition of England.

over

A. D. 1699. over his Works, but seem'd disposed to send back his Auxiliaries, in case the Conferences were renew'd by a certain Term: About the same Time also a sudden Thaw, (for the Winter in this Interval came on) put a Stop to the vigorous Proceedings of the *Danes*, who, nevertheless, would consent to no such Renewal, till all Things were reduc'd to their former State: And at the Close of the Year, the mediating Ministers, at the Head of whom was Mr. *Cressett*, the *English* Minister to the Circle of *Westphalia*, drew up and referr'd the following Plan to the Consideration of the *Danish* Court, viz.

Conditions offer'd to Denmark.

"That the Duke should put a Stop to the Works, which were to be left in their present State, to the End of the Negotiation.

That as soon as his *Danish* Majesty should declare, He would undertake nothing against the said Works, during the said Negotiation, the *Swedish* Troops should be withdrawn.

That during the said Treaty, neither Side should continue, promote, or abet any hostile Design against the other, by encamping, marching, raising Contributions, or any other Method whatsoever.

That the Treaty for concerting a plenary Project of Accommodation be re-assum'd: And in order that the Conferences may not be carry'd on *ad infinitum*, or the Tranquility of the North be perpetually disturb'd with the Apprehensions of a War, some limited Time be settled for bringing the said Conferences to a Conclusion.

And that the Party which, rejecting these Conditions, shall first advance with his Forces towards, or encamp on, the Territories of the Other, shall be deem'd the Aggressor, and the Guaranty of the mediating Powers shall be given to the Party aggriev'd."

The Dissentions in Poland.

Of the distracted State of *Poland* during this Interval, much also might be said: For as the Election of King *Augustus* was the Issue of Force and Corruption, hitherto Dissention and Opposition had ruffled the Current of the Reign: But a Volume would not suffice for the Particulars. His Majesty could not believe himself safe, unless surrounded with *Saxon* Troops: The *Poles* could not believe themselves free, while a foreign Army and a corrupt Faction had the Sword at their Throats. In vain, therefore, were all Treaties of Accommodation, while this Root of Dissention remain'd in the Soil: And tho' in the Diet of Pacification held this Summer, an Expedient was adopted by both Parties, *viz.* That his Majesty should have Two Regiments of *Saxon* Foot Guards, and 1200 Horse; and an equal Number of *Saxon* Forces in *Lithuania*, and a general Compromise was made, as it was given out, to the Satisfaction of both Parties, the Waves continued in Agitation tho' the Storm was laid.

Elbing seiz'd and restor'd by the Elector of Brandenburgh.

The Elector of *Brandenburgh*, in the same Interval moreover, seiz'd on *Elbing*, as a Forfeiture upon Mortgage; and for a whole Year together seem'd determin'd not to quit his Hold; but, in the End, was prevail'd upon by the Emperor (to whom he was then a Suiter for the Stile of Majesty, by the erecting Ducal *Prussia* into a Kingdom) to relinquish it for 300,000 Dollars, tho' he had lent 400,000 upon it, and even to accept certain Jewels belonging to the Crown of *Poland* as a Pledge for the Payment of that easy Composition. A. D. 1699.

King returns to England.

This was nearly the State of the Continent when King *William* turn'd his Back upon it, in order to make his annual *Visit* to *England*. On the 13th of *October* his Majesty embark'd; on the 17th he landed at *Margate*, and the next Day reach'd *Kensington*: Where he was receiv'd by his Ministers and Servants with all the outward and visible Signs of Joy and Exultation; and afterwards complimented, as usual, by the Recorder of *London* as the Mouth of the Magistracy and Corporation; as also by the Bishop of *London* in the Name of the Clergy of his Diocese.

And now the great Business before his Majesty and his Ministers, was to make the best Disposition in their Power, for the Management of the ensuing Session of Parliament: For tho' he had prorogu'd them with a Frown, he had not thought fit to punish them with a Dissolution, for fear his own Views and Interests would have been more injur'd by such an Experiment than theirs: Thus, finding the *Whigs* jealous and sullen, because the Complexion of the House of Commons had oblig'd him to shew some Countenance to the *Tories*, He gave the Lord Chamberlain's Key, which had remain'd undispos'd of ever since Lord *Sunderland*'s Resignation, to the Duke of *Shrewsbury*, upon the 25th: But this Expedient would not serve: He still continued to keep bad Company: He din'd publicly at Lord *Rochester*'s at *Richmond*, and, recurring to the Principle he had set out with, endeavour'd once more to find out such a Temperament in the Distribution of his Favours, as should secure him an Interest in both Parties: All which were mortal Sins in the Sight of the *Whigs*: While, on the other Hand, as the *Tories* were but half serv'd, they were but half Servants; and as Mr. *Prior* writes to Lord *Manchester*, both *Tory* and *Whig* were as implacable as ever.

D. of Shrewsbury *made* Lord Chamberlain.

Mr. Montagu *resigns.*

Mr. *Montagu*, in particular, (either disgusted at the Turn of the Current at Court, or foreseeing Difficulties insuperable in the Management of a House of Commons so ill suited to Court-Purposes, or because, on the Death of Sir *Robert Howard*, he had procur'd a Grant of the (*g*) Auditorship of the Exchequer, which, tho' a *fine cure*, was the most lucrative Employment in the Kingdom) resign'd his Seat at the Treasury-Board, and also the Chancellorship of the Exchequer; to the no small Displeasure of his Friends, who

(*g*) It is in the Gift of the Treasury-Board: And the King having a Design to procure it for the Earl of *Portland*, Mr. *Montagu* so manag'd, That he got a Grant of it, before his Majesty had Time to interpose.

A. D. 1699. who were of Opinion, it seems, (*b*) There was no absolute Necessity for his so doing.

Again: The *Tories;* who were now become as great Proficients in the Art of Opposition as ever the *Whigs* had been, and who had the adroit Dr. *Davenant* at their Devotion, endeavour'd to render their Adversaries as odious to the People, and as suspected at Court, as they possibly could; to which End, the Discourse on *Grants* and *Resumptions*, was at this Crisis publish'd: As also *Smith*'s Narrative of his Correspondence with the Duke of *Shrewsbury*, before sufficient explan'd, in which the said Doctor was also concern'd: The Former of these, *Prior*, in one of his Letters, calls, a *scandalous Libel* on the Government: And afterwards in another, having mention'd the same Two Pieces, he exclames, "*O Tempora! O Mores!* Every Man says and writes what he will!" As if under a *Deliverer*, every Man had not a Right to Freedom; or as if there could be any Freedom where the Tongue and the Pen were not free: Nor does he forget to observe, That the Lord Chancellor and Mr. *Montagu* are the Persons principally levell'd at: And if he had thrown in Lord *Portland* too, the Book would have justify'd him. For as the whole Drift of it is to shew, That extravagant Grants were unlawful in themselves, and seldom fail'd to occasion Enquiries, Resumptions and Punishments, so the Author loses no Opportunity of introducing such Points of History, as he thought furnish'd the most exact Parallels to the Characters and Incidents of his own Times. (*i*) And he takes particular Care to deduce from the Impeachment of the Earl of *Danby*, That the old *Whigs* thought it a *High Crime and Misdemeanor, for a Minister to procure himself Grants out of the King's Revenue:* And from an Assertion of Sir *Robert Cotton*'s, That, *when the People of* England *desire an Act of* Resumption, *the Work must begin with* impeaching *of Ministers*.

A. D. 1699.

Davenant's *Discourse of Grants and Resumptions set forth.*

Such were the Doctrines address'd to the People: Such were the Humours fluctuating in the Cabinet: And as to the State of the Royal Family, tho' Prince *George* went down to *Margate* to receive the King at his landing, and had accompany'd him to *Kensington* (where the Princess and the Duke of *Gloucester* were among the Foremost to pay their

---

(*b*) Thus Lord *Manchester* (the Head of the *Montagu*'s, writing to the Lord Chancellor *Somers* on this Incident) takes occasion to say, "Mr. *Montagu*'s leaving the Treasury, I do own, did very much surprise me: And the more, since I find it your Lordship's Opinion, That there was not that *absolute Necessity* for it. I remember well what was thought of my Lord *Orford*'s quitting the Admiralty, and I should be sorry, He should fall under the same Censure. It is certain it will be a great Loss to me in particular; tho' if the Public and the rest of my Friends do not suffer, I shall be very easy. I am apt to think he had a great many Enemies out of Envy, &c. And he might imagine, They would come to a Vote, That his Two Places are inconsistent, which was his Interest to avoid. I can only say, your Lordship is certainly the best Judge, and I could have wish'd He had took your Advice."

The Chancellor's Letter, which this is a Reply to, Mr. *Cole* has not thought fit to publish: And it is to be fear'd, That the other *Retrenchments* which he talks of in his Introduction, have been made with as little Reason and Judgment.

(*i*) The first great Person (says He, for Example) whom we find question'd since the *Norman* Government, was *Ranulphus* Bishop of *Durham*, who bore the Office of what we now call Lord Treasurer of *England*, in the Time of *William Rufus*: This Man had been the principal Instrument of the Profusion, and of what is its Consequence, those Extortions that disgrac'd the Reign of *Rufus*: Of whose Times *William* of *Malmsbury* speaking says, None were then rich but such as dealt with the Exchequer, *Nullus Dives, nisi Nummularius*. This wicked Minister was brought to Punishment by *Henry* I. who cast him into Prison, and loaded him with Chains. *Matthew Paris* says, *De Communi Consilio Gentis Anglorum petiit sum Rex in quibusdam. Malmsbury* gives him this Character. Radulphus *Clericus ex infimo genere hominum, Linguæ & Affabilitate perversus ad summum; exsultator Divitum, Exterminator pauperum, Conjector alienarum Hereditatum. Inexhausti Cauillidevi, & cum variis, tum rebus immodicus, nec aliorum curarei nisi dummodo cumulaterei Dominum.* It seems he was a little, insolent Fellow, who by his fluent Tongue and cringing at Court, had got Power enough to do much Hurt in *England*: A mischievous Tool against the Publick, as well as an Oppressor of private Men: Subtle to invent Wickedness, and bold to put it in Execution; and one who would stick at nothing to raise himself. *Matthew Paris* speaking of him says he was, *Homo perversus, & ad omne scelus paratus, quem Rex constituerat Procuratorem suum in Regno ut exulceret, deformaret, vexaret & despoliaret, & omnia nummum bona ad Fisci Commodum congregaret.* We have thus painted out this Statesman in the Colours as he is represented by those two venerable Writers: And he to much resembles several bad Ministers, who, in the Ages since, have succeed both to his Post and Power, that one would think they had chosen to take them for their Pattern.

In the 5th of *Edward* II. *Pierre de Gaveston* was accus'd in Parliament for having given the King ill Counsel, and for having cheated the King of his Treasure, and sent it beyond Sea, and for having estrang'd the King's Heart from his People, so as he slighted their Councils, and for having remov'd all faithful Ministers, and plac'd only his own Creatures or Foreigners about the King, and for having caus'd the King to grant Lands, Tenements, and Offices to himself and his Heirs, and to divers other People, (insomuch that by his Wealth he was become dangerous) to the great Damage and Injury of the King and his Crown: For which he was banish'd the Realm, so as if he return'd, he should be treated as an Enemy to the King, Kingdom and People. But take the Words of the Record, because 'tis very curious. (Here he relates the Record, and then proceeds thus.)

Pierre Gaveston at first was a Man only in the King's Pleasures; but as weak Princes often remove Men from their Pleasures into their Business, so *Gaveston* became presently a Minister of State: For the Records shew, that he was Guardian and Lieutenant of the Kingdom in the King's Absence, with very immoderate Powers, and afterwards he was constituted Lieutenant of *Ireland*: But the extravagant Honours and Favours conferr'd upon him, and the Lands he got from the King, drew, as all our Historians witness, the Indignation of the Parliament upon him. *Tho. Walsingham* says, that the Barons *Librare studiose; Periculo, instrusant, quod evocavit Petrus ejus non potest Pax in Regno, nec Rex abundare Thesauro.* And to they never rested till he was banish'd the Kingdom.

In the same Parliament *Henry de Beaumont* was likewise accus'd, for that to the Damage and Dishonour of the King, he had receiv'd the Kingdom of *Man*, which the Lords whom the King had consented should be of his standing Council, thought fit should remain to the Crown; and for that he had procur'd from the King to himself other Rents, Lands, Franchises and Offices; and for that he had procur'd for others the Grants of Lands, Rents, Tenements, Franchises and Offices; and for that he had given evil Counsel to the King contrary to his Oath: For all which the Judgment upon him was, That he should be outed the King's Council for ever, and not come near the King's Person, unless he were summon'd to Parliament, or call'd upon to attend the King in his Wars: Or unless it were by common Assent of Archbishops, Bishops, Earls and Barons, in full Parliament; and that all his other Lands should be seis'd into the King's Hands until the King should be satisfy'd, the full Value of what he had receiv'd from those Lands so granted to him by the King.

It seems likewise, that in this Reign the Ladies were begging and intriguing at Court: For the Lady *Foley* was accus'd for having prevail'd upon the King to give *Sir Henry Beaumont*, her Brother, and to others, Lands, Franchises and Offices, to the Damage and Dishonour of the King; for which she was order'd to repair to her own House, without ever returning to Court to make flay there.

In the Reign of *Edward* VI. there was one *John de Warnetary*, who was a kind of *Surintendant des Finances*, or what we call Commissioner of the Treasury, whom *Heuring* describes to be a little, insolent Fellow; who from a low Degree, and without any great Merit of his own, and only by the King's Favour, was got into great Employments, where giving Offence by his Pride and Arrogance, the great ones at last fell upon him, and he was accus'd, condemn'd, and hang'd.

A. D. 1699.

their Duty to him) in his Majesty's own Coach, these Appearances were but Appearances: The King observ'd the same Coldness in his Manner towards them as formerly; and seldom lost any Opportunity of shewing how wide the Distance was between the first Step of the Throne, and the Throne in itself: Of which the Duchess of *Marlborough* has furnish'd us with the following Instance.

The King refuses to see the P. of Denmark on his Birth-day in Mourning.

"The King's Birth-Day coming just after the News of the King of *Denmark*'s Death, the Prince, who had a great Tenderness for his Brother, was extremely uneasy at the Thought of putting on Colours so soon: And the Princess, knowing, that it had been the Custom in former Reigns, to wait upon the King, on a Birth-Day, without colour'd Clothes, when the Mourning was very deep, found Means to get my Lord *Albemarle* to ask the King's Leave, that the Prince might be admitted, is his Mourning, to wish his Majesty Joy: The Answer was, *That the King would not see him, unless he came in Colours*; and the Prince was persuaded to comply, tho' he did it with great Uneasiness."

And yet his Majesty, in his Speech from the Throne at the Opening of the Session, affected to be thought a Solicitor with the Public in Behalf of the Prince: Of which Circumstance her Grace taking no Notice, we must presume, her Opinion was, That the Motive of his Majesty's Plea was not to obtain a Favor for the Prince of *Denmark*, but to remove a Burden from his own Shoulders.

On the 16th of *November*, however, the Session was open'd, and the Speech made, as follows.

His Speech in Parliament.

"*My Lords and Gentlemen,*

I hope you will not think I have call'd you out of your Countries too soon, if you consider, that our common Security requires a farther Provision should be made, for the Safety of the Kingdom by Sea and Land, before we are at the End of what was granted for that Purpose last Session: And when you enter upon this Business, I believe you will think it necessary to take Care of the Repairs of the Ships, and of the Fortifications; without which our Fleet cannot be safe when it is in Harbour.

I cannot omit to put you in Mind of another Matter, in which so great a Number of my Subjects is concern'd, and wherein the Honour of the Kingdom, and the Faith of Parliaments is so far engag'd, that our future Security seems to depend upon it; I mean, the making good the Deficiencies of the Funds, and the discharging the Debts contracted by reason of the War.

And till we may be so happy as to see the public Debts paid, I shall hope that no Session will end, without something done towards lessening them. While I am speaking to you on this Head, I think myself oblig'd to mention, with a *particular Concern*, a Debt which is owing to the Prince of *Denmark*, (for *Janneren* and *Steinhorst*, that is to say) the State whereof I have ordered to be laid before you.

Gentlemen of the House of Commons,

These Things are of such Importance, that I must earnestly recommend them to your Consideration, and desire you to provide the necessary Supplies.

My Lords and Gentlemen.

There is nothing I could more rejoice in, than that I were not under the Necessity of so often asking Aids of my People; but as the Reason of it is evident, because the Funds formerly applied to defray the Public Expence, are now anticipated for Payment of the Debts of the Kingdom; so it is my Satisfaction, that you all see that nothing of what is demanded, is for any personal use of mine: And I do faithfully assure you, That no Part of what is given, shall be diverted from any Purpose for which it is design'd.

I believe the Nation is already sensible of the good Effects of Peace, by the manifest Increase of Trade, which I shall make it my Business to encourage by all Means in my Power; probably it might receive an Advantage, if some good Bill were prepar'd for the more effectual preventing and punishing unlawful and clandestine Trading, which does not only tend to defraud the Public, but prejudice the fair Merchant, and discourage our own Manufactures.

The Increase of the Poor is become a Burthen to the Kingdom; and their loose and idle Life, does, in some Measure, contribute to that Depravation of Manners, which is complained of, (I fear with too much Reason:) Whether the Ground of this Evil be from Defects in the Laws already made, or in the Execution of them, deserves your Consideration: As it is an indispensable Duty, that the Poor, who are not able to help themselves, should be maintain'd; so I cannot but think it extremely desireable, that such as are able and willing, should not want Employment; and such as are obstinate and unwilling, should be compell'd to Labour.

My Lords and Gentlemen,

I have a full Assurance of the good Affections of my People, which I shall endeavour to preserve by a constant Care of their just Rights and Liberties, by maintaining the establish'd Religion, by seeing the Course of Justice kept steady and equal, by countenancing Virtue, and discouraging Vice, and by declining no Difficulties or Dangers, where their Welfare and Prosperity may be concern'd: These are my Resolutions; and I am persuaded that you are come together with Purposes on your Part suitable to those on mine: Since then our Aims are only for the general Good, let us act with Confidence in one another; which will not fail, by *God*'s Blessing, to make me a happy King, and you a great and flourishing People."

The ill Effects of it.

And now it appear'd, That, in playing the *Trimmer* between the Two Parties, the King had disoblig'd the *Whigs*, without gaining the *Tories*: For, tho' he no longer insisted on the old Topick of a Land-Army, the

A. D. 1699 the Dryneſs and Sullenneſs of *this* Speech, put the Craftſmen of the Malcontents in Mind of the Diſpleaſure expreſs'd in the *laſt*: And from the Impreſſions made on their Followers by Both, they made no doubt to excite ſuch a Ferment, as ſhould laſt from the Beginning of the Seſſion to the End. On the other Hand, *Montagu*'s Reſignation, and the Silence he began to obſerve in the Houſe of Commons thereupon, had both disjointed and diſorder'd the Courtiers: They ſcarce knew what Voice they were to follow, or on whom they were to rely for their Reward: Mr. Secretary *Vernon*, and *Smith* the Chancellor of the Exchequer, were, in Virtue of their ſeveral Offices, to be eſteem'd their Leaders: But the Laſt, tho' poſſeſs'd of a miniſterial Office, was not of the Miniſtry; and the Firſt was more eminent for being a Drudge in his Office, than for his Aſcendency either in the Cabinet or the Houſe: Lord *Ranelegh*, the Pay-Maſter, was too obnoxious to be an Undertaker; and the Secretary at War *(Blathwaite)* was an Officer ſo newly inſtituted, and ſo little conſider'd, that he could ſcarce interfere in the Direction, without drawing the Office itſelf into queſtion.

When, therefore, ſuch was the Diſpoſition on one Hand, and ſuch the Diſtractions on the other, Turbulence, Miſconduct, and mutual Diſſatisfaction were but unavoidable Conſequences.

Accordingly; when the Speech was taken into Conſideration by the Commons, ſuch was the Prevalence of Paſſion and ill Humor, that the worſt Interpretation imaginable was put on the Exhortation: *Let us act with* Confidence *in one another*: And the worſt Uſe imaginable was made of it; as is evident by the following Remonſtrance, which was preſented to the Throne in the Name of an Addreſs, *viz.*

A Remonſtrance of the Commons in the Name of an Addreſs.

"*Moſt gracious Sovereign,*

We your Majeſty's moſt dutiful and loyal Subjects, the Commons in Parliament aſſembled, being highly ſenſible, That nothing is more neceſſary for the Peace and Welfare of this Kingdom, the quieting the Minds of your People, and diſappointing the Deſigns of your Enemies, than a mutual and entire Confidence between your Majeſty and your Parliament, do eſteem it our greateſt Misfortune, That, after having ſo amply provided for the Security of your Majeſty and your Government, both by Sea and Land, any *Jealouſy* or *Diſtruſt* hath been rais'd, of our Duty and Affections to your ſacred Majeſty and your People; and beg Leave humbly to repreſent to your Majeſty, That it will greatly conduce to the continuing and eſtabliſhing an *entire Confidence* between your Majeſty and your Parliament, that you would be pleas'd to ſhew *Marks* of your *high Diſpleaſure* towards all ſuch Perſons who have, or ſhall preſume to miſrepreſent their Proceedings to your Majeſty.

And your Commons (having likewiſe a due Senſe of the great Care and Concern, your Majeſty has always expreſs'd, for preventing and maintaining the Religion, Rights, and Liberties of your People, in Defence of which your Majeſty hath ſo often expos'd your Royal Perſon) will uſe their utmoſt Care and Endeavours, to prevent and diſcourage all falſe Rumours and Reports, reflecting upon your Majeſty and your Government, whereby to create any Miſunderſtandings between you and your Subjects."

A. D. 1699

Thus, inſtead of Acknowledgments and Thankſgivings, his Majeſty was ſaluted with Complaints and Expoſtulations: But tho' he was ſufficiently gall'd, he choſe rather to ſoften the Reſentments of his Subjects, than to gratify his own; as appears by the following mild and palliative Anſwer.

The King's moderate Anſwer.

"*Gentlemen,*

My Parliaments have done ſo great Things for me, and I have, upon all proper Occaſions, expreſs'd ſo great a Senſe of their Kindneſs, and my Opinion has been ſo often declar'd, That the Happineſs of an *Engliſh* King, depends upon an entire good Correſpondence between him and his Parliament, that it cannot ſeem ſtrange for me to aſſure you, That no Perſons have ever yet dared to go about to miſrepreſent to me the Proceedings of either Houſe: Had I found any ſuch, they would have immediately felt the higheſt Marks of my Diſpleaſure: It is a Juſtice I owe not only to my Parliaments, but to every one of my Subjects, to judge of them by their Actions: And this Rule I will ſteadily purſue. If any ſhall hereafter attempt to put me on other Methods, by Calumnies or Miſrepreſentations, they will not only fail of Succeſs, but ſhall be look'd upon, and treated by me as my worſt Enemies.

Gentlemen,

I am pleas'd to ſee by your Addreſs, that you have the ſame Thoughts of the great Advantages which will enſue to the Kingdom, from our mutual Confidence, as I expreſs'd to both Houſes at the Opening of the Seſſion: I take very kindly the Aſſurance you give me, of uſing your utmoſt Care and Endeavour to prevent and diſcourage all falſe Rumours and Reports reflecting upon me and my Government: And I faithfully promiſe you, That no Actions of mine ſhall give a juſt Ground for any Miſunderſtanding between me and my people."

Diſapproves Proceedings of the Malcontents.

Nothing leſs, however, would ſatisfy Thoſe who had now got the Lead, but a Committee of the whole Houſe upon the State of the Nation; in order to render the Court odious, it is to be ſear'd, rather than to render their Fellow-Subjects happy: For Popularity may be abus'd as well as Power; and a Community may ſuffer as much from Faction and Licentiouſneſs, as from Corruption and Oppreſſion.

But firſt, They reſolv'd to make their Court to the trading Part of the Kingdom, at the Expence of the Court on one Hand, and to the Malcontent-Clergy and their Followers on the other: The Latter Effort was made in the Houſe of Lords, the Former in the Houſe of Commons: And Both, for the more Eclat, on the ſame Day. The ſeveral Occaſions Theſe.

During the War, the Inhabitants of the Northern

A. D. 1699. *In the Case of Kidd the Pirate.*

Northern Colonies had made haste to grow rich, not only by carrying on every Kind of illicit Trade, but also by Piracy, and abetting of Pirates: Of these Pirates, which equally infested both the *East* and *West-Indies*, many were suppos'd to be immensely rich: And hence a Project was entertain'd of suppressing them, under the Pretence of public Service, but in truth for the Sake of the Spoil: Those who were too tender-conscienced to commence Pirates in the first Instance, finding no Repugnance to the sharing among themselves That which had been unjustly taken from Others.

[State Trials. Temp. Guil. III. Vol. III. p. 232, &c.]

In the Year 1695, the Earl of *Bellomont* having been appointed Governor of *New-York*, as also of *New-England*, one *Levingstone*, of *New-York*, not only recommended the said Project to him, but also recommended one *Kidd*, the Master of a Sloop, who undertook to carry it into Execution, provided he was furnish'd with a good Ship of about 30 Guns and 150 Men: And so captivating did it appear to the Earl, that he communicated it to the King himself, who was also induc'd to adopt it, and to call upon his Admiralty to do the same: But They, or rather the first Commissioner, having taken it into consideration, and finding the private Purposes in view, could not be serv'd without exciting much Clamour, in case the Expence of the Adventure was furnish'd out of the public Stock, affected to dismiss the Proposal, as impracticable, for want of Seamen, and other Requisites for so long and hazardous a Voyage.

But, in Truth, it was dropt only to be resum'd and prosecuted after another Method: For a Computation having been made, That 6000*l.* would be sufficient for the Undertaking, the King himself offer'd to furnish half the Money, and the Lord Chancellor, the Duke of *Shrewsbury*, the Lords *Romney*, *Oxford*, *Bellomont*, one Sir *Edward Harrison*, *Levingstone* and *Kidd*, were to furnish the rest. But so it happen'd, that his Majesty reserv'd to himself a Tenth of the Profits, and yet made no Advance of Money; the whole of which were supply'd by the Other Adventurers.

[Burnet.]

The Ship was call'd, The *Adventure Gally*, *Kidd* had the Command, and was furnish'd with Two Commissions; one from the Admiralty dated *January* 26, 1695, empowering him to act against the *French*, and the other under the Great Seal, authorising him to make war on certain Pirates therein nam'd, and all other Pirates infesting the Coast of *America*, and other Seas.

The Adventurers were also favour'd with a Warrant or Grant from the Treasury, of all such Captures as they should make, without Reserve; the Commissioners thinking it more prudent for his Majesty to covenant with the Owners for his Tenth, than to avow any specific Clame in the said Warrant on his own Behalf.

Under these Sanctions the Ship set sail from *Plymouth* in *April* 1696: But, instead of falling in quest of Pirates on the *American* Coasts, *Kidd*, after touching at *New-York*, shap'd his Course for the *East-Indies*, where he turn'd Pirate himself, and in particular took a rich Ship call'd the *Quedah*-Merchant; of which the old *East-India* Company complain'd to the Lords Justices in 1698: For tho' the said Ship was commanded by an *Englishman*, having two *Dutch* Mates and a *French* Gunner, the belong'd to the *Moors*; and they affected to apprehend the Resentment of the Grand *Mogul* would fall upon them: *Avery*, who had run away with a Privateer call'd the *King* Charles *the Second*, and other Pirates having before committed great Depredations in those Seas.

A. D. 1699.

After this Exploit, *Kidd* having divided the Booty with his Men, Ninety of whom then left him and join'd other Adventurers in the same way, he burn'd his own Ship, and set sail in his Prize for the *West-Indies*, where he purchas'd a Sloop, and, having put a sufficient Freight on board her, left his said Prize in the *West-Indies*, with about seventeen or eighteen Men on board, (there to remane till they should hear farther from him) and made for the Continent, where he arriv'd early in the Summer of the current Year: Such being his Confidence, that he put into the Sound of *New-York*; and, having landed Goods in several Places there, proceed to *Rhode-Island*, from whence he sent one *Emmet* to his Lordship at *Boston*, in order to make his Peace: On the one Hand undertaking to prove, That he had done nothing but what was justifiable; and on the other signifying, That he had a Cargo with him, to the real Value of 10,000*l.*

His Lordship's Conduct on this Occasion was, first, to impart the Message he had receiv'd to the Council of the Province; and then, having procur'd their Approbation, to assure *Kidd* by Letter of his Protection, in case he made his Innocence apparent, agreable to what *Emmet* had advanc'd in his Behalf; which Letter had the desir'd Effect: For *Kidd* ventur'd into *Boston* on the good Faith of it; and, for a while, was suffer'd to be at large, in hopes of getting out of him where the great Ship lay: But giving frivolous or fraudulent Answers to the Questions put to him concerning her, embezzling the Cargo in order to bribe such as were ableſt to serve him; and *Levingstone*, in the same Interval, arriving from *New-York*, and making a peremptory Demand of the Bond which he had given for *Kidd*'s Fidelity to his Owners, it was thought proper to make him a close Prisoner, together with several of his Crew, and to seize the Sloop and Cargo; which was done accordingly, *June* the 6th; which was also the Sixth Day after his Landing.

On the 8th of *July* his Lordship sent an Account of the whole Proceeding to the Secretary of State and the Lords of Trade, desiring, That the Prisoners might be sent for home, in order to their Trials; there being no Law in *New-England* for punishing Piracy with Death; and the whole Colony rather inclining to favour them, as being, in those Days, little better than Accomplices; if Receivers of stolen Goods deserve that Name.

What

A. D. 1699. What follow'd upon this in *England*, was an Order of Regency to the Commiſſioners of the Admiralty, directing them to diſpatch a Ship to *Boſton*, to bring home the ſaid Priſoners, together with their Effects; and they did diſpatch the *Rochester* accordingly: But, unfortunately, ſhe was ſo unfit for ſuch a Voyage, that, after beating the Seas for ſome Time, in tempeſtuous Weather, ſhe was forc'd to return back to *Plymouth*, which furniſh'd the Envious and Malicious with Colours and Pretences, That, as the whole Adventure was a piratical Job, ſo the Return of the *Rochester* was a colluſive Practice to cover it.

Such was the State of this Affair at the Meeting of the Parliament; with this farther Circumſtance, That the Old *Eaſt-India* Company, which was ſo highly exaſperated againſt the Government on Account of the Injury they had ſuſtain'd by the Eſtabliſhment of the New, and which had Mr. *How* for their ſtanding Advocate in the Houſe of Commons, thought themſelves particularly intereſted in what follow'd; not only becauſe the Capture was made in the *Indian* Seas, and the Apprehenſions they affected to entertain on that and the like Accounts, but alſo becauſe a Petition of Theirs to the Lords of the Admiralty to take Pirates in the ſaid Seas, and to hold Courts of Admiralty to try and condemn them, had been ſet aſide as irregular, and not fit to be granted.

And thus the Reſentments of particular Men, as well as a general Diſpoſition to think diſadvantageouſly of thoſe in Power, help'd to render an Incident, otherwiſe inconſiderable enough, one of the great Enflammatories of the Times.

Who brought it into the Houſe of Commons, is not ſpecify'd: But we are told it was taken up by Surprize *(December 6)* when another Matter was expected: And the Queſtions fram'd upon it, and upon which the Debate of that Day turn'd, was conceiv'd in the following Terms, to wit, "That the Letters-Patent granted to the Earl of *Bellomont* and Others of Pirates Goods, were diſhonorable to the King, againſt the Law of Nations, contrary to the Laws and Statutes of this Realm, invaſive of Property, and deſtructive of Trade and Commerce."

Much was ſaid both ſhrewdly and bitterly in ſupport of it: But all was ſolidly refuted; as may be ſeen at large in the Account of the Proceedings in relation to Captain *Kidd*, ſtill extant in the *State-Tracts* of this Reign: For having aggravated their Charge, to the End that it might ring the louder, they were ſo much leſs able to verify any Part of it: Whereas, if they had proceded more conſcientiouſly, they had proceded more ſucceſsfully: And, in proving That to be a little, mean, ſordid Device to put ſome Money into the Pockets of the King and his Courtiers, which ought to have been a Royal Undertaking for the Honor of the Crown and the Security of the Subject, they would have expos'd the Matter of Fact in its true Colours, and ſo far would have had the Public on their Sides: Such black Conſtructions, as B. *Burnet* rightly obſerves of this Tranſaction, (tho' ſo much a Party-Man, that he was rarely, if ever, free from Party-Prejudice) are Men who are engag'd in Parties apt to make of the Actions of Thoſe whom they intend to diſgrace! A. D. 1699.

The Event of the Debate was not, however, ſuitable to the Violence with which it was carried on. The Chancellor's Character for Wiſdom and Integrity had as yet ſuch Weight with the Houſe, or at leaſt with the Aſſembly of that Day, that no Imputation would ſtick: And upon the Iſſue the Motion was rejected; tho', as we ſhall find by the Sequel, the Clamor was not let fall. *The Motion form'd upon it rejected.*

The other Point agitated the ſame Day in the Houſe of Lords, regarded Dr. *Watſon*, who had been promoted to the Biſhopric of St. *David's*, according to the Prelate juſt quoted, for a valuable Conſideration. It was believ'd, ſays his Lordſhip, That he gave Money for his Advancement; and that in order to the reimburſing himſelf, he had ſold moſt of the ſpiritual Preferments in his Gift. In ſhort, he had been accus'd of Simony: And after a ſolemn Hearing before the Archbiſhop of *Canterbury*, aſſiſted by Six other Biſhops, on the 3d of *Auguſt* 1699, was depriv'd; but pleaded his Privilege: And thus the Matter came before the Lords; who could not be prevail'd upon by all the Oratory of his Friends to countenance his Appeal; or to conſider him any longer as a Peer, after he ceas'd to be a Biſhop. *The Caſe of the Biſhop of St. David's.*

He had alſo Recourſe to the Court of Delegates; but They confirm'd the Archbiſhop's Sentence: And thus he remain'd a Convict of Simony, according to the Repreſentations of one Party; and a Sacrifice on Pretence of Simony, according to the Repreſentations of the Other: For tho' (*k*) Sixty-five Witneſſes appear'd againſt him at his Trial, and a Variety of Facts were alledg'd in Support of the Charge, the *Jacobites* never allow'd the Proofs to be ſufficient, or the Trial authentic.

But then, however bad the Man was, (and one of his Judges *(Burnet)* pronounces, He was one of the Worſt he ever knew in Holy Orders) or however ſcandalous his Deportment was, it may be reaſonably queſtion'd, whether in an Age ſo factious and ſo licentious as That notoriouſly was, he would ever have been proſecuted for being corrupt, if he had not alſo been diſaffected. For the Maxim of Lord Keeper *North's*, To puniſh obnoxious Men by any Law that could be made to reach them, was not unknown to the Court of King *William*, tho' it was not ſo often put in practice by his Miniſters, as by Thoſe of King *Charles*.

"The

(*k*) See a Summary of the Proceedings againſt him, publiſh'd by *A. Baldwin*, 1701.

A. D. 1697. Motion to remove Bishop Burnet from the Duke of Gloucester, over-rul'd.

"The next Attempt (says Bishop *Burnet*, speaking of the Proceedings of the House of Commons) was to turn me out from the Trust of educating the Duke of *Gloucester*: Some objected my being a *Scotchman*: Others remember'd the Book that was order'd to be burn'd: (His *pastoral Letter* which maintain'd, That the King, had a Right to the Throne, by his Conquest over King *James*) So they press'd an Address to the King for removing me from that Post: But This was likewise lost by the same Majority that had carry'd the former Vote."

And, surely, This was one of the lowest Interludes that was ever play'd by a Party: For, as he had not sought the Employment, but, on the contrary, had declin'd it, so it ought to be remember'd to his Honor, that when he was, in a Manner, forc'd to accept it, he would have resign'd his Bishopric, under an Apprehension, That his Duty as a Tutor to a Prince of such Expectations, would interfere with his Duty as a Pastor: Nor would he accept it at all, except under an express Proviso, That the Duke should reside all the Summer at *Windsor*, which was in the Diocese of *Sarum*, and that he should be allow'd Ten Weeks in every Year, to visit the other Parts of it: And whereas the Profits accruing to him from this new Employment amounted to about 1500 *l. per Ann.* his private Charities from that Time amounted annually to the like Sum: Which seem'd to indicate, That he look'd on this new Promotion as a Deodand; and that he made it a Point of Conscience to distribute the Product of it accordingly: A Circumstance which would have greatly rais'd his Character, if he had not us'd all possible Caution to conceal it; that the Purity of his Intentions might not be debas'd by any Mixture of vain Glory.

Proceedings of the Commissioners for inspecting the Irish Forfeitures.

But the Point on which the Party had laid the greatest Stress, and which the Community, as a Community seem'd to be most concern'd in, was the Result of the Enquiry made by the Parliament-Commissioners into the *Irish* Forfeitures, and the Distribution which the Court had made of them, in order to a Resumption: But as that Distribution had been made wantonly and corruptly, so the Enquiry, and the Proceedings grafted upon it, were altogether as factious and malevolent.

Of these Commissioners, which were Seven in all, and all presum'd to be Anti-Courtiers, Four were dispos'd to put every Circumstance to the Torture, with a View to enflame the Report, and Three were for the Court, under the Pretence of Candor and Moderation. The Four first were *Annesley*, *Trenchard*, *Hamilton*, and *Langford*; the Three last, the Earl of *Drogheda*, (*l*) Sir *Francis Brewster*, and Sir *Richard Levins*.

In what particular Way, or thro' what particular Channel *These* were influenc'd, does not appear; but who *Those* corresponded with, and that They were directed by the Faction *they* left behind, will be made apparent in the Sequel. A. D. 1699.

Some Difference of Opinion had occasionally broke out in the Course of their Transactions, and the Four had as often endeavour'd, tho' in vain, to give the same Bias to the Three, which they had taken Themselves. All the Seven had sign'd the several Books which contain'd the Particulars of their Enquiry: But when the Secretary had drew up the Report or Abridgment of the Whole which was to be made to Parliament, agreable to the Instructions he had receiv'd from the Four as the Majority, the Minority not only disagreed to Eight several Articles of it, but enter'd a Sort of Protest against them; and moreover join'd in an Appeal to each House of Parliament, which they address'd to the Lord Chancellor, and the Speaker of the House of Commons severally; and in which They alledg'd, after a proper Preamble, 1st, That they gave a *general Consent*, that the Secretary of the Commission should draw up the said Report, but no *particular Directions* concerning the same: 2dly, That, when the Draught was produc'd, they excepted to several of the many Paragraphs contain'd in it, Some for not being within the Power given by the Act; and Others as not warranted by Deposition or other Proofs: And then proceeded in the very Words that follow, "And after many Debates with the other Commissioners, we, desiring to comply with them as much as possible, agreed to Eighty-two Paragraphs of the Report, containing *more* than *all* that related to the *Books*, and excepted only to about Eight Paragraphs, tho' we were not fully satisfy'd of several of These which we had pass'd, in the Manner they were express'd: And when in these said Matters our Reasons could not prevail, but that they over-rul'd us by a Pretence of a Majority of Four against Three; and having labour'd to influence us by private Letters, Instructions and Directions which they affirm'd they had receiv'd from several Members of the honorable House of Commons, we did not insist farther, on having these Eight Paragraphs left out of the Report: But when the Report, which was engross'd, came to be sign'd on *Tuesday* the 28th Instant, (*November*) as we were content the other Four should sign and seal the same as they thought fit, so we desir'd to sign and seal the same, as an Approbation of all contain'd therein, except these Paragraphs; and accordingly on that Part thereof, address'd to the House of Commons, one of us did write Words to the Effect following, "We agree to the above Report, except the 8th, 10th, 25th, 32d, 66th, 78th, 79th Paragraphs, and the Paragraph wherein the private Estate of the late Duke of *York* is included; to which we cannot agree for Reasons which we will be ready to lay before your Honours, when you

A Session amongst them.

Three dissent and appeal to Parliament.

(*l*) He was one of Those, who in 1692, set forth the Mal-Administration of the Irish Affairs at the Bar of the House of Commons. See P. 403.

A. D. 1699. you are pleas'd to require them from us:" And, afterwards, we ſign'd and ſeal'd the ſame, praying the other Commiſſioners to ſign and ſeal as they thought fit; and offering to ſign and ſeal the other Part of the Report addreſs'd to his Majeſty and the Houſe of Peers: But they then inſtantly pretending to make an Order againſt what we did, refus'd either to ſign with us, or in a Space left for them above our writing, and haſtily took away the other two Parts of the Report which we had offer'd to perfect, and alſo took from us that Part which we had already perfected. We then adjourn'd by Conſent till Four in the Afternoon this Day, (the 29th) And, underſtanding, That they had pretended to make an Order for cancelling the Report which we had ſign'd and ſeal'd; and, ſeeing at the Time of our Meeting, That moſt of the Papers belonging to our Commiſſion were taken away, we, with all Speed, deliver'd to them a Memorial under our Hands and Seals, offering thereby to ſign and ſeal the other two Parts of the Report, in the Manner we had done the Former; and to leave in them a greater Space for the other Commiſſioners to ſign and ſeal above us; and, if deſir'd, to amend even That which was done before, praying them, not to cancel what we had perfected. We alſo put them in Mind, That we had often made requeſt to them, to compare the original Depoſitions which were taken before us, and were much blotted and interlin'd, and capable of great Alterations, with the Entries thereof in our Books; and that we might all of us ſign and ſeal the ſaid Entries: And we alſo pray'd them to give us Copies of thoſe Paragraphs to which we had agreed, and, more eſpecially, Thoſe to which we diſſented, that we might be the better able to repreſent to the moſt Honorable the Houſe of Peers the Reaſons of our Diſagreement to thoſe Paragraphs. But finding no Succeſs, and the other Commiſſioners owning to us, That they had after our Adjournment the laſt Night, and after we were gone away, cut off that Leaf of the Report on which we had written our Conſent, and put our Hands and Seals; and They inſiſting, that, unleſs we would declare our Conſent to *all* the Paragraphs, we ſhould declare it to *none*: And refuſing abſolutely to let us ſign the ſaid Report in any Manner that might expreſs our Diſagreement to any Part of it, we think ourſelves under a Neceſſity of applying to your Lordſhips, to lay this Matter before the moſt Honorable Houſe of Peers, that we may have an Opportunity to ſhew, that we have join'd in the Execution of all the Matters requir'd of us by the ſaid Act; and likewiſe the Reaſons why, being upon our Oaths, we could not agree to thoſe Paragraphs we excepted to."

Thus ſtood the Affair when the Commiſſioners ſet out for *England* with their Report, which was preſented by the *Four* who prepar'd it, to the Houſe of Commons the 15th of *December* following, in which they repreſented, "That they had met with great Difficulties in their Enquiry, which were occaſion'd chiefly by the Backwardneſs of the People of *Ireland* to give Information, out of fear of the Grantees, whoſe Diſpleaſure in that Kingdom was not eaſily borne; and by Reports induſtriouſly ſpread and believ'd, that their Enquiry would come to nothing: That nevertheleſs, it appear'd to them, That the Perſons outlaw'd in *England*, ſince the 13th of *February*, 1688, on account of the late Rebellion, amounted in Number to Fifty-ſeven, and in *Ireland*, to 3921. That all the Lands in the ſeveral Counties in *Ireland* belonging to the forfeited Perſons, as far as they could reckon, made 1,060,792 Acres, worth *per Annum* 211,623*l.* which by computation of ſix Years Purchaſe for a Life, and thirteen Years for the Inheritance, came to the full Value of 2,685,138*l.* That ſome of thoſe Lands had been reſtor'd to the old Proprietors, by Virtue of the Articles of *Limerick* and *Galloway*, and by his Majeſty's Favour, and by Reverſal of Outlawries, and royal Pardons, obtain'd chiefly by Gratifications to ſuch Perſons as had abus'd his Majeſty's Royal Bounty and Compaſſion: And that beſides theſe Reſtitutions, which they thought to be corruptly procur'd, there were Seventy-ſix Grants and Cuſtodiums, under the Great Seal of *Ireland*, of which they made a Recital: As, to the Lord *Romney* three Grants now in being, containing 49,517 Acres; to the Earl of *Albemarle* in two Grants 108,633 Acres in Poſſeſſion and Reverſion; to *William Bentinck*, Eſq; Lord *Woodſtock*, 135,820 Acres of Land; to the Earl of *Athlone* two Grants containing 26,480 Acres; to the Earl of *Galloway* one Grant of 36,148 Acres, *&c.* That, indeed, the Eſtates ſo mention'd, did not yield ſo much to the Grantees as they were valu'd at; becauſe as moſt of them had abus'd his Majeſty in the real Value of their Eſtates, ſo their Agents had impos'd on them, and had either ſold or let the greateſt Part of thoſe Lands at an under Value: But that, after all Deductions and Allowances, there yet remain'd 1,699,343*l.* 14*s.* which they lay before the Commons as the groſs Value of the Eſtates forfeited ſince the 13th Day of *February*, and not reſtor'd."

Now, this laſt was one of the Paragraphs excepted to by the three Diſſenters, and, therefore, ought to be given, together with the reſt, in their own Words, which were as follow, *viz.*

Par. 8. "Particularly, the Books of the Commiſſioners of the Revenue relating to the Forfeitures, are ſo ill and confuſedly kept, as much delay'd us in our Proceedings: But This we do not attribute ſo much to the Commiſſioners of the Revenue, as the Shifting this Enquiry from one Commiſſion to another, which has been done five Times ſince the Battle of the *Boyne*: So that no Commiſſioners, if they had been diſpoſ'd to it, have been able to make any ready View of the Forfeitures, and digeſt them into Method.

Par. 10. Beſides This: There appear'd to us a very great Backwardneſs in the People of

A. D. 1699. of this Kingdom to give any Information, which, in our humble Opinion, does not proceede from any Diſlike to the Buſineſs of our Commiſſion, or Diſobedience to the Authority that ſent us, but from the Fear of the Grantees, and the Perſons in Power, whoſe Diſpleaſure in this Kingdom is not eaſily borne. Beſides, Reports ſeem'd to us to have been induſtriouſly ſpread abroad, and generally believ'd, That our Enquiry would come to nothing, and was only the Effect of a *ſudden* (or *crude*) Reſolution; which hinder'd many Perſons from making conſiderable Diſcoveries: But we humbly conceive, if ſuch Fears were remov'd the Forfeitures would appear much greater.

Par. 25. And here we think it proper to take Notice to your Honours, That as well by the general Report of the Country, as by ſeveral Obſervations of our own, it appears probable to us, That many of the Perſons aforeſaid have obtain'd his Majeſty's Favour by Gratifications to ſuch Perſons, as have abus'd his Majeſty's Royal Compaſſion. But when we touch'd on this Subject, we found Difficulties too great to be overcome; moſt of theſe Matters being tranſacted in private, and with Perſons out of this Kingdom: However, we ſhall lay before your Honours ſome Inſtances, wherein it appears to us, That Money has been given to reſtore Perſons forfeiting to their Eſtates.

Par. 32. *John Bourk*, Eſq; commonly call'd Lord *Bophin*, agreed to pay 7500*l.* to Mr. *Andrew Card*, for the Uſe of the Lord *Albemarle*, in Conſideration he would procure his Majeſty's Letter to have him reſtor'd to his Eſtate and Blood; 3000*l.* of the ſaid Sum was to be paid when he was reſtor'd to his Eſtate, and the Reſidue ſome Time after. In purſuance of the ſaid Agreement, a Letter was ſent to the Lords-Juſtices to be communicated to the Commiſſioners of the Court of Claims, in favour of the Lord *Bophin*, in order to have him adjudg'd within the Articles of *Galloway*; but nothing being done thereon, it was agreed, That a Bill ſhould be tranſmitted into *England*, in order to paſs into a Law in *Ireland*, to reſtore the Lord *Bophin* to his Eſtate and Blood: The Conſideration ſuggeſted in the Bill, was to educate his Children in the Proteſtant Religion, and to let his Eſtate to Proteſtants. It was further provided in the ſaid Bill, That 9000*l.* ſhould be rais'd upon the ſaid Eſtate for Payment of Debts, and a certain Part of the ſaid Eſtate appropriated for the Maintenance and Proviſion for the Children; but, in reality, 7500*l.* of the ſaid Money, was to be paid to the Earl of *Albemarle*, and the Remainder, as we believe, to the other Perſons concern'd in negotiating the ſaid Agreement. This Bill was brought into the Houſe of Commons of *Ireland*; but the Agreement taking Wind, and the Houſe relenting, that their Authority ſhould be made uſe of to ſupport ſuch a clandeſtine Bargain, and finding ſeveral Allegations in the Bill falſe, they rejected it: Afterwards a new Agreement was made, *viz.* That there ſhould be a Grant to the Lord *Roſs* in Truſt, That the Money to be advanc'd for procuring the ſaid Grant, ſhould be firſt rais'd out of the Eſtate; and next, That the Profits ſhould be apply'd to the Payment of Debts, and after to the Uſe of the Family of *Clanrickard*: In purſuance of which Agreements, a Letter was procur'd from his Majeſty, and 3000*l.* paid to *Thomas Broderick*, Eſq; for the Benefit of the Lord *Albemarle*. A. D. 1699.

Par. 66. As we inform'd your Houſe before, ſoon after the Battle of the *Boyne*, Commiſſioners under the Great Seal of *Ireland* were appointed, who had Power to ſeize and diſpoſe of the forfeited Goods and Chattels to his Majeſty's Uſe: Theſe appointed Sub-commiſſioners in the ſeveral Counties then in his Majeſty's Poſſeſſion; who made Returns of great Quantities of Goods and Chattels, which they valued at 1355552*l.* but at ſo moderate Computations, that every Horſe was valu'd at 20*s.* every Cow or Ox at 15*s.* Sheep at 2*s.* 6*d.* a Piece, and other Things proportionable: So that it appears very probable to us, That if the ſaid Goods had been diſpos'd of to the beſt Advantage, they might have yielded between two and three hundred Thouſand Pounds. But before that could be done, upon Repreſentation of the then Commiſſioners of the Revenue, the Power of diſpoſing by the ſaid Commiſſioners of Forfeitures, was ſuperſeded by a Letter from his Majeſty, within nine Days after the granting their Commiſſion, and plac'd in the Commiſſioners of the Revenue. By this Means ſo much Time was loſt, before their Books and Goods ſeiz'd by the Sub-commiſſioners could be tranſferr'd to the Officers of the Revenue, that the greateſt Part of them were either embezzled by the Sub-commiſſioners of Forfeitures, or the Collectors of the Revenue, or elſe plunder'd by the Army at their Return into Winter Quarters; ſo that it does not appear to us, that there ever was accounted for to his Majeſty, above the Value of 44,000*l.* Beſides theſe, there were great Quantities of other Goods appear'd in the Inquiſitions which never came to his Majeſty's Uſe, and many more were ſeiz'd by private Men: Indeed, the Plunder, at that Time, was ſo general, that ſome Men in conſiderable Employments were not free from it; which ſeem'd a great Reaſon why this Matter had not been more narrowly ſearch'd into: Particularly, the Lord *Coningſby* ſeiz'd a great many black Cattle, to the Number of 300, or thereabouts, beſides Horſes, which were left in the Park after the Battle of the *Boyne*, and which we do not find were ever accounted for to his Majeſty: He alſo ſeiz'd all the Plate and Goods in the Houſe of Sir *Michael Creagh*, Lord Mayor of *Dublin*, for the Year 1689, which are generally thought to amount to a great Value: But this laſt is ſaid to be by Grant from his Majeſty. There were ſeveral rich Goods, and other Houſhold Stuff, deliver'd by the Commiſſioners of the Revenue to the then Lords Juſtices, the Lord *Sidney*, and the Lord *Coningſby*, which

we

A. D. 1699. we do not find were ever return'd, accounted for to his Majesty, or left in the Castle at their Departure from the Government.

Par. 78. Besides all the Forfeitures beforemention'd, there are great Numbers of Persons guilty of the late Rebellion, and within no Articles, and never prosecuted; and very many have appear'd on the Exigent, which, to this Day, are continued under Bail; and some of them were this last Summer-Assizes try'd and acquitted. And, indeed, it does appear to us, That the Free-holders of this Kingdom, thro' length of Time, and by contracting new Friendship with the *Irish*, or by inter-purchasing with one another, but chiefly thro' a general Dislike of the Disposition of the Forfeitures, are scarce willing to find any Persons guilty of the late Rebellion, even upon full Evidence.

Par. 79. By reason of this Delay of Prosecution, many good Estates, by the Death of Parties, had been lost to his Majesty.

Coming to the *private Estate* in the last Place, They finish thus, "We shall now conclude our Report, by laying before your Honours another Grant of a considerable Value, which we are apprehensive does not fall within the *Letter* of our Enquiry: But since the Benefit of some forfeited Leases or Holdings are therein granted, we chose rather to lay the whole Grant before you, than be thought deficient in executing any Part of our Duty, or what might be expected from us. A Grant under the Great Seal of *Ireland*, dated the 30th Day of *May* 1695, pass'd to Mrs. *Elizabeth Villiers*, now Countess of *Orkney*, of all the private Estates of the late King *James*, (except some small Part in Grant to the Lord *Athlone*) containing 95,649 Acres, worth *per Annum* 25,995*l.* 18*s.* value total 337,943*l.* 9*s.* The Particulars whereof, *viz.* The Number of Acres in each County and Barony, the Value *per Annum*, and the Value total, appear in a Book deliver'd in with this Report, *November* 9. There is payable out of this Estate 2000*l. per Ann.* to the Lady *Susannah Bellasis* for her Life, and also 1000*l. per Ann.* to Mrs. *Godfrey* for her Life; and almost all the old Leases determine in *May* 1701; and then this Estate will answer the Values above-mention'd. Sign'd, *Francis Annesley*, *John Trenchard*, *James Hamilton*, and *Henry Langford*."

It is here to be observ'd, That in the *Protest* of the Three dissenting Commissioners, or, as they term'd it, their *Memorial*, it is asserted, That this last Paragraph was much alter'd from what it was on the 24th Day of *October*, or at any Time after till the 23d of *November*, when it appear'd, That mention was first made of the *forfeited Leases*, tho' without any Specification of their Tenure or reserv'd Rents, which constituted part of their Objection to it: And if This was the Effect of Party-Management, as it certainly was, to the not suffering the Appeal which the Three dissenting Commissioners had made to the House, by way of Letter to the Speaker, in Justification of their Conduct, to be read, ought to be plac'd to the same Account: And, perhaps, a more notorious Instance of Prepossession, is hard to be met with.

But, indeed, the whole of their Proceedings on this invidious Head, partook, in some Degree, of the same Perverseness and Disingenuity: For having premis'd in the Question form'd on the Issue of the Debate, That they had perus'd and *examin'd* the Report, they came to the following Resolution, *viz.* That a Bill be brought in to apply all the forfeited Estates and Interests in *Ireland*, and all Grants thereof, and of the Rents and Revenues belonging to the Crown within that Kingdom since the 13th of *February* 1688, to the Use of the Public. And what is still more extraordinary, tho' such insuperable Objections lay against the Word *examine*, with so high a Hand was this Vote carry'd, that the Courtiers durst not divide the House upon it: And hence the Malcontents were encourag'd to order a Clause to be added to the said Bill for erecting a Judicature to determine Clames touching the said forfeited Estates: And under the Cover of that Clause to resolve farther, That they would *not receive any Petitions* from any Person whatsoever: And that they would take into Consideration the great Services perform'd by the Commissioners, *&c.* Resolution of the House.

While the Bill was yet in Committee, another Incident also arose, which serv'd yet farther to manifest the Want of Candor now grown habitual in the Majority: For the Courtiers having, adroitly enough, observ'd, That there might be Room to derive some Advantage to their Cause from the Hint contain'd in that Passage of the *Appeal* made by the *Three* Dissenting Commissioners, in relation to the private Letters, Instructions, and Directions which the *Four* had receiv'd from Members in *London*, and having, in order thereto, procur'd all the additional Light they could concerning it, They resolv'd to complain in their Turn, in hope to work up such a Counter-Storm, as might serve to mitigate, at least, the Fury of the First.

Accordingly, Mr. *Montagu*, on the 15th of *January*, inform'd the House, That Mr. *Arthur Moore*, a Member, and the Writer of one of these Letters, had therein directed the Commissioners, to *make a seperate Article of the Lady* Orkney's *Grants, because That might reflect upon Somebody*; which Word *Somebody*, Mr. *Montagu* would have it, stood for the King, and, consequently, carry'd such a Meaning, as deserv'd the Censure of the House: But the House, not being in a Humour to precede on ministerial Evidence, and, on the contrary, lying in wait for every Advantage that offer'd against every ministerial Purpose, call'd upon him to make good his Charge, by producing his Witness: This he endeavour'd to avoid, by urging the Obligations which lay upon him, not to discover what had pass'd in private Conversation: But no Excuse being allow'd, he nam'd Mr. *Methuen*, Lord-Chancellor of *Ireland*, as the Informer; who deny'd, That he had ever mention'd any such Thing: And thus Mr. Montagu in a Fit of Zeal for the King, exposes himself. [Tindal.]

Mr

A. D. 1699. Mr. *Montagu* found himſelf the Victim of his own Refinements: And while the Perplexity and Confuſion laſted which this Incident had thrown him into, the adverſe Party not only obtain'd a Vote, That the ſaid Report was falſe and ſcandalous, but grafted a farther Motion upon it, That the Four Commiſſioners who ſign'd the Report, had acquitted themſelves in the Execution of their Commiſſion, with *Underſtanding* and *Integrity*: This, however, was ſo warmly diſputed by the Minority, (who inſiſted, That it was proſtituting the Honor and Juſtice of the Houſe to paſs ſuch a Vote, before the Commiſſioners on both Sides had been heard for themſelves) that the Debate was adjourn'd till the next Day, when the ſaid Commiſſioners were order'd to attend, and did attend accordingly.

The Iriſh Commiſſioners examin'd at the Bar of the Houſe.

What paſs'd on this Occaſion, is ſtill extant in print; the very Words made uſe of by the ſeveral Parties having been taken in Short-Hand; no doubt with a View to ſuch Publication.

Sir *Richard Leving* was call'd in firſt, and by the leading Queſtion put to him from the Chair, it appears, That Mr. Secretary *Vernon* had been involv'd in the Debate of the preceding Day, as well as Mr. *Montagu*: For the Speaker open'd the Examination by ſaying, That the Houſe having been inform'd of ſomething Sir *Richard* had ſaid to that *worthy Member*, did require him to give an Account of it; and, by the way, intimated, He was confin'd to examine him to that Point only. Sir *Richard*'s Reply was in theſe Words, "Mr. Speaker; I ſhall very readily obey the Commands of the Houſe: But before that, I would inform you, (if it be the Pleaſure of the Houſe) of all that then paſs'd." And the Speaker rejoin'd, "Pray take your own Method: Give an Account of what you know."

Sir Richard Leving.

With this Licence, therefore, he paſs'd at once to the Article of the *private* Eſtate; and as if it had been the only Point in diſpute amongſt them, his whole Diſcourſe turn'd on that Hinge ſolely; apparently, not more for ſtating the Merits of the Caſe, than for expoſing Thoſe who had ſo inſidiouſly brought it into queſtion: For he began with ſaying, "That a Debate had ariſe among them on that Head: That he had given it as his Opinion, it ought not to be reported, becauſe it was not within their Power by the Act, which confin'd their Enquiries, to Forfeitures ſince the 13th of *February*: That the contrary was maintain'd by another of the Commiſſioners, who ſupported his Opinion by urging, That if King *James* had not forfeited it before, it became a Forfeiture by his coming into *Ireland* on *March* 15, and committing Treaſon againſt King *William* and Queen *Mary*: And that on the other Hand again, it was objected, this *private Eſtate* being *parcel* of the Poſſeſſions of the Crown of *England*, and the Crown being veſted in King *William* and Queen *Mary* by Act of Parliament, all the ſaid Poſſeſſions were veſted in Them, together with it."—And having thus taken his Ground, he proceeded to raiſe ſuch perſonal Batteries upon it, as he thought would affect his Four Antagoniſts the moſt. Againſt One he urg'd, That he had taken Occaſion to ſay, in the Courſe of the Diſpute, That he did not diſlike the 30th of *January*; and that, on the contrary, he lik'd both the Day and the Deed: Againſt Another, That the Grant [of the *ſaid* Eſtates] was a villanous Grant; and therefore fit to be expos'd: Againſt a Third, That, one of the Commiſſioners having ſaid, "If we take it [the ſaid Eſtate] not to be within our Commiſſion, why will you do it? Why will you report it? For it will fly in the King's Face," He (the Third) made the following Anſwer, "Why, the Commiſſion flies in the King's Face: If you won't fly in his Face, you can't execute this Commiſſion, or you muſt not execute it, one of the Two." And he concluded in theſe Words, "Upon This it was farther urg'd, That this Matter ſhould be reported; and *one* of the Commiſſioners ſaid, *Tho' it was not clearly within the Act, yet he had* receiv'd ſeveral Letters *from* ſeveral Members *of this Houſe to report this Matter*: And he ſaid, *It was as good* (or contain'd in the Letter, that it was as good) *do nothing as not to report it.* There was, upon This, an Expreſſion by one of the Commiſſioners, *That a great Perſon was concern'd*; [that was my Lady *Orkney*] and the Application of That was, *That if he was ſo tender of that Perſon, we ſhould not join with them in any Thing elſe.* For, Sir, the Debate was grown to this Paſs, whether if we did not join in this Thing, we ſhould join in any Thing elſe. This, I think, is the Subſtance of what I told that worthy Member: If I am aſk'd as to any other Perſon, I ſhall give you a true Account."

A. D. 1699.

So much inflammatory Matter, it muſt be preſum'd, could not be ſcatter'd, as a Criſis like This, without a ſuitable Effect: But Particulars not being ſpecify'd, all we can ſay is, That the Inclination of the Houſe being more violent to diſgrace the Accuſer than the Accus'd, ſuch Queſtions were chiefly put to him, as were likelieſt to confound him either by his own Anſwers, or the Replications of his Adverſaries.

Thus the firſt Queſtion put to him was, Who was preſent at the Diſcourſe, when it was ſaid, That the reporting the private Eſtate, would be, to fly in the King's Face, *&c.* And the Perſons he nam'd in anſwer to it, were Lord *Drogheda*, Sir *Francis Brewſter*, Mr. *Anneſly*, Mr. *Trenchard*, Mr. *Hamilton*, Mr. *Langford*, the Secretary of the Commiſſion, (Mr. *Hooper*) and himſelf: And, in Anſwer to the reſt, which had all the ſame Tendency to involve him with Particulars, as well as to ſharpen the general Indignation againſt him, he ſpecify'd Lord *Drogheda* as the Commiſſioner who objected to the reporting the private Eſtate, becauſe it would be flying in the King's Face: And Mr. *Hamilton*, who reply'd, That the Commiſſion flew in the King's Face, *&c.* Mr. *Langford* to be the Man who maintain'd, That Kings might forfeit as well as Others,

A. D. 1699. with that additional Circumſtance concerning the 30th of *January*: And Mr. *Trenchard* and Mr. *Anneſly* to be the Perſons who ſaid, They had Letters from Members directing them to report the private Eſtate: After which being aſk'd, If he had ſeen any of thoſe Letters? He ſaid he had been ſhewn one from Mr. *Arthur Moore*, by Mr. *Anneſly*; but that he did not think it came up to the Point urg'd over Night; namely, That if they did not put the ſaid Eſtate into the Report, They had as good do nothing.

The reſt of the Commiſſioners which were in Town, namely, *Brewſter*, *Anneſly*, *Trenchard*, and *Langford*, with their Secretary *Hooper*, being then call'd in, *Brewſter* confirm'd moſt of the Particulars ſet forth by *Leving*, except, That inſtead of mentioning *Moore* as the Writer of the private Letter, cited by *Anneſly*, he mention'd Mr. *Harcourt*.

Sir F. Brewſter.

Mr. Anneſly.

But *Anneſly* (who ſaid, He had never been abſent from Buſineſs an Hour, or even a Moment, during the whole Time of their Commiſſion) deny'd, on his Reputation, his Credit, and all that was dear to him, That the Words charg'd upon *Hamilton*, or any Thing like them, had ever fallen from any of the Commiſſioners in his Hearing: He alſo declar'd, That he never had any Letter from Mr. *Harcourt* which took the leaſt Notice of the private Eſtate: And he added, by way of Recrimination, That ſome hot Words had paſs'd among the Commiſſioners on that Head; in the Courſe of which, *Brewſter* had ſaid to *Trenchard*, He had as good Friends in the Houſe of Commons as He, and ſhould be as well heard: That the Latter in his Reply had ſaid, "I don't value "what you can do, if you won't be an *Evi-* "*dence* againſt him:" And that he, *Anneſly*, would have taken more Notice of what paſs'd, if he had thought Sir *F. Brewſter*, who had ſo highly reſented Mr. *Trenchard's* Retort, would have made his Words good at the Bar of the Houſe.

Mr. Trenchard.

Mr. *Trenchard* was queſtion'd next, whoſe Anſwer was in theſe Words, "I was preſent at the Debate about the private Eſtate, which was manag'd with great Warmth, and much ſaid on both Sides: But I do not remember one Word which this Gentleman ſpeaks of, that was *directly* ſo ſaid: I do own there were ſome Words that might give Umbrage to this Accuſation, with Thoſe that were reſolv'd to miſunderſtand them. The Occaſion was This: My Lord *Drogheda*, as I remember, or Sir *Richard Leving*, ſaid, It would be flying in the King's Face to report this Grant: Upon which one of the Commiſſioners reply'd, We have heard too much of this Argument already, and 'tis Time to have done with it: We were not ſent here to flatter: And, if the enquiring into the Miſmanagement of the Forfeitures be a Flying in the King's Face, then our whole Commiſſion is a Flying in the King's Face: 'Tis not diſhonoring but vindicating his Majeſty, to ſhew, He has been abus'd by ill Men; and I doubt not but he will deſert them when he has diſcover'd it, as the beſt and wiſeſt Princes in all Ages have done. More than This I do affirm upon the Reputation of a Gentleman, and the Word of an honeſt Man, was not ſaid, whilſt I was at the Board."

Being aſk'd, who ſaid the Words he had repeated, he anſwer'd, *'Twas I, Sir*: And again, Whether he could recollect nothing of the like Nature ſaid by *Hamilton*, he affirm'd, That all *Hamilton* ſaid in relation to this Matter, was to this Effect, "That, ſince They had enquir'd into the private Eſtate, They ſhould be thought brib'd and corrupted if they did not report it: Laſtly; being yet farther aſk'd, What paſs'd in his Chamber, where, he being indiſpos'd, the Commiſſioners had met the next Day after this Debate, he reply'd, "I never treaſure up "what is ſaid in private Converſation, and "if I did, I ſcorn to tell it."

Langford not only confirm'd all *Trenchard* had ſaid, but alſo aſſerted, He had not heard *Hamilton* ſpeak one Word relating to the King on this Point: And the Houſe would not ſuffer him to be examin'd as to the Words he had been accus'd of ſaying *himſelf*. *Mr.* Langford.

Laſtly; Mr. *Hooper*, being addreſs'd to by the Speaker in theſe Words, "Mr. *Hooper*, you hear to what Purpoſe you are call'd in," made the following Anſwer, "Yes, I do: The whole Matter ſeems ſtrange to me: I have not been abſent from the Board, except when I was ſick at *Limerick*, one Hour during the whole Execution of this Commiſſion: Nor did I hear one Word ſpoken, reflecting upon his Majeſty, unleſs the Inſinuation, That doing our Duty, would be flying in the King's Face, which I think was a great Reflection upon him; and I think Mr. *Trenchard* has very well repeated his own Words: I am ſure in Subſtance they are the ſame. I am confident there was no Letter produc'd while I was at the Board from any Member: And, I believe, by what Converſation I had with the Four Commiſſioners, They never had any but what was fit to be produc'd: And for the Subſtance of what Mr. *Anneſly* and Mr. *Trenchard* have ſaid, I know it to be true. I never heard Mr. *Hamilton* ſpeak but with great Honor of the King: And I do poſitively aſſert, That, to the beſt of my Memory, he never ſaid any ſuch Thing as is alledg'd againſt him, at the Board. I am confident I was preſent at all the Debates about the private Eſtate, and do remember the Three diſſenting Commiſſioners did immediately declare themſelves againſt the inſerting it in the Report: Three others that are preſent, did as readily declare for it: So that Mr. *Hamilton* being in a Manner ſolely left, to determine the Matter, complain'd, That it was a great Hardſhip upon him: "For, ſays He, my "Lord *Orkney* is my Relation, and my "Friend; and, beſides, I am a Tenant to "the private Eſtate: And 'tis very ſevere, "that the Deciſion of this Matter ſhould "lye upon me." He added, "He ſhould "be very well pleas'd if the Objection had "been made ſooner, and, perhaps, it might "have had more Weight with him." And truly,

Mr. Hooper.

A.D. 1699. ſure, Mr. Speaker, it did not appear, that there was one of the Commiſſioners for above Five Months, but ſeem'd to be peremptory for the reporting it: And, accordingly, Sir *Richard Leving* and Sir *Francis Brewſter*, join'd in the Examination of many Witneſſes to the Value of it at *Limerick* and other Places, till about *Five Days* before the Power of the Commiſſion ceas'd, when I mov'd the Board, That I might have ſome Direction about that Eſtate: And they made an Order, That I ſhould immediately prepare the Report, and put this in it: And Mr. *Hamilton* gave this Reaſon, when he join'd with the Commiſſioners, "We have "made ſo great a Noiſe about this Eſtate, by "examining ſo many People to the Value, "and ſending for the Rent-Rolls of it, that "it is now the public Diſcourſe, that it "will be reported: And I know the World "muſt needs ſay, That we are brib'd "and corrupted if we do it not. If it was "poſſible, I ſhould be glad to be excus'd: "But I will rather loſe my Friend, I will "rather loſe my little Eſtate, than be thought "guilty of Bribery and Corruption." And ſo gave his Conſent to the reporting of it: And for the Words relating to flying in the King's Face, I affirm, They are falſe."

Sir F. Brewſter. Here *Brewſter* again took Leave to ſay, "That, when the Debate was about the private Eſtate, and theſe Words were ſaid about flying in the King's Face, which my Lord *Drogheda* and others will take their Oaths of, and, I believe, Mr. *Hamilton* will not deny at the ſame Time, This was ſaid by Mr. *Trenchard*, *I hear you talk of flying in the King's Face; I hope 'tis not flying in his Face: But this I muſt tell you, 'Tis a* villanous *Grant, and ought to be expos'd.* Upon his ſpeaking ſo, Words aroſe, and that Gentleman gave me ill Language: But my Language was not ſo bad, but he was forc'd to beg my Pardon at the Board; and I did not his: There He ſtands: Let him deny it if he can."

Mr. Trenchard. And Mr. *Trenchard* reply'd, "Sir, it is true, I did aſk his Pardon; and the Occaſion was This: As Mr. *Anneſly* has acquainted you, I was provok'd by his opprobious Language to reply, I fear'd him in no Capacity, but as an *Evedence*, which he took very hainouſly: He repeated the Word *Evidence*: He ſaid, It was below a Gentleman, below a Man of Honour: That ſuch a One ought to be ſhun'd by all civil Converſation: That I had better have ſtuck a Dagger in his Heart than have call'd him an *Evidence*; which *now* I think, Mr. Speaker, he won't reſent ſo highly. This put the Board in great Diſorder; and one of the Commiſſioners whiſper'd to me, (I think it was the abſent Member; but I am ſure all agreed in it) *You know Ha'is a very ſimple old Fellow; and tho' he gave the Affront, you are in the Wrong, that you are capable of being angry with him.* Truly, *Sir*, I was conſcious to myſelf, That I was much to blame to ſuffer myſelf to be provok'd by him: And therefore, that the Debate might be interrupted no longer, I aſk'd his Pardon. As to the other Part I am charg'd with, That I call'd the Grant of the private Eſtate a *villanous Grant*, I directly deny it: 'Twas poſſible I might ſay, It was an extravagant Grant, an unreaſonable Grant, an unconſcionable Grant: That the King was impos'd upon and deceiv'd in this Grant, to give That for 5000*l. per Ann.* which is worth between 25 and 26,000*l.* Theſe are Words that amount to it, and might fall from me; but that I us'd the Word *villanous*, I poſitively deny: 'Tis a Word I don't uſe in my ordinary Converſation; a Word that never comes out of the Mouth of a Gentleman, and is falſe."

A.D. 1699.

The Speaker, at the Inſtance of *Moore*, then call'd upon *Anneſly*; as did alſo *Harcourt* and *Sloane*, which laſt Gentleman had ſent him Two, to produce their Letters, and they were produc'd accordingly: *Anneſly* ſaying on that Occaſion, That he thought it would be more for their Service to ſhew them, leſt They might be ſuſpected for what they did not deſerve.

Letters from Members produc'd, without Conſequence.

But tho' they were produc'd, it does not appear they were read; and upon the whole Matter, the Houſe came to the following Reſolutions, to wit, "That, there having been divers groundleſs and ſcandalous Aſperſions caſt upon *Francis Anneſly*, *John Trenchard*, *James Hamilton*, and *Henry Langford*, Eſqrs. Four of the Commiſſioners for the *Iriſh* Forfeitures, the ſaid Four Commiſſioners have acquitted themſelves with Underſtanding, COURAGE and Integrity. That Sir *Richard Leving*, one other of the ſaid Commiſſioners, has been the Author of the ſaid groundleſs and ſcandalous Reports upon the Four Commiſſioners before-mention'd: That the ſaid Sir *Richard Leving* be committed Priſoner to the *Tower* of *London* for the ſaid Offence. And he was committed accordingly.

Reſolutions on the whole Affair.

Leving committed to the Tower.

At whoſe Inſtance the Word *Courage* was added to the Motion of the Day before; what Debate it occaſion'd, and in what Manner it was carry'd, we do not find explan'd.

But however This may be; when the Bill for applying the *Iriſh* Forfeitures to the Uſe of the Public was read and committed to a Committee of the whole Houſe, the Courtiers reſum'd their Spirit, and ventur'd to move, That the ſaid Committee be empower'd to receive a Clauſe for reſerving a Proportion of the ſaid Forfeitures to the Diſpoſal of his Majeſty: This Proportion had been fix'd at a Third in the former Bill, which the Houſe had perfected and ſent up to the Lords ſome Years before. But the Houſe being at preſent differently conſtituted, would not hear of the ſame Rule of Proceeding: And not only put a Negative on the ſaid Motion, but alſo Reſolv'd, 1ſt. "That the adviſing, procuring, and paſſing the Grants of the *Forfeited* and *other* Eſtates in *Ireland*, had been the Occaſion of contracting great Debts upon the Nation, and laying heavy Taxes on the People. 2dly. That the adviſing and paſſing the ſaid Grants, was highly reflecting on the King's Honor: And the Officers and Inſtruments concern'd in the procuring and paſſing the ſaid Grants, had highly fail'd in the Performance of their Truſt and Duty."

Clauſe of Reſerve to the Bill of Reſumption over-rul'd.

And

A. D. 1699. And how these Procedings were reliſh'd by thoſe in Power, may in part be collected from the following Paſſage out of a Letter of *Prior*'s to Lord *Manchester*; to wit, "You will ſee by the Enclos'd what a Day's Work has been perform'd by the Houſe of Commons: The *Iriſh* Grants to be reſum'd; and not even the Third Part to be reſerv'd to the King: And the Miniſtry, ſome of our Friends particularly, meant and aim'd at in the latter Part of their Vote: This all comes like a Torrent; and the Few that would (divert it, muſt be underſtood) cannot. In the Houſe of Lords, the King is a little more civilly us'd."

[Cole's Mem. p. 97.]

A Motion againſt ſuch Miniſters as had obtain'd Grants, meets with the ſame Fate.

However, on the 6th of *February*, when the moſt violent of the Malcontents diſcover'd an Inclination to become more particular, by moving, That the procuring or obtaining of Grants of Eſtates belonging to the Crown, by any public Miniſter concern'd in the directing or paſſing ſuch Grants to or for their own Uſe or Benefit, while the Nation lay under the heavy Taxes of the late War, was highly injurious to his Majeſty and prejudicial to the State, and a Violation of the Truſt repos'd in them, the Majority prov'd to be on the other Side: And, in order to derive ſome Fruit from the Victory which they had thus luckily obtain'd, by entangling ſome of the adverſe Party in the Snare They had ſet for Others, Thoſe who had the Lead of the Day, inſiſted on having their Bill of Reſumption too; and accordingly obtain'd an Order, for bringing in a Bill, "To reſume the Grants of all Lands and Revenues of the Crown, and all Penſions granted by the Crown, ſince the 6th of *February* 1684, (being the Day of King *James*'s Acceſſion) and for applying the ſame to the Uſe of the Public."

A Bill of Reſumption order'd for King James's Grants.

But this temporary Advantage only ſerv'd to aggravate the Ferment of the Seſſion: On the 12th, the Party return'd to the Charge againſt Lord *Bellomont*, in hope to open their way to the Lord Chancellor: And *Prior*, in a Letter to Lord *Manchester*, dated that Day, uſes theſe remarkable Expreſſions,

[Ibid. p. 105.] "To-morrow is the great Day, when we expect that my Lord Chancellor will be fallen upon, tho' *God* knows what Crime he is guilty of, but that of being a very great Man, and a wiſe and upright Judge.——Thus every Day a Miniſter, till at laſt we reach the King."

But tho' it be true, that the Malevolence of the Party was principally levell'd at that Miniſter, this Intelligence was premature: For the Criſis was not as yet ripe for ſuch a perſonal Attack, as is there ſuggeſted: And all that They could carry in the Committee of the whole Houſe on the State of the Nation, with their whole Strength, was the following Reſolution, to wit, "That an humble Addreſs be preſented to his Majeſty, repreſenting to him the Reſolutions of the Houſe of the 18th of *January*, relating to the Grants of the forfeited Eſtates in *Ireland*."

Votes ſent by way of Repreſentation to the King.

Indeed; This Reſolution was ſomewhat enforc'd by an Order, for preſenting it to his Majeſty by the Houſe in a Body: But then Care was taken to allow ſufficient Time for concerning a proper Anſwer: For it was not ſo preſented till the 21ſt; by which Time his Majeſty was prepar'd to reply (according to Mr. *Prior*, *civilly* but *ſmartly*) as follows.

A. D. 1700.

The King's Anſwer.

"*Gentlemen*,

I was not led by Inclination, but thought myſelf oblig'd in Juſtice to reward thoſe who had ſerv'd well, and particularly in the Reduction of *Ireland*, out of the Eſtates forfeited to ME, by the Rebellion there: The long War in which we were engag'd did occaſion great Taxes, and has left the Nation much in *Debt*; and the taking *juſt* and *effectual Ways* for leſſening that *Debt*, and ſupporting Public Credit, is what, in *my* Opinion, will *beſt* contribute to the Honour, Intereſt, and Safety of this Kingdom."

And the Speaker's Indiſpoſition (whether natural or political is not to be preciſely determin'd) gave Occaſion to adjourn the Houſe, and thereby to defer the Report of the ſaid Reply for Five Days longer.

This Delay, however, whether artificial or otherwiſe, had no ſenſible Operation in Favor of the Court: For when the ſaid Report was made from the Chair on the 26th, it gave Riſe to a warm and vehement Debate, which, on the Iſſue, produc'd the following Reſolve, to wit, "That whoever advis'd his Majeſty's Anſwer to the Addreſs of the Houſe, preſented to this Houſe on *Wedneſday* laſt, has us'd his utmoſt Endeavour to create a Miſunderſtanding and Jealouſy between the King and his People."

Reſolution thereon.

Irish Commiſſioners re-warded.

Having, moreover, on the 27th of *March*, taken the *Services* perform'd by the *Iriſh* Commiſſioners into Conſideration, They were pleas'd to reſolve, That the Sum of 1000*l.* ſhould be paid to the Earl of *Drogheda*, *F. Annesley*, *J. Trenchard*, *J. Hamilton*, *H. Langford*, and alſo to *J. Hooper*, Eſqrs. And the Sum of 500*l.* to Sir *R. Loving*, and Sir *F. Brewſter*, in conſideration of their *Expences*, which Sums were order'd to be paid out of the ſaid Forfeitures. On the 26th, proceding ſtill in the ſame Track, the Number, Qualification, and Manner of chuſing the Truſtees for carrying the *Iriſh* Bill of Reſumption into Execution, became the chief Buſineſs of the Day: And the Reſolutions taken thereupon were, That the Number of the ſaid Truſtees ſhould be Thirteen; That no Perſon ſhould be a Truſtee who had any Place of Truſt or Profit, or was accountable to his Majeſty, or a Member of the Houſe: And that the ſaid Truſtees ſhould be choſen by Ballot.

Truſtees choſen by Ballot.

On the 28th the Ballot was taken accordingly; and the Perſons choſe were *Francis Annesley*, *James Hamilton*, *John Bagg*, *John Trenchard*, *James Isham*, *Henry Langford*, *James Hooper*, Sir *Cyril Wyche*, *John Cary*, Sir *Henry Sheers*, *Thomas Harriſon*, *William Fellows*, and *Thomas Rawlins*: The Two Laſt had equal Voices; and Sir *John Worden* ſtood before Both of them: But happening to be one of the Barons of the Exchequer in the County of *Cheſter*, he was ſet aſide, as unqualify'd under the Second Reſolution,

A. D. 1690 Solution, That no Placeman should be a Truſtee.

Laſtly, (not to ſpeak as yet of the Bill itſelf, or the Manner of ſending it up to the Lords) on the 8th of *April*, They order'd the *Iriſh* Report, their own Reſolutions of *January* 18; the Reſolutions of the Commons concerning the *Iriſh* Forfeitures, on the 4th of *April* 1690; the King's Speech to both Houſes on the 5th of *January* 1690-91; their own Addreſs of *February* 15; his Majeſty's Anſwer; the Reſolution of the Houſe thereon; and the Addreſs of the Commons of *March* 4, 1692-3, to be printed. And the ſame Day the leading, or rather driving, Party carry'd alſo another Reſolution, which, tho' different in Terms, differ'd very little in Subſtance from That which the Courtiers had rejected upon the 13th of *February* before: Namely; "That the procuring or paſſing *exorbitant* Grants by any Member now of the Privy-Council, or by any other who had been a Privy-Counſellor in This or the former Reign, to his Uſe or Benefit, was a high Crime and Miſdemeanor."

Order of the Houſe for printing Votes, &c. concerning the Iriſh Forfeitures.

The Intent of printing this little Collection of Memorials in relation to the *Iriſh* Forfeitures, was, obviouſly, to beſpeak the good Opinion of the Public in favor of the Houſe; and, by conſequence, to render the Court, in an equal Degree, odious: For in the King's Speech, it is fit to remind the Reader, for Example, was the *Promiſe* ſo often refer'd to in the Courſe of this Work, and which was conceiv'd in the following Words, to wit, "And I do likewiſe think it proper to aſſure you, That I ſhall not make any *Grant* of the forfeited Lands in *England* or *Ireland*, till there be *another* Opportunity of ſettling that Matter in Parliament, in ſuch Manner, as ſhall be thought moſt expedient."

And, again; in the Addreſs of the Houſe of Commons *March* 4, 1692, there was the following Clauſe, "And foraſmuch as the reducing of *Ireland* hath been of great Expence to this Kingdom, we do alſo beſeech your Majeſty, That (according to the *Aſſurances* your Majeſty hath been pleas'd to give us) no *Grant* may be made of the forfeited Lands in *Ireland*, till there be an *Opportunity* of ſettling that Matter in Parliament, in ſuch a Manner as ſhall be thought moſt expedient."

Court-Plea, That the King in granting away the forfeited Lands, was guilty of no Breach of Promiſe.

But what Streſs ſoever the Houſe laid on this retroſpective Meaſure, there were Adventurers in the Court-Service, who undertook to convince the Public, That no Regard was due to it; and that, as the King could do no Wrong, ſo in his Diſpoſition of the ſaid Forfeitures, he had done nothing but what was Right.

Vol. II. Thus the Author of an elaborate Piece, entituled, *Jus Regium*, ſtill extant in the *State Tracts* of this Reign, and principally levell'd againſt *Devenant*'s Book of *Grants* and *Reſumptions*, undertakes to ſhew, not only, That the King had a Right to all thoſe Forfeitures, (and, according to the old Syſtem, he certainly had) but alſo, That he was guilty of no Breach of Promiſe in granting Thoſe now in queſtion: And in order thereto, having firſt recited the Clauſe of the Speech verbatim, as above, he proceeds in theſe Words: "If the King did not make any Grant till there was another *Opportunity* of ſettling that Matter in Parliament, he was not guilty of any Breach of Promiſe: But that he did not, is plain: At the Time when he made this Speech, (*January* 5, 1690-91, that is to ſay) the Lords were poſſeſs'd of the Bill that apply'd the *Iriſh* Forfeitures to bear the Charge of the War: (It had been ſent up ſome Days before by the Commons.) When They met again after their *Adjournment* on the 13th of *March*, the engroſs'd Bill lay before them. Will any one ſay, That They had not *then* an Opportunity of ſettling the Matter? Could not They have paſs'd the Bill if They would? Moſt certainly: But They did what They thought *moſt expedient*: They let the Bill dye in the Houſe, becauſe (as 'tis before preſum'd) They would not inter-meddle with the Rights and Prerogatives of the Crown. But this was not all the Opportunity the King gave them: The next Seſſion another Bill was brought in to veſt the forfeited Eſtates in *Ireland* in their Majeſties, to be apply'd to the Uſes of the War. This Bill, which allow'd a Third Part to be diſpos'd of by the King, was loſt in the Lords Houſe, as the Former was. The next Bill that was brought in, fell in the Houſe of Commons: So did ſeveral others in the Years following. After the *Claim* of the Forfeiture (as 'tis call'd) was thus *diſclaim'd* by both Houſes, by their giving up thoſe Three Bills, his Majeſty taking this to be a *tacit Submiſſion*, began to grant away the Forfeitures."

Remark thereon.

Such were the Sophiſtries obtruded by Thoſe in Power on the World for Arguments: But all that is neceſſary both to refute and expoſe them, is a little Recollection: For the Seſſion actually was clos'd when the King made his Speech on the 5th of *January*, 1690-91: And when the Lord Chief Baron *Atkins* ſignify'd his Majeſty's Pleaſure, That the Two Houſes ſhould adjourn themſelves to the 31ſt of *March*, he farther declar'd, They ſhould have timely Notice, if there was to be a Seſſion: But, inſtead of receiving any ſuch Notice, they were directed to adjourn themſelves from Time to Time, till the 26th of *May*, when they were prorogu'd by Commiſſion: Conſequently; The Lords had not any Opportunity to ſettle the Matter: The Bill was loſt by the Proregation: The next Seſſion the Commons prepar'd Another, which was dropp'd by the Lords as before: And whereas our Author tells us the next Bill fell in the Houſe of Commons, it appears by the Clauſe of their Addreſs, *March* 4, 1692, above cited, That they put in the ſtrongeſt Clame imaginable to the Benefit of the King's Promiſe: And if ſeveral other Bills, afterwards brought in, were as often dropp'd, every one of thoſe Bills was a Renewal of the Clame: And, indeed, the Fallacies, on which the ſaid Author has reſted this Part of his Vindication, are not more notorious than the repeated Colluſions practis'd

A.D. 1699. practis'd by the Courtiers during this Interval, to obviate a *Resumption*; the Rectitude of which Measure, is thus explicitly acknowledg'd (almost in the Words of the Preamble of the Bill itself) by one of the most zealous Idolaters of this Reign: "The Rebels having adher'd to his Majesty's Enemies, and maintain'd a desperate and bloody War, which, by his Majesty's Conduct and Courage, with the *Assistance* and *great Expence* of *England*, was reduc'd, it was *highly reasonable* that the Estates of the Rebels should go in *Ease* of the Subjects of *England*, to the public Use."

[Cookshanks cont. Hutchinson, p. 48.]

Estimates, Supplies.

It is now to be observ'd, That while this Affair was in Agitation, the Estimates were brought in, and the Ways and Means of providing for the current Service, were at Intervals attended to; tho' in a Manner which discover'd more Apprehension of bad Management at Home, than of any Danger from Abroad. The Land-Forces were continued on the same Footing as the Year before; but the Seamen were reduc'd to 7000: *Burnet* says erroneously 9000: Adding, "This was mov'd for by the *Tories*, and the *Whigs* readily gave way to this Reduction, because the Fleet was now in another Management." Which is an open Acknowledgment, That, unless the Latter had the Direction, they were as little concern'd for the Safety of the Government as the Former.

Ways and Means.

The Ways and Means adopted were, in the first Place, a Land-Tax of 2*s.* in the Pound, with a borrowing Clause to raise 933,333*l.* 6*s.* 8*d.* 2dly, A Provision to apply the Surplus of the old Subsidy ending 25 of *December* 1699, as also the Surplus of the Civil-List Funds, ending 25 *December* 1700, to the current Charge. 3dly, A new Duty of 15 *per Cent.* on *East-India* wrought Silks, Muslins, &c. and also 22*d.* *per* Hundred weight on the said wrought Silks; to which was added, a Clause for enlarging the Time for purchasing certain reversionary Annuities. 4thly, The Product of the Plantation-Duties, of the 5*s.* *per* Ton on *French* Shipping for one Year from *December* 25, 1699, and of the 2*d.* 25 *per Cent.* on *French* Goods for a Year, from *March* 31, 1700.

Appropriations,

The Appropriations were as follow: To the Navy, 956,342*l.* under these several Heads; to wit, Recalls and Short-Allowance Money, 300,000*l.* Bounty-Money to Officers, 18,000*l.* Ordinary, 184,342*l.* extra-Repairs, 90,000*l.* 7000 Seamen, allowing 20,000 out of the Articles of Wear and Tear, for sick and wounded, 364,000*l.* Land Service, 390,000*l.* under these Heads, Ordnance, 25,000*l.* Half-pay, 41,000*l.* Guards and Garisons, 300,000*l.* Arrears, 24,000*l.* Circulating Exchequer Bills, 40,000*l.* Interest and Incidents, 7,279*l.* 18*s.* 2*d.* In all, 1,393,621*l.* 18*s.* 2*d.*

and Applications.

Now the Sums which the several Grants produc'd were as follow: Land Tax, 933,333*l.* 6*s.* 8*d.* 15 *per Cent.* on *India* Goods, 132,638*l.* 12*s.* 3*d.* ½. Sale of reversionary Annuities, 59,580*l.* Overplus of Civil-List Funds, 80,298*l.* 11*s.* 10*d.* ½. Overplus of old Subsidy, 146,194*l.* 13*s.* 5*d.* ½. Plantation Duties, 2,265*l.* 6*s.* 7*d.* ½. 5*s.* *per* Ton on *French* Ships, 787*l.* 12*s.* 6*d.* 25 *per Cent.* on *French* Goods, 46,295*l.* 15*s.* 5*d.* ½. 22*d.* *per* Hundred on *India* wrought Silk, 10,046*l.* 4*s.* 11*d.* Total Product, 1,411,440*l.* 6*s.* 9*d.* ½. Surplus not expended, 17,818*l.* 8*s.* 7*d.* ½.

All these several Dispositions were comprehended in two Bills, One for the Land-Tax, and the Other for imposing the new Duties on *East-India* Goods, &c. Besides which, the House, during the Process, had been thrown into Committee, as usual on the like Occasion; and the Conduct of almost every Branch of the Revenue, had undergone a very nice Inspection: And as it had been discover'd and voted, That there had been a great Loss in his Majesty's Revenue of the Excise to the Detriment of the Public, in consequence of that Vote, a Clause was provided, to empower the King to farm the Excise, under this Restriction, That no Members of Parliament should be concern'd in the said Farm: (which Power, however, his Majesty was not pleas'd to make use of) And it was also provided, That no Excise-Officer, or Custom-House-Officer, for the future, should be capable of sitting in the House of Commons.

The Money Bills. The Land-Tax and Resumption Bills tack'd.

Besides; The Bill to resume the *Irish* Forfeitures, was call'd a Bill of Aid or Supply; and the Money to be rais'd by Sale of the Lands, &c. so resum'd, was appropriated to the Discharge of the Transport Debt, Officers Arrears, Sums due for cloathing, and Interest Money due upon Tallies, Orders, Tickets, and Exchequer-Bills. And that the Courtiers might not have it in their Power to put a Negative upon it, without laying the Ax to the Root of the very Government itself, they had recourse to that extraordinary Expedient of tacking it to the Land-Tax Bill; whence it follow'd, That one could not be rejected without rejecting the other: Nor was the two Bills, thus unnaturally join'd, sent up to the Lords till the 2d of *April*, by which Time, the Pressures arising from a craving State and an empty Exchequer, began to be sensibly felt: Not could they have been borne at all, if it had not been for a Clause of Credit, by which his Majesty was enabled to borrow 220,000*l.* on the Credit of the Exchequer in general.

Grant and Application to the Prince of Wales's Debt.

Again: While the Supply was under consideration, Prince *George* of *Denmark's* Debt, which had been recommended from the Throne at the Opening of the Session, was brought into Debate: And tho' upon the Issue they resolv'd, That a Supply should be granted to his Majesty, towards the Payment of his Proportion of the said Debt, they not only provided, the Money so granted should be laid out in *England*, and settled on the Prince and Princess and their Issue, according to the Marriage-Agreement, but also voted an Address to his Majesty, That he would be pleas'd to use his utmost Endeavours, to induce the other Princes and States concern'd, to pay their Proportions of the said Debt.

In short, the general Current of the Session, was contrary to the Inclinations of the Court.

Thus

A. D. 1699. *Further Proceedings on Kidd's Affair.*

Thus having taken into consideration several Petitions from the Merchants in relation to *Kidd* and his Piracies, (a Persuit which they seem'd resolv'd to continue with all the Clamor in their Power to raise) and having also* examin'd Copies of the several Commissions given to the said *Kidd*; of his Majesty's Warrant for a Grant of Pirates Goods to the Earl of *Bellamont* and others; of an Indenture between his Majesty and the said Earl; of a Letter from the Lords of the Treasury to that Earl about sending over the Treasure seiz'd in *Kidd*'s Ship; of another Letter to the said Earl about seizing of *Kidd*; of several Papers receiv'd from the Earl of *Bellamont*, and of a Petition of the Old *East-India* Company, before alluded to, They first order'd in a Bill for the more effectual Suppression of Piracy; and some Time after, upon Information that Captain *Kidd* was sent for home, from the *West-Indies*, the Commons address'd the King, That the said Captain *Kidd* might not be try'd, discharg'd, or pardon'd, until the next Session of Parliament; and that the Earl of *Bellamont*, Governor of *New-England*, might transmit over all Instructions and Papers, taken with, or relating to, the said *Kidd*: With which his Majesty comply'd.

Besides, in framing the said Bill, which became a Law, and is still in force, particular Care was taken to give such a Turn to the Preamble, as should make the World believe, the Iniquities practis'd in that Affair, had render'd such a new Law necessary: For, having put the Act of 28 *Henry* VIII. in relation to Treasons, Felonies, Robberies, Murders, and Confederacies committed on the Seas, at the Head of all, they proceeded as follows, to wit, "And whereas, That since the making of the said Act, and *especially of late Years*, it hath been found by Experience, That Persons committing Piracies, Robberies and Felonies on the Seas, in or near the *East* and *West-Indies*, and in Places very remote, cannot be brought to condign Punishment without great Trouble and Charges, in sending them into *England* to be try'd within the Realm, as the said Statute directs, insomuch, that many idle and profligate Persons have been thereby encourag'd to turn Pirates, and betake themselves to that Sort of wicked Life, trusting that they shall not, or at least, cannot easily be question'd for such their Piracies and Robberies, by reason of the great Trouble and Expence that will necessarily fall upon such as shall attempt to apprehend and prosecute them for the same: And whereas the Numbers of them are *of late* very much increas'd, and their Insolencies so great, that unless some speedy Remedy be provided to suppress them, by a strict and more easy way for putting the antient Laws in that Behalf in execution, the Trade and Navigation into remote Countries, will very much suffer thereby. Be it enacted, *&c.*"

Proceedings in relation to the Commission of the Peace.

About the same Time also, the same Party, with the same Views, namely, to run down the Ministry, and more especially the Lord-Chancellor, who was justly esteem'd the Corner-Stone of it, affected to derive additional Matter of Complaint against him, for having made a partial and undue Distribution of the Commissions of the Peace: According to *Burnet*, he was particularly charg'd for turning many Gentlemen out of it: But then he also suggests, That tho' this Charge was grievously aggravated, there was no just Grounds for it: For, after admiting, That such Persons as had refus'd to sign the Association had been so turn'd out, he adds, They were turn'd out by Order of Council, on the Representations of the Lords Lieutenant of every County: As also, That the Lord Chancellor was even so cautious, as to procure a particular Order for every Individual: "And in such a Time of Danger, says he, it was thought, That Those who did not enter voluntarily into it, were so ill affected, or at least so little zealous for the King, that it was not fit they should continue Justices of Peace." But however this may be, the House order'd a Bill to be prepar'd for the qualifying Justices of Peace, and appointed a Committee to inspect the said Commissions; as also those of the Deputy Lieutenants, as they stood then, and as they had stood for Seven Years pass'd: Which Committee having made Report to the House, That not only many Persons *dissenting* from the Church of *England*, but Men of small Fortunes, and who, consequently, had an entire Dependance on the Court, were put into those Places, the House (prudently declining to set any Brand on the *Dissenters* by Name) resolv'd, "That an Address be made to his Majesty, importing, That it would much conduce to the Service of his Majesty, and the Good of this Kingdom, that Gentlemen of Quality and good Estates be *restor'd* and put into the Commissions of the Peace and Lieutenancy; and that Men of small Estates, be neither continued, nor put into the said Commissions." Which Address being presented to the King by the whole House, his Majesty was pleas'd to reply, "He was of the Opinion, That Men of the best Quality and Estates, were most proper to be entrusted in the Commissions of the Peace and Lieutenancy; and that Directions should be given accordingly." And such an Effect had this Strain of Complaisance on the House, that they return'd their Thanks to his Majesty in a Body; upon which Occasion the King assur'd them, He should always endeavour to do what was for the Good of the Public.

A. D. 1699.

Bill to exculpate such as had neglected to sign the Association.

But in this Interval, (for it was not till within a very few Days of the Close of the Session, that these Compliments were interchang'd between the Throne and the House) they had prepar'd and pass'd another Bill, *to prevent Disputes that might arise by Officers and Members of Corporations having neglected to sign the Association, and taking the Oaths in due Time*, in which it was declar'd, That it was *not reasonable*, that such Persons, as through Mistake, or by the not regular holding the Courts where the same ought to be subscrib'd, or for other such like Reasons, had fallen into such Neglect, should be

A. D. 1699. be any ways subject to the Disabilities, Incapacities, and Penalties in the Act of the 7th of his Majesty, for the better Security of his Majesty's Royal Person and Government contain'd.

Bill to prevent the Growth of Popery.

Again: As in the last Session, the House had call'd upon the King by Address to put the Laws in force against Papists and Non-jurors, so the Majority now took the Hint, from a Petition of the *Lancashire* Clergy, complaining of the insolent Behaviour and Attempts of the *Popish* Priests, and praying that such effectual Methods as should be thought fit, might be us'd, to prevent the mischievous Effects of their Endeavours, and to stop the Growth of *Popery*, to appoint a Committee to enquire how far the Laws against *Popish* Recusants had been put in Execution, and to propose such farther Remedies, as should be found necessary to satisfy the Prayer of the said Petition. Of this Committee, *How* was Chairman; and the Report he made to the House, was in effect as follows.

"That it did not appear to them, that the Laws against *Popish* Recusants had generally been put in Execution: That it was their Opinion, That a farther Reward be given to such Persons as should discover and convict *Popish* Priests or Jesuits: That it would be a farther Remedy against the Growth of *Popery*, that perpetual Imprisonment be inflicted upon *Popish* Priests and *Popish* School-Masters, convicted upon the Oath of one or more Witnesses: That no Person born after the 25th Day of *March*, 1700, being a *Papist*, be capable of inheriting any Title of Honour or Estate within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*: And that no *Papist* be capable of purchasing any Lands, Tenements, or Hereditaments in the said Kingdom, either in his own Name, or in the Name of any Person in Trust for him." And these Resolutions having been adopted by the House, a Bill was order'd to be brought in accordingly.

According to *Burnet*, as observ'd in the Course of the preceding Session, this whole Proceeding was set on foot to throw an Odium on the King as a *Favourer* of *Papists*; and the Promoters of it hop'd, the Court would have oppos'd it: He also adds, "That when the Party saw their Mistake, they seem'd willing to let the Bill fall: And when that could not be done, continues his Lordship, they clogg'd it with many severe and some unreasonable Clauses, hoping, that the Lords would not pass the Act: And it was said, That if the Lords should make the least Alteration in it, they in the House of Commons, who had set it on foot, were resolv'd to let it lye on their Table, when it should be sent back to them. Many Lords who secretly favour'd *Papists* on the *Jacobite* Account, did, for this very Reason, move for several Alterations; some of these importing a greater Severity: But the Zeal against *Popery* was such in that House, that the Bill pass'd without any Amendment, and had the Royal Assent." Thus we are to suppose, the Bishop had the Gift of discerning Spirits, seeing he could distinguish so nicely between Motive and Motive; and satisfy himself, that what was *Zeal* in one House, was *Faction* in the other: It is, however, true, the Bill, as sent up to the Lords, did differ materially in one Particular from the Report: For, whereas, by the Report, the Incapacity of inheriting and purchasing regarded the *Unborn* only, the *Bill* provided, That all such *Papists* as did not take the Oaths of Allegiance and Supremacy, *&c.* in Six Months after they attain'd the Age of Eighteen, should incur the said Incapacities; and the Inheritances they were otherwise entitled to, were to descend to the next of Kin: But then, what regarded *Titles* of *Honor* in the Report, was left out in the Bill: Besides; the Bishop not only acknowledged he voted for it, but justifies it in these Words: "I had always thought, That if a Government found any Sect in Religion, incompatible with its Quiet and Safety, it might, and sometimes ought to, send away all of that Sect with as little Hardship as possible: It is certain, that as all *Papists* must, at all Times, be ill Subjects to a Protestant Prince, so this is much more to be apprehended, when there is a pretended popish Heir in the Case: This Act hurt no Man that was in the present Possession of an Estate; it only incapaciated his next Heir to succeed in that Estate, *if* he continued a *Papist*: So the *Danger* of *This*, in case the Act should be well look'd to, would put those of that Religion, who are Men of Conscience, on selling their Estates, and in the Course of a few Years, might deliver us from having a *Papist* left among us." And, lastly, tho' he had before complain'd of the Rigor of the Bill, he procedes to insinuate, it was not rigid enough: For he says, "It wanted several necessary Clauses to enforce the due Execution of it." And as on the one Hand, the Clause which prohibits the sending Children Abroad to be educated in the *Romish* Religion, is wholly unexceptionable, so it is certain, that never any Clause was more openly or shamefully violated, than that has constantly been from the Day of its Establishment till now.

The Bishop passes in Silence over another Incident, which gave another Ruffle to the Session, and which was almost as ungrateful to the Courtiers, as any of those already discours'd of: And That was, the Application of the the Old *East-India* Company to Parliament, to be continued as a Company by parliamentary Authority, during the Remainder of their Charter: *How*, as usual, was their Advocate; and the Majority, tho' compos'd of (*m*) various Interests, moving all one way for

(*m*) *English*, *Scots*, *French* and *Irish*, according to the Distinctions bestow'd upon them in the Title-Page of a railing declamatory Pamphlet, (called, *Curlers Remarks upon [illegible] Illegal Practices in several Cabals, compos'd of an Intermixture*

A. D. 1699. for the Sake of drawing on a Change at Court, were inclin'd to ſhew them all poſſible Favor for his Sake. Nor were the *New* Company any longer in a Condition to withſtand their Efforts: *Montagu*, their great Patron, was no longer Lord of the Aſcendant, either in the Cabinet or the Houſe: And while the Supply was in Suſpence, the Commons of all the Three Eſtates were That which arrogated the moſt Conſideration.

The *Old* Company began with diſtributing their Caſe in print, at the Door of both Houſes, in which they magnify'd the Equity of their Claims, and the Injuries they had ſuſtain'd: And the *New*, in like Manner, diſtributed an Anſwer to it, in which, for the Sake of expoſing the corrupt Practices of their Adverſaries, they again expos'd the Corruptions of the Court, with as much Freedom, as if there was not the leaſt Ground to ſuſpect, That to a corrupt Influence in Parliament, they ow'd their Being. But as their Invectives ſerv'd only to exaſperate, ſo the Reſentments they excited were fatal to their Arguments. Paſſion is a more active Principle than Reaſon: And the Prepoſſeſs'd are never ſo happy, as when they have the Pretence of Provocation to excuſe their Partialities. A. D. 1699.

Thus, tho' the *Old* Company could not prevent the Eſtabliſhment of the *New*, They made a Shift at laſt to procure the like Eſtabliſhment for themſelves: (For the Bill paſs'd both Houſes) And thus the Nation had Two *Eaſt-India* Companies by parliamentary Authority, inſtead of one by Prerogative: Notwithſtanding which, 'tis obſervable, That in the Abridgment of the Statutes, this Act, which is of ſo extraordinary a Nature, and which ſo eſſentially concern'd ſo vaſt a Branch of Trade, is rang'd among the private Acts.

Now and then, however, the Courtiers did make a Shift, or rather were ſuffer'd to carry a Court-Point: Thus the *Scots*, as formerly hinted, having endeavour'd to intereſt their *Neighbour Nation*, as they call'd the *Engliſh*, in their Quarrel with the Court in relation

---

of Intereſt) which was ſet forth ſoon after the Cloſe of the laſt Seſſion; and to which is prefix'd the following Comment by way of Contents:

The CONTENTS.

A Premonition againſt cauſeleſs Fears; by ſhewing the great Things the King and the Government has done for *England*, and the ungrateful Returns his Majeſty has encountred from a Mixture of various Intereſts aſſembled at ſeveral Cabals: compos'd of

Old Jacobites, Republicans, falſe Friends, new Converts, Place-Mongers, envious and ambitious Murmurers, ſeditious Clubbers and Writers; who are continually

Undermining Royal Authority, retiling the public Miniſtry, and raiſing cauſleſs Jealouſies and Suſpicions, to amuſe the People, and advance themſelves into the Supremacy, by falſe Notions in Government:

Which are examined and refuted; their Suſpicions prov'd falſe and groundleſs; their Deſigns plainly diſcover'd, in contributing toward the Diſbanding the whole Army, ſending away the *Dutch* Guards, excluding Members of Parliament, *&c.* And the Ways and Means by which they promote Diſcontents, are detected, *&c.*

On the other Hand, Thoſe affected by this Repreſentation, ſet forth, in their Turn, a Counter-Peaſquil, call'd, *A juſt Rebuke of a late unmannerly Libel in Defence of the Court*, entituled, *&c.* in the Introduction of which they tell the World, "That in the Beginning of the War, the Author of the Former had writ himſelf into a Coach and a Poſt of 300 *l.* a Year; and that the Peace being like to determine that Reward, he was angling for another by the ſucceſsful Methods of flattering the Court, and abuſing true *Engliſhmen* under the Name of *Spaniſh Patriots*, *&c.*" Towards the Middle of the Piece, we alſo find the following remarkable Paſſage:

"In Page 22, he raves againſt an Intermixture of Intereſts againſt the Government, as if he were diſtracted, and had wholly miſtaken his Hypotheſis; for what he employs as Arguments in behalf of the Miniſtry, is totally againſt them: A ſingle Intereſt might be corrupted or biaſs'd by falſe Principles; but where all Intereſts agree, and ſpeak the ſame Things, of neceſſity they muſt be true, and the Perſons accus'd muſt be guilty: In ſuch a Caſe, the general Voice of the People muſt be eſteem'd as the Voice of *God*: Nor is bringing the King in as a Party, or ſetting up an Intermixture of Intereſts as Enemies to his Majeſty any Excuſe for the Miſmanagements and Abuſes committed by his Miniſters; for many a good Maſter may have ill Servants, and 'tis the King's Misfortune to have too many, who have ſuch Tricks in Keeping Complaints from his Ears, and repreſenting the perſons grac'd as profeſs'd Enemies to his Royalty, that 'tis almoſt impoſſible for any Complaints to reach him, but under ſuch Prejudices, as utterly deſtroy the Importance and Weight of the Matter complain'd of; and by theſe neſarious Arts and Shifts, the Miniſtry maintain their own Reputations with the King, and ſtifle all Complaints againſt them; which if his Majeſty was acquainted with, he would no more keep ſuch Men about him, than he would warm a Snake in his Boſom. We are now under a Diſtemper that was never heard of before in *England*: All for the King, and none for the Miniſters; and it will be the Wonder of Ages to come, as it is the Torment of this, to ſee ourſelves ruin'd by a few Men, that have no Intereſt or Party in the Nation; of whom a pleaſant Gentleman ſaid the other Day, *That one Bravery would carry away all the King's Friends in the Miniſtry, if they were ſeparated from their Employments.*"

And the Concluſion is in theſe Words:

"*Ambition, Envy, Pride* and *Fancy*, which the mercenary Remarker complains of among Malcontents and Place-mongers, are the epidemical Diſeaſes of the Court; and he ſhould firſt have attempted upon the irregular Confinution of his Patrons, before he had poſted up his Bills for the Cure of other People. Of the real Fears and Jealouſies that an extravagant management has brought us under: How like Children do they treat us! And as if the fooliſheſt of *nurſes*, old Women had been their Teachers, they beat us till we are forc'd to complain, beat us for complaining, and then ſing our Miſeries, that our Injuries and their Injuſtice might be conceal'd from ſuch as would pity and relieve us. They call us *Jacobites*, becauſe we deſire they ſhould be honeſt; *Rebellious*, becauſe we deſire Abuſes ſhould be rectify'd: *Fearful*, becauſe we can't lye ſtill when we are trampled on: And *Vain*, becauſe we can't fall in Love with ſlavery, and become Vaſſals to a Set of as vain, proud, envious, and ambitious, ſelf-conceited Mimicks as *England* e'er produc'd, or honeſt Men were plagu'd with.

Sending home the *Dutch* Guards, he calls an Act of hainous Ingratitude, and diſhonourable to the Nation; and ſeems to be in a Fit of Fears, leſt we ſhould have occaſion for their Aſſiſtance, and he deny'd it. But by what Logic he will make it Ingratitude, I can't imagine. For if I employ Men to do a Job of Work, and I pay em when they have done, no further Obligation lies upon me: So country is now become a Trade, and the Prince employing them as mercenary Journeymen, for a Week, a Year, or longer, may diſcharge thoſe Stipendaries, when they have no further Occaſion for their Service; which our *Remarker*, and the reſt of his arbitrary Upholders, may take for his Anſwer, unleſs he will have it in the Meaſures of a late true *Engliſh* Poet.

'Tis true we've ſent among the Dutch,
Their majeſty but of Slaughter;
And England ought to repay all Such,
As at laſt marching off their Hands,
Were pow'r'd to plague after.
The Hogan Troops diſmount'd thus,
As your bewitched ſpeaks it,
In parcy Boys without a Sow,
Came to relieve themſelves, not us,
And all the Kingdom knows it.

Now, if an Invaſion ſhould happen, is there ſo much Danger as is pretended, for the *Engliſhmen* know the Benefit of their Liberties, ſo well they venture to freely for them; eſpecially when what they defend is not only their own, but the juſt Rights of all Mankind, and will preſerve their Poſterity from being *Guppy-Dogs*, when they follow the eternal Counſel of *God*, as *Lycurgus* calls it, *If thou wouldſt be free, chuſe it rather*, and ſeek only to overcome their Servants, and their own Men: That enables them to a higher Aſſiſtance; *For on this Terms Liberation is certain*, and which is better, *poſſeſſion is a Deo promiſſa eſt*: And *God* himſelf will own ſuch a Cauſe as this.

A. D. 1699. 1700.

relation to their *Darien*-Adventure, by the Means of a Pamphlet which they made public, under the Title of, *An Enquiry into the Causes of the* Scots *Miscarriage at* Darien; and having thereby greatly incens'd the Court, the said Pamphlet was complain'd of in the House, and certain of the most exceptionable Passages of it having been read, it was, upon the Question, resolv'd, That the said Book, highly reflecting on the Honor of his Majesty and both Houses of Parliament, and tending to create Jealousies and Animosities between the Two Kingdoms of *England* and *Scotland*, was a false, scandalous, and traiterous Libel: They also order'd the said Book to be burn'd by the Hands of the common Hangman, and address'd his Majesty to issue his Royal Proclamation for apprehending the Author, Printer and Publisher of the said Libel.

A Scots Pamphlet concerning the Darien-Adventure order'd to be burn'd.

What these exceptionable Passages were, is not express'd; but we may suppose, not irrationally, those inserted below (*n*) were of the Number: The Address, however, was acceptable at Court: A Proclamation was readily issued, according to the Prayer of it, offering a Reward of 500*l.* for the Discovery of the Parties concern'd in it: And what Partialities on one Hand, and Severities on the other, were farther exercis'd by those in Power, in relation to the *Darien*-Controversy in general, may best be gather'd from another *Scots* Author of these Times, who writes as follows: "If their own Kings (those of *England* meaning) dispense with their Laws, and invade the Rights of their Church, they kick them from their Thrones, and then tell the World, They have *abdicated*: Yet, at the same Time, they suppose them in acting arbitrarily against us; and tell them, That in so doing, they act against the Sense of both Houses: If we complain of Injuries done us, and Affronts put upon us by a Faction of theirs, in conjunction with some ill Men of our own, straitway we are accus'd of reflecting upon the Honor of both Nations, and endeavouring to stir up War and Sedition, and Proclamations are issued for discovering the Authors of such Complaints: Yet, at the same Time, they suffer us to be libell'd, revil'd upon, villify'd and bely'd, and *God* himself and the Holy Scriptures blaspheme'd, in villanous Pamphlets, without taking the least Notice of it: Thus in a scurrilous Pamphlet, call'd, *A History of* Darien, we are bauter'd and laugh'd at, with romantic and foppish Stories: In *The Defence of the* Scots *abdicating* Darien, the Honor of the Nation is outrag'd, our Company bely'd, and Religion blaspheme'd; yet the Author rewarded and caress'd by Mr. *Vernon*, now a Minister of State, but formerly a Licenser of Books for taking off the penal Laws, and overturning the Protestant Religion. In a villanous Lampoon call'd *The Pedlar turn'd Merchant*, we are expos'd to public Ridicule and Contempt, without any Animadversions upon Authors and Publishers: Nor had any of our own Secretaries of State the Courage to take any Course with these Libellers, or to complain of them, tho' Application was made to them for that End. But if any thing be wrote, to vindicate our Nation from such foul Calumnies, a greater Reward

A Complaint from the same Quarter of the Partialities and Severities of the Government.

(*n*) To wit: "But to come directly to the Narrative of the Opposition made to our Colony: it is well known, That the Kingdom of *Scotland*, as many other Parts of *Europe*, hath suffer'd much for three or four Years past, by bad Harvests, which render'd them incapable of providing Bread for their People at home, and much more of sending Supplies to their Infant-Colony abroad: This was very manifest to some People about *Westminster*, and Care was taken we should have none for our Money from *England*, tho' that Nation could have spar'd it; and, perhaps, we might have pleaded it as our Merit, when, in Parliament, we voted his Majesty a *Standing-Army*, upon his *Royal Word*, That it was *necessary*, tho' we had more need to have sav'd the Money, to have bought Bread for Thousands of our People who were starving for Want, *&c.*" *State Tracts*, Temp. Guil. III. Vol. III. p. 525.

"Our Parliaments have originally a greater Power than That of *England*: For what the States of *Scotland* affer'd to the Touch of the Sceptre, their Kings had no Power to refuse, or if they did, the Refolves of the States had the Force of a Law. [Here follow'd a Chain of Influences] But the Truth of the Maxim laid down by our Historians, *That the Supreme Power of* Scotland *is in the* States, is so obvious to every one that reads our History, that it cannot be deny'd: And hence it is, That our old Acts of Parliament are often call'd *The Acts of the States*, and fay, *The Three States enacted, &c.* For by our original Constitution the King is none of the States, but only *Dux Belli* and *Minister publicus*, which was well understood by our Viceroy the Earl of *Morton*, and the other Deputies from the States of *Scotland*, when they acquainted Queen *Elizabeth* in their Memorial, *That the* Scots *arrogated their Kings to that Condition, that they might, when they saw Cause, accept them of that Power which they received from the People*; which we have now re-collected, in making the Crown *forfeitable* by the *Claim of Right* at the *last Revolution*: And, perhaps, that's none of the least Causes why our Ruin is now endeavour'd by the Abettors of a growing Prerogative." *Ibid.* p. 527.

"I may see fit then, that the Parliament of *Scotland* went on deliberately to advance their Trade, and to make this *Act*: By which it is evident, That They who advis'd his Majesty to say, [in the Parliament of *England* meaning] That he was *ill serv'd* in *Scotland*, impos'd upon him, have laid a Foundation of Division between him and his Parliament, which are the Two continuent Parts of our Government: And if they be daſh'd against one another, the whole Frame of it muſt of Neceſſity be diſſolv'd. Hence alſo it is evident, That thoſe Counſellers, if *Scotſmen* ought, by our old Conſtitution, to be call'd to an Account by the Parliament, according to the 1428 *Act* of Parliament 2 *James* IV. And if they be *Engliſhmen* or *Dutchmen*, we have a Right to demand Juſtice againſt them, as having meddled in our Affairs contrary to the Laws of Nations."

"The Sovereignty of our Nation, and the Independency of the King of *Scots* upon the Crown of *England*, being tacitly given up by this Anſwer; and the Parliament of *England* being poſſeſs'd by our Enemies with a *falſe Notion of our Deſign*, they put a Stop to our taking Subſcriptions from any Subjects in *England*, tho' our offering to take in the *Engliſh* as Sharers, was a plain Demonſtration of the Uprightneſs of our Intentions towards that Nation. This made it apparent, That we had no Deſign, in the leaſt, to ſupplant them in their Trade, but on the contrary, to make them partakers of ours, in order to lay a Foundation for a cloſer Union, and greater Amity between our Two Nations; which, if it had taken effect, our Trade had not been kept down as now it is, by the Frowns of the Court, but might, by this Time, have been arriv'd to the Advancement of the Glory and Strength of the Iſland: Whereas by the Oppoſition made to this noble Deſign, the Nations are more alienated from one another than before, leſſened in their Strength and Trade; and *Scotland* loſt, as to their Friendſhip, Aſſiſtance, and Intereſt in *England* on any Occaſion whatever, unleſs proper Meaſures be taken to make up the Breach, and retrieve our former Love and Advantage." *Ibid.* p. 527.

"It is very certain, That never any King of *Scotland* before the Union of the Crowns, durſt think to violate their Laws, or to oppoſe the general Intereſt of the Nation; or if they attempted to do it, they were quickly made ſenſible of their being inferior to the Law and the Power of the Nation aſſembled in Parliament, who, till the Acceſſion of our Princes to the *Engliſh* Throne, retain'd in an undiſputed Poſſeſſion of calling their Kings to an Account for their Mal-Adminiſtration, and of impoſing of their Laws and Liberties, as they ſaw Cauſe." *Ibid.* p. 534.

A. D. 1699-1700. Reward is offer'd for discovering the Authors, than was offer'd for discovering some of the Regicides: Proclamations are publish'd with more Zeal and Vituperency for that End, than against popish Priests and Jesuits, who, by their Principles and Practices, destroy Mens Souls and Bodies. What Eagerness did our Enemies at Court evidence in prosecuting Booksellers for the *Enquiry into the Causes*, &c. What Pains and Expence to find out the very Porters who carry'd the Books about? What illegal and barbarous Treatments and Threats did they make use of to a poor Fellow taken up on Suspicion on that Account, keeping him close Prisoner for a Week, without any Oath against him, when his Wife lay in Childbed, and his Family, at the same Time, in a starving Condition, having nothing else but his Labour to depend on? With what Fury and Heat did they prosecute some People in *Ireland* for but reading it in public? And what Pains and Expence were they at, to bring over a *Scots* Bookseller from *thence*, to witness against another *Scots* Bookseller in *London*, That he had sent him a Parcel of those Books? What Care to have extravagant Bail from that *London* Bookseller and others? And what Threats to ruin that *Dublin* Bookseller, if he would not, contrary to Conscience and Knowledge, swear against the *Scots* Bookseller in *London*? &c."

It is, moreover, too notorious to be conceal'd, That in every other Step taken by the *Scots* Company, or the *Scots* Nation in relation to that fatal Project, they found their Way cover'd with Thorns: For, in Addition to all the Particulars already recounted, it remains to be told, That, on the 4th of *December*, 1699, the Council-General of that Company writ a Letter to the *Scots* Secretary in *England*, acquainting his Lordship, "That they had prevail'd upon the Lord *Basil Hamilton*, to go up with an Address to his Majesty, in Behalf of Captain *Robert Pinkerton*, and thirty more, who were wrongfully detain'd Prisoners at *Carthagena* since the Beginning of *February* (then) last past; and, as they were inform'd, most inhumanly treated: That they were daily importun'd by their Relations (who were very considerable) for their Relief; and it was of great Concern to the Company, That something material should be speedily done therein, not only for the Sake of the said Prisoners, but that others might thereby see they did not abandon the Interest of such as engag'd themselves in their Company's Service: Wherefore they entreated his Lordship, That he would be pleas'd to introduce the Lord *Basil Hamilton* to the King, in presenting the said Address, and to assist him in procuring a gracious Return from his Majesty."

Further Proceedings of the Scots Company.

Their Letter to the Secretary of Scotland.

Thereupon the Lord Chancellor (of *Scotland*) writ a Letter, (*a*) *January* 9, to the *Scots* Directors, importing, "That his Majesty's Secretaries of State acquainted him, That the King would not allow my Lord *Basil Hamilton* Access to him, because he did not wait upon his Majesty when he was formerly in *London*; and that he had never since given any public Evidence of his Loyalty, nor had hitherto own'd his Majesty's Government: But that his Majesty would not refuse to hear what my Lord *Basil*'s Instructions were, being willing to be inform'd of what the Company desir'd: And that if the Lord *Basil* would give in writing to his Majesty's Secretaries, what he had to represent, his Majesty would receive Information from their Hands of what was demanded, and would give his Answer to the Company: In short, That his Majesty did not refuse the Petition, but would not allow my Lord *Basil* to be the Presenter of it."

The Chancellor's Letter to the Directors.

A. D. 1699-1700.

At the same Time his Majesty, to give the Company all the Satisfaction seemingly in his Power, wrote to his Council of *Scotland*, "That whereas the Council-General of the *African* Company of that Nation, had, by their Letter to the Secretaries of State, desir'd, that they might give their Concurrence to procure a gracious Return to their Petition, which they had sent with Lord *Basil Hamilton*, and which together with his Instructions, he had communicated to the Secretaries of State; and that they had represented to him what was desir'd in Behalf of the said Company: And that he having refus'd the said Lord *Basil Hamilton* Access, for the Reasons communicated to the Lord Chancellor by the Secretaries of State; yet being willing to give an Answer to what the Company desir'd, his Majesty was resolv'd, in the Terms of Treaties, to demand from the King of *Spain*, That Captain *Pinkerton*, and those of his Crew, who were detain'd Prisoners at *Carthagena*, should be set at Liberty: That it was his Majesty's Intention to advance the Trade of *Scotland*; and that the Subjects of that Kingdom should be allow'd the same Liberty of Commerce, that others enjoy'd with *English* Plantations: But that the three Frigates they demanded, having been given by Parliament for guarding the Coasts, he was resolv'd not to dispose of them, till he had the Advice of his Parliament."

The King's Letter to the Council of Scotland.

In Answer to the said Chancellor's Letter, the Directors sent another to the Secretaries of State for *Scotland*, containing in Substance, "That the Council-General of their Company, having thought fit to send up one of their Number with an Address to his Majesty, and with Instructions concerning the Contents of their Company's former Petitions, they thought that none could be more capable to discharge that Trust, than the Lord *Basil Hamilton*, as being thoroughly vers'd in the Course of the Company's Affairs, nor more acceptable to his Majesty, as having no Objections made against him when he was appointed, several Lords of his Majesty's Privy-Council being then present: That they were surpris'd to find by a Letter from

The Directors Answer to the Lord Chancellor.

(*a*) It is remarkable, That Mr. *Frier*, in a Letter to Lord *Manchester* at *Paris*, dated *January* 18, says, "The King has not yet seen Lord *Basil*, or any Address from him." *Coxe's Mem.* p. 98.

A. D. 1699. 1700.

from the Lord Chancellor, That the King would not allow Lord *Basil* Access, because he had not waited on his Majesty when last in *London*; but his Lordship being sent by, and having Instructions from, the Council-General, they could say nothing to it, other than intreat their Lordships, That they would use their Interests with his Majesty to allow the Lord *Basil* to have Access to his Royal Person, lest the Refusal of it might not be only a Discouragement to the Company, and all its well-Wishers, but give Ground to the World to believe, That his not being allow'd Access to his Majesty, was upon Account of carrying an Address from the Company, which every Body knew stood in Need of, and had a just Right to, his Majesty's Royal Favour and Protection." They also writ to the Lord *Basil Hamilton*, "That as they were sensible of his generous Condescention to their Request, in undertaking so troublesome a Journey to *London*, at that Time of the Year, purely to serve the Interest of his Country; so they could but heartily regret, That the carrying the Company's Commission, should be the Occasion of putting a distinguishing Mark upon a Person of his Lordship's Quality and Merit, as to be deny'd Access to his Majesty's Person, because he had not waited on his Majesty when last in *London*. That no Body was so blind but might see thro' that: And that whereas they never heard that his Lordship had ever done any Thing unworthy of his Quality, or inconsistent with the Duty of a loyal and peaceable Subject; so they still hop'd, That by his prudent Management, his Majesty might be undeceiv'd of any Misrepresentation he might have of him; and that he would yet condescend to grant his Lordship Access to his Royal Person with their Address, and give a gracious Answer to the Contents of it, and the other Particulars mention'd in his Instructions."

The Company's Letter to the Lord Basil Hamilton.

In the mean while his Majesty and his Ministers being thus teas'd and embarrass'd by this Pertinaceousness of the *Scots*, had recourse, to the old Expedient of taking Shelter behind the Parliament of *England*: And knowing themselves to be strongest in the House of Lords, chose to agitate the Matter first where they were likely to be countenanc'd most.

Accordingly, the *Scots* Colony was brought into question there, as a Point of great Concern to the Interest of *England*, and what highly concern'd the Wisdom and Consistency of Parliament to advise his Majesty against. But how plausibly soever the Courtiers maintain'd their Cause, they were so vigorously oppos'd, and so frequently baffled, that the Debate, which was long and obstinate, was adjourn'd, resum'd, and took a Variety of Shapes before any such Question could be form'd, as suited the Purpose of the Court: At length, however, it was mov'd, That the Settlement of the *Scotch* Colony at *Darien*, was inconsistent with the Good of the *Plantation* Trade of this Kingdom; and, on the previous Question, carry'd in the Affirmative by 32 Voices against 26: Notwithstanding which, the Lords *Normanby*, *Nottingham*, and *Weymouth*, and the Bishop of *London* enter'd their Dissent for the following Reason, "Because, as we conceive, there has not been made appear in this Debate, any Ground sufficient to determine a Point of great Importance: And yet it has been refus'd Time for due Information in a Matter of Trade, which is very obscure, and of the highest Consequence to the Quiet and Welfare of both Nations in this Conjuncture."

Lords Votes, that the Scots Settlement was inconsistent with the Good of the Plantation-Trade.

The next Step was to ground a suitable Address on the Vote thus carry'd: Accordingly, That which follows was prepar'd, agreed to, (tho' not without a Protest of Sixteen Lords against it) and sent down to the Commons for their Concurrence, *viz.*

"(p) We the Lords Spiritual and Temporal in Parliament assembled, being, according to our Duty, sollicitous for the Preservation and Increase of the Trade of this Kingdom, on which the Support of your Majesty's Greatness and Honour so much depends, as well as the Security and Defence of your People, have been very apprehensive, That the Steps lately made towards a Settlement of your Subjects of the Kingdom of *Scotland* at *Darien*, may tend to the great Prejudice of this Nation, and possibly to the Disturbance of the Peace and good Correspondence with the Crown of *Spain*, which we conceive is very advantageous to us all: We have therefore taken the same into our serious Consideration, as a Matter of the greatest Importance, and proper to be laid before your Majesty, as the common Father of both Countries. And as we are truly sensible of the great Losses our Neighbour-Kingdom hath sustain'd, both by Men and Treasure, in their Expedition to that Place, which we very heartily lament, so we should not endeavour, by any Interposition of ours, to defeat the Hopes they may still entertain of recovering those Losses, by their farther engaging in that Design, but that we judge such a Prosecution, on their Parts, must end not only in far greater Disappointments to themselves, but at the same Time prove very inconvenient to the Trade and Quiet of this Kingdom.

And Address thereon.

On this Occasion, we humbly presume to put your Majesty in Mind of the Address of both Houses, presented to your Majesty on the 17th of *December*, 1695; in the Close of which Address, your Majesty will see the unanimous Sense of this Kingdom, in relation to any Settlement the *Scots* might make in the *West-Indies*, by Virtue of an Act of Parliament pass'd about that Time in the Kingdom of *Scotland*, which was the Occasion of the said Address.

And we humbly represent to your Majesty, That having receiv'd Information of some Orders

(p) Mr. *Oldmixon* introduces this Address to the Proceedings of the foregoing Session; misled, perhaps, by *Burnet*, who treats of this Affair in so loose a Manner, that there is no collecting from him precisely to what Session it belongs.

A. D. 1699. 1700. Orders your Majesty had sent to the Governors of the Plantations on this Subject, the House did, on the 10th of *January* last, come to this Resolution, That your Majesty's Pleasure signify'd to the Governors of the Plantations, in relation to the *Scotch* Settlement at *Darien*, was agreeable to the Address of both Houses of Parliament, presented to your Majesty on the 17th of *December*, 1695. And on the 8th of this Instant *February*, this House came to this farther Resolution, That the Settlement of the *Scots* Colony at *Darien*, is inconsistent with the Good of the *Plantation-Trade* of this Kingdom. All which we humbly hope your Majesty will take into your Royal Consideration: And we are confident your Majesty cannot be thought too partial to the Address of this House, if your Majesty shall, in the *first Place*, consider the Advantage and Good of the Trade of *this* Kingdom, by the Preservation and Improvement of which, *both* these Kingdoms, and *all* your other Dominions, must on all Occasions principally be defended."

The Commons refuse to concur in it.

But, notwithstanding the artful References in this Address, to the Sense of both Houses as formerly declar'd to the Throne, the Commons could not be induc'd to concur in it: "Some, says *Burnet*, were not ill pleas'd to see the King's Affairs run into an Embroilment; and Others did apprehend, that there was a Design to involve the Two Kingdoms in a national Quarrel, that by such an Artifice, a greater Army might be rais'd and kept up on both Sides." He also adds, "The Managers resolv'd to do nothing that should take any Part of the Blame and general Discontent that four'd that Nation off from the King: It was farther given out, to raise the national Disgust yet higher, That the Opposition the King gave to the *Scotch* Colony, flow'd neither from a Regard to the Interests of *England*, nor to the Treaties with *Spain*, but from a Care of the *Dutch*, who from *Curaſoe* drove a coasting Trade among the *Spanish* Plantations, with great Advantage, which, they said, the *Scotch* Colony, if once well settled, would wholly draw from them."

To procede, Their Lordships had thus the whole Merit of their Compliment to themselves: And as to the King's Answer, it was conceiv'd in the following Words.

His Majesty's Answer, in which he recommends an Union between the Two Kingdoms.

"His Majesty having receiv'd a very dutiful Address from the House of Peers, in relation to the Endeavours lately us'd by *Some* of his Majesty's Subjects of the Kingdom of *Scotland*, towards making a Settlement at *Darien*; in which they humbly represent to him their Opinion, That such a Settlement is inconsistent with the Good of the *Plantation-Trade* of this Kingdom, is pleas'd to let the House know, That he will always have a very great Regard to their Opinion; and to assure them, That he will never be wanting, by all proper Means, to promote the Advantage and Good of the Trade of *England*: At the same Time his Majesty is pleas'd to declare, That he cannot but have a great Concern and Tenderness for his Kingdom of *Scotland*, and a Desire to advance their Welfare and Prosperity; and is very sensibly touch'd with the Loss his Subjects of that Kingdom have sustain'd, by their late unhappy Expeditions, in order to a Settlement at *Darien*. His Majesty does apprehend that Difficulties may too often arise, with respect to the different Interests of Trade, between his two Kingdoms, unless some way be found out to unite them more nearly and completely. And therefore his Majesty takes this Opportunity of putting the House of Peers in mind of what he recommended to his Parliament, soon after his Accession to the Throne, that they would consider of an Union between the two Kingdoms: His Majesty is of Opinion, That nothing would more contribute to the Security and Happiness of both Kingdoms; and is inclin'd to hope, that after they have liv'd near an hundred Years under the same Head, some happy Expedient may be found out for making them one People, in case a Treaty was set on foot for that Purpose; and therefore he does very earnestly recommend this Matter to the Consideration of the House."

A. D. 1700.

A Bill to that Effect prepar'd by the Lords, which stops with the Commons.

This new Commission their Lordships had also the Complacency to undertake; and in consequence thereof, did prepare and send down a Bill to the Commons, appointing certain Commissioners of the Realm of *England* to treat with Commissioners of *Scotland* for the Weal of both Kingdoms: But the Commons, being in no better Disposition to comply with this Measure, than with the Former, could not be prevail'd upon to prosecute or approve it.

All these several Incidents happen'd in or before the beginning of *March*; and on the 25th following, the Marquis of *Tweedale* presented to his Majesty an Address in the Name of the *Scottish* Nation, which had been concerted and obtain'd in contempt of the Proclamation against disorderly Petitioning, and which was to the Effect following.

The Scotch national Address.

"That They, being deeply affected with the hard Circumstances of the *Indian* and *African* Company of his Majesty's Kingdom of *Scotland*, both Abroad and at Home, as being of universal Concern to the whole Nation; and his Majesty having been pleas'd, in his Royal Answer to the Council-General of the said Company's Petition, to signify, That he very much regretted the Loss which that Kingdom and the Company had then lately sustain'd; That upon all Occasions his Majesty would protect and encourage the Trade of the Nation; and that he would order the Parliament to meet when he judg'd the Good of the Nation requir'd it: They were thereby encourag'd, in most dutiful and humble Manner, to represent to his Majesty, That as the Estates of Parliament and that Nation, which they represented, had a peculiar Interest in the Concerns of the said Company, as was particularly manifested in their unanimous Address to his Majesty, *August* 5, 1698, so they humbly conceiv'd nothing could be so conducible to support the Credit and Interest of the said Company under its present Misfortunes, as a

A. D. 1700. Meeting of the ſaid Eſtates in Parliament, and that the Good of the Nation, could, at no Time, require their Meeting more than at preſent: That they doubted not but that under the Influence of his Majeſty's Favour and Protection, together with the Aſſiſtance which might be reaſonably expected from his ſaid Parliament, the ſaid Company might be enabled to proſecute their Undertaking with greater Aſſurance, and better Succeſs, than hitherto they had been able to do, under the many Stops and Difficulties which they met with from Time to Time: That therefore They did, in all humble Duty, moſt earneſtly entreated, and moſt aſſuredly expected, That his Majeſty would order his ſaid Parliament to meet as ſoon as poſſible; which they doubted not would tend to the Honour of his Majeſty, and the general Good and Satisfaction of the Nation."

It is added, That upon the preſenting this Addreſs, one of the Commiſſioners ſignify'd to the King, That it was hop'd his Majeſty would be pleas'd to look upon it, not only as a Petition for allowing the Parliament to ſit, but likewiſe as a Teſtimony of the Nation's Concern for the Intereſt of the *Indian* and *African* Company. To which his Majeſty *King's Anſwer.* was pleas'd to anſwer, "That *That* would be beſt known in Parliament; and that the Parliament could not ſit before the 14th of *May* then next enſuing; but that it would ſit then."

We have not as yet done with this Affair: But before we can perſue the Thread of it any farther, it is incumbent on us to diſpatch the remaning Buſineſs of the Seſſion, and ſuch other Matters as, in order of Time, lye before us.

And firſt it is neceſſary to obſerve, That the Party-Managers of the Houſe of Commons, finding, That in the ordinary Courſe *A Bill to appoint Commiſſioners for taking and examining the public Accounts.* of Proceding, it was no eaſy Matter to fix any particular Charge of Corruption or Malverſation on the Miniſters and Officers who had the Receipts and Iſſues of the Revenue under their Direction, mov'd for, and at length carry'd, a Bill, For appointing Commiſſioners to take, examine and determine the Debts due to the Army, Navy, and for Tranſport-Service; as alſo an Account of the Prizes taken during the late War: The Commiſſioners ſo appointed were two Merchants of *London*, *Thomas Morrice*, and *Samuel Atkins*, and three Country Gentlemen, *Thomas Liſter*, *William Farrer*, and *George Langton*, Eſqrs. to whom all the Powers of Enquiry and Examination were given; that their Report might be as full and complete as poſſible: The Time the ſaid Commiſſion was to be in force, was one Year: The Commiſſioners were allow'd 400*l.* each for their Trouble; and 1500*l.* more was alſo allow'd for Clerks, and incidental Charges. A trifling Conſideration for ſo neceſſary a Service as theſe occaſional Reviews (if properly conducted) certainly are; more eſpecially at the Cloſe of a long and expenſive War! And, becauſe ſeveral Perſons had taken Advantage of the Neceſſity of Officers who had ſerv'd, and of Others to whom Money was due on the Tranſport-Service, it purchaſing their Debentures at an exorbitant Intereſt, (as in the Bill itſelf is ſet forth) the Redemption of Them is allow'd upon Payment of the Principal and of legal Intereſt: To render which Clauſe effectual, a farther Proviſion was made for the Determination of all Diſputes in a ſummary Way, by the Lord Mayor and Aldermen of *London*.

During the ſame Interval likewiſe, a great Cry having been rais'd againſt the Wear of *Indian* Silks, Stuffs, Calicoes, *&c.* a Bill was brought in and paſs'd, To prohibit the Uſe of them, except under certain Reſtrictions, after the 29th of *September* 1701: Which Bill had the following remarkable Preamble: "Whereas, it is moſt evident, That the Continuance of the Trade to the *Eaſt-Indies* in the ſame Manner and Proportions, as it hath been for Two Years laſt paſs'd, muſt inevitably be to the great Detriment of this Kingdom, by exhauſting the Treaſure thereof and melting down the Coin, and taking away the Labour of the People, whereby very many of the Manufacturers of this Kingdom are become exceſſively burdenſome and chargeable to their reſpective Pariſhes, and Others are thereby compell'd to ſeek for Employment in foreign Parts: For Remedy thereof, Be it enacted, *&c.*

Laſtly: The Commons found it reaſonable to take off the Duties upon Woollen Manufactures, Corn, Grain, Bread, Biſcuit, and Meal exported; and to provide for the Puniſhment of the Governors of Plantations, for the Crimes by them committed abroad in their Governments, (perhaps with an Eye to Lord *Bellomont*) by a ſhort Bill, which was thus introduc'd: "Whereas due Puniſhment is not provided for ſeveral Crimes and Offences committed out of this his Majeſty's Realm of *England*, whereof divers Governors, Lieutenant-Governors, Deputy-Governors, or Commanders in Chief of Plantations, and Colonies within his Majeſty's Dominions beyond the Seas, have taken Advantage, and have not been deterr'd from oppreſſing his Majeſty's Subjects within their reſpective Governments and Commands, nor from committing ſeveral other great Crimes and Offences, not deeming themſelves puniſhable for the ſame here, nor accountable for ſuch their Crimes and Offences to any Body within their reſpective Governments and Commands, Be it enacted, *&c.*"

And now, having thus far diſpatch'd the Buſineſs of the Seſſion, we are to follow the Land-Tax Bill, and Bill of Forfeitures, as ſent up *conſolidated* to the Houſe of Lords: But by the way, as B. *Burnet* is pleas'd to call this, both a *New Term* and a *New Invention*, ſo it is fit to recollect, That the *Old Whigs* had us'd it in King *Charles* the ſecond's Time; and that his Majeſty not only complain'd of it in his Speech from the Throne of *May* 23, 1678, but further declar'd, He would never be induc'd for any Conſideration, to paſs ſuch complicated Bills again.

"The Method, continues the ſame Prelate, that the Court took in that Houſe to oppoſe

A. D. 1700. oppoſe it, was to offer ſome Alterations that were, indeed, juſt and reaſonable: But ſince the Houſe of Commons would not ſuffer the Lords to alter Money-Bills, This was in effect to loſe it. The Court, upon ſome previous Votes, found they had a Majority among the Lords: So, for ſome Days, it ſeem'd to be deſign'd to loſe the Bill, and to venture on a Prorogation or Diſſolution rather than paſs it."

But, in order to Information, it is neceſſary to be more particular. On the 3d of *April* the Bill was ſent up; and being taken into conſideration immediately, produc'd a long, perplex'd, and paſſionate Debate, which was adjourn'd till the next Day: At which Time, after another hot Debate, a ſhort Queſtion was put, to wit, Whether it ſhould be read a Second Time? Which being carry'd in the Affirmative by Seventy Lords againſt Twenty-three, the Lords *Richmond*, *Haverſham*, (Sir *John Thompſon*, who had been created a Baron by that Title) *Mohun*, *Stamford*, *Bolton*, *Audley*, *Abergavenny*, and *Angleſey*, enter'd their Diſſents for *Proteſt thereon.* the following Reaſons, to wit, "Though there be nothing we more earneſtly deſire, and ſhall on all Occaſions, to the utmoſt of our Power, more ſincerely and heartily endeavour, than the Preſervation of a conſtant, right, and good Underſtanding, and Agreement between the two Houſes of Parliament, as That on which the Safety, Welfare, and Happineſs of the Nation, and the Preſervation of the wiſeſt and nobleſt Conſtitution of the World, does ſo much depend; yet we cannot but enter this our Proteſtation againſt a Second reading of this Bill.

1ſt, Becauſe, as we conceive, this Bill does, in one Part, tend very much to the Alteration (if not to the Deſtruction) of that Conſtitution which, we believe, the Supply in the other Part was given to preſerve.

2dly, Becauſe, we conceive, the tacking ſo many and different Matters to a Money-Bill, is not only contrary to all the Rules and Methods of Parliament, but highly dangerous both to the undoubted Prerogative of the Crown, and Right of this Houſe, putting it, as we conceive, in the Power of the Commons to make any Reſolutions of their own as neceſſary as any Supply given for the Support or Emergencies of State.

3dly, We know not how far the juſt Right any private Subject has to his Eſtate may be endanger'd by the Precedent of ſuch a Bill; for if the Titles ſo many Perſons have to their Eſtates may be determin'd by the Commons in a Money-Bill, without either Oath or Appeal, as, we conceive, in this Bill they are, we cannot apprehend, how any ſingle, private Subject, or Miniſter of State, can, for the future, be ſafe; which muſt needs be a weakening the Prince's Hands, and the legal Security every Man now has to his Eſtate."

Conferences between the two Houſes. What follow'd upon the ſecond reading of the Bill, was, the preparing the Alterations above-mention'd, and ſending them down to the Commons, who rejected them unanimouſly, and aſſign'd their Reaſons at a Conference for ſo doing. On the other Hand, the Lords, who were by no Means ſatisfy'd with thoſe Reaſons, demurr'd to the Bill: And the Commons, by way of Quickener, reſolv'd, To take the Report of their Commiſſioners concerning the *Iriſh* Forfeitures into farther Conſideration, and order'd a Liſt of the Privy-Council to be laid before them. On the 9th, however, the Lords deſir'd another Conference for preſerving a good Underſtanding between the two Houſes, in which their Lordſhips inſiſted warmly on their Amendments, and the Commons as warmly refus'd to admit them. A. D. 1700.

The next Day produc'd another Conference of the ſame Kind, which had the ſame Iſſue: As a laſt Expedient, therefore, the Lords demanded a free Conference, and order'd Counter-Reaſons to be drawn up in ſupport of the ſaid Amendments: But when the two Committees met, thoſe of the Commons, inſtead of making any Reply, ſignify'd, They had Orders, To return the Bill and leave it with their Lordſhips: Which being reported, produc'd a new Ferment among the Lords: For never were They more divided than now, between the Regard that was due to the Neceſſities of the State, and the Stimulations they felt as well from the King's Reſentments as their own; as appears by the Diviſion on the two ſeveral Queſtions which were put on the Iſſue of the Debate; namely, Whether they ſhould adhere to their Amendments? And whether they ſhould agree to the Bill without any Amendments? The Diviſion on the Former being, Contents, 43; Not Contents, 53: And on the Latter, not Contents, 34; Contents, 59. Nor did the Affair end here: For the Lords *Norfolk*, *Mohun*, *Haverſham*, *Sey* and *Seal*, *Angleſey*, *Ferrers*, *Raby*, *Bridgewater*, *Colpeper*, *Howard*, *Southampton*, *Sandwich*, *Londſdale*, *Abergavenny*, *Stamford*, *Audley*, *Herbert*, *Richmond*, *Pembroke*, *Bolton*, and *North* and *Grey*, proteſted againſt the Bill, for the Reaſons given to the Commons at the Conference; which Reaſons were as follow.

1ſt, Becauſe the Reaſons given by the *Proteſt on paſſing the Bill.* Commons againſt their Lordſhips Amendments, do no way relate to the Matter contain'd in the ſaid Amendments.

2dly, Becauſe tho' there be nothing in the ſaid Amendments relating to Aids and Supplies granted to his Majeſty in Parliament, yet the Commons have thought fit to take occaſion thereupon to aſſert a Claim to their ſole and entire Right, not only to the granting all Aids in Parliament, but that ſuch Aids are to be rais'd by ſuch Methods, and with ſuch Proviſions, as the Commons only think proper: If the ſaid Aſſertions were exactly true, (which their Lordſhips cannot allow) yet it could not, with good Reaſon, follow from thence, that the Lords may not alter, or leave out, according to their Amendments, when the ſaving Eſtates of innocent Perſons, and of ſuch as have been outlaw'd after their Death, makes ſuch Amendments neceſſary.

3dly, And the Lords think it unreaſonable and unjuſt to veſt in the Truſtees any greater,

or

A. D. 1700. or other Eſtate, than was in the forfeiting Perſon, or than the King may legally have; ſince thereby not only many innocent Perſons, who come in by Deſcent or Purchaſe, or other valuable Conſiderations, might ſuffer equally as Criminals, but 'tis poſſible, that Men, who, with the utmoſt Hazard of their Lives, have been defending the Government, may forfeit as Traitors: And they cannot apprehend, that by any Law of this Land, or by any Rule of Reaſon or Juſtice, any Perſon ought to be outlaw'd after Death, ſince 'tis condemning a Man unheard, and allowing him no Opportunity of making his Innocence appear.

4thly, The Lords admit the Reſumption of the forfeited Eſtates in *Ireland* to be a Thing neceſſary, by reaſon of the great Debt due to the Army and Others, which they earneſtly deſire to ſee diſcharg'd, and are therefore very willing and deſirous to give their Conſents to any reaſonable Bill the Commons ſhall ſend them up to that Purpoſe: But the Lords can by no Means conſent, That the Commons ſhall take upon them to diſpoſe of any of the ſaid Forfeitures to any private Perſons, it being the ſole and undoubted Right of the Crown to be the Diſtributer of all Bounties, and being contrary to all the Laws and Courſe of Parliaments, to give Aids, Supplies, or Grants to any but the King only; and as the contrary Practice is totally new and unprecedented, ſo, in Proceſs of Time, it may become of the laſt ill Conſequence to the Public.

5thly, The Lords cannot agree to the Clauſes that create an Incapacity in the Commiſſioners or Managers of the Exciſe for ſitting in this Parliament, becauſe the Qualifications of Members to ſerve in Parliament, is a Thing (if proper to be meddled with at all) that hath been thought fit by the Commons to be in a Bill by itſelf; and the joining together, in a Money-Bill, Things ſo totally foreign to the Methods of raiſing Money, and to the Quantity or Qualification of the Sums to be rais'd, is wholly deſtructive of the Freedom of Debates, dangerous to the Privileges of the Lords, and to the Prerogative of the Crown: For by this Means, Things of the laſt ill Conſequence to the Nation, may be brought into Money-Bills; and yet neither the Lords, nor the Crown, be able to give their Negative to them, without hazarding the Public Peace and Security: And it ſeems a great Hardſhip to the Counties and Places who chuſe ſuch Members, to deprive them of their Services, ſince they knew them to be Commiſſioners of Exciſe at the Time they choſe them; and ſince the Commons admit them to be proper Perſons to ſerve either in Exciſe or Parliament, tho' not at the ſame Time: So that there ſeems to be no other Reaſon of diſtinguiſhing theſe Commiſſioners, but what is common to all other Officers of the Crown; and the Queſtion, Whether ſuch an Alteration may be convenient, muſt needs be a Doubt with the Lords, ſince the Commons have not been able this very Seſſion to ſatisfy themſelves with the Bill, and the Conſiderations they have entertain'd upon that Subject: The Lords do ſeriouſly conſider the Dangers and Inconveniencies that are likely to happen by the Loſs of this Bill, and by the Difference betwixt the two Houſes, and are heartily ſorry for them, and deſirous to avoid them by all the Means they can; as does manifeſtly appear, by having comply'd and overlook'd the Irregularities of Bills of the like Nature, and, at the ſame Time, by entering in their Books, to be ſeen by every Body, their juſt Senſe of the Wrong, and their Reſolutions of aſſerting that fundamental Right, of the Exerciſe of which there are many Precedents extant in their Books: But ſince they find, that ſuch their kind Intentions of maintaining a good Correſpondence with the Commons, has had no other Effect but to introduce greater Impoſitions upon them, and ſuch as will certainly prove deſtructive to the antient and excellent Conſtitution of our Government, ſince the Lords have no Objection to the Reſumption, nor no Deſign to invade the leaſt Right of the Commons, but only to defend their own, that they may tranſmit the Government and their own Rights and Privileges to their Poſterity, in the ſame State and Condition that they were deriv'd down to them from their Anceſtors; they think themſelves wholly diſcharg'd from being in the leaſt acceſſary to any ſuch Dangers or Inconveniencies, and conceive they are ſufficiently juſtify'd before *God* and Man, notwithſtanding ſuch Innovations and Invaſions upon our Conſtitution and our Laws, as muſt neceſſarily prove the Deſtruction of them."

Comments upon the whole Affair.

Upon this whole Proceeding, we have moreover certain Comments, which ought all to be inſerted, for the Sake of forming a right Notion of theſe Times.

Says B. *Burnet*, "Upon the Apprehenſions of This, (a Prorogation or Diſſolution as above) the Commons were beginning to fly out into high Votes, both againſt the Miniſters and the Favourites: The Lord *Somers* was attack'd a Second Time, but was brought off by a greater Majority, than had appear'd for him at the Beginning of the Seſſion. During the Debates about the Bill, he was ill; and the worſt Conſtruction poſſible was put on that: It was ſaid, he adviſ'd all the Oppoſition that was made to it in the Houſe of Lords; but that, to keep himſelf out of it, he feign'd that he was ill: Tho' his great Attendance in the Court of Chancery, the Houſe of Lords, and at the Council Table, had ſo impair'd his Health, that every Year, about that Time, he us'd to be brought very low, and diſabled from Buſineſs. The King ſeem'd reſolv'd to venture on all the ill Conſequences that might follow the loſing this Bill; tho' thoſe would probably have been fatal: As far as we could judge, either another Seſſion of that Parliament, or a new one, would have baniſh'd the Favourites, and begun the Bill anew, with the Addition of obliging the Grantees to refund all the mean Profits: Many in the Houſe of Lords, that in all other Things were very firm to the King, were for paſſing this [Vol. II. p. 239, 240.]

A. D. 1700. this Bill, notwithſtanding the King's Earneſtneſs againſt it, ſince they apprehended the ill Conſequences that were like to follow, if it was loſt. I was one of theſe, and the King was much diſpleas'd with me for it: I ſaid, I would venture his Diſpleaſure, rather than pleaſe him in that, which I fear'd would be the Ruin of his Government: I confeſs, I did not at that Time apprehend what Injuſtice lay under many of the Clauſes in the Bill, which appear'd afterwards ſo evidently, that the very ſame Perſons, who drove on the Bill, were convinc'd of them, and redreſs'd ſome of them in Acts that paſs'd in ſubſequent Seſſions: If I had underſtood that Matter aright and in Time, I had never given my Vote for ſo unjuſt a Bill: I only conſider'd it as a Hardſhip put on the King, many of his Grants being thus made void; ſome of which had not been made on good and reaſonable Conſiderations, ſo that they could hardly be excus'd, much leſs juſtify'd: I thought the Thing was a ſort of Force, to which it ſeem'd reaſonable to give way, at that Time, ſince we were not furniſh'd with an equal Strength to withſtand it: But when I ſaw afterwards what the Conſequences of this Act prov'd to be, I did firmly reſolve, never to conſent again to any Tack to a Money-Bill, as long as I liv'd. The King became ſullen upon all this, and upon the many Incidents that are apt to fall in upon Debates of this Nature: He either did not apprehend in what ſuch Things might end, or he was not much concern'd at it: His Reſentment, which was much provok'd, broke out into ſome *Inſtances*, which gave ſuch Handles to his Enemies, as they wiſh'd for; and they improv'd thoſe Advantages, which his ill Conduct gave them, with much Spite and Induſtry, ſo as to alienate the Nation from him. It was once in Agitation among the Party, to make an Addreſs to him againſt going beyond Sea; but even that was diverted with a malicious Deſign. Hitherto the Body of the Nation retain'd a great Meaſure of Affection to him: This was beginning to diminiſh, by his going ſo conſtantly beyond Sea, as ſoon as the Seſſion of Parliament was ended; tho' the War was now over. Upon this, it grew to be publicly ſaid, That he lov'd no *Engliſhman*'s Face, nor his Company: So his Enemies reckon'd it was fit for their Ends to let that Prejudice go on, and encreaſe in the Minds of the People, till they might find a proper Occaſion to graft ſome bad Deſigns upon it."

[Cole's Mem. p. 121, 122.] Says Mr. *Prior* in a Letter to Lord *Marchefter*, dated *April* 10, "*God* knows how the Buſineſs will turn, or where this Violence of the Houſe of Commons will end. The Lords ſeem as yet to adhere to their Point: On *Wednesday* we expect to ſee the Iſſue of all This. *Seymour* plainly ſaid To-day, That the Original of all This, proceed from the Miniſters; and from the Chief of them, the Chancellor, many other angry Things of this Kind have been vented. —Our *Friend* (meaning Mr. *Montagu*) has ſaid nothing of late in the Houſe of Commons: My Lord Chancellor is very *ſick*. This is the *Abbregé* of our Caſe." And again, the next Day, in another Letter to the ſame Lord, "Yeſterday was, indeed, a great Criſis, (q) *from* the Morning, when it was doubtful, whether the Lords would adhere to their Amendments or no, the Commons fell directly upon Impeaching. The Perſons they nam'd, were my Lords *Portland* and *Albemarle*; the Articles upon which they were going; *For procuring to themſelves exorbitant Grants*. In this State the Affair laſted, till after the ſecond Conference with the Lords: And immediately upon the Managers returning from the Conference, the Houſe, tho' they thought the Lords would recede, lock'd themſelves up till Ten at Night, of which you ſee the good Effect in the Votes: They threw Fire about at every Body; had a great Mind to fling at our Friend *Charles*; you ſee what they would have done to my Lord Chancellor; and how Duke *Schomberg* and Lord *Portland* ſuffer in their Addreſs, That *Strangers* ſhould not be Privy-Counſellors. *God* knows whither this Heat would have gone, if it had not been timely diſſipated by every Body's ſtriving to come in: So that this Bill paſs'd: Upon the Main, we have Like for ſix Months longer: and *Alors comme alors*."

A. D. 1700.

There is ſtill another Citation to be made in its Place: But then we muſt here obſerve, That the Motion againſt the Lord Chancellor, was for an Addreſs to his Majeſty, *To remove him from his Preſence and his Councils for ever*: That the Motion for an Addreſs againſt *Strangers*, was to this Effect, That no Perſon, who was not a Native, except Prince *George* of *Denmark*, be admitted to his Majeſty's Councils in *England* or *Ireland*: That we are aſſur'd, the Compliance of the Lords, was owing to the Requeſt of the King, ſignify'd in a private Meſſage by Lord *Albemarle*, which does not ſquare with B. *Burnet*'s Account: And that his Majeſty having given the Royal Aſſent to That and ſuch other Bills as the Seſſion had produc'd, the next Day commanded the Earl of *Bridgewater* (who had officiated as Speaker of the Houſe of Lords, during the Chancellor's Abſence) to prorogue the Parliament, which was (r) done accordingly, without a Speech; his Majeſty not thinking what they had done worth

[Boyer, Kennet, Oldmixon.]

Parliament prorogu'd without a Speech.

(q) Perhaps, inſtead of the Word *from*, the Words *for in*, ſhould have been us'd in this Place.

(r) "Before we leave this Seſſion of Parliament, we muſt take Notice of a Paſſage that made at that Time a great deal of Noiſe: The Commons having appointed one Mr. *Sayburn* to preach before them on the 30th of *January*, that Miniſter, who, it ſeems, was tainted with *Republican* Principles, inſtead of aſſerting the Rights and Prerogatives of Mo-

narchy, and ſuiting his Sermon to the Occaſion, which was a Day of Humiliation for the Murder of King *Charles* I. by his rebellious Subjects, he exalted the Power of the People; preach'd up the exploded Opinions that were the firſt Cauſe of that bloody and horrid Parricide: and would have perſuaded his honourable Auditors, that the Obſervation of this Fact, which has always been religiouſly kept by all Parliaments, ſhould be utterly abolith'd. Beſides which it was remark'd,

A. D. 1700.

worth his Thanks; and, not unwiſely, avoiding to give any poſitive Proof in public of his Reſentment.

Various Accounts of Lord Sommers's Diſgrace.

As to what follow'd hereupon in the Cabinet, it is variouſly and imperfectly told.

"The Leaders of the *Tories* [ſays B. *Burnet*] began to inſinuate to the Favourites, the Neceſſity of the King's changing the Miniſtry, in particular of removing the Lord *Sommers*, who, as he was now conſider'd as the Head of the *Whigs*, ſo his wiſe Counſels, and his modeſt way of laying them before the King, had gain'd him a great Share of his Eſteem and Confidence; and it was reckon'd, That the chief Strength of the Party, lay in his Credit with the King, and in the prudent Methods he took to govern the Party, and to moderate that *Heat* and thoſe *Jealouſies* with which the King had been ſo *long* diſguſted, in the firſt Years of his Reign." And again, afterwards: "But now the *Tories* ſtudied to get it infus'd into the King, That all the hard Things that had been of late put on him by the Parliament, were occaſion'd by the Hatred that was born to his Miniſters; and that if he would change Hands, and employ others, Matters might be ſoftned and mended in another Parliament: With this the Earl of *Jerſey* ſtudied to poſſeſs the Earl of *Albemarle*; and the Uneaſineſs the King was in, diſpos'd him to think, that if he ſhould bring in a Set of *Tories* into his Buſineſs, they would ſerve him with the ſame Zeal, and with better Succeſs, than the *Whigs* had done; and *he* hop'd to throw *all* upon the *Miniſters*, that were now to be *diſmiſs'd*.

The firſt Time that the Lord *Sommers* had recover'd ſo much Health as to come to Court, the King told him, it ſeem'd neceſſary for his Service, that he ſhould part with the Seals, and he wiſh'd, that he would make the delivering them up his own Act: He excus'd himſelf in this; all his *Friends* had preſs'd him, not to offer them, ſince that ſeem'd to ſhew Fear or Guilt: So he begg'd the King's Pardon, if in this he follow'd their Advice; but he told the King, That, whenſoever he ſhould ſend a Warrant under his Hand, commanding him to deliver them up, he would immediately obey it: The Order was brought by Lord *Jerſey*, and, upon it, the Seals were ſent to the King. Thus the Lord *Sommers* was diſcharg'd from this great Office, which he had held ſeven Years, with a high Reputation for Capacity, Integrity, and Diligence: He was in all Reſpects the greateſt Man I had ever known in that Poſt: His being thus remov'd, was much cenſur'd by all, but thoſe who had procur'd it: Our Princes uſed not to diſmiſs Miniſters, who ſerv'd them well, unleſs they were preſs'd to it by a Houſe of Commons, that refus'd to give Money, till they were laid aſide. But here a Miniſter (who was always vindicated by a great Majority in the Houſe of Commons, when he was charg'd there, and who had ſerv'd both with Fidelity and Succeſs, and was indeed cenſur'd for nothing ſo much, as for his being *too compliant* with the King's Humour and Notions, or at leaſt for being *too ſoft* or *too feeble* in repreſenting his *Errors* to him) was remov'd without a *Shadow* of *Complaint* againſt him. This was done with ſo much haſte, that thoſe who had prevail'd with the King to do it, had not yet concerted who ſhould ſucceed him: They thought, that all the great Men of the Law were aſpiring to that high Poſt, ſo that any one, to whom it ſhould be offer'd, would certainly accept of it: But they ſoon found they were miſtaken; for what, by reaſon of the Inſtability of the Court, what by reaſon of the juſt Apprehenſions Men might have of ſucceeding ſo great a Man, both *Holt* (Lord Chief Juſtice) and *Trevor* (Attorney General) to whom the Seals were offer'd, excus'd themſelves. It was Term-time, ſo a Vacancy in that Poſt put Things in ſome Confuſion. A temporary Commiſſion was granted to the three Chief Judges, to judge in the Court of Chancery; and after a few Days, the Seals were given to Sir *Nathan Wright*, in whom there was nothing equal to the Poſt, much leſs to him who had lately fill'd it. The King's Inclinations ſeem'd now turn'd to the *Tories*, and to a new Parliament: It was for ſome Time in the Dark, who had the Confidence, and gave Directions to Affairs; we, who look'd on, were often diſpos'd to think, that there was no Direction at all, but that every Thing was left to take its Courſe, and that all was given up to Hazard."

According to Mr. *Oldmixon*, "The King had ſome Time before the Prorogation of the Parliament, given my Lord *Sommers* a Hint of the Neceſſity he ſhould be under to part with him, in order to accommodate Matters with thoſe in the Oppoſition: And he took the Liberty to ſpeak to his Majeſty in Words to this Effect: "That he knew very well "what his Enemies aim'd at, by their abu-"ſing and perſecuting him as they had of "late done; that the Seal was his greateſt "Crime, and if he quitted it, he ſhould be "forgiven: But, knowing what ill Uſe would "be made of it if it were put into their "Hands, he was reſolv'd, with his Majeſty's "Permiſſion, to keep it in Defiance of their "Malice, and to ſtand all the Trials they "ſhould put upon him, with the Supppnt "of his Innocence, and the Hopes of being "ſerviceable to his Majeſty: That he fear'd "them not; and did not doubt but if he "would be as firm to his Friends as they "would be to him, they ſhould be able to "carry whatever Points he had in View for "the public Welfare in a new Parliament." The King ſhook his Head a little, as a Sign

remark'd, that he omitted praying for the Parliament, and every Branch of the Royal Family. The next Day a Motion being made, and the Queſtion put, That the Thanks of the Houſe be given to Mr. *Stephens* for his Sermon, it was carry'd in the Negative, and reſolv'd, That for the future, no Perſon be recommended to preach before the Houſe, who is under the Dignity of a Dean in the Church, and has not taken his Degree of Doctor in Divinity." *Life of King William*, Vol. III. p. 449, 450.

A. D. 1700. Sign of his Diffidence, and only said, *It must be so.*" (s)

Boyer, and after him *Kennet*, tells the Story thus, "The King sent the Earl of *Portland* to the Lord Chancellor *Sommers*, to demand the Great Seal of him: Whether his Majesty made this Step by his own Determination, or by the Impulse of his New Favourite, who headed a growing Party, History cannot affirm; but 'tis most certain, that thereby his Majesty lost abundance of true Friends, without gaining any real ones."

In *Cole*'s Memoirs, which were either gutted to his Hand by those who knew their Consequence more than he, or which are very unfairly given by him to the Public, there is not one Letter which turns on this great Incident: And this is so much the more strange, because *Prior*, writing to Lord *Manchester*, *April* 18, says, "At the End of a Session of Parliament, you know, we always talk of a Change of the Ministry, we do so at present, but upon what Ground I know not." As also, because his Lordship, in his Reply, interjects, "I think, instead of a Change in the Ministers, we should have a New Parliament: That would be more for the King's Service." And because *Prior* again, on the 2d of *May* following, (as if that Minister was already appriz'd of Lord *Sommers*'s Disgrace) writes as follows, "My Lord Chief Justice *Holt* having been here, (at *Hampton-Court* that is to say, where the King then was) and with the King in private, has given People occasion to say, That he has refus'd the Seals: If it be so or not, I cannot say; but as yet the Seals are not dispos'd of."

Various Facts and Circumstances serving to illustrate the Cabinet-History of these Times.

The Reader, out of all this Matter, may reason and judge for himself: But for his farther Assistance, it may be recollected, 1st, That, notwithstanding the moderate and complaisant Part which Lord *Sommers* had acted in relation to the King, he had, on so many Occasions, preferr'd the Interests of his Party to the Inclinations of the King, that he could not but partake of his Majesty's Displeasure, as often as he interpos'd his Credit and Services as a Skreen for them; consequently, was so much the easier shook by the Storm which his Enemies rais'd against him. 2dly, That if, according to *Burnet*, his Lordship pleaded the Advice of his *Friends* as an Excuse, for not *resigning* the Seals at his Majesty's Instance, that Advice was perfectly conformable to a Maxim of his own: For he himself had endeavour'd to dissuade Lord *Orford* and *Montagu* from *resigning*. 3dly, That *Holt* was rather a Rival than a Friend to *Sommers*, as appears by his whole Conduct in the Bankers Case, and more especially in the House of Lords, where it was brought by Appeal during the last (t) Session; and where he was made use of to lower the Chancellor's Credit as a Lawyer: So that if the Seals were offer'd to *Holt*, it can scarce be presum'd, That he refus'd them in Deference to Lord *Sommers*'s superior Ability. 4thly, That, after his Majesty had remov'd the Latter, he continued still in pursuit of some Temperament to pacify the *Whigs*; as appears by that other Document above referr'd to, which is now to be inserted, and which is of no less Authority, than that of a Letter under the King's own Hand to Lord *Galway*, at the very Interval when the Disposal of the Seals was yet in Suspence. A. D. 1700.

Hampton-Court, May 11. 1700.

[Tindal.] "It is a good while since I writ to you last: The Reason is, that, being always uncertain of the Issue of the last Session of Parliament, I was unwilling to answer any of your Letters: You may judge, what Vexation all their extraordinary Proceedings gave me, and I assure you, your being depriv'd of what I gave you, with so much Pleasure, was not the least of my Griefs: I hope, however, that I shall be in a Condition to acknowledge the good Services you have done me, and you may depend upon it, I shall earnestly seek occasion so to do: It ought to be some Satisfaction to you, in the just Resentment of what concerns you, that no Body could blame your Conduct; on the contrary, all appear'd satisfy'd with it, and the Vote, which passed in Anger the last Day, concerns you but indirectly: And I can assure you, that you was in no way the Occasion of it. There have been so many Intrigues, in this last Session, that, without having been on the Spot, and well inform'd of every thing, it cannot be conceiv'd. It will be impossible for me to continue the Commission of the Lords Justices in *Ireland*, as it is at present; so I have resolv'd to send thither the Duke of *Shrewsbury* as Viceroy, and that you command the Army under him: Do not think that this will be a Degradation; no Body here will take it to be so; and I know that every one wishes it, and believes it absolutely necessary for my Service: I am fully persuaded, as I hope that you will not refuse to accept of this Command, nor relinquish my Service: I assure you, I never had more occasion, than at present, of Persons of your Capacity and Fidelity: I hope I shall

(s) "The Gentleman from whom I had this Incident, had it from my Lord *Sommers* himself; and I have the more Reason to believe it, because their Intimacy had been so great, as that my Lord, when he was Solicitor-General, was very near concluding a Treaty of Marriage with a young Lady that Gentleman's Kinswoman; which I speak of my own Knowledge, and the rather, because it is probably the only Treaty of that Kind, which his Lordship ever enter'd into." *Oldmix. Vol. II. p.* 208.

(t) "On the 6th of *December*, 1699, there was an Appeal from the Determination to the House of Lords, and, after hearing Council and the Sentiments of the Judges, a Day was set apart for debating it. Lord *Sommers*, with his usual Modesty and Candour, open'd his Reasons to the House, and some Lords, in an unprecedented Manner, call'd upon *Holt*, Chief Justice, to answer him, tho' a Peer of their own Body, and Chancellor: But *Sommers*, not daunted by that peculiar Circumstance, reply'd upon *Holt* with great Spirit and Energy. The Judgment however was revers'd on the 23d of *January*, and a Protest enter'd: No Liberate or Warrant for payment issued upon this Reversal; but in the same Session an Act pass'd to apply the Revenue of Excise, as a Security for 820,000*l.* and a weekly Payment of 3,700*l.* to the Civil List, on account of the Necessity of Affairs, subject, at the same Time, to the Charge of an annual Payment of three *per Cent.* on the whole Principal due to the Bankers, from and after the 25th of *December*, 1705, which Principal was made redeemable on payment of a Moiety." *T. M. Rep. cited by Mr.* Tindal.

A. D. 1700. shall find Opportunities to give you Marks of my Eſteem and Friendſhip, and I would not engage you in this, were I not aſſur'd that no Hurt can happen to you from it: But I know it will meet with a general Approbation, and doubt not your Friends will ſay the ſame, and I am glad to tell you, you have a great many, and among all Parties.

WILLIAM R."

5thly, That whatever Temperament the King propos'd to the Party, his beſtowing the Seals on Sir *Nathan Wright*, which was done on the 21ſt of *May*, render'd it of none Effect: For, whether the King (as it has been ſaid) offer'd them to *Treby*, who was a Tool of their own, and *Treby* was indue'd to refuſe them, that his Majeſty might be forc'd to reinſtate *Sommers*, or not, it is certain, That his Grace of *Shrewſbury* was ſo far from accepting the Lieutenancy of *Ireland*, that he reſign'd the Chamberlain's Key, which he ſent up to the King by Mr. Secretary *Vernon*, inſtead of delivering it into his Majeſty's own Hand; and then, and not till then, put his Reſolution in force of going abroad, in order to the Re-eſtabliſhment of his Health.

6thly, That, notwithſtanding this Act of Uncomplaiſance, his Majeſty had recourſe to other Expedients to conciliate the good Graces of theſe Importants: For he oblig'd Lord *Jerſey* to accept of the Chamberlain's Key in lieu of the Secretary's Seals: He authoris'd *Vernon* to officiate in both Provinces, till he could be able to determine, who ſhould be his Collegue: He made Lord *Romney*, his old Favourite, if any *Engliſhman* in his Service ever deſerv'd that Name, Groom of the Stole: And he would have perſuaded Lord *Sunderland* to come to Town, in order to concert with him ſuch farther Palliatives as might beſt moderate the Fervor of the Times: But he excus'd himſelf; being, as it was then ſaid, unwilling, That what was done ſhould be imputed to his Advice.

Cole's Mem. P. 155.

And, laſtly, That his Majeſty, finding himſelf thus abandon'd by his old Friends, and being undetermin'd in what Degree to confide in his new ones, reſolv'd once more to take *Breath* in *Holland*; carrying with him, as uſual, none but *Blathwayte*, his Secretary at War, to act under him as an *Engliſh* Miniſter; and leaving the Regency in Truſt with the Archbiſhop of *Canterbury*, the Lord Keeper *Wright*, the Lord Preſident (*t*) *Pembroke*, the Lord Privy Seal *Lonſdale*, the Lord Steward *Devonſhire*, the firſt Lord of the Admiralty *Bridgewater*, the Governor to the Duke of *Glouceſter Marlborough*, and the firſt Lord of the Treaſury *Tankerville*: So that the Secretary of State, *Vernon*, tho' officiating for both Provinces, was not permitted to ſhare in that high Honour.

Progreſs of the Second Treaty of Partition.

And now it is Time to reſume the Courſe of the Second Partition-Treaty, which in this Interval, was not only brought to Perfection, but began to be in Operation.

And firſt it appears, That the extraordinary Deference manifeſted to the good Will and Pleaſure of *France*, in the private Audience which Lord *Manchester* had ſought and obtain'd, had all the Effect expected from it: That is to ſay, it drew Aſſurances from M. de *Torcy*, as well as from the King, That the ſlow Proceedings of the States, had been ſufficiently explain'd and accounted for: That M. de *Tallard* would be order'd to return to the *Britiſh* Court, to reſume his miniſterial Function there: And that the Moſt *Chriſtian* King was in the beſt Diſpoſition imaginable, to live in the cloſeſt Terms of Friendſhip with his Majeſty.

But, in proportion as the Impreſſion, which this extraordinary Sweetener had made, began to wear out, their Impatience to bring ſo deſirable a Meaſure to an Iſſue, began to diſcover itſelf again: They demurr'd to every little Point Lord *Manchester* had in charge to ſolicit: They grew importunate in their own Demands: They urg'd, They had now a good Opportunity of managing for themſelves at the Court of *Spain*, the Queen being out of Humour with the Court of *Vienna*, (and That of *London* ſcarce having one Perſon in it which did not eſpouſe the Reſentments of M. de *Canaillet*, their late Embaſſador to King *William*): And when Lord *Manchester* would have palliated Matters, by inſinuating, That if M. de *Tallard* had not quitted *Holland* ſo abruptly, probably the States would have been quicker in their Motions, M. de *Torcy* bluntly reply'd, They had nothing to do with the States, having only treated with *England*: (and yet, as we have before ſeen, they would not ſign with *England*, without the Concurrence of *Holland*) That M. de *Bonrepos* was return'd to *Paris*, ſo that they had no Miniſter there; ſeeming (theſe are Lord *Manchester*'s own Words) to inſiſt very much on this Point, That it was not in the leaſt their Buſineſs: That ſeveral Months were paſs'd ſince the Time They had reaſon to think this Matter would have been finiſh'd: That they had Propoſals of Treaties from all Parts, but that the King was more deſirous of treating with *England*, than with any other Power, *&c.*

Cole's Mem. P. 90. 91.

The Dutch agree to it with ſome Reſerves.

In the mean Time, however, M. de *Tallard* was diſpatch'd with new Inſtructions to *London*; and ſoon found by Experience, That the driving *England* into the Toils, was the way to drive *Holland* too: For the Province of *Zealand* firſt, and that of *Holland* afterwards, conſented to become Parties in the Treaty, under certain Reſerves, namely, That M. de *Tallard* ſhould be ſent over to the *Hague*, in order to put the laſt Hand to it there: That when ſign'd and ratify'd, it ſhould be regiſter'd in the Parliament of *Paris*, *&c.*

But even theſe Reſerves held the Matter in Suſpence ſome Time longer: For the Court of *France* would not ſo much as hear at firſt of the Regiſtering Point: Declaring, with ſome Warmth, That the Parliament of *Paris*,

(*t*) About this Time made a Knight of the *Garter*, together with the Earl of *Albemarle*.

A. D. 1700. *Paris* was no more than a Court of Juſtice: And alſo, That there was a Neceſſity of keeping the Matter a *Secret*, which could not be done, if any of them was comply'd with. On the other Hand, ſtill ſuch an Expedient had been adopted in *Holland*, as render'd the ſaid enregiſtering Clauſe palatable to *France*, namely, That the Treaty ſhould be ſo enregiſter'd, as ſoon as the Emperor had acceded to it; and Till *France* had agreed, That the Treaty ſhould firſt be ſign'd by the *Engliſh* and *French* Miniſters at *London*, M. de *Tallard*, according to his own Repreſentations, could not undertake for the Succeſs of his Endeavours: But, as ſoon as theſe Temperaments were admitted on all Sides, and the Count de *Briord* was diſpatch'd by the Moſt *Chriſtian* King, to officiate as his Plenipotentiary at the *Hague*, *England*, agreeable to what King *William* had before offer'd, made no Difficulty to leap the Gulph, nor *Holland* to follow her Exemple.

The Treaty ſign'd. It was the 21ſt of *February*, O. S. or 3d of *March*, N. S. when the Treaty was ſign'd at *London*, by the Earls of *Portland* and *Jerſey*, and M. de *Tallard*: And on the 25th of *March* following, N. S. it was ſign'd by M. de *Briord*, and the Plenipotentiaries for the States at the *Hague*.

An Abſtract thereof. To confirm by new *Obligations* the good Intelligence re-eſtabliſh'd between his Moſt *Chriſtian* Majeſty, his *Britannic* Majeſty, and their High Mightineſſes, by the late Treaty of *Ryſwick*, and to prevent, by ſeaſonable Precautions, ſuch Incidents as might occaſion a new War in *Europe*, were in the Preamble declar'd to be the Motives of making it: And the Matters ſtipulated were compris'd in Sixteen Articles, to the following Effect: To wit, The Treaty of *Ryſwick* was ſolemnly confirm'd; and, in caſe his *Catholic* Majeſty ſhould die without Children, the *Dauphin* was to have, for himſelf and his Heirs, the Kingdoms of *Naples* and *Sicily*, and alſo the Iſlands on the *Italian* Coaſt, belonging to *Spain*, namely, *St. Stephano*, *Porto Hercole*, *Orbitello*, *Telamone*, *Porto Longone*, and *Piombine*, the City and Marquiſate of *Final*; and the Province of *Guipuſcoa*. The *Dauphin* was likewiſe to have the Duchies of *Lorrain* and *Bar*; and the Duchy of *Milan* was to be given to the Duke of *Lorrain* and his Heirs, in lieu of *Lorrain* and *Bar*; but the County of *Bitche* was to remain in ſovereignty to the Prince of *Vaudemont*. The Archduke *Charles* was to have, for himſelf and his Heirs, the Kingdom of *Spain*, and all that belong'd to it, in, and out of *Europe*. The Emperor was to have three Months Time given him to come into this Treaty: And, in caſe the Archduke ſhould die without Children, the Succeſſion was to go to ſome other Child of the Emperor, to whom he ſhould be pleas'd to give it; except him, who ſhould be Emperor or King of the *Romans*: And this Part of the Monarchy of *Spain*, was alſo never to go to the Prince who ſhould be either King of *France*, or *Dauphin*. In caſe the King of *Spain* dy'd without Iſſue, the whole of the Succeſſion was to remane in the State it ſhould then be in: None of the Claimants were to ſeize any Part; but, on conforming A. D. 1700. to the Conditions of the Treaty, might take Poſſeſſion of the Portion allotted to them by it: And in caſe of Difficulty, the Contracting were to uſe their utmoſt Endeavours to remove it by Force of Arms: In caſe any of the ſaid Parties ſhould be attack'd, on Account of the ſaid Treaty, or on Account of carrying it into Execution, all were to aſſiſt each other with all their Forces, and to render themſelves Guaranties thereof: All Kings, Princes, and States were to become Parties in it that would: The ſaid Two Kings and States-General were at Liberty to invite what Powers they pleas'd not only to accede to it, but alſo to become joint Guarantees: If any of the Princes concern'd in the Partition ſhould form any Enterpriſe to aggrandiſe themſelves at the Expence of the reſt, under any Pretext whatſoever, the Guaranty ſhould be underſtood to extend ſo far, that all the Kings, Princes and States, who accepted thereof, ſhould be oblig'd to employ their Forces againſt any ſuch Enterpriſer; and for the Maintenance of the Regulations contain'd in theſe Articles, and in caſe any Prince whatſoever ſhould oppoſe the Partition ſo to be made, the ſaid Two Kings and States ſhould be oblig'd to co-operate againſt him with all their Forces, and ſhould agree, after the ſigning of the preſent Treaty, on the Proportion each was to contribute by Sea and Land, to ſuch Service.

This was the Subſtance of the firſt Fourteen Articles; and the Two laſt regarded the Enregiſtering the ſaid Treaty, &c. and the Exchange of the Ratifications.

A ſeperate Article. There was alſo a ſeperate Article, in which the contracting Parties provided, 1ſt, That in caſe the King of *Spain* ſhould refuſe Lamberty 4 to enter into the ſaid Treaty, and contrarywiſe ſhould procede to demoliſh the Towns, Places and Ports belonging to the *Dauphin*'s Share, the ſaid Parties ſhould oppoſe the ſame by all Sorts of Means. 2dly, That They would employ their good Offices with his *Catholic* Majeſty, that the Provinces which compos'd the *Dauphin*'s Share, might not be taken out of the Hands of the Governors which then held them; or in caſe any Change was made, it might be made only in Favor of native *Spaniards*: And, 3dly, That his *Britannic* Majeſty and the States-General, ſhould engage to keep, by way of Depoſit, the ſolemn Acts of the Moſt *Chriſtian* King and of the *Dauphin*, which in Conformity to the 4th Article of the Treaty, were to be put into their Hands: And at the Time they were ſo put into their Hands, to declare, That neither the Emperor nor the King of the *Romans* ſhould be admitted into the ſaid Treaty, till they alſo had in like Manner executed the ſolemn Acts requir'd of them by the Sixth Article, which were to be expreſs'd in ſuch Terms, as ſhould be ſatisfactory to the Parties concern'd, agreeable to a Model thereunto annex'd.

Both this Article and Model were formally ſign'd by the ſeveral Miniſters both at *London* and the *Hague*, who ſign'd the Treaty,

A. D. 1700. as was also the (*w*) secret Article which follows, to wit.

And also a secret Article.

"His *Britannic* Majesty, his Most *Christian* Majesty, and the Lords the States-General, having a Desire to prevent a War, which might be occasion'd by the Death of the King of *Spain*, without Children, have agreed on a Treaty about the Succession, &c. And, as it is said in the Fourth Article of the said Treaty, That the Duchies of *Lorrain* and *Bar* shall be yielded to the *Dauphin*, in exchange for the Duchy of *Milan*, which should be given to the Duke of *Lorrain*; and, as the Two Kings and the States-General think, that nothing is more proper for the Ends propos'd, they will make use of all their Interest, either jointly or seperately, to engage the said Duke of *Lorrain* to consent to it.

But, as it is necessary to determine, who shall be the Prince to whom the Duchy of *Milan* shall be committed, and what shall be given to the *Dauphin* for Reparation, in the room of the Duchies of *Lorrain* and *Bar*, if, against all likelihood, the Duke of *Lorrain* will not give his Consent to this Exchange, notwithstanding the good Offices and continual Applications, repeated during the Life of the King of *Spain*, or to the Time hereunder agreed to after his Death; the said Two Kings and the States-General, above-named, have agreed, That, in that Case, his *Britannic* Majesty and the States-General shall chuse one of these Alternatives, at the End of the said Term, after the Death of his *Catholic* Majesty; that is, to consign the Dutchy of *Milan* into the Hands of the Elector of *Bavaria*, to enjoy it for him, his Children, Males or Females, his Heirs, Successors, and Descendants, Males or Females, born or to be born, for ever, in intire Property and full Possession; ordering, in exchange, *Navarre*, to the *Dauphin*, to enjoy it, he, and his Children, Males and Females; his Heirs, Successors, or Descendants, born, and to be born, in intire Property, and full Possession; or, instead of *Navarre*, the City and Duchy of *Luxemburg*, and the County of *Chiny*: Or else to give the Duchy of *Milan* to the Duke of *Savoy*, to enjoy it, for his Children, Males and Females, his Heirs, Successors, and Descendants, Males or Females, born, or to be born, in intire Property and full Possession; ordering, in exchange, for the Share of the *Dauphin*, the City of *Nice*, the Valley of *Barcelonetta*, and the Duchy of *Savoy*, to enjoy it in Perpetuity, and full Possession, he, his Children, Heirs, Successors, and Descendants, Males or Females, born, and to be born.

Moreover, the Two Kings and the States-General have agreed by this secret Article, That, tho' it is not said in the Seventh Article of the said Treaty, sign'd at *London* the 21st of *February*, and at the *Hague* the 25th of *March*, 1700, that a Prince shall be agreed on, to whom the said Portion of the most serene Archduke shall be given, in case the Emperor and the King of the *Romans* will not subscribe to the said Treaty after the Term of three Months shall be expir'd, to be counted from the Day on which it shall be notify'd: Nevertheless, the Emperor shall be allow'd to subscribe, during two Months, to be reckon'd from the Day on which the Death of his *Catholic* Majesty shall be made known to him by his *Britannic* Majesty, his Most *Christian* Majesty, and the Lords the States-General: But, in case his Imperial Majesty refuses to enter into it in the Time above-nam'd, the Two Kings and the States-General shall agree, at the End of the Time above-appointed, on a Prince, to whom the said Portion shall be given, and the Remainder of what is in the said Seventh Article, from which what is above-said does not derogate, shall be punctually executed.

It is further agreed, That, if the most serene Archduke should go into *Spain*, or enter into the Duchy of *Milan*, tho' it is said in the Eighth Article of the said Treaty, to which this secret Article refers, that he cannot go thither before the Death of his *Catholic* Majesty, but by the common Consent of the Two Kings and the States-General, his *Britannic* Majesty and the States-General engage themselves to use all their possible Endeavours and Might, and even to come to Acts of *Hostility*, if it be necessary; in short, to take all convenient Measures, in concert with his Most *Christian* Majesty, to oblige his *Catholic* Majesty and the *Spaniards* to send him back out of *Spain*, or out of the Duchy of *Milan*, without any delay.

This Article shall have the same Force as if it had been, Word for Word, inserted in the Treaty, to which it refers, and shall be enregistered by the Parliament of *Paris*, immediately after the Death of his *Catholic* Majesty without Children."

Such was the Scope and Purport of this unprecedented Negotiation: And before we can be at Liberty to consider, whether King *William* acted most as a *Frenchman*, a *Dutchman*, or an *Englishman* in it, we must of necessity turn to *B. Burnet*, who not only undertakes to let the World into his Majesty's secret Motives, but also asserts, That he had most of them from his own Mouth: And, in Deference to the very Shadow of so great an Authority, it will be fit to make use of the Bishop's own Words, which are as follow.

Burnet's Account of this Transaction from the King's own Mouth.

"While the King was at *Loo* this Summer, a new Treaty was set on foot, concerning the Succession to the Crown of *Spain*: The King, and the States of the United Provinces, saw the Danger to which they would be expos'd, if they should engage in a new War, while we were yet under the vast Debts that the Former had brought upon us: The King's Ministers in the House of Commons assur'd him, That it would be a very difficult Thing to bring them to enter into a new War, for maintaining the Rights of the House of *Austria*. During the Debates

(*w*) Not one of these Particulars is to be found in the *English* Collection of Treaties.

A. D. 1700. bates concerning the Army, when ſome mention'd the Danger of that Monarchy falling into the Hands of a Prince of the Houſe of *Bourbon*, it was ſet up for a Maxim, That it would be of no Conſequence to the Affairs of *Europe*, who was King of *Spain*, whether a *Frenchman* or a *German*: And that as ſoon as the Succeſſor ſhould come within *Spain*, he would become a true *Spaniard*, and be govern'd by the Maxims and Intereſts of that Crown: So that there was no Proſpect of being able to infuſe into the Nation an Apprehenſion of the Conſequence of that Succeſſion. The Emperor had a very good Claim; but as he had little Strength to ſupport it by Land, ſo he had none at all by Sea; and his Treaſure was quite exhauſted, by his long War with the *Turk*: The *French* drew a great Force towards the Frontiers of *Spain*, and they were reſolv'd to march into it, upon that King's Death: There was no Strength ready to oppoſe them, yet they ſeem'd willing to compound the Matter: But they ſaid, the Conſideration muſt be very valuable, that could make them deſiſt from ſo great a Pretenſion; and both the King and the States thought it was a good Bargain, if, by yielding up ſome of the leſs important Branches of that Monarchy, they could ſave thoſe in which they were moſt concern'd which were *Spain* itſelf, the *Weſt-Indies*, and the *Netherlands*. The *French* ſeem'd willing to accept of the Dominions in and about *Italy*, with a Part of the Kingdom of *Navarre*, and to yield up the reſt to the Emperor's ſecond Son, the Archduke *Charles*: The *Emperor enter'd into the Treaty*, for he ſaw he could not hope to carry the whole Succeſſion entire; but he preſs'd to have the Duchy of *Milan*, added to his hereditary Dominions in *Germany*: The Expedient that the King propos'd was, That the Duke of *Lorrain* ſhould have the Duchy of *Milan*, and that *France* ſhould accept of *Lorrain* inſtead of it: He was the Emperor's Nephew, and would be entirely in his Intereſts: The Emperor did not agree to this, but yet he *preſs'd the King, not to give over the Treaty*, and to try if *he* could make a better Bargain for him: Above all Things, he recommended *Secrecy*; for he well knew how much the *Spaniards* would be offended, if any Treaty ſhould be own'd, that might bring on a diſmembring of their Monarchy; for tho' they were taking no Care to preſerve it, in whole or in part, yet they could not bear the having any Branch torn from it. The King reckon'd that the Emperor, with the other Princes of *Italy*, might have ſo much Intereſt in *Rome*, as to ſtop the Pope's giving the Inveſture of the Kingdom of *Naples*: And which way ſoever that Matter might end, it would oblige the Pope to ſhew great Partiality, either to the Houſe of *Auſtria* or the Houſe of *Bourbon*; which *might* occaſion a Breach among them, with other Conſequences, that might be very happy to the whole Proteſtant Intereſt: Any War that might follow in *Italy*, would be at a great Diſtance from us, and in a Country that we had no Reaſon to regard much: Beſides, that the Fleets of *England* and *Holland* muſt come, in concluſion, to be the Arbiters of the Matter. A. D. 1700.

Theſe were the King's ſecret Motives, for I had MOST of them from his *own Mouth*: The *French* conſented to this Scheme; and if the Emperor would have agreed to it, his Son, the Archduke, was *immediately to go* to *Spain*, to be conſider'd as the Heir of that Crown: By theſe Articles, ſign'd both by the King of *France* and the *Dauphin*, they bound themſelves, not to accept of any *Will*, *Teſtament*, or *Donation*, contrary to this Treaty, which came to be call'd the *Partition Treaty*. I had the Original in my Hands, which the *Dauphin* ſign'd."

The Terms, *Will*, *Teſtament*, and *Donation*, it muſt be own'd are very emphatical: But if no ſuch Terms are to be found in the Act of Renunciation, which was prepar'd by the contracting Parties, for the Signature of the Emperor, on his Acceſſion thereto, (as it is certain there are not) it may be fairly inferr'd, That the Biſhop truſted to his Memory in compoſing this Paragraph, inſtead of laying the ſaid *Original* before his Eyes, as he ought to have done. Then as to the Archduke's *immediate* going to *Spain*, in caſe the Emperor agreed to the *Partition*, the *Secret*-Article above inſerted, ſhews, That no one Circumſtance was more cautiouſly or expreſſly provided againſt than That; and if the *French* Court did afterwards ſeem to relent a little on that Head, it was by way of voluntary Conceſſion, and the Merit of it, if any, as we ſhall ſee in its Place, belong'd only to themſelves. And, laſtly, as to the *Emperor's entering into the Treaty*, which his Lordſhip ſo confidently *affirms*, all the Authorities extant are diametrically oppoſite to that *Affirmation*. For Exemple: In the (x) Ninth Letter of King *Lewis* to M. de *Briord* at the *Hague*, dated *May* 10, (N. S.) his Majeſty writes as follows, "M. le *Comte* de *Briord*, your Letter of the 6th of this Month, *(May)* will not ſuffer me to doubt, That the *Penſioner* has not forwarded the neceſſary Orders to the Sieur *Hop* (the *Dutch* Miniſter at the *Imperial* Court) for the Direction of his Conduct, as to the Execution of the Treaty: I have inform'd you of Thoſe which I have given on that Head to the Marquis de *Villars*; the Principal is, That they ſhould Both act in concert: But then I am of Opinion, That the Communication ſhould be made ſeperately; that the Emperor ſhould receive it from my Envoy forthwith; and afterwards from the Envoy of the States-General, in the Name of the King of *England*, and of his Maſters;

Explain'd from authentic Papers.

(x) The whole Collection was publiſh'd at the *Hague* in the Year 1718, partly in Cypher: But, tho' thoſe Parts are generally deciphered by way of Note at the Bottom of the Page, That I might alſo know, how far thoſe Notes might be rely'd upon, I call'd in the Aſſiſtance of my Friend *Dr. Gregory Sharpe*, whoſe leaſt Accompliſhment is a Maſtery in the Art of *Deciphering*, and who had the Goodneſs to re-examine the whole Collection, to correct what was erroneous, and ſupply what was defective, as far as the *Data* in ſo ſhort a Tract would give Leave.

A. D. 1699. Maſters; who is alſo to urge every cogent Reaſon which ought to induce the Emperor to ſubſcribe to the Meaſures taken for the Maintenance of the Peace. The Count de *Tallard* has agreed, (with the Court of *England* muſt be underſtood) That neither the *ſecret* Article, nor the *ſeperate* Article, ſhall be communicated; and for that Reaſon M. de *Villars* is not, for the preſent, to be made acquainted with the Contents of them."

By the way, to account for Mr. *Hop*'s acting in this double Capacity on this important Occaſion, it ought to be known, That *England* had no Miniſter at the *Imperial* Court at this Juncture, unleſs the Secretary of the laſt Envoy, who ſtill remain'd at *Vienna*, might be call'd one: And farther, that the Moſt *Chriſtian* King had inſtructed M. de *Tallard*, to obtain a Declaration here, That when a Miniſter ſhould be ſent thither from hence, (as Mr. *Sutton* ſoon after was) he ſhould uſe no Language there but what was conformable to That us'd by Meſſieurs de *Villars* and *Hop*; which is a new Proof, That the Emperor neither did nor could enter into the Treaty till after it was made; when, to ſpeak properly, it was rather to be impos'd upon him than communicated to him.

England had then no Miniſter at Vienna.

[*Lettres de Louis* XIV. *au M.* Briord, p. 13.]

Beſides: Lord *Manchester*, in a Letter to Lord *Jerſey*, dated from *Paris*, *May* 8, expreſſes himſelf as follows: "I deſir'd, He (M. de *Torcy*) would let me know when He would mention the late Treaty to the Emperor's Miniſter, and what Meaſures they intended to take, that I might act conformable to them: He ſaid, He ſhould not take Notice of it, till next *Tueſday* Se'nnight, that (for, *when*) they would ſend Orders to M. de *Villars*, (with a Copy of the Treaty) to communicate it to the Emperor, and to ſend back the Courier at the Expiration of Eight Days, in caſe he had no Anſwer, and to declare, That the King ſhould look upon it as a Refuſal: That leſt the Emperor might engage the Pope, the *French* Embaſſador at *Rome* is to communicate it alſo, and to deſire it may be kept a *Secret*; that they think proper to act in the ſame Manner with the Republic of *Venice*; and they will impart it to their Embaſſador here, about the ſame Time they mention it to the Emperor's Miniſter: As for *Spain*, they thought it not yet proper. He ſaid, They ſhould now ſoon ſee the Succeſs of this great Affair; and the King (*William* meaning) would have the Honor of it; and the Caſe was extremely chang'd in Two Years: That the *French* King had now all the *Obligations* and *Intereſt* to wiſh for the Life and Welfare of our King; aſſuring me of the great Concern He was under ſome Time this Winter, when they hear'd from M. de *Tallard*, That he was a little indiſpos'd: This, I take, is not unlikely, it being plainly their *Intereſt*; elſe I ſhould not eaſily be perſuaded of their good Intentions."

Again: In another Letter, dated *May* 19, his Excellency ſays, "Yeſterday M. de *Torcy* acquainted the Emperor's Miniſter of the *whole Affair*: He ſeem'd mightily ſurpriz'd, and complain'd much of the Proceedings of our King; taking Notice of the many Engagements that had been made between our Maſter and him." It is true, M. de *Torcy*'s Anſwer, which follows, as recited in the ſame Letter, creates ſome little Perplexity; for the ſaid Recital is made in theſe Words: "To which M. de *Torcy* anſwered, That He thought he had no Reaſon to complain, after what had paſs'd on that Subject at *Vienna*; and that the Emperor had been inform'd of every Thing that was now agreed to: That this Matter was not of a *new Nature*: For that there had been a *ſecret Treaty* between the *Emperor* and *France* concerning the Succeſſion of *Spain* in 1668." But then there is a glaring Falſhood in this Anſwer of M. de *Torcy*'s, if it was really ſuch as it is here repreſented: For, as we have already ſeen, when the Treaty was to be communicated to the Emperor in form, an expreſs Proviſion was made, That the *ſeperate* and *ſecret* Articles ſhould not be communicated to him: Beſides; the References to what had paſs'd on this Subject at *Vienna*, might relate to *all* that had paſs'd there, in regard to a *Partition*: And if it ſhould be admitted, That he had been inform'd by either Party underhand of what was then doing, there is an infinite Difference between ſuch partial, uſeleſs, Information, and his *entering* into the Treaty, as the Biſhop affirms he did. The King of *Spain* was *inform'd* of what was doing, as appear'd by M. de *Caneille*'s angry Memorial: And therefore it cannot be preſum'd, after the Noiſe which his Diſgrace occaſion'd in *Europe*, that the *Imperial* Court was wholly ignorant of what concern'd them ſo much to know.—"When I ſaw M. de *Torcy* (continues his Excellency) He told me all that had paſs'd; and I was glad to hear of this ſecret Treaty, That being a good Argument to *(y)* M. de *Zinzendorf* (the *Imperial* Miniſter at *Paris*).—He ſoon took Notice of it to me, and began in much the ſame Manner, as with M. de *Torcy*. I told him, I wonder'd to ſee him ſo much ſurpriz'd, ſince, for ſome Time, he always aſſur'd me, There was ſuch a Matter in Agitation, and that it was concluded."

Thus, not to wander too far, every new Occurrence ſerves to ſhew, That the Emperor did *not enter* into the Treaty, and that the Biſhop's Story, out of what Mouth ſoever deliver'd, is not to be depended upon.

It muſt, however, be acknowledg'd, That Lord *Manchester*, in the ſame Letter, makes a Merit of his having brought M. de *Zinzendorf* to be in *part* convinc'd, That the King had obtain'd as good Conditions for the Emperor as he could; and he adds, "That after the Diſcourſe which had paſs'd between them, the Latter went again to M. de *Torcy*, to

(y) Who made no Difficulty to acknowledge the Fact; as alſo, That *France* was in Virtue thereof to have *Naples*, *Sicily*, all *Flanders*, and the *Philippine* Iſlands: But then he added, That the Count *Auverſperg* who ſign'd it, was baniſh'd for his Reward. *Vide* Cole's *Mem.* p. 139.

A.D. 1700. *Spaniſh Suit to M. de Torcy for the Whole Monarchy.*

to demand a Copy of the Treaty; at which Time he aſk'd, as of himſelf, 1ſt, Whether *France* would conſent to the Archduke's going into *Spain* during the Life of his *Catholic* Majeſty? To which M. de *Torcy* anſwer'd, Yes; provided the Emperor accepts the Conditions. 2dly, Whether in caſe the *Spaniards* ſhould make Choice of a Prince of *France* during the Three Months allow'd his Imperial Majeſty to demur, the *French* Court would, in ſuch Caſe, reject the Offers of *Spain*? To which it was reply'd in the Affirmative as before; provided the Emperor accepted, ſign'd and ratify'd within the ſaid Term; otherwiſe not. 3dly, Whether, the Ceſſion of *Naples* ought not to be limited, as in his Opinion it ought, to the Deſcendants of Queen *Mary Thereſa*; and ſo as never to be incorporated with the Dominions of *France*? And the Anſwer was, That This would be accommodated without any Difficulty. Laſtly, Whether there was any Room to hope, That *France* would change or modify ſome other Particulars in the Treaty? And to this alſo M. de *Torcy* moſt complaiſantly return'd, That the King was in ſo good a Diſpoſition, that he would come into any Thing; this Treaty not being of ſuch a Nature as to be unalterable, provided the Alterations made in it, were made by the common Conſent of *France*, *England*, and *Holland*.

Truſt of the Italian Miniſters of the Treaty.

About the ſame Time the Treaty was imparted to all the Courts of *Europe*, and to all the foreign Miniſters reſiding at *Paris*, who expreſs'd themſelves upon it variouſly, according to their various Intereſts. The *Spaniard* only ſaid, It was a Matter above his Underſtanding; and according to Lord *Mancheſter*, Thoſe of *Italy* were moſt alarm'd; becauſe the Poſſeſſion of the *Italian* Ports would render the *French*, in effect, Maſters of their Country; and becauſe thoſe Poſſeſſions were annex'd to the Crown of *France*.—For, they ſaid, continues his Excellency, which is extremely remarkable, *If they were to go to a younger Son, That might make all that Matter eaſy.*

The French make it public to the whole World.

About the ſame Time alſo the Moſt *Chriſtian* King communicated the Affair to the Duke of *Orleans*; and indeed to his whole Court; purpoſely that it might become the Talk of the whole World; which was done without any (x) Preconcert with *England*, notwithſtanding the repeated Profeſſions of the *French* Miniſters, and even of King *Lewis* himſelf, That he would take no one Step without the Participation of his good Brother of *England*; which Profeſſions were carry'd to ſuch a Height of Cajollery, that M. de *Torcy* once took Occaſion to tell Lord *Mancheſter*, That from thenceforth it would be very convenient for *France* and *England* always to act in concert in the Affairs of *Europe*: And ſo tranſported was his Excellency with the fine Words he was daily fed with, That in one of his Letters to Lord *Jerſey*, he breaks forth into theſe Expreſſions, "It is certain the Credit and Reputation of the King was never ſo great here as it is now. Tho' I can never be perſuaded they love him, yet I am confident they eſteem him, and deſire his Friendſhip." Which deſerves ſo much the more Notice, becauſe in another Diſpatch, not many Days before, he inſerted an Article which ſhew'd, That they had alſo their Meaſures to keep with the abdicated King and his Party, and did actually beſtow all the Countenance upon them they could, tho', at this Time, it was out of their Views to undertake any Thing for their Service. The ſaid Article was as follows: "Laſt *Thurſday* was a great Day here: The Prince of *Wales*, as they call him, went in State to *Noſtre Dame*, and was receiv'd by the Archbiſhop of *Paris* with the ſame Honours as if the *French* King had been himſelf there: After Maſs, he was entertain'd by him; and your Lordſhip may eaſily imagine, That all the *Engliſh* that are here, ran to ſee him. I muſt confeſs I am ſurpriz'd to ſee Things of this Nature ſo often done, conſidering the preſent State of Affairs."

A.D. 1700. *M. de Torcy's Inſinuation to Lord Mancheſter, That the Two Courts ought to act always in concert.*

Laſtly, to ſhew what Misjudgments public Miniſters may make in Matters of public Concern, we need only conſider the Quotation that follows out of a Letter from Mr. *Stanhope*, lately recall'd from *Madrid*, and now ſtation'd at the *Hague*, to Lord *Mancheſter*, to wit: "I am glad to find by your Excellency's Favor of the 28th of *May*, the Court where you are ſtill ſeems to deſire to make fair Weather with us, of which there can hardly be a ſurer Mark than the Treaty lately made public there, concerning the Succeſſion of the *Spaniſh* Monarchy. I wiſh myſelf at *Madrid* for ſome Days, to ſee how thoſe haughty Gentlemen will rage and ſtorm to ſee themſelves diſpos'd of like *Slaves*, without ſo much as *aſking* their *Conſent*. I am alſo pleas'd to think into what an Agony this will put the holy Father of *Rome* and his whole College of Cardinals: They will infallibly labour all they can to make a League of all the Princes and States of *Italy* to keep out the *French*, and that may conduce much to keep us quiet at home."

Mr. Stanhope's *exulting Letter concerning the Treaty.*

It is now Time to interject the Progreſs of the Rupture of the North, which deſerves ſo much the more Conſideration, becauſe of the Part which the Courts of *England* and *France* took in it, and becauſe of the frequent References to it in the Courſe of their reciprocal Negotiations with each other.

[Cole's Mem. p. 139.]

As

(x) Says Lord *Mancheſter* to Lord *Jerſey* in his Letter of *March* 17, N. S. "M. *Briard* being gone ſome Days ago for *Holland*, M. de *Torcy* told me, that Matter began to take Air; and he believ'd it would do much more ſo, after the Proceedings in *Holland*."

Lord *Jerſey* replies, *March* 14, O. S. "If the Buſineſs takes Air, as M. de *Torcy* ſays, I believe it comes from the *French*. Your Lordſhip is to recommend the Secrecy of it. I have Orders to do the ſame Thing here to M. *Tallard*: But it will be hard to keep a Secret, when People have a Mind to talk."

And Lord *Mancheſter* again, *April* 7, N. S. rejoins, "I mention'd (to M. de *Torcy*) the Deſire the King has, that the Affair might be kept as ſecret as was poſſible, which he believ'd would be very difficult; tho' the only Means of doing it, was, on all Occaſions that ſhould happen to declare, *There was no ſuch Thing agreed on.*"

A. D. 1700. *Confederacy against Sweden.*

As yet we have only treated of the Affair of *Holstein*, and of the Offers made to the King of *Denmark* by the mediating Powers, in order to the setting on foot such a Negotiation, as might adjust the Matters in Dispute: But we are now to widen our Views, by taking in a much larger Scope: For, according to *Lamberty*, the Czar returning from his Travels into *Italy*, to appease a Revolt in his own Dominions, had an Interview with King *Augustus* in *Poland*, at which it was agreed, to take Advantage of the present Troubles in *Holstein*, to overwhelm *Sweden* on all Sides: The *Saxon* Troops quarter'd in *Lithuania* being to fall into *Livonia*, while the *Danes* invaded *Holstein*: And the most pressing Instances were to be us'd with the Elector of *Brandenburgh* to make an Attempt on *Pomerania*, while the *Russians* made their Effort on the Side of *Narva*. On the Consequence of which formidable Confederacy, the King of *Denmark* rejected the Offer so made, as above specify'd, and made himself Master of *Holstein*, where his Forces liv'd at Discretion: The *Saxons* also, on their Side, without any previous Complaint, did not fail to enter *Livonia* in a hostile Manner, and to lay Siege to *Riga*: Not so much presuming on their Ability to reduce so strong a Place, as on the Inclination of the Inhabitants to throw off the *Swedish* Yoke, and to return to their old Masters, (*Livonia* having antiently been a Fief of the Republic of *Poland*) which they were invited to do, by the Manifesto set forth by *Fleming* the *Saxon* General.

[Tom. I. p. 32.]

New Treaty between Sweden and the Maritime Powers.

The Court of *Sweden* in the mean Time foreseeing this Storm, and well knowing of what Importance the Assistance of the *Maritime Powers* might be of in the Affair of *Holstein*, enter'd into a new Defensive Treaty with them, which was sign'd at the *Hague* and at *London* the 13th of *January*, O. S. 1699-1700. By this Treaty the Former of *May* 4, O. S. 1699, as also Those of *Osnabrug*, *Munster*, *Nimeguen* and *Ryswick*, were confirm'd; the contracting Parties engag'd themselves to the reciprocal Guaranty of all their Dominions, as also, to defend each other against all Attacks and Violations; provided Redress could be obtain'd no other way: The Proportion of Succours was stipulated at 6000 Men: In case these should not be found sufficient, they were to enter into new Engagements for more: And tho' it was lawful for any other Prince to become a Party, it was under the Restraint of a common Consent: The whole consisted of Eighteen Articles, to which were added six seperate or secret Articles more, by the Second of which, the whole was in a Manner converted into a subsidiary Treaty: For it was thereby provided, That in case the King of *Great Britain* or the States should be obliged to take Arms in Defence of the Treaty of *Ryswick*, the King of *Sweden* should be oblig'd to furnish 10,000 instead of 6000, to be maintain'd and pay'd, from the Moment they set out from their Posts in *Pomerania* and *Bremen*: And as to the Fourth Article, we find it thus translated from the Original *Latin*: "Forasmuch, also, as the Tranquility of the North is what the Confederated Powers abovementioned have very much at Heart; and whereas, for that End, they have each of them severally constituted themselves heretofore, as Sureties and Guarantees of the Treaty concluded at *Altena*, between the King of *Denmark* and the Duke of *Holstein Gottorp*; and since they are of Opinion, that the said Tranquility of the North depends very much on the Observation of this Treaty, they have, therefore, thought fit to bind one another again by this same Treaty, to be Sureties and Guarantees of the said Treaty of *Altena*: And this Suretyship and Guaranty shall, for the present, take place against *any Attack or Violence whatsoever*: And as for the *Controversy* between the King of *Denmark* and the Duke of *Holstein Gottorp*, it shall be referr'd to the *Negotiation* at *Pinnenberg*, there to be decided as soon as possible."

By the Fifth Article, an express Provision was made for the Emperor and King of *Spain* to accede, if they thought fit: And by the Sixth, the King of *Great Britain* and the States engag'd to use their utmost Endeavours with his *Catholic* Majesty, to pay the King of *Sweden* for the *Swedish* Ships unjustly taken in the Course of the late War, by the Subjects of *Spain*: Both which Stipulations, according to the Aspect of Affairs at the Time of signing the said Treaty, might as well have been omitted, for any Purpose they were likely to serve, except that of amusing the Court of *Sweden*.

The Swedes demand Succours against the Danes and Saxons.

However this may be, as soon as the *Saxons* and *Danes* had struck their Blow, and it appear'd the Former had meditated the Siege of *Riga*, and the Latter that of *Tonningen*, his Majesty of *Sweden* call'd upon his Allies for Succours, and was not only favorably heard, but also vigorously assisted: For a strong Squadron, consisting of Thirty *English* and *Dutch* Men of War, arriv'd in the *Sound*, *July* 20, commanded in Chief by Admiral *Rooke*, and under him, for the *Dutch*, by Admiral *Allemonde*, was sent into the *Baltick* to join the *Swedish* Fleet; and 7000 *Lunenburghers* and 3000 *Dutch*, were order'd to pass the *Elbe*, and re-inforce their Army at *Bremen*. A Measure, concerning which Bishop *Burnet* writes as follows: "Upon the *Swedes* Demand of the Auxiliary-Fleets, that were stipulated both by the King and the States, Orders were given for equipping them here, and likewise in *Holland*: The King was not willing to communicate this Design to the Two Houses, and try if the House of Commons would take upon themselves the Expence of the Fleet: They were in so bad a Humour, that the King apprehended, That some of Them might endeavour to put an Affront upon him, and oppose the sending a Fleet to the *Sound*, tho' Others advis'd the Venturing on This: For no Nation can subsist without Alliances sacredly observ'd, and this was an *antient one*, lately *renew'd* by the King: So that an Opposition in such a Point, must have

A Fleet order'd to the Baltick.

Bishop Burnet's Comment thereon.

A.D. 1700. have turn'd to the Prejudice of thoſe who ſhould move it." But, unfortunately, neither in the Treaty juſt recited, nor the proviſional Treaty of *May* 1698, is there any one expreſs Article, by which any one of the Contracting Parties is oblig'd to ſend a Fleet to the Aſſiſtance of the Other: On the contrary, the Stipulations of thoſe Treaties relate to Land-Forces only; and according to the ſecret Articles of the laſt, ſeem'd to have no other or farther View, than to ſecure a Body of 10,000 *Swedes* for a valuable Conſideration in the Service of the *Maritime* Powers, in caſe of Neceſſity. And as to his Majeſty's communicating his Purpoſe to Parliament, there was, perhaps, no Obligation upon him to do it, unleſs he had ſtood in Need of their Aſſiſtance to carry it into Execution. Indeed, it does not appear, That his Majeſty had any ſuch Purpoſe, till the Seſſion was too far advanc'd, and the Party-Ferment grown abundantly too high, to admit of the Communication of any ſuch ambiguous Affair, in which *England*, as *England*, was ſo remotely if at all concern'd. The firſt Mention we meet with of it, is in a Letter of Lord *Jerſey*'s to Lord *Manchester*, dated *March* 18, and the Seſſion was clos'd *April* 11: And we may alſo collect from a little Anecdote recited by M. de *Lamberty*, That the King of *Denmark* had *Leiſure* to be inform'd of the Diſtempers which prevail'd in the Houſe of Commons, before he reſolv'd to throw away the Scabbard; and that the King of *England* had other Motives than Thoſe of Policy or the Obligation of Treaties, for engaging himſelf ſo far in the joint Quarrel of *Sweden* and *Holſtein* againſt *Denmark*; which Anecdote is as follows; to wit, That his Majeſty of *Denmark* being one Day at Table, took Occaſion to ſay, That while King *William* was at Variance with his Parliament, he would be able to do but little in *Europe*: Which being reported to his Majeſty, he expreſs'd the Diſpleaſure it gave him, by ſaying to the Marquis de *Foret*, who was attach'd to the *Daniſh* Court, and was then in the Service of King *Auguſtus*, *That he would make* Denmark *know* He *was ſtill able to do ſomething in* Europe.

Funded in Holſt. Eaſts.

[*Tom. I. p. 63.*]

An Anecdote concerning the Rupture in the North.

It is, however, to be acknowledg'd, That this Confidence of the King's was owing entirely to the *Connivance* of *France*; as That in like Manner was owing to the Criſis, which oblig'd her to ſacrifice every other Conſideration to her Intereſt in the *Partition*-Treaty.

Some neceſſary Obſervations on the Swediſh Treaty.

And firſt it muſt be obſerv'd, That the laſt Treaty with *Sweden* was ſign'd while the Two Courts of *England* and *France* were yet parleying about the Acceſſion of *Holland*; conſequently while it was yet dubious, whether the Iſſue would be productive of a cloſer Union, or of a Rupture: The ſaid Treaty, therefore, muſt be conſider'd as a Precaution againſt the worſt; and in that Light, we are not to wonder, That it was not communicated to the *French* Miniſters: But why it was not communicated to Lord *Manchester*, as we ſhall find it was not, is not ſo eaſy to be accounted for; If either for want of Ability or Integrity he was not qualify'd for his Poſt, Thoſe were blameable who beſtow'd it on him: And, whether he was or was not, the Incident we are now to bring forward, in his own Words to Lord *Jerſey*, being unfavorable to his Character, could not but be the ſame to his Miſſion. "The good Concluſion, ſays his Excellency, of the Affair, (the *Partition*-Treaty meaning) which M. de *Torcy* acquainted me with, puts this Court in good Humour; and I am apt to think all Matters here will go better than they have done. He diſcours'd about the Affairs of the *northern* Crowns, and took occaſion to tell me, That he had heard, that *England*, *Holland* and *Sweden* had made a League. I ſaid I knew nothing of it; and I ſuppos'd, the Cauſe of the Report was, the Endeavours the King and the States us'd to prevent a War in thoſe Parts; and that I had never heard of a League, or any Thing of that Nature, only from M. *Palmquiſt*, (the *Swediſh* Reſident at *Paris*) a little before I came to him. He ſaid, *It was He who had told him of it.* I perceiv'd, He was a little uneaſy at this *Report*; and let fall a Word, as if the *French* King was alſo *preſs'd to enter into an Alliance.* I told him, That what was *lately tranſacted* in *England*, was a Demonſtration of the King's Intention, not to act any Thing that could be prejudicial to *France*; neither did I believe there were any Grounds for this Report. I ſaw afterwards Count *Zinzendorf*, who was full of it; and from him came the firſt Report, he having had it from *Holland*. I *ſuppoſe he expected ſome Light from me*: But I anſwer'd him much in the ſame Manner, as I had done M. de *Torcy*. When he found I did not believe it, he went ſo far as to tell me Two of the Articles. It is neceſſary his Majeſty ſhould be acquainted with This; that ſo he may let me know how I ſhall behave myſelf, in *caſe this Report ſhould gain Credit here*." Again; in another Diſpatch of that Day Month, that is to ſay *March* 17, he procedes thus: "All are in Expectation to ſee what Meaſures *England* and *Holland* will take in relation to this Affair in the North; and now the Diſcourſe of the late Treaty begins again: But this Court is ſatisfy'd nothing relates to the Prejudice of *France*; and *They have Reaſon, after what has paſs'd.*" And Lord *Jerſey*'s Anſwer to all this, is contain'd in this ſingle Line, *I have laid your Letter of the 7th Inſtant, N. S. before the King.*

A.D. 1700.

Conduct of France in relation to the Northern Quarrel.

In the mean Time, however, his Excellency receiv'd Inſtructions to tell M. de *Torcy*, (theſe are the Secretary's Words) "That his Majeſty would be glad to know what Meaſures the King of *France* had order'd his Miniſters to take in the Affair of the *Saxon* Irruption into *Livonia*; and you may aſſure him, (continues his Lordſhip) That his Majeſty will uſe his Endeavours towards the hindering the Progreſs of this Evil, and will contribute all he can to the Quiet of *Europe*." In the ſame Diſpatch was alſo the Intimation, above referr'd to, concerning the Orders

A. D. 1700. Orders given for fitting out a Squadron for the Northern Seas.

These Instructions Lord *Manchester* obey'd; and in his Answer, having signify'd as much, That he could not see any Inclination in the Court of *France* to intermeddle in the Broils of the North, otherwise than by endeavouring to persuade the Princes concern'd to make up the Quarrel as fast as they could: That on his imparting to M. de *Torcy* his Majesty's Intention to send a Squadron into the *Baltick*, that Minister gave it as his Master's Opinion, That he hop'd there would be no Occasion for coming to that Extremity: That the bare Apprehension of such a Measure, would be sufficient to bring the King of *Denmark* to Reason: That it ought, at least, to be deferr'd as long as possible, lest it should render the *Danes* obstinate, *&c.*: That in case it should be found necessary at last, the Weight of *England* and *Holland* alone would be sufficient: That the King his Master would act as a Mediator, but would take no Part on either Side, *&c.*

The Secretary *Jersey*'s Answer to this, imported, That he should continue to represent the ill Consequences of a War in the North as before: That no doubt *Denmark* was courting *France*, and made large Offers and Promises: That his Majesty did not, however, doubt but that *France* would take the propereſt Methods to prevent those Consequences: And that as to the Squadron, it would require so much Time in fitting, that probably the very Noise of such a Preparation might produce the Effect desir'd.

The Embassador's next Dispatch was writ before this last of the Secretary's came to Hand, and contains some Particulars with Relation to the Conduct of *Sweden* towards *France* at this Juncture, which are so much the more curious, as they were related to Lord *Manchester* by M. *Palmquist*, the *Swedish* Resident, himself: It seems that Minister, having obtain'd a private Audience of the Most *Christian* King, presented a Letter to his Majesty from his Master, demanding his Assistance against *Poland*, as Guaranty of the Treaty of *Altena*: And, in order to bespeak a favorable Answer, not only signify'd, That the late Treaty between *Sweden* and the *Maritime* Powers, contain'd nothing prejudicial to his Interest, but also, That it was not as yet *ratify'd*: Thereby seeming to intimate, That if his Most *Christian* Majesty thought it worth his while to bid higher, the Market was not yet so absolutely foreclos'd, but that there was Room for a new Bargain. But if this was the Lure he threw out, King *Lewis* was not at present in a Humour to stoop to it. On the contrary, having signify'd, by way of Answer, That since he had assur'd him there was nothing contrary to his Interest in the late Alliance which his Master had contracted, he would believe it, tho' he should be able to judge better when he saw it, He added, That in the present Dispute, he should no otherwise interpose, than with his good Offices. And we shall find, That, notwithstanding this Advance to the Court of *France*, *Sweden* had also her Managements at *Vienna*.

The Swedish Resident has a private Audience of King Lewis.

A. D. 1700.

This, however, is a new Confirmation, That the Court of *France* had nothing at Heart but the *Spanish* Succession: And, indeed, we meet with so many Instances of the like Nature, as puts an End to all Hesitation. For in another subsequent Dispatch of the same Minister's, he says, M. de *Torcy* had repeated to him all the Orders his Master had given to his Ministers; and told him, He might assure his Majesty, the Most *Christian* King would take no one Step without his Knowledge, nor any Treaty without his Approbation: Only, said He, *It is not proper for* him to declare against the Kings of *Denmark* and *Poland*, for fear that, finding themselves wholly abandon'd, they should throw themselves into the Arms of the Emperor, which, in some Measure, defeated all the Precautions which had been taken. And yet again, in another, That the same M. de *Torcy* had yet farther assur'd him, That he had declar'd to the Ministers of those Two Powers, That they were to expect no Assistance from *France*; and that it was with great Difficulty the King was hinder'd from declaring against them.

Lastly; King *Lewis* himself, in his own Dispatches to M. de *Briord* at the *Hague*, directs him to inform the *Pensioner*, That he could with they would not be in Haste to send out their Squadron to the *Baltick*, since it was possible the good Offices of *France*, *England* and *Holland*, if unaccompany'd with Menaces, would be better receiv'd, and operate with more Success: And that, in case of the King of *Spain*'s Death, which seem'd to be at hand, it might be inconvenient to have their Ships so far from home. In another Place, his Majesty not only informs his said Minister, That his Purpose was, to interfere in the Troubles of the North no otherwise than by his good Offices; but also, accounts for his Conduct by urging, like M. de *Torcy* above, That a contrary Procedure might put *Denmark* and its Allies under a Necessity of taking Measures with the Emperor. In a Third, He recapitulates the daily Representations made to him by the King of *Denmark*, That it was the Interest of *France* to hinder him from being overwhelm'd by the joint Forces of *England* and *Holland*, or from receiving the Law at their Hands, *&c.* And also his own Replies, which, it seems, were of the following positive and explicit Nature, That it was in his *Danish* Majesty's own Power to avoid both these Inconveniencies if he pleas'd, by taking the first honorable Pretext to accept of Peace, in which his good Offices might be greatly serviceable: That he was not to expect him to kindle a new War in *Europe*, by sending him Succours: And that if he had such Apprehensions of being so overwhelm'd, his Business was to make the more Haste towards an Accommodation, *&c.*

But, if *France* had any particular Purpose to serve, as it is probable she had, by endeavouring to dissuade the *Maritime* Powers from

A. D. 1700. from an arm'd Interpoſition, ſhe was diſappointed in it: For thoſe Powers could not be induc'd to think, that any other Kind of Interpoſition would be effectual: So, alſo, on the other Hand, if they had any conceal'd Views in importuning *France* to cooperate in the ſame Service, as they certainly did, they were diſappointed too: His Moſt *Chriſtian* Majeſty remaining as firm, Not to take any Part in the Adventure againſt *Denmark* or *Poland*, as not to take any Meaſures on their Behalf. "It is by no Means convenient for me to join my Forces with theirs (ſays his Majeſty to M. de *Briord*): For over and above the Reaſons which I have already ſpecify'd, the Good of my Service will not permit me to ſend my Ships on a uſeleſs Errand to the *Baltick*, at a Time when the Death of the King of *Spain* may oblige me to employ them in the Ocean and the *Mediterranean*: And if the *Penſioner* ſhould urge, That it is neceſſary for the Execution of the Treaty that *Europe* ſhould be at Peace when that Event ſhould take place, it is not leſs true, and it is ſtill more neceſſary, That I ſhould have my Forces at my own Command, to employ them where I think proper."

The other Reaſons his Majeſty refers to, were to this Effect, That he was under no Obligation to aſſiſt *Sweden*: That during the Negotiation of the laſt Treaty which M. *d'Avaux* had ſign'd at *Stockholm*, he had offer'd to enter into cloſer Engagements with that Crown, which they for corrupt Reaſons of their own had declin'd: That if the *Maritime Powers* were Guarantees of the Treaty of *Altena*, he was not: That tho' he was Guaranty of the Treaty of *Oliva*, it was between *Poland* and *Sweden*, and not between *Sweden* and *Saxony*; and it was in the Capacity of Elector, that King *Auguſtus* had broke into *Livonia*: And, laſtly, That what Pretences ſoever *Sweden* might form upon him in Virtue of that Treaty, the firſt Duty incumbent on a Guaranty, was to employ his good Offices, which he had done the very inſtant of a Rupture, by ſending an Envoy to the King of *Poland*, even before *Sweden* had requir'd it.

K. Lewis ſends an Envoy to K. Auguſtus.

But the very ſending an Envoy to King *Auguſtus*, was a great Condeſcention on the Side of *France*, and as flattering a Circumſtance to his *Poliſh* Majeſty: For, conſidering the Manner in which his Election had been made, the Diſappointment of the Prince of *Conti*, and the conſequential Defeat of the *French* Deſigns on that Republic, (to ſay nothing of the Clames which the Moſt *Chriſtian* King ſtill had on the Town of *Dantzick*) he had no Reaſon to expect any ſuch Compliment, which was of ſo much the more Conſequence, as it imply'd alſo an Acknowledgment of his new Dignity.

The Ends he propoſ'd to force by the Means of that Prince.

It is true, his Moſt *Chriſtian* Majeſty, by this Time, began to find out, That his Reſentments ought to give way to his Intereſts: The Emperor, it ſeems, was as much afraid of a War on that Side of *Europe* as *France*, and, therefore, had not only ſet forth a Declaration againſt the Procedure of the *Saxons* in *Livonia*, but had actually caus'd a Body of Troops to advance towards *Poland*: And giving an Account of this Event to M. de *Briord*, his Moſt *Chriſtian* Majeſty procedes thus: "And in proportion as the Emperor ſeperates the King of *Poland* from his Intereſts, it becomes the more convenient for me to obſerve the Neutrality I have propos'd to myſelf; and by that Means to preſerve Things in ſuch a State, as may enable me, when Time ſhall ſerve, to concert Meaſures with that Prince: For when the Troubles of the North ſhall be appeas'd, it will be in his Power to make a powerful Diverſion, in order to oblige the Emperor to accept the Conditions of the *Partition*-Treaty."

A. D. 1700.

Having then order'd M. de *Briord* to inform the *Penſioner* of the freſh Aſſurances he had given the King of *Denmark*, That he had nothing to expect from him; accompany'd with freſh Advices to accommodate Matters, before the Arrival of the joint Squadrons of the *Engliſh* and *Dutch*, he procedes to open a new and delicate Vein of Matter, in ſubſtance as follows: "It ſeems to me, by a Word which the *Penſioner* has dropp'd to you, as if he was in queſt of Pretences, to excuſe *England* and *Holland* from furniſhing the Succours which are requir'd by the Treaty, for carrying it into Execution; naming, in particular, the Troubles of the North, and intimating, That the Force they were oblig'd to ſend thither to induce an Accommodation, was a ſufficient Reaſon to exempt them from joining their Forces with mine. But tho' I cannot believe they will uſe this Language when that Matter ſhall come in queſtion, theſe Diſcourſes of the *Penſioner* confirms my former Opinion, That it would have been better if the *Engliſh* and *Dutch* had not ſent their Ships on this Errand, nor engag'd themſelves ſo far in the Quarrel. But Diſſuaſion comes too late now, and you muſt now conduct yourſelf according to the Orders given you in my Laſt. The Intelligence which I have receiv'd from the Marquis de *Harcourt*, (the *French* Miniſter at *Madrid*) will inform you, That the *Spaniards* are preparing a conſiderable Armament at *Cadiz*: That both the Ships and the Troops which they are to carry, are in good Condition; and that the Proviſions they are to take on board, are not ſufficient for a Voyage to the *Indies*. As, therefore, they may be deſtin'd for the Reception of the Archduke, it is neceſſary, That you ſhould communicate this Advice to the *Penſioner*; and that you inform me, what Meaſures he thinks adviſable to hinder a Meaſure ſo contrary to the Execution of the Treaty."

Affairs to be apprehenſive, That the Spaniards were preparing to ſend for the Archduke.

The Uſe which was to be made of this falſe Alarm, (for ſuch in effect it was) is obvious: But merely to ſound the real Intentions of *England* and *Holland*, in caſe it ſhould be found neceſſary to carry the Treaty into Execution by Force, was not the only Uſe to be made of it: *France* wanted a Pretence for a Fleet; This afforded one; and in his Majeſty's very next Diſpatch, dated *April* 29, he

Makes it a Pretence to prepare a Fleet.

A. D. 1700. gives M. de *Briord* to underſtand, That, for fear of the worſt, he had order'd a Squadron of Twelve Men of War to be provided at *Toulon*: That he, M. de *Briord*, was to appriſe the *Penſioner* of this Meaſure: That he, the King himſelf, had order'd M. de *Tallard* to appriſe King *William* of it: Which Precautions he thought fit to take, that even in caſe thoſe Powers were not as much convinc'd of his Sincerity as they ought to be, they might not have Cauſe to entertain the leaſt Inquietude concerning the ſaid Armament: And that as to the other Powers to whom the Treaty had been imparted, he did not in the leaſt doubt but that, in conſideration of the preſent Conjuncture, they would think the Reſolution he had form'd, abſolutely neceſſary for carrying it into Execution.

On this Squadron, which was commanded by M. de *Nesmond*, as alſo of a Second commanded by M. de *Pointis*, which was by this Time ready to put to Sea, tho' his Moſt *Chriſtian* Majeſty did not think fit to make mention of it, we ſhall hear more in its Place: But before we reſume the Progreſs of the *Partition*-Treaty, and of the Affairs of *Spain*, it will be proper to diſpatch what remains to be told concerning the Troubles of the North, which the *Maritime* Powers attended to with ſo much the more Diligence, in proportion as they became more and more perſuaded, That the *Baltick* would be left to them, provided they did not interfere in the *Mediterranean*.

Offers his Mediation to Denmark.

His Moſt *Chriſtian* Majeſty did not, however, loſe Sight of their Proceedings in thoſe Parts: On the contrary, M. de *Chamilly*, his Miniſter at the Court of *Denmark*, had Orders to offer his *Mediation*, and was furniſh'd with all poſſible Inſtructions to render it acceptable: But the Duke of *Holſtein* would not hear of it in any Shape; nor was his *Daniſh* Majeſty over much inclin'd to it, as thinking, reaſonably enough, that the Arts of Negotiation, how exquiſitely ſoever conducted, would ſcarce counter-balance the arm'd Interpoſition of *Sweden* and the *Maritime* Powers. *Mediation*, beſides, had been in a Manner worn out in the Hands of the Emperor, the Elector of *Brandenburgh*, and the Houſe of *Lunenburgh*, at the Conferences of *Pinnenbergh*: The Form of that Mediation ſtill ſubſiſted; and, therefore, his ſaid Majeſty did not think it prudent to accept the Compliments of *France* on any other Footing, but that of becoming a joint Mediator with Thoſe who had ſo long and ſo ineffectually officiated in that Capacity already, which was not agreable to *France*.

The next Expedient offer'd, was a ſhort Armiſtice in order to a ſpeedy Peace: But tho' *Riga* was reliev'd on one Side, and *Tonningen* on the other, the *Danes* would not give Ear to it, but on condition that the *Swedes* and *Lunenburghers* quitted the *Daniſh* Part of *Holſtein*, as they offer'd to quit the Duke's *Territories*.

At the ſame Time alſo, as if to put the beſt Face imaginable on their Affairs, their Land-Forces, commanded by the Duke of *Wirtemburgh*, paſs the *Stoer*, and tho' but 12,000 ſtrong, march'd in a Bravade up to the Lines of the Confederates, which were 20,000 Effectives. Nor was this all: For they order'd their Fleet to the Enterance of the *Sound*, and gave out, They would defend it againſt the joint Squadron of *England*, *Holland* and *Sweden*; the *Engliſh* and *Dutch* being already at Anchor before *Landſkroon*, and the Headmoſt of them not two Leagues diſtant from the *Danes*.

A. D. 1700.

France, in the mean Time, being equally afraid that *Denmark* ſhould be overwhelm'd, and that *Sweden* ſhould thereby acquire ſuch a Superiority as would deſtroy the Balance of the North, undertook to moderate the Operation of a Meaſure, which ſhe had in vain endeavour'd to prevent: For the King himſelf, in his Letters to M. de *Briord* at the *Hague*, from Time to Time enlarg'd on the Inconveniencies to be apprehended from ſuch an Event; on the Managements that would be requiſite in order to prevent it, and on the Reſtrictions which ought to be given to the Commanders of the two Fleets, in caſe they were to act under the Flag of *Sweden*.

France endeavours to moderate their Proceedings.

His Moſt *Chriſtian* Majeſty alſo intervenes with theſe artful Hints, ſeveral others concerning the Conduct of *Sweden*, on one Hand, at the *Imperial* Court, and of *Brandenburg*, on the other; not ſo much by way of Index to the Northern Affairs, as by way of Caution in regard to the *Partition*-Treaty.

Thus, for Example, mentioning the Aſſurances which *England* and *Holland* had given him, of the Facility they found in inducing *Sweden* to accede to it, he proceeds thus: "I have, nevertheleſs, had my Doubts, concerning the Conduct of that Crown, ever ſince I have been inform'd, That the *Swediſh* Miniſter at *Vienna*, was ſecretly order'd to enter into any of the Emperor's Meaſures with relation to the *Spaniſh* Succeſſion, provided his *Imperial* Majeſty would declare for *Sweden* againſt *Denmark* and *Saxony*."

Conduct of Sweden.

And with regard to *Brandenburgh* he writes thus: "The Suſpicions which I have long entertain'd of the Elector of *Brandenburgh* increaſe: The King of *England* has certainly a greater Aſcendancy over him, than any Body: But I doubt much whether even He will be able to retain him, as long as he continues to flatter himſelf with the Hopes of gaining ſuch great Advantages by the Means of his Engagements with *Denmark* and *Poland*: Nothing but Events can undeceive him: And the Dread of ſeeing *Sweden* in a Condition, which may one Day be the Caſe, of recovering theſe Provinces which he holds only by the Complaiſance of that Crown." Again, in another Diſpatch, "I cannot doubt of the Connections of the Elector of *Brandenburgh* with the Enemies of *Sweden*: But as they are founded on the *chimerical Idea*, which he is full of, it may not be difficult, perhaps, to engage him in a Neutrality, by diſabuſing him in his Hopes to ſee his Pretenſions admitted: It is, nevertheleſs, to be fear'd, That the Emperor will take his Advantage of the Elector's

and of Brandenburgh as repreſented by King Lewis.

A. D. 1700. Elector's irregular Ambition to engage him in his Intereſt, even to the Prejudice of other Princes of the Empire: For it has occur'd to me, and no doubt to the *Penſioner* alſo, That the ſaid Elector will contend with all his Power for admitting the Suffrage of *Bohemia* in the Electoral College, in caſe the Emperor will give him the Title of King of *Pruſſia*; (which is the *chimerical Idea* above alluded to) conſequently the Emperor will become Maſter of the Empire, and the Princes of which it is."....[*Here the* Cypher *is inexplicable*] And afterwards his Majeſty proceeds with the ſame Thread thus: "You will talk to the *Penſioner* agreeable to my Orders; you may, on this Occaſion, even remind him of the vexatious Effects of the Innovation in favour of the Duke of *Hanover*: And it is certain the Emperor would have found much more Difficulty in carrying his Point with regard to the Vote of *Bohemia*, if it had not been for the Creation of a *Ninth* Electorate."

Different Conduct of England *and* France *in the Empire with regard to the* Ninth *Electorate.*

Thus the Growth of the *Emperor*'s Power is diſcours'd of, as the Thing which the *Maritime* Powers, as well as *France*, was, at this Time, moſt apprehenſive of: And the only Difference in point of Conduct among them was This, That *France* acted uniformly againſt it, by every Mode and Mean of Oppoſition; as in the Caſe of the *Ninth* Electorate, and this new Pretenſion of the Elector of *Brandenburgh*; whereas the *Maritime* Powers had their Managements to obſerve, and did obſerve them accordingly: The Houſe of *Lunenburgh* they had detach'd from *France*, by that very Bribe of the Electorate; with the Addition of *ſubſidiary* and *eventual* Conſiderations: And while *France* avowedly protected the Duke of *Brunſwick Wolfenbuttle*, the Landgrave of *Heſſe*, the Duke of *Saxe-Gotha*, and other Princes who had proteſted againſt that Novelty, They made uſe of all their Intereſt in the Empire to eſtabliſh the Structure They had rais'd.

K. William hated by the E. of Brandenburgh.

With regard to the Elector of *Brandenburgh*, They did not however manifeſt the ſame Zeal, becauſe They could not place the ſame Confidence in his Friendſhip: For tho' King *Lewis* is pleas'd to preſume, That King *William*, of all the Princes of *Europe*, had the greateſt Aſcendency over him, it is certain that Preſumption was either a Feint or Preſumption only. For the Elector, partly thro' Envy and partly thro' Reſentment, had, by this Time, conceiv'd a ſtrong Prejudice againſt his Majeſty of *Great Britain*, whom he had before ſo highly honour'd and ſo greatly aſſiſted; not ſo much becauſe of their Nearneſs in Blood, as becauſe he ſeem'd to be animated with the ſame vindictive Spirit againſt *France*. Mr. *Creſſet*, who had Orders from his Majeſty to ſound his Electoral Highneſſes Intentions with reſpect to the *Holſtein*-Affairs, ſignifies to the Earl of *Manchester* more than once, That the *Viſion* of *Royalty* had turn'd his Head; that as what concern'd his Majeſty, his Malice was ſincere; and that his Stay at *Berlin* was not only uſeleſs, but alſo a Proſtitution of his Majeſty's Dignity. A. D. 1700.

His Electoral Highneſs ſaid to have his Head turn'd with the Idea of a Crown.

[Cole's Mem. p. 126, 128.]

But this *Viſion* of *Royalty*, as Mr. *Creſſet* calls it, and that *chimerical Idea* diſcours'd of by King *Lewis*, we find explan'd in the Memoirs of the Houſe of *Brandenburgh*, with a Spirit of Freedom and Ingenuity which cannot be too much applauded.

According to that excellent Writer, no Seaſon was ever more favorable to the Ambition of Princes, than the latter End of the Seventeenth Century; as appear'd by the Succeſs of the Prince of *Orange* in *England*, and of King *Auguſtus* in *Saxony*: And it was the ſudden Acceſſion of Title and Dignity to thoſe Two Princes, which inſpir'd the Elector of *Brandenburgh* with the Fanaticiſm of Royalty.

The Incident which gave Riſe to it.

Naturally fond of Parade, Ceremony, and Oſtentation, which govern'd all the Actions of his Life, he could not ſee thoſe Two Princes get the Start of him in point of Rank and Elevation, without repining at their Fortune, and repining at his own: Our Author juſt mentions an arm'd Chair, and a Chair without Arms, plac'd one Remove behind it, as an Incident which had like to have embroil'd King *William* and the Elector for ever; but does not ſtay to explane, That the Ruffle aroſe at the firſt Interview between thoſe Two Princes, after the Revolution, when his Majeſty inſiſted as pertenaciouſly on every Punctilio belonging to his new Dignity, as if to mortify a prouder Man than himſelf was the ſupreme Pleaſure of Royalty.

Inſtead, therefore, of taking Advantage of the Times to enlarge his Dominions, his Electoral Highneſs compounded for an Addition of Title, and his Meaſures of all Kind were directed accordingly.

Of Two Titles propos'd to his Conſideration, namely, King of the *Vandals*, or King of *Pruſſia*, he choſe the Latter: But when he conſulted his Miniſters upon it, the wiſeſt and beſt of them would have diſſuaded him from a Perſuit, which they treated as frivolous and impracticable; and thereby only beſpoke their own Diſgrace. The Elector's Heart was fix'd on a Crown: A Crown he was reſolv'd to have; and a Miniſter he found, who not only undertook to put him in poſſeſſion of one, but who alſo had the good Fortune to ſuccede in it, as we ſhall ſee in its Place.

His fluctuating Meaſures.

But, in the mean Time, nothing could be more wavering than the Conduct of his Electoral Highneſs: Sometimes deſpairing of his Point, he temper'd with *Denmark* and *Saxony*: Sometimes obſerving the cloſe Union between *France*, *England*, and the *States*, he ſeem'd diſpos'd to embrace the *Partition*-Treaty, as the neareſt and ſureſt way to his favourite End: And ſometimes miſtruſting that Union to be but of ſhort Duration, he thought of nothing but making his Court to the Emperor, as if he was the only Diſpenſer of Crowns and Sceptres in the Univerſe.

To Mr. *Creſſet* he promis'd to obſerve a Neutrality on certain Conditions: But as ſoon

A. D. 1700. soon as the *Lunenburgh* Troops were in Motion to join the *Swedes*, he diſpatch'd thirteen Squadrons and eleven Battalions to hover over *Zell*; after which hearing Preparations were making for tranſporting a Body of *Swedes* into *Pomerania*, he order'd his own Forces to halt, and then ſent a Miniſter to the King of *Denmark* and the Princes of *Lunenburgh*, to preach the Neceſſity of an Accommodation.

The Danes leave the Sound open to the united Fleet, which enters under the Holſtein-Flag.

In the mean Time, the *Engliſh* and *Dutch* Squadron (having been join'd by the *Swedes*, all as Auxiliaries of *Holſtein*, and all acting under the Duke of *Holſtein*'s (*a*) Commiſſion, which Sir *George Rooke* refus'd to accept of, till he had his Majeſty's expreſs Orders for it) advanc'd towards the Entrance of the *Sound*, which the *Danes* immediately quitted; retiring behind the Flats to *Copenhagen*.

[Cole's Mem. p. 153.]

The Danes endeavour to amuſe Rooke by accepting the Mediation of England.

And now the Court of *Denmark*, in order to ſuſpend the Storm which ſeem'd ready to burſt upon it, and in order thereby to gain Time for better Conditions than in ſuch Circumſtances were like to be obtruded upon them, prevail'd with Count *Chamilly*, the *French* Miniſter, to amuſe Sir *George Rooke* with a Letter, ſignifying, That his *Daniſh* Majeſty had accepted the Mediation of *England* and the States, jointly with *France*, in conſequence of a Propoſal to that Purpoſe, made by Lord *Manchester* at *Paris* to M. de *Torcy*; inferring, That the Operations of Fleets and Armies, were not ſuitable to the Character of Mediators; and requiring him, in deference to this new Expedient, to reſt on his Arms till he had freſh Orders.

In ſupport of this Letter, his *Daniſh* Majeſty did alſo declare in Form, That he accepted the ſaid Mediation, and would have perſuaded his Majeſty's Miniſters *Greg*, (who reſided at *Copenhagen*) *Robinſon*, (who did the ſame at *Stockholm*, but who upon this Occaſion accompany'd the Fleet to *Elſineur*) and *Creſſet*, to acquieſce in it.

But the Fallacy being ſuſpected at firſt, (and it was prov'd and acknowledg'd afterwards) *Rooke*, by the Advice, and with the Concurrence, of the ſaid Miniſters, ſignify'd in general, That he would contribute all that lay in his Power to the bringing about an Accommodation, which was the general Drift of the Expedition; but excus'd himſelf from any Relaxation of his Orders, without a ſuitable Authority.

In vain.

Thus the *Danes* had the Mortification to ſee the united Fleet, conſiſting of Fifty-two Men of War of the Line, preſent itſelf before *Copenhagen*, and their own lying by the Walls under the Canon of the Citadel.

Mr. *Stanhope*, in a Letter from the *Hague* to Lord *Manchester*, ſays, It was in their Power to burn both the *Daniſh* Fleet and the *Daniſh* Capital, if they pleas'd: And

[T. I. p. 51.] M. de *Lamberty* inſerts a Project which was fram'd by a Native of *Rochel*, in aid of the Former of thoſe Enterprizes.

But if the *Danes* were really ſo much expos'd, it is ſomewhat ſtrange they ſhould continue ſo long intractable as it appears they did: And it is certain our own *Gazettes* inform us, the *Daniſh* Fleet was not only protected by the Citadel on one Side, and a Fort newly erected on the other, but alſo by one Hundred and Twenty Pieces of Cannon, mounted on certain flat Bottom'd Veſſels call'd *Prahmes*.

A. D. 1700.

Copenhagen bombarded.

Beſides, in the Courſe of the Bombardment which did actually follow, but five Shells reach'd the *Daniſh* Ships, and not above ſeven or eight Men were killed: And whereas it is inſerted by ſome Authors, That the King of *Sweden* complaining to *Rooke*, That the *Engliſh* Shot flew over the Enemy, and the *Dutch* did not reach them, the Admiral anſwer'd, *I was ſent here to ſerve your Majeſty, not to ruin the King of* Denmark; and his Majeſty reply'd, *Why then you have certainly executed your Commiſſion: For you have made ſuch a War as will make a Peace*, it is ſcarce poſſible to reconcile ſuch a Parley with the Date of the Action, if it can be call'd one: For the firſt Bombardment was on the 21ſt of *July*: On the 24th the Fleet return'd to *Landſcroon*: On the 26th a new (*b*) Bombardment was commenc'd, under the Cover of certain Frigates only: And it was not till the 4th of *Auguſt*, That his *Swediſh* Majeſty landed in *Zeland*, with a Purpoſe to beſiege *Copenhagen*.

It is, however, out of Diſpute, That this ſlight Attempt was conducted upon that moderate Principle: For his *Swediſh* Majeſty was eager to make uſe of ſo tempting an Opportunity; and, in order thereto, preſs'd the Sea-Officers to waſt over the reſt of his Forces, which, it is ſaid, They either delay'd or declin'd. Nor is it at all unlikely, That ſome Expoſtulations paſs'd between that enterprizing Monarch and *Rooke* on that Occaſion.

[Gaz. No. 3626.]

It is alſo indiſputable, That this way of making War, by tempering the *Swediſh* Ardor on one Hand, and humbling the *Daniſh* Pride and Obſtinacy on the other, did anſwer the End propos'd, of bringing about an Accommodation; which, after a Variety of Conferences, was perfected at a Houſe of the Duke of *Holſtein*'s, call'd *Travendale*, in the Neighbourhood of both Camps, on the 18th of *Auguſt*.

Treaty of Travendale.

What the Conditions were, it is needleſs to repeat: But what Mr. *Creſſet*, in a Letter to Mr. *Blathwait* at the *Hague*, ſays, both of them and the Negotiation which produc'd them, is too remarkable to be omitted.

Mr. Creſſet's Account of it.

" I find the *Lunenburgh*-Miniſters ſpoke like Prophets of the Concluſion of the Peace before the Time. The Truth is, That, having dextrouſly made their own *ſeperate*, they knew beſt what Facility they could bring to ſacrifice the poor *Holſtein*-Matters afterwards. I muſt do this Juſtice to Truth, That the Treaty

(*a*) The *Swedes*, being forbid by the Treaties ſubſiſting between them and the *Danes* to paſs the *Sound*, alſo evaded thoſe Treaties, by paſſing thro' a Strait of their own, call'd *Flintrienen*. A Copy of Sir *George Rooke*'s Commiſſion is to be found in *Lamberty*, Tom. I.

(*b*) In Both but 280 Shells were thrown.

A. D. 1700.

Treaty of *Travendale* would have been as ambiguous to the full, as that of *Altena*, if Two of us (I am sorry I cannot say Three) had not stickled the last four Days for the better Explication of the Unions, the Communion, *(Condominium)* and the chief Point, the *Jus Armorum*: All which (tho' the *Lunenburghers* were pleas'd) I found in very trimming, oraculous Expressions at my Arrival at *Travendale*. There is no changing the Duke of *Holstein Gottorf*'s unlucky Situation, but by putting his undoubted Right into its true Light. Whenever the *Danish* Aggression begins again, it will at least be more evident than formerly, and less disputable. The *Danes* threaten already, even before the Ratification; and particularly, as I am assur'd, big Words are let fall, of what Use they pretend to make of an *English* Parliament next Winter." And again, "The *Lunenburghers* bore very hard upon the Elector of *Brandenburgh* at the End of our Contestations, and would have excluded him from being any way mention'd in the Treaty, as having been Mediator. I thought it very hard to refuse a little historical Honour to so great a Prince, a Protestant, and so near a Relation to his Majesty. Besides: Of the Three old Mediators, none but the Elector of *Brandenburgh* continued in his Office to the End. I, therefore, thought it but just to support Mr. *Bush* as well as I could in that Attack, and to have his Master nam'd as Mediator."

As to the *Lunenburgh*-Points, the Principal was, That *Denmark* should not oppose the Ninth Electorate, and the Primogeniture in the House of *Hanover*, by open Force, nor engage in any Enterprise against the Princes of that House or of *Zell*. And possibly this afforded the *French* Ministers in those Parts a Pretence for quitting the Conferences, before the Accommodation was perfected; and also to his Most *Christian* Majesty for refusing his Guaranty. For in his Letters to Count *Briord*, he often insists on the Expediency of protecting those Princes of the Empire, who made it a common Cause to oppose the said Electorate: He also complains in pretty strong Terms, of *Zell* and *Hanover*, for intermingling their Interests in this Negotiation: Declares, They have no relation to the Point in hand; and intimates, That the Conferences to re-establish the Peace of the North were not likely to take Effect, if they were thus embarass'd with Matters entirely foreign to the Dispute.

The French Court displeas'd at the Proceedings of the North.

His Majesty had before discover'd some Displeasure at the Procedings of the *English* and *Dutch* Fleet, in bombarding (tho' ineffectually) the capital City of *Denmark*; and requir'd M. de *Briord* to put the *Pensioner* in mind of the Promise he had given, That nothing of the like Nature should ever be attempted again: So that if it be true, as some Writers affirm, that King *William*, affecting to disapprove *Rooke*'s Conduct in that Particular, did afterwards order him to commit no farther Hostilities against the *Danes*, we ought, perhaps, to place that Forbearance to the Account of *France*.

Yet, farther: When the Most *Christian* King had receiv'd the News of the Treaty, he writes to M. de *Briord* thus: "I am not surpris'd, that the *Pensioner* has avoided entering into any Detail with you on that Head. The King of *England* and the States-General can hardly justify their Conduct in that Affair with regard to me, after all I have done to procure them the Mediation, in consequence of their own Applications to me for that Purpose." But the Turn given at the *Hague* to these and the like Expressions of Displeasure, was, That the *French* were angry with the *Lunenburghers* for the advantageous Conditions they had obtain'd.

That of England as much exalted.

And the Court-Language us'd in *England* and *Holland* on this Occasion, express'd nothing but Triumph and Exultation. The King's Vigor on one Hand, his Moderation, and the glorious Figure he made in acting thus as the Arbiter of the North, were Topicks which our Ministers seem'd to take particular Pride and Pleasure in displaying: And it must be own'd, so thoroughly was the Measure persued, That the united Fleet did not leave the *Baltick*, till the *Swedes* were return'd in Safety to their own Coasts. A Precaution which was somewhat more necessary; because the *Danes* call'd the Treaty a Force put upon them, as soon as it was made; and gave out, That they should pay little Regard to it, if the Squadron of the Guarantees was withdrawn.

But if the Pride or Peevishness of the Court of *England* was gratify'd by this Expedition, the *Interest* of *France* was the great Movement in Process during the whole Interval. Even *Denmark*, in hope of better Terms, had promis'd to accede to the Treaty of *Partition*, tho' she repented of having done so, the Moment she found it did not turn out to her own immediate Advantage.

Sweden demurs to the Partition-Treaty.

On the other Hand, *Sweden*, tho' so powerfully succour'd by the *Maritime-Powers*, was not over-forward to explane herself on that Topick. "The Ministers of that Crown, (says Mr. *Robinson* in a Letter to Lord *Manchester*) seem to think the Circumstances of their Affairs ought to excuse them at present from taking any Part in it; since the Emperor has so many Ways to incommode them, especially while the War the King of *Poland* has begun against them continues. They seem much persuaded, that their Friends will not press them to expose themselves, but rather first help them to a State of Safety, and then they shall be in a Condition to make Returns."

The Bishop of Munster and Duke of Saxe-Gotha, willing to embrace it for subsidiary Considerations.

Of the Princes of *Germany*, Those were best inclin'd to declare for the Treaty who were avow'd Opponents to the Ninth Electorate, and who were for that Reason ready to enter almost into any Measures of any Kind with *France*. The Bishop of *Munster* and the Duke of *Saxe-Gotha*, are particularly mention'd by King *Lewis* himself in his Letters to M. de *Briord*, as particularly forward to embrace the Treaty, provided They might have suitable *Subsidies* by way of Consideration. "It is the common Answer, says his Majesty, of all the Princes of *Germany* to every

[P. 67, 76, 90.]

A. D. 1700. Subſiſtence the ſpirit Domeſt of the German Projects.

every Demand. And tho' They are told, That They are not likely to be call'd upon for Troops, it will be no eaſy Matter to avoid making them ſome Allowance on that Head. But then it is abſolutely neceſſary to defer that Expedient as long as poſſible: For if any one of Them is gratify'd, all will inſiſt on being taken into Pay." His Majeſty had alſo in a former Letter, admitted the Neceſſity of complying, in caſe their Compliance was to be obtain'd no other way: And, which is ſcarce credible, he directs M. de *Briord* to enquire, what Proportion of the Expence the States would take upon them, as he had already directed M. de *Tallard* to enquire concerning the like Proportion to be furniſh'd by *England*: So that the *Maritime* Powers had not only ſuffer'd him to carve for himſelf what Share he pleas'd out of the *Spaniſh* Succeſſion, but were to contribute to the Expence of putting him in poſſeſſion.

K. Lewis expects the Maritime Powers to contribute towards them.

True Nature of the queſtion in England concerning a Standing Army explain'd.

And that we may, once for All, be ſatisfy'd of the true Nature of the Queſtion concerning a Standing-Army in *England*, which had been ſo paſſionately contended for by his Majeſty, we need only inſert another Paragraph from one of his Moſt *Chriſtian* Majeſty's Letters, to wit: "I make no Doubt of the King of *England*'s vigorous Oppoſition to the Project form'd to reduce the Forces in the Pay of the States: For ſince the Reduction made in *England*, it will not be poſſible for him to maintain his Conſideration, except by keeping up the Eſtabliſhment in *Holland*, where he has always been regarded as *Maſter*."

Creſſet's Account of the Conduct of the Princes of Lunenburgh in relation to the Treaty. [Cole. p. 215.]

But to return back to the *German* Princes:—In a Letter from *Zell* to Lord *Manchester*, Mr. *Creſſet* writes as follows: "Your Excellency ſees I am now got into my old Walks in the Houſe of *Lunenburgh*, carrying my Pack of *Spaniſh* Merchandize about with me from Court to Court. As yet I do not ſee many Cuſtomers fond of it. The Anſwer at *Berlin* upon that Subject, when the Elector was preſs'd to it, has been made too public, ſince it was no Ways to the Advantage of our Treaty; ſo that the Marquis de *Bonac* and myſelf, have reſolv'd not to publiſh what theſe Princes ſay to us on theſe Occaſions, unleſs their own Miniſters begin to make a Merit of it, firſt in the Court of *Vienna*, and elſewhere, as it is not doubted but they will. However, I am perſuaded, that it is for the King our Maſter's Service, not to keep your Excellency in the Dark upon any Conſideration whatever. I muſt only beg you will pleaſe to inſinuate to the *French* Miniſters, (without Affectation) that I am very myſterious with your Excellency upon theſe Matters, becauſe of a Promiſe mutually made between M. de *Bonac* and me, for keeping the Anſwer ſecret, and for not writing it to any but our reſpective Secretaries of State. I ſhall now inform your Excellency, That from *Hamburgh*, I went firſt directly to the Princes of *Brunſwick-Wolfenbuttle*, where I found the *French* Miniſter, and, in concert with him, perform'd in his Majeſty's Name, the Ceremony of the Invitation into the Guaranty in queſtion. The Anſwer thereto not being ready there no more than in other Places, I left M. de *Bonac* to ſolicit it, who thinks he ſhall ſuddenly bring it after me, himſelf in Perſon, to the Court of *Zell*, where he may appear, tho' he be contraband at *Hanover*. I have, for the firſt Time in my Life, play'd the *Fryar* Envoy in that Court of *Hanover*, and have preſs'd the Elector to explain himſelf, who, I can aſſure your Excellency, will very induſtriouſly avoid doing ſo for many good Reaſons; no body having ſuch nice Meaſures to obſerve with the Emperor as his Electoral Highneſs has. I had a long and ſecret Conference two Days ago, with the double Miniſtry of *Zell* and *Hanover*, at a Place call'd *Engſen*, equally diſtant from the Two Courts, the Reſult of which can give but ſmall Satisfaction as yet: They declare themſelves like the Oracles of old in doubtful, ambiguous Terms, upon which nothing can be founded: And I fear a plain Reſolution can ſcarce be expected to be drawn from them."

A. D. 1700.

In *Switzerland*, M. de *Puyſieux* for *France*, M. de *Harvaert* (either a *Hollander* or a Native of *Orange*) for *England*, M. *Valkenier* for the States, ſolicited the Cantons to enter into the Guaranty of the Treaty on theſe Terms, That they ſhould engage to ſtop up all their Paſſes againſt the *Imperial* Troops, in caſe the Court of *Vienna* ſhould diſpute the Execution of it: And that They ſhould furniſh the Allies with as many Troops as They could ſpare, for a ſuitable Conſideration. But when the Diet was aſſembled, They declin'd entering into any ſuch Engagement, and continued ſo firm in this Reſolution, That a Bribe of Two Hundred Thouſand Livres, offer'd by the firſt of thoſe Miniſters, was rejected.

M. de Harvaert's Account of the Swiſs Cantons.

[Cole. p. 213.]

The Duke of *Lorrain*, of all the Princes in *Europe*, being moſt at the Mercy of *France*, was of all the moſt eaſily induc'd to acquieſce in a Treaty which he was not in a Condition to diſpute: All, therefore, that he contended for was, That he might not be oblig'd to quit *Lorrain*, before he was put in poſſeſſion of *Milan*: That *Milan* ſhould remane to his Heirs in perpetuity, in the ſame Manner as *Lorrain* then did: That the Dauphin ſhould renounce all Claim on that Duchy: And that Matters ſhould not be finally ſettled with the Emperor, till the Inveſtiture of his new Dominions had been obtain'd. He alſo deſir'd to be excus'd from having any Thing to do with the Guaranty, as having neither Money nor Troops to make it good: And King *Lewis* himſelf became his Advocate with the *Maritime* Powers to become Guarantees of the Treaty he was to ſign with *France*; which is ſo much the more obſervable, becauſe this Treaty had been carry'd on without their Participation.

Lord Manchester's of the D. of Lorrain.

It is true, the *French* Court did make ſome ſlight Excuſes for this ſeperate Procedure: But then at the very ſame Time, it is reaſonable to think, they committed another Treſpaſs nearly of the like Nature, by their Manner of treating with *Portugal*, for the Acceſſion of that Court to the

A ſeperate Treaty between France and Portugal.

A.D. 1700. tion of the *Spaniſh* Monarchy. Lord *Mancheſter*, in his Diſpatch to the Earl of *Jerſey*, dated *June* 26, makes the following Report: "M. de *Torcy* then told me, That the Treaty had been communicated to the King of *Portugal*, who talk'd of it as if he could never conſent to it; and, accordingly the *French* Miniſter there ſent away, on the 24th Inſtant, the Courier. When the King perceiv'd This, he ſoon chang'd his Mind, and ſo another was diſpatch'd, by whom he agrees entirely to the Treaty on the following Conditions. 1. If the Emperor does not conſent within the Time limited, That then he may be one in the naming another Prince. 2. That he may have Two Places yielded to him, that formerly belong'd to *Portugal*: One was *Alacantara*; but I do not remember the other. 3. That if he be attack'd by reaſon of this Treaty, Thoſe who are concern'd in it ſhall be oblig'd to aſſiſt him. M. de *Torcy* did ſeem to think it was worth granting him the Terms, ſince it was the only way of engaging him heartily in it: And as to the firſt Article, They ſhould ſtill be Three againſt One."

It is true, this very Diſcourſe of M. de *Torcy*'s, may be call'd a Communication of the Meaſure; and King *Lewis* himſelf, in a Letter to M. de *Briord*, dated *July* 15 following, ſignifies, That he had not only imparted the *Portugueſe* Propoſitions, but had alſo receiv'd his Majeſty's Anſwer: And in the ſame Diſpatch he moreover directs the ſaid Miniſter to impart the ſame to the *Penſioner*; tho', continues his Majeſty, I make no Doubt but he has been appriz'd of it already by the King of *England*. And in his preceding Diſpatch to the ſame Miniſter, having mention'd ſome Apprehenſions entertain'd by King *William*, that the *French* Miniſter at *Berlin* ſhould communicate the Treaty to the Elector of *Brandenburgh*, without any previous Concert with the *Engliſh* Miniſter there, he ſignifies a firm Purpoſe, not to take a ſingle Step but in Conjunction with *England* and *Holland*.—But ſtill it appears, The Treaty was on foot at the Court of *Liſbon*, before *England* and *Holland* were appriz'd of any ſuch Purpoſe, and above Two Months before, Mr. *Methuen*, the *Engliſh* Miniſter at *Liſbon*, had even Information of the Treaty directly from his own Court: For in a Diſpatch of his to the ſame Lord, he obſerves, That the firſt News he had from *England* of the Treaty, was in a Letter from Lord *Jerſey*, enclos'd in another from Lord *Mancheſter*, dated *July* 11. The ſaid News was moreover accompany'd with Inſtructions to notify it to the Court of *Liſbon*, which he did accordingly on the 13th of *Auguſt*, tho' as a Matter of Form only: For by this Time the Treaty of Guaranty with *France* was ſo far advanc'd, That it would have been ſign'd on the 15th, if the *French* Embaſſador, juſt as he was going to ſet his Hand to it, had not obſerv'd, That the *Portugueſe* had inſerted a Clauſe in one of the Articles, by which They might afterwards have pretended, That They were not oblig'd to make a War on the Emperor or *Spain*, till They began it. This occaſion'd a Diſpute between the Embaſſador and the *Portugueſe* Commiſſioners: But all was, at laſt, accommodated to the Satisfaction of the Embaſſador, and the Treaty was ſign'd on the 18th following.

A.D. 1700.

Notwithſtanding which, ſo late in the Year as the 13th of *October*, Mr. *Methuen* "receiv'd by an Expreſs, (which came from *Paris* to the *French* Embaſſador) his Majeſty's Commands to propoſe to the King of *Portugal* the Terms or Projects of Two Acts of Acceſſion and Admiſſion (theſe are Mr. *Methuen*'s own Words, as they are given to the Public by *Cole*) for his being comprehended in the Guaranty of Repartition, That of Acceſſion to be ſign'd by the King of *Portugal*; and That of Admiſſion by his Majeſty." Adding, "I have, at laſt, prevail'd with the King of *Portugal* to ſign That of Acceſſion, which will be ſent to *England* by the ſame Expreſs which carries This. So that the King of *Portugal* will be Guarantee of the Treaty for the Diviſion of the *Spaniſh* Monarch, without any particular Treaty or Convention with *England* or *Holland* for that Purpoſe."

Of the Elector of *Bavaria*'s Sentiments concerning the *Partition*-Treaty, nothing preciſe and poſitive is ſaid in any of the State-Papers before us: But that his Diſpleaſure was equal to his Diſappointment, is eaſy to be conceiv'd. The Pretenſions of his Family had been highly conſider'd in the former Treaty; and in This he had been wholly forgot.

Cafe of the Elector of Bavaria.

And as to the Duke of *Savoy*, it may be reaſonably ſuppos'd, That He alſo was not without his Reſentments on the ſame Account; as ſtanding by the Will of *Philip* the IVth, next in the Succeſſion to the Houſe of *Auſtria*: But if ſo, He, as well as the Elector, had his Reaſons for concealing the Chagrin which would only have ſerv'd to heighten the Triumph of his Adverſaries: And both *France* and the *Maritime* Powers might be reckon'd in that Number: For the Latter could not forgive his Defection, nor the Former the extravagant Price it had coſt. When, therefore, the Treaty was imparted to him, he was contented with making great Profeſſions in ſuch general Terms, as ſerv'd rather to draw his Conduct into Suſpicion, than to remove all Suſpicion concerning it: For the *French* Miniſter at his Court, was thereupon inſtructed to let him know, That the King his Maſter had reaſon to expect a more explicit Anſwer; eſpecially ſince it was diſcours'd, he had already enter'd into a Treaty with the Emperor: And that tho' his Majeſty did not give Credit to ſuch Diſcourſe, it was nevertheleſs neceſſary for him, the Duke, to behave at ſuch a Criſis in ſuch a Manner, as ſhould alſo convince the World in general, That He had no ſuch Purpoſe. The Duke's Anſwer to this, as reported by King *Lewis* to M. de *Briord*, was, That he had enter'd into no Meaſure nor Engagement with the Emperor: And that he well knew how contrary every ſuch Engagement would prove to his true Intereſts.

And Duke of Savoy.

[Cole, p. 193.]

P. 193.

But,

[Cole, p. 192.]

Ibid. p. 192. *M. Methuen, the* Engliſh *Miniſter at Liſbon, not inform'd of the* Partition-*Meaſure, till the* French *were on the Point of ſigning the ſaid Treaty.*

A. D. 1700. But, agreeable to the Politics of that Court, which, perhaps, are influenc'd by Situation, as well as Ambition or Intereſt, his Royal Highneſs neverthleſs continued to act a double Part: And while he had Couriers continually paſſing and repaſſing between *Turin* and *Vienna*, he diſpatch'd M. de la *Tour*, his chief Miniſter, once more with a Commiſſion to the Courts of *Verſailles* and *Leo*; in the Front of which he was order'd to declare, in addition to what had already been declar'd, That his Maſter did not diſpute the *Dauphin*'s Right: But that he hop'd ſome Conſideration would be aſſign'd him for the Pretenſions he had to urge, and which he was willing to wave on reaſonable Terms.

This, however, was kept a profound Secret from Lord *Manchester*, who was taught to believe, That M. de la *Tour*'s Errand, was only to ſolicit the Payment of certain Debts due to his Maſter from the Crown of *Spain*. But then we gather from King *Lewis*'s Letters to M. de *Briord*, not only, That This was a Point; but alſo, That the Claims and Pretenſions of his Royal Highneſs were ſo far ſettled and adjuſted by M. de la *Tour* with the *French* Court, That only the Deciſion upon Two Propoſitions were left to the King of *England*.

It is now high Time to make a Tranſition to the Courts of *Vienna* and *Madrid*, which as moſt affected by the *Partition*-Treaty, were moſt concern'd in the Operations of it.

Conduct of the Court of Vienna. And, firſt, as to That of *Vienna*, the general Anſwer they gave to M. de *Villars*, Mr. *Sutton*, and M. *Hop*, was, That They were ſo much amaz'd at a Procedure ſo every way extraordinary and unwarrantable, that They could not come to any Reſolution upon it, till They were made acquainted with the Sentiments of his *Catholic* Majeſty: And Mr. *Sutton* gives it as his Opinion, That They would make no Difficulty of rejecting it, if they diſcover'd any Proſpect of bettering themſelves.

But even this very Heſitation furniſh'd *France* with Pretences to ſtrengthen her Party by every Meaſure and every Art that Policy could furniſh: And aware of this very Effort, while the Imperial Miniſters put their whole Intereſt and Influence in the King and Queen of *Spain* to the Stretch on one Hand, They did not omit any Effort or any Practice that might either amuſe *France*, or create Jealouſies in her new Allies, the *Maritime* Powers, on the other.

Thus they affected to negotiate with [Cole, p. 150.] *France* concerning Alterations in the Treaty, in caſe they ſhould accept it; offering, in particular, both to M. de *Villars* at *Vienna*, and to M. de *Torcy* at *Paris*, the *Weſt-Indies* in lieu of the Dominions allotted to *France* in *Italy*: And when M. de *Torcy* ſaid, The Propoſition was of ſuch a Nature, that he could not even lay it before the King his Maſter, becauſe the *Maritime* Powers would never agree to it: M. de *Zinzendorf* reply'd in effect, That the *French* were able to keep themſelves in poſſeſſion, by their Fleets and Armies, whether the *Maritime* Powers would or not. Finding, however, that this Propoſition was not like to be receiv'd, he made a new one, namely, That *France* ſhould have *Sardinia* and *Luxemburgh* in lieu of *Lorrain*, and the Emperor *Milan*. He alſo ſaid, It was impoſſible the Emperor ſhould agree to the Ninth Article, That *Spain* ſhould never deſcend to any one who ſhould be at the ſame Time Emperor or King of *France*: And ſuch a Relenting was diſcover'd on this Head by M. de *Torcy*, That he aſk'd, Whether the Emperor would ſign the Treaty, in caſe this Article was ſuppreſs'd?—King *Lewis* himſelf alſo informs [P. 79] M. de *Briord*, That the ſame M. de *Zinzendorf* had intimated plainly enough, That the Emperor would cede to him the *Low-Countries*, in caſe he would treat directly with him: But then, in the very ſame Paragraph, he directs that Miniſter to caution the *Penſioner* againſt all the Artifices which the *Imperial* Miniſters would not fail to employ, in order to create a Jealouſy which might be fatal to the Meaſures he had taken with *England* and *Holland*.

Offers made by M. Zinzendorf to France.

But then the *Imperial* Miniſters at *Vienna*, as well to eſtabliſh a Belief of their Sincerity in theſe Offers, as to give Vent to their Reſentments, did not only complain in the ſtrongeſt and ſharpeſt Terms of the Conduct of the *Maritime*-Powers, and of King *William* in particular, but alſo undervalued his Weight and Importance: Intimating, That having loſt the Hearts of his People, and his Government being thereby grown weak and contemptible, he no longer deſerv'd that Conſideration which he had the Preſumption to arrogate.

This Intractableneſs of his *Imperial* Majeſty was, however, Matter of Aſtoniſhment to the Treaty-Makers, who behav'd as if they thought themſelves rather entitled to Acknowledgments for having left him any Part of the *Succeſſion*, than obnoxious to Complaints for having depriv'd him of ſo much: And this Behaviour of Theirs was founded, no doubt, on their own Power to preſcribe, and his ſuppos'd Inability to ſtand his Ground againſt them: For, according to Mr. *Sutton*'s Account, his whole Force did [Cole, p. 231.] not exceed 70,000, of which 30,000 were neceſſary for the Security and Tranquility of *Hungary*: But of Theſe, it is ſaid the Cavalry were half diſmounted; nor were any of their Corps compleat. It is added, That their Garriſons were in as bad a Condition as their Troops; and their Finances in a worſe than either; the *Imperial* Treaſury being between Twenty and Thirty Millions of Florins in debt, (for which they paid extravagant Intereſt) and with all, ſo low in Credit, that for ſome Time paſs'd it had been found no eaſy Matter to ſupply the Emperor's Neceſſities.

The Emperor declares Neutrality. But, notwithſtanding theſe Difficulties, and every other diſcouraging Circumſtance, on the 30th of *July* Count *Harrach*, in the Emperor's Name, inform'd M. de [illegible]. That his *Imperial* Majeſty, conſidering the King of *Spain* to be in good Health, and of ſuch an

A.D. 1700. an Age that he might very well, with the Bleſſing of *God*, hope for Iſſue of his own, did not think it becoming, eſpecially him that was his Uncle, to make a Diviſion of his Succeſſion: That he hop'd this Anſwer would not interrupt the good Intelligence between himſelf and his Moſt *Chriſtian* Majeſty; and that he would not procede to the Nomination of a Third, which would but embroil Matters the more: That when the Succeſſion happen'd to fail, he, the Emperor, thought it juſtly belong'd to him: And that after the Extinction of the Male Line of the Houſe of *Auſtria*, it belong'd to the Duke of *Savoy*."

The like Anſwer was the ſame Day given to M. *Hop*, but not to Mr. *Sutton* till afterwards; whether thro' Accident or wilful Neglect is not explan'd, tho' not improbably the laſt: For we find that Gentleman complaining, upon another Occaſion, That he had apply'd for an Audience, for three Days ſucceſſively, without being able to obtain one.

Now what induc'd his *Imperial* Majeſty to refuſe the Portion allotted him, was certainly, the Confidence he repos'd in the Affection of the King, and the good Offices of the Queen of *Spain*; tho', as Mr. *Sutton* ſhrewdly obſerves, It was not eaſy to ſee how any Act of theirs in his Favor, could ſet aſide the Meaſure already agreed upon, to diſpoſe of the Succeſſion another way.

Reſolution of the Council of Spain.

Beſides: At the very firſt Council that was held at *Madrid*, after the Treaty had been notify'd in form, it was reſolv'd, upon the Iſſue, by All preſent, but the Count *d'Aquilar*, That the beſt Advice they could give his Majeſty was, To declare a Prince of *France* to be his Succeſſor: Which was certainly chuſing the leaſt Evil: For, thereby, they had not only a reaſonable Proſpect of preſerving their Dominions entire, but alſo of making that very Power for their Guardian and Protector, which had, hitherto, been their Deſtroyer.

At this Council, it is ſaid, the King was not preſent: And it is wholly uncertain, whether in his ſubſequent Conduct he was directed by his Prejudices in favor of the Houſe of *Auſtria*, or his Concern for his People: For as the Emperor's rejecting the Treaty was the only viſible Means of preventing its being carry'd into Execution, ſo the holding him in dependance, by the Hope of the whole Succeſſion, was the only probable Means of inducing him to reject it.

The King of Spain ſigns a Will in favor of the Houſe of Auſtria. [Coxe, p. 245.]

But, however this may be, Lord *Manchester* ſays, It was ſo manag'd, That in *June* the King of *Spain* ſign'd a Will in favor of the Archduke, which was ſent to *Vienna*, where it excited all that Firmneſs, which, till the Secret came to be known, was ſo unaccountable to all *Europe*.

France betrays ſome Jealouſy of the Maritime Powers.

France, in the mean while, tho' exceedingly attentive to every Incident that happen'd in the Court of *Spain*, ſeem'd as if wholly ignorant of This; and the Jealouſies ſhe diſcover'd from Time to Time, ſeem'd rather to regard her new Friends and Allies the *Maritime*-Powers, than the Intrigues of the *Imperial* Miniſter at *Madrid*. Thus, for Example, we find the Moſt *Chriſtian* King, at one Time, complaining to M. de *Briord* of the Reports affectedly ſpread thro' the Empire, concerning the real Sentiments and Intentions of the *Maritime*-Powers, as if they were by no Means favorable to the Treaty they had been at ſo much Pains to make: "And tho', continues his Majeſty, I cannot prevail on myſelf to queſtion their Sincerity, yet 'tis expedient that the Miniſters of thoſe Powers reſiding at foreign Courts, ſhould receive ſuch preciſe Orders from their Maſters, as ſhould remove all Doubt on thoſe Heads: And 'tis certain both the Conduct and the Diſcourſes of thoſe Miniſters, has been ſuch as ſeem'd to argue thoſe Powers did not deſire to carry the Treaty into Execution."

A.D. 1700.

At another: He tells the ſame Miniſter of ſecret Conferences held at *Madrid* between the Marquis de *Leganez*, and Mr. *Shombergh* (for *Schonenbergh*) in the Night Time, in Places remote from the Reſidence of either: Adding, "You will ſee whether the Penſioner will communicate the Subject-Matter of Them, either to you or to M. de *Tallard*."

And yet again, when it was confirm'd on all Hands, that the King of *Spain* was incurably relaps'd, and the *Maritime*-Powers, inſtead of complying with the Inſtances of *France*, to make the requiſite Proviſions to enforce the Treaty in caſe of need, on the contrary inſiſted on enlarging the Term allow'd to the Emperor, and for ſuſpending all Action till the Term was elaps'd; his Moſt *Chriſtian* Majeſty inſiſted ſtrongly on the Neceſſity of other Meaſures, and expreſs'd his Diſſatisfaction as ſtrongly at the Coldneſs and Unwillingneſs ſhewn by the *Penſioner* to come into them: "I ſee, ſays his Moſt *Chriſtian* Majeſty to M. de *Briord*, That his Inſtances, which are directly oppoſite to the Purport of the Treaty, are ſupported by no one ſolid Reaſon. Thus, far from being convinc'd by them, I am every Day more ſenſible of the Neceſſity of employing my Forces, without loſs of Time: It is the only way to oblige the Emperor to ſubſcribe. Were I, on the other Hand, to accord what is demanded, the Emperor would make uſe of the Interval to form Alliances, and to recruit and augment his Forces, in order to pour them into *Italy*. You are, therefore, not to allow the *Penſioner* Room to believe, That I *ought* to deſiſt from that Clauſe which is the principal one of the Treaty, even if I could prevail on myſelf to conſent to it. Even the King of *England* and the States ought to have their Fears of ſuch a Change: For in ſuſpending all Action, the *Spaniards* will begin to hope, I will accept the Monarchy entire for one of my Grandſons, which the whole Nation wiſh to diſpoſe of in that Manner: And they will accordingly prefer ſuch a Diſpoſition, as will con-center all their Dominions under one and the ſame

A. D. 1700. Prince. I much approve the new Inſtances which the King of *England* and the *States* have made to the Emperor, on receiving the News, That the King of *Spain* was at Extremity: But nothing can give ſo much Force to thoſe Inſtances, as to declare, at the ſame Time, That the Treaty ſhall be punctually executed after the Death of the *Catholic* King, if *God* ſhall ſo diſpoſe of that Prince. Thus I am perſuaded, That if the States were now to begin to arm, it would have the beſt Effect imaginable at this Juncture: Nor can I comprehend for what Reaſon the *Penſioner* appears ſo reſerv'd, with regard to a Meaſure ſo conformable to the Engagements which They have made with me."

Diſcourſe of M. de Torcy *to Lord* Manchester.

The Language of M. de *Torcy* to Lord *Manchester* all this while, was conformable to that of his Maſter's: Nay; he began to complane of Coldneſs and Indifference from the Time the Emperor refus'd to embark in the Treaty; and it appear'd the *Maritime* Powers were not inclinable to make uſe of Menaces on that Occaſion: According to him, the Courts of *Vienna* and *Madrid* had come to an Agreement, That the *Imperial* Troops ſhould march into *Italy*: And ſo much Credit did this Aſſertion meet with, That the ſaid Powers order'd their Miniſters to join with thoſe of *France* in proteſting againſt it; which was ſo much the more extraordinary, ſeeing the *French* had ſent twelve arm'd Gallies to take Poſt at *Meſſina*; and ſeeing alſo, that M. de *Pointis* had under the Pretence of making the Governor of *Ceuta* another frivolous Offer of Aſſiſtance againſt the *Moors*, hover'd with ſeven Men of War on one Side, while M. de *Neſmond*, with Twelve, anchor'd in the Bay of *Cadiz* on the other; which ſeem'd to be all ſo many precautionary Meaſures, for the taking Poſſeſſion of the Inheritance as ſoon as it fell: And as the Emperor was a Claimant too, it ſeem'd but reaſonable, That he ſhould be at equal Liberty to take ſimilar Precautions.

Joint Repreſentation of the French *and* Engliſh *Miniſters at the Court of* Spain.

Againſt admitting *Imperial* Troops into *Italy*, the ſaid Miniſters did nevertheleſs make their Repreſentations, tho' ſeverally, and were ſeverally anſwer'd: For M. *Echonenberg* was told, That his *Catholic* Majeſty had the ſame Liberty which other Princes had, to recruit the Foreign Troops in his pay; and to introduce thoſe Recruits in what Manner, and at what Time, he thought proper. But to M. *Blecourt*, the *French* Miniſter, this ſeeming Firmneſs was greatly qualify'd, by an Intimation, That at preſent, the King did not ſee any Occaſion to recruit the ſaid Foreign Troops in his Pay: And, as if in concert with the Court of *Madrid*, the Emperor was afterwards induc'd, to aſſure M. de *Villars*, That, except Recruits for the Regiments he already had in *Italy*, it was not his Purpoſe to ſend any Troops thither.

But if this Conceſſion of his *Imperial* Majeſty was made in Compliment to the Court of *Spain*, it muſt be ſuppos'd that he was rather amus'd than ſerv'd by the Queen: For A. D. 1700. as ſhe was almoſt the only Perſon who affected to be in his Intereſt, ſhe was the fitteſt Perſon to delude him: And it was afterwards more than ſuſpected, That ſhe had by this Time alter'd her Courſe, tho' pretending to be ſtill bound to the ſame Port: Indeed, her Majeſty had many Inducements for ſo doing: For the Council of *Spain* were ſtill as violent and as unanimous as ever for adopting a Son of *France*: Her Majeſty knew ſhe, alone, was by no Means, able to withſtand the Torrent, much leſs turn it the other way: And conſcious as ſhe certainly was, That ſhe was by no Means a Favourite either of the Nobility or the People, Self-Preſervation requir'd her to make fair Weather with the Party that was likely to be uppermoſt.

However this may be, (for what Preciſion can be obtain'd in Matters of this Nature, unleſs Cabinet-Miniſters would condeſcend to write Truth of themſelves) when the *Catholic* King was almoſt in his laſt Agonies, he was either prevail'd upon to order his former Will in favour of the Archduke to be cancell'd, or Advantage was taken of his Condition, (which was miſerable beyond Expreſſion) to act as if he had given ſuch Orders, and to procure his Hand to another Will; by which he bequeath'd the Inheritance entire, to the Duke of *Anjou*, ſecond Son to the *Dauphin*, to the Duke of *Berry* next, then to the Archduke and his Heirs; and, laſtly, to the Duke of *Savoy* and his Heirs; on a Suppoſition, That the Renunciation of the late Queen of *France*, was no other that a *proviſional* Meaſure, to prevent the Union of the Two Crowns on the ſame Head.

King of Spain's Death-Bed-Will in favour of the Duke of Anjou.

This Will was made the 2d of *October*, and yet *Schonenberg*, the *Jeweſh* Reſident for *England* and *Holland* at *Madrid*, was ſo ill inform'd of what paſs'd at Court, That he inform'd his Maſters, it was done on the 3d. He alſo inform'd them, That the King, ſoon after, thinking himſelf ſomething better, expreſs'd ſo much Indignation againſt the Junto who induc'd him to take that Step, that he recall'd the Powers he had given them, to act diſcretionally in the urgent Affairs of the Kingdom: That he afterwards ſign'd another Will, *&c.*—But no Article of this Kind had the leaſt Foundation.—On the contrary, he left the Adminiſtration in the Hands of that very Junto, with Cardinal *Portocarrero* at their Head, with all the Powers neceſſary for preſerving the Peace, and carrying on the Operations of Government.

All the Favor ſhewn to the Queen was, That her Dowry was enlarg'd from 300,000 to 400,000 Ducats a Year: Beſides which, ſhe was to have her Choice of the four general Governments, *Flanders*, *Naples*, *Sicily*, or the *Milaneſe*; and in caſe ſhe choſe to make her Reſidence in *Spain*, ſhe had Liberty to reſide in which of the principal Cities ſhe pleas'd.

His Death.

This Settlement having been thus made, and Nature being worn out in the King, at appear'd

A. D. 1700. appear'd by the (c) Diſſection of his Body, he breath'd his laſt on the firſt of *November*, about Three o'Clock in the Morning. The ſame Day an Expreſs was diſpatch'd from the Junto to the Court of *France* with the News, and alſo with two Copies of the Will: And on the 6th the *Imperial* Embaſſador deliver'd to the ſaid *Junto*, a written Proteſt againſt the Will, in which he declar'd it in his Maſter's Name to be null and void.

The *Junto* alſo gave a Copy of the ſaid Will to M. *Blecourt*, the *French* Envoy, at the ſame Time that they gave Orders for diſpatching an Expreſs of their own; and ſuch was the ſuperior Diligence of the *French* Courier, that he arriv'd at *Verſailles* on the 9th about Noon; whereas the *Spaniard* did not arrive till the next Day.

The ſame Day that the firſt of theſe Meſſengers arriv'd, Lord *Manchester* not only had Intelligence of this great Event, but diſpatch'd an Account of it to Mr. Secretary *Vernon*; in which he takes occaſion to ſay, "I can ſee They are very well pleas'd here with all theſe Circumſtances; and what Effect they will have, Time muſt ſhew: Tho' I am of Opinion, They will keep firm to the Treaty, as that is *moſt for their Advantage.*"

Lord Manchester's Opinion of the Diſpoſition of France.

In two Hours after the firſt Expreſs arriv'd, a Council was held in Madam de *Maintenon's* Lodgings, at which that Lady as well as the King aſſiſted; together with the Chancellor, the Duke de *Beauvillier*, and M. de *Torcy*. The *Dauphin*, it ſeems, was in the Field Hunting, and conſequently unapprin'd till his Return of what had happen'd: But the next Morning another Council was held in the ſame Place, at which his Royal Highneſs took his Seat: And the ſame Evening a Third, in which the great Reſolution was taken that is ſoon to be explain'd.

Several Cabinet Councils held at M. de Maintenon's Lodgings.

But firſt it will be neceſſary to ſpecify the Propoſitions adjuſted with the Court of *France* by M. de la *Tour*, in lieu of his Maſter the Duke of *Savoy*'s Pretenſions to the *Auſtrian* Succeſſion, and left to the Deciſion of the King of *England*; becauſe the Conduct of *Savoy*, in the Courſe of theſe Negotiations, or rather in Conſequence of them, was urg'd as one of the Reaſons to juſtify the Conduct of *France*: And it is in the following Words they are ſtated by Lord *Jerſey*, when for the firſt Time communicated to the Earl of *Manchester*: "The Firſt is, That *France* ſhould have the Duchy of *Savoy*, and the Kingdom of *Sicily*, the Duke of *Lorrain* to have the Kingdom of *Naples*; and the Duke of *Savoy* to have *Milan* join'd to *Piedmont*. Theſe Propoſitions came firſt from la *Tour*; but it is evident *France* had before agreed to them: For Count *Tallard*, in the laſt Audience he had of the King, did own, That the King of *France* was willing to accept of either of thoſe Propoſitions, tho' he was not under any Engagement with the Duke of *Savoy*." His Lordſhip adds, That the King declin'd coming to any Determination on this Head, till he return'd to *England*: And farther appris'd his Excellency, in *Confidence*, that his Majeſty was more inclin'd to the *firſt* Propoſal, in order that a *Means might be found* out to have *Sicily otherwiſe diſpos'd of than to* France, *which the King was endeavouring*: To the Elector of *Bavaria*, that is to ſay; (tho' it is not acknowledg'd in this Letter) not more to re-conciliate the good Graces of his Electoral Highneſs, than to ſilence the Clamours which prevail'd againſt the Treaty; more particularly, as calculated to throw all the Trade of the *Levant* into the Hands of *France*.

Negotiations concerning the Pretenſions of Savoy.

[Cole, p. 238.]

A. D. 1700.

King William endeavours to procure Sicily for the Elector of Bavaria.

But Lord *Jerſey* certainly falls into an egregious Miſtake, in ſaying, The King was moſt inclin'd to the *Firſt*, as is apparent by the very Reaſon he himſelf aſſigns for that Inclination of his Majeſty; namely, That *Sicily* might not fall to the Lot of *France*: For, according to the ſaid *firſt* Propoſal, *Sicily* was allotted to *France*: By the Word *firſt* then in this Place, we muſt ſuppoſe his Lordſhip meant the *firſt Part* of the *Second* Propoſition, namely, That *France* ſhould have *Savoy* and *Piedmont*, rather than *Sicily* and *Savoy*: And that This was actually the Caſe, can ſcarce be doubted, when it is farther conſider'd, That King *Lewis* in his Letters to M. de *Briord*, acknowledges, He had rather the Duke of *Savoy* would make *Naples* and *Sicily* his Option, preferable to *Milan* and *Piedmont*; and afterwards complains, That, contrary to the Language us'd by M. de la *Tour* at the *Hague*, (where he had ſignify'd both to the *Penſioner* and M. de *Briord*, That his Maſter was ready to accept the firſt Alternative) the Miniſters of his Royal Highneſs had declar'd in their Maſter's Name, That *Naples* and *Sicily* not being agreeable to him, They could never agree to any other than *Milan*.

A ſhort Turn of the Court of Savoy.

In a Word, this ſhort Turn of the Court of *Savoy*, together with what has been already ſaid concerning the Elector of *Bavaria*, ſufficiently explanes what thoſe Endeavours of his Majeſty (King *William*) were which are juſt touch'd upon in Lord *Jerſey*'s Letter.

And now it is fit we ſhould procede to the great Reſolution we were prepar'd for above, which is reported by Lord *Manchester* to Lord *Jerſey*, from the Mouth of M. de *Torcy*, in the following Words: "This Morning *(November* 12) I was with M. de *Torcy*, who began with ſaying, That he did not doubt, but I was ſenſible, That ſince they had an Account of the King of *Spain*'s Death, and the Diſpoſition he had made by his Will, great Difficulties muſt have ariſen, that

Conference between M. de Torcy and Lord Manchester.

(c) The Body of the King having been open'd, ſays *Edmund Curl*, all the noble Parts were found to be very much corrupted; the Heart not being bigger than an Egg of a Pigeon, and ſoft as Marl: The Liver was infected, and it contain'd a Stone of the Bigneſs of a Bean, and black like roaſted Coffee. All the other Entrails, excepting the Spleen, were almoſt rotten. The Body has been imbalm'd, and is to be tranſported To morrow to the Royal Tomb of the *Edwards*." If Kings would conſeſcend to read, what a Leſſon to mortify Royal Vanity!

A. D. 1700. that the King had well consider'd the Occasion, and the *Intent* of the late Treaty with *England*, &c. which was, To *prevent a War* in *Europe*: That the Emperor not having sign'd, and the Duke of *Savoy* actually refusing to accept of *Naples* and *Sicily*: That there having appear'd Discontent both in *England* and *Holland* against the *French* being Masters of those two Kingdoms, in relation to the Trade of the *Levant*: Besides, That none of the Princes, that the Treaty had been communicated to, had promis'd more than a Neutrality; the King could not but think, there was a necessity of accepting of what the King of *Spain* declar'd in favour of the Duke of *Anjou*. Then he read me the Motives which he had drawn up, that I might the better inform his Majesty. I desir'd he would let me take the Copy, which I send your Lordship, and *most* that passed is contained in it: You may easily imagine, I had little to say when he told me the Resolution the King had taken. It is *certain*, that the Proceedings of the Emperor have put them in some Measure on this *Necessity*. For M. de *Torcy* observ'd to me, That if the King had refus'd, the Archduke had then a double Title, *viz.* That of *Philip* the IVth. and that of the late King's Will; and he could not tell but the *Spanish* Embassador had Orders to send Word to *Vienna*: That the Moment the Emperor consented to the Treaty, the Duke of *Savoy* had a good Title; and his Humour is so well known, that we are sure, he would not slip such an Opportunity; and then there must have been a War not likely to be soon ended, whatever the Success would be: That whole Kingdoms must be conquer'd, the *Spaniards* being entirely against dividing their Monarchy: That the Ships we and *Holland* were to furnish (fifteen that is to say) would not be sufficient for such a War; that it was very doubtful whether *England* and *Holland* would engage themselves in a greater Expence, which must necessarily be the Consequence. That it was certain, that the Treaty was *more advantageous* to *France*, and was what the King could have wish'd. He then ended, saying, That the King hop'd, that the Strength of these Reasons would so far prevail with the King our Master, that there might still be the same good Understanding as ever, which was so necessary for the Good and Quiet of *Europe*. I made no other Answer than that I would faithfully acquaint the King with what he had said to me by order." And towards the Close of his Letter his Excellency subjoins, "I cannot tell what Resolution the King will take, and I am far from giving my Opinion; tho' if your Lordship will permit me, I cannot see but we must acquiesce. You are sensible of the Posture of our Affairs, and of the *Discontent* there was in *England* against the Treaty; insomuch that my Lord *Portland*, and all that were concern'd in it, (of whom it must be remember'd Lord *Jersey* himself was a Principal) were the next Session to be sacrific'd *if possible*."

In which the Acceptance of the Will is declar'd.

Such was the Declaration made to the Minister of *England* at the Court of *France* on this signal Occasion; and such were his Excellency's Sentiments thereon. As to the Memoir that was given to him, we are already appris'd of the Nature of it: But we are farther to be inform'd, That a Copy of it was two Days afterwards sent to M. de *Briord* at the *Hague*, accompany'd with Instructions from his Majesty, to use the same sort of Language to the *Pensioner*: And that his Majesty moreover expres'd himself on this Occasion to the following Effect: "You are also to convince him, (the *Pensioner*) That the Emperor, not being engag'd, there was no Security that the Treaty could be carry'd into Execution: And in Truth, we should not have been expos'd to any Embarrasment on that Account, if the King of *England* and the *States-General* had in earnest press'd the Emperor to accede, in lieu of giving him secret Hopes, That he should not be forc'd to do it: If they had not try'd the Force of more affecting Experiments on the Duke of *Savoy*; if they had more sincerely endeavour'd to induce the Kings of the North, and the Princes of the Empire to embrace the Treaty; and, in short, if they had in Time agreed on the Proportion of Succours necessary for the Execution of the Treaty.—But as yet they must not be reproach'd with any thing."....

A. D. 1700.

Matter of Complaint urg'd by King Lewis against the Maritime Powers.

In this Interval it must be observ'd, King *William* was return'd to *England*; and that his Majesty might have the quickest and surest Intelligence of what had pass'd in the *French* Cabinet, in relation to the Will, Lord *Manchester* dispatch'd *his Secretary Mr. Chetwynd*, with the Letter above quoted: On the 4th, O. S. between Three and Four in the Afternoon, Mr. *Chetwynd* arriv'd in *London*; and tho' M. *Lamberty* affirms, his Majesty advis'd with none but Lord *Portland*, (with whom continues he, ridiculously enough) and the *Courier*, he remain'd for a long while in close Consultation, the Fact was quite otherwise: For Lord *Manchester*, as we have seen, having sent his Advices to the Lord Chamberlain *Jersey*, instead of the Secretary of State *(Vernon)* the Secretary takes care to let his Excellency know, That he was in the Secret notwithstanding; by signifying, That he had been call'd in to the reading of the whole Dispatch, and also by imparting his Majesty's Commands thereon; which he did the very same Day, in these very Words, which are not without some Perplexity, to wit: "His Majesty did not expect, that the Treaty should be laid aside in the Manner he finds it, and at the first Instant, when it should take place: Therefore his Majesty has directed me to tell you in the Letter, Mr. *Jolly* (a Servant of Lord *Manchester's*) will bring you in relation to the Duke of *Savoy's* Proposal,—That his Majesty did not think any Variation would be made from the Treaty, till the Emperor's Mind was known, whether He would accept it or not, for which two Months was allow'd, from the *Notification* of the King of

Deliberations in England.

The Order given to Lord Manchester in pursuance to the Declaration made to Mr. de Torcy.

A. D. 1700. of *Spain*'s Death: That it is *ſtill* his Majeſty's Opinion in this Caſe likewiſe, That the Emperor's Reſolution ought to be expected for the *preventing* thoſe Troubles which the Treaty was made to avoid; and This his Majeſty would have you acquaint M. de *Torcy* with, but he does not think you ſhould demand any (*d*) Audience of the King on this Occaſion."

The Duke of Anjou declar'd King of Spain.

But before theſe Sentiments of his Majeſty could reach his Embaſſador, tho' they were diſpatch'd by an Expreſs the ſame Day, the Moſt *Chriſtian* King had accepted the Will in form, and (*e*) declar'd his Grandſon King of *Spain*.

Another Conference between L. Manchester and M. de Torcy.

On the 23d however, (N. S. that is to ſay) Lord *Mancheſter* acquainted M. de *Torcy* with the Orders he had receiv'd from the King his Maſter, to which that Miniſter reply'd, That the laſt Anſwer from the Emperor, which was of the 6th Inſtant, and which he read to Lord *Mancheſter*, was as far as ever from accepting the Treaty: And his Lordſhip obſerving in return, That This was during the Life of the King of *Spain*; M. de *Torcy* rejoin'd, That he was ſatisfy'd, the Emperor never would have agreed to it; and that, as the Caſe ſtood, if *France* had rejected the Will, the Archduke would have had a Title to the whole Succeſſion. This, we are to underſtand, was the Subſtance of what paſs'd between theſe two Miniſters on this extraordinary Occaſion: And all that Lord *Mancheſter* adds, as of himſelf, in relation to it, is thus expreſs'd: "I do find, they do here expect, that I ſhould ſay ſomething in anſwer to what I have acquainted you and my Lord *Chamberlain* with, concerning the Motives that induc'd them to accept the Will: And I am of Opinion, that M. de *Tallard* will not go to *England*, till they know the King's Thoughts on that Matter. I muſt own to you, that I ſhall make but a ſtrange ſort of Figure at Court, till I have ſome Orders of that Nature." But all the Anſwer his Excellency could procure, was, That which follows from Mr. Secretary *Vernon*: "I have receiv'd your Excellency's Letter of the 24th Inſtant, N. S. and have laid it before his Majeſty; but the King has not given me any Thing in command at preſent to write to you. Their Reſolutions are taken; therefore his Majeſty may be allow'd to conſider a little, what may be the Conſequence of ſo ſudden a Change in that Court; as, likewiſe, to expect what are the Sentiments of other Princes and States, who are equally concern'd in the Preſervation of the Peace of *Europe*, and the preventing the Balance of Power being broken, by the uniting too many Dominions under any one Prince, which was the juſt Foundation of the late Treaty."

His Lordſhip's Remark thereon.

Mr. Secretary Vernon's Anſwer.

Deliberations in Holland on this Event.

And now it is Time to conſider the Courſe of this Tranſaction in *Holland*; where it ſo happen'd, That on the ſame Day, that the Count de *Goes*, the *Imperial* Miniſter, receiv'd an Expreſs from his Court, ſignifying, That the Emperor would never give his Conſent to any Treaty for dividing the *Spaniſh* Monarchy, M. de *Briord* alſo receiv'd an Expreſs from his Maſter, directing him to inform the *Penſioner* of what had paſs'd in *Spain*, and the Motives which had induc'd his Majeſty to depart from the Treaty, and accept of the Will. Both theſe Miniſters communicated the Contents of their Diſpatches the ſame Day, to the *Penſioner* accordingly. On the Morrow, the *States-General* aſſembled ſooner than ordinary to deliberate thereon; but came to no Reſolution: In the Evening of the ſame Day, Thoſe in the Secret of Affairs diſcuſs'd the ſame Points among themſelves; and M. *Lamberty* has given an Abſtract of their Debates, which, like the Former, produc'd no Iſſue: For, it ſeems, nothing could be done till they had receiv'd their Cue from the King of *England*. On the 22d, N. S. his Majeſty's Diſpatches arriv'd. The next Day the whole Affair was again debated in the Aſſembly of the States, for twelve Hours together; when their High Mightineſſes reſolv'd, in effect, to adopt the Sentiments of his Majeſty, and to ſuit their Conduct to his. Accordingly Orders were ſent to M. *Heemſkirk*, the *Dutch* Miniſter at *Paris*, to preſent a Memorial to the Moſt *Chriſtian* King, humbly to repreſent, "That their High Mightineſſes did not expect his Majeſty would have taken a Reſolution ſo contrary to the late Treaty, which they believ'd was to be obſerv'd in all Things by the contracting Parties, and which was to be departed from by none except by common Conſent: That the Time in which the Emperor might ſtill accede, in Virtue of the ſecret Article, not being yet expir'd, their High Mightineſſes, in conformity thereto, had again invited his *Imperial* Majeſty, in the moſt preſſing Manner, to accede: That for theſe Reaſons, they hop'd his Majeſty, in conſidering this Affair anew, would have the Goodneſs to make new Reflections upon it; and that they had ſent Orders to their Embaſſador to pray his Majeſty to perſiſt in obſerving the ſaid Treaty, and every Article it contain'd."

A. D. 1700.

Dutch Memorial to the Moſt Chriſtian King.

This Memorial, which was deliver'd in writing, both by the States Deputies to M. de *Briord* at the *Hague*, and alſo by M. *Heemſkirk*, to M. de *Torcy* to be preſented to the King, was dated *November* 25: And M. *Heemſkirk* having deſir'd a written Anſwer, Advantage was taken of that Circumſtance, to give him ſuch a one as might ſerve as a Sort of Manifeſto to all *Europe*: For all the eſſential Points contain'd in the Memorial given by M. de *Torcy* to Lord *Mancheſter*, were contain'd in it; as alſo moſt of Thoſe communicated to that Miniſter by Word of Mouth. But over and above all Theſe, certain peculiar Refinements were ſuperadded, which, perhaps, deſerv'd rather more Con-

The Anſwer thereto.

(*d*) And yet our Hiſtorians are not only pleas'd to ſay, Lord *Mancheſter* did demand a private Audience, but alſo to narrate what paſs'd at it.

(*e*) *November* 16, N. S.

A.D. 1700. Conſideration than they met with. Thus in the very opening, it is maintain'd, "That the Execution of the Treaty would have produc'd infinite Troubles: That while his Moſt *Chriſtian* Majeſty obſerv'd the *Spirit*, he was not liable to the leaſt Imputation for abandoning the *Letter*: That the ſame Motive which had induc'd him to make the Treaty, had induc'd him to accept the Will, namely, the Deſire of Peace: That all the Diſadvantage redounding from this Change of Meaſures, redounded to himſelf: That his Majeſty had therefore Reaſon to believe his Allies would praiſe his Moderation, rather than complain of his Conduct, *&c.*" And if to theſe we add two or three remarkable Features more of this great Original, we can ſcarce fail of conceiving an adequate Idea of it, *viz.* "No Body doubts, but the Emperor would have accepted the Will. The Succeſſion to *Spain* for his Second Son, had been the Aim of his long Negotiations at *Madrid*, his Treaties in the Empire tended to the ſame End. He refus'd to ſubſcribe to the *Partition* with this only Hope. It was ſcarce to be believ'd, that, being on the Point to reap the Fruits of ſo much Labour, he ſhould content himſelf with thoſe Offers which he had till then conſtantly rejected." ....." In order to preſerve the Peace, it was then neceſſary to employ Means differing from thoſe propos'd by the Treaty: The moſt natural, the moſt ſuitable to the Maintenance of the general Peace, and the moſt conſiſtent with Juſtice, was That which the King has taken, by accepting the Teſtament of his late *Catholic* Majeſty: If any Prince has a Right to oppoſe his laſt Diſpoſitions, it is ſufficient to read them, to judge, that this Right belongs only to the *Dauphin*. He being willing to deſiſt from it in favour of his Son, the Will executes itſelf, without Trouble, without Effuſion of Blood; and the People of *Spain* receive with the Peace, Him, whoſe Birth, the Diſpoſition of the late King, and the univerſal Wiſhes of all the Eſtates of the Monarchy, call to the Crown. If any Power ſhould undertake to attack ſo many united Rights, that Power would charge itſelf unneceſſarily with the odious Name of, *Diſturber* of the *public Repoſe*: It would begin an unjuſt War, without *Likelihood* of *Succeſs*. But if this War ſhould appear unjuſt when undertaken by ſuch Powers as thought themſelves intereſted to croſs the Advancement of a Prince of *France*, would it ſuit the Equity of the King, and his Tenderneſs for the King of *Spain*, to turn his Arms againſt a Nation, whoſe only Fault was, The offering the Crown of one of the moſt potent Monarchies of *Europe*, to a Grandſon of his Majeſty; and the aſking him to do them the Favour of accepting it? The Eminence of Kings cannot diſpence them from making known the Equity of the Wars they undertake. What Reaſons then could his Majeſty, who is ſo juſt, give, to have Recourſe to Arms, in order to *divide* a Monarchy *yielded* to its lawful Heir?.....All Things well examin'd, the States-General will, perhaps, find, That ſo *many conſiderable Eſtates*, acquir'd by *France*, according to the Diſpoſition of the *Treaty*, might give a *juſt Jealouſy* of its Power: And if *they* were to *chuſe*, it is likely, They would ſtill prefer the preſent State of the Monarchy of *Spain*, govern'd by a Prince of *France* without any Diviſion of its Eſtates, to the Execution of the *Treaty* according to the *Terms*. The *Diſcourſe* of the *People* in *England* and *Holland*, had already prevented what the Government would decide on this Occaſion: And their Complaints on the uniting the Kingdoms of *Naples* and *Sicily* to the Crown of *France*, ſhew'd openly their Uneaſineſs for their Commerce in the *Mediterranean*." ....." Theſe Reflections will, probably, perſuade the States-General, that Juſtice, the Advantage of Peace, and the Spirit of the Treaty itſelf, did not allow the King to take any other Reſolution than That, of accepting the Will of the late King of *Spain*: That it ſuits with the particular Intereſt of the *Republic* of *Holland*: That it is agreable to the Intereſt of all *Europe*. The Misfortune then would be general, if it was poſſible for his Majeſty, after the Declaration he has made, to comply with the Inſtances contain'd in their Memorial: And He is thoroughly perſuaded, That they never intended to obtain the Effects of it. They are too clear-ſighted to have form'd Deſires ſo contrary to their Underſtanding and the *true Intereſt* of that *Republic*: If they were capable to forget Both ſo far, as *actually* to deſire his Majeſty would execute the Conditions of the Treaty, they would have ſhewn the Means to accompliſh the *Partition* without a War, and with the general Conſent of all *Europe*: They would, at leaſt, have nam'd the Princes that were ready to join their Forces to guaranty all the Articles of it: They would have declar'd thoſe which *Holland* would have given as well by Land as Sea. Nevertheleſs the Memorial contains nothing like it: The States propoſe only to grant to the Emperor the Term of two Months, mention'd in the Secret Article of the Treaty."....." In ſhort, the Delay of two Months would have been eſteem'd by the *Spaniards* a Refuſal of the Will."....." In which Caſe the Regency of *Spain*, in Conformity to the ſaid Will, would have been oblig'd to conſign the Crown to the Archduke, and the Emperor would obtain, in conſequence of the Delay only, which the States propoſe, what he has ſought after with ſo much Solicitude: So that, under the ſpecious Pretext of executing the Treaty, they would for ever aſſure the Grandeur and the Power of the Houſe of *Auſtria*: His Majeſty is, however, diſpos'd to believe, That they have not entertain'd ſuch a Deſign: They know too well, that if their Intereſt to deſerve by their good Conduct the Honour of his Affection, and the Continuance of the Marks of his Friendſhip. He is therefore perſuaded, That, in reflecting farther than they have hitherto done on the Marks he gives of his Attention to the public Tranquility, to the *Sacrifice* which he is willing to make, on that Account, of the *conſiderable Eſtates*, which were to have been

A.D. 1700.

A. D. 1700. been *united* to his *Crown*, they will change their Complaints into Thanks; and, very ſoon congratulating the King of *Spain* on his Acceſſion to the Crown, will endeavour to deſerve from the King the ſame Marks of his *Goodneſs* and *Protection*, which they and their Anceſtors formerly have receiv'd of his Majeſty and the Kings his Predeceſſors."

Lord Manchester's Reflections thereon.

A Copy of this Memorial Lord *Mancheſter* was alſo permitted to take; and in transferring it to Mr. Secretary *Vernon*, he takes occaſion to ſay, "You will ſee by it, what They expect from *Us*. The only Reflection I ſhall make is, That they take their Reaſons to be of ſuch Force, that they wonder, what they have done is not approv'd of." That alſo his Court might not be ignorant of one minatory Circumſtance which came to his Knowledge, he cloſ'd his Diſpute with the following Paragraph: "They begin to ſay here, That as for *Holland*, if they are diſſatisfy'd, the King of *Spain* ought to bring them to Obedience, as formerly belonging to that Monarchy; and if we diſpute, the little Gentleman at St. *Germains* is to be made uſe of. I wiſh That may not be the Conſequence at laſt, tho' we ſhould act otherwiſe."

But, in order to know what the real Diſpoſition of *France* was at this Time, we muſt conſult the Moſt *Chriſtian* King's own Diſpatches to M. de *Briord*, which accompany'd this very Memorial: And for the better underſtanding of it, we muſt throw in ſome Conſiderations with regard to the Elector of *Bavaria*, and the Part he began to play, the Moment his Hopes of obtaining the Kingdom of *Sicily*, by the Management of King *William*, were at an End; and he diſcern'd, That his Hold of the *Netherlands*, even as a Subſtitute, depended on his conforming in all Things to the good Will and Pleaſure of *France*.

The Deſignation of the Elector of Bavaria aſcrib'd to the Tories.

[Oldmixon, Vol. II. p. 815.]

Thoſe of our own Writers, indeed, who are for making the *Tories* anſwerable for all the Diſorders, Miſchiefs and Misfortunes of this Reign, ſurmiſe, That his Electoral Highneſs would never have aſſum'd that Part, if he had not been prompted to it by their Perverſeneſs. They tell us, He ſent a Miniſter into *England*, to inform himſelf exactly of the Situation of our Affairs, and of the Likelihood of the Parliament's entering immediately into Meaſures for preventing the Duke of *Anjou*'s taking Poſſeſſion of the Throne of *Spain*: That this Miniſter was inſtructed to aſſure his *Britannic* Majeſty, That the Elector his Maſter would declare for the *Confederacy*, (tho' no ſuch Thing was then in Being, unleſs the Bargain which had been made for dividing the *Spaniſh* Monarchy might be ſo call'd) and keep the *Netherlands* out of *French* Hands, in caſe he might have *preſent* Aſſiſtance, &c. (which was impoſſible). And that, finding there muſt be a *new* Parliament, probably ſuch another as that then in being, he return'd with ſuch a melancholy Account, as determin'd his Electoral Highneſs to ſhape his Courſe thro' a different Channel: All which, however true in Fact, will not, by any Means, authoriſe any ſuch Application: For the Perverſeneſs of that Parliament, was not merely a *Tory*-Perverſeneſs: The *Tories*, on the contrary, as we ſhall ſee in its Place, were now uppermoſt at Court; and advis'd a Diſſolution, becauſe they had not ſuch an Aſcendency in it, as was requiſite for Court-Purpoſes. Beſides; how well ſoever the *Elector* was inclin'd to act a *(f)* double Part, and trim between the Courts of *Vienna* and *Verſailles*, as long as the King of *Spain* lived, and there was any Degree of Uncertainty which of the Rival-Intereſts would prevail, it is out of all Doubt, That he did not demur a Moment to acknowledge the new King, and to make his Court to him, by all the Profeſſions and all the Services in his Power.

A. D. 1700.

The Matter of Fact diſcuſs'd.

My Lord *Mancheſter*, in his Diſpatch to Mr. Secretary *Vernon* of *November* 17, N. S. ſays, "Count *Monaſterol* is come from the Elector of *Bavaria*: He has no Character, but has Orders to inform himſelf what is doing. He tells me the Elector ſent one to *England* the Day he came away." In that of the 20th of the ſame Month, he adds, by way of Poſtcript, "I am told, that the Duke of *Anjou* has wrote to the Elector of *Bavaria*, to notify to him his Acceſſion to the Crown of *Spain*." And again afterwards, "Juſt as I was ſending away my Letters, Count *Monaſterol* came to me. He tells me, That it was the *Spaniſh* Miniſter that wrote to the Elector in the Name of the King; and that he has learn'd nothing of what they intended to do." And in a Third Diſpatch of the 24th, he writes thus: "Count *Monaſterol* had Yeſterday an Audience of the King of *Spain*; and you know already what has paſs'd at *Bruſſels*. M. de *Bedmar* is this Day expected with a farther Compliment from the Elector of *Bavaria*: And it is ſaid, That the Elector will ſee the King of *Spain* on the Way, tho' he cannot come hither by Reaſon of the Ceremonial."

The Duke of Anjou proclaim'd at Bruſſels.

Thus, in Six Days from the firſt Mention of Count *Monaſterol*'s Arrival at *Paris* (which was, at leaſt, as ſoon as the *other Bavarian* Miniſter arriv'd at *London*) we find him acknowledging the new King in form: And as to what had paſs'd at *Bruſſels*, our own *Gazettes* inform us, That on the 19th at Night, his Electoral Highneſs having receiv'd an Expreſs from the *French* Court, importing, That the King of *France* had accepted the Will, he immediately gave the neceſſary Orders for proclaiming the Duke of *Anjou*, which was done with all poſſible Ceremony the next Day. No. 3655.

A Courſe of Informations drawn from K. Lewis's Letters, ſhewing the real Diſpoſition of France with regard to Peace or War.

And now we are brought to King *Lewis*'s own Diſpatches to M. de *Briord* above-mention'd; in which we learn, not only, that the Marquis de *Bedmar* was arriv'd at *Paris*, but alſo, that the Elector, had, by him, given ſufficient

(f) Among the Princes who had paid their Court to King *William* this Summer in *Holland*, he had been one.

A. D. 1700 sufficient Security for his good Behaviour: For, having directed that Minister to make a proper Acknowledgment of Don *Bernard de Quiros*'s Merits and Services, he proceeds to say, "The Marquis de *Bedmar* has foretstall'd the Account he *(Quiros)* has given you of the *Spanish* Forces in *Flanders*; and has made me sensible, that they are stronger than I imagin'd: He has also shewn me, That, touching the Places belonging to the King of *Spain* in those Parts, nothing was to be fear'd from the *Dutch* Troops in garison there; and that on the contrary, in case of the least Movement on their Parts, they would find all the Danger lay on their Side." Nor is this all: For in the Sequel, resuming the same Subject, his Majesty expresses himself as follows: "The Marquis de *Bedmar* is already on his Return to *Brussels*: His Presence is necessary in the *Netherlands*, tho' the Elector of *Bavaria* has forgot nothing to testify his Zeal and his Fidelity: But it is proper that there should be many Eyes to watch the Motions of the *Dutch* Troops."

Thus, tho' the *Elector* did, all this while, continue his Minister at *London*, and did as certainly hold the *Maritime* Powers in play, he nevertheless made such Advances to the young King, and undertook so largely for his Service, as shew'd either, that he was retain'd by *France*, or that such was his Infincerity, That he could not be retain'd at all. And that, in consequence of this double Conduct, he fell into Suspicion with *France*, as also, that he embrac'd the Part of *France* at last we shall see. But first the Sequel of these Dispatches, which is to shew the real Disposition of *France* with regard to the States, must be given: And upon this Head, his Majesty instructs his Minister as follows, to wit, "It is necessary to penetrate, if possible, the Sentiments of the States-General in relation to those Troops; whether they have still any Hopes to retain them in the said Places, where they have nothing to fear on my Part, or whether it is their Intention to withdraw them of their own proper Motion, without waiting to have them dismiss'd by my Grandson. In either Case it is so necessary to be appriz'd of their Resolutions and Preparations, both by Sea and Land, at such a Conjuncture, that I shall think all the Expence of such Services well employ'd.—I do not limit you to any Sum: Particulars you are to inform me of, and I will cause them to be paid."

There is in this Place an incurable Defect in the Cypher; and here and there an uncertain Number has created some Uncertainty in the Passages already given, tho' without any Violence to the apparent Drift of the whole. His Majesty then takes occasion to signify, That he has had the Memoir read to him, which Don *B. de Quiros* had presented to the States-General, with Approbation; That the Answers which he had given to M. *Dykvelt* at a Conference, were equally strong and just. After which he procedes as follows: "And the more inclin'd the States appear to gain Time, the more needful it is, to press them to an Explanation: But as you observe, This ought A. D. 1700 to be done not only without Menaces, but even in such a way, as should indicate a total Indifference as to the Party they might think fit to chuse: For in truth, they themselves are most interested in their own Declarations: And if they are such as have a Tendency to rekindle the War, the Damage will be theirs. Thus the only Step which I pretend to take with regard to them, is, to apprise them in form of the Resolution I have made, to accept the Will of the King of *Spain*. I send you the Letter I have writ to them for that Purpose. The Necessity of sending me an Answer, will oblige them to declare their Sentiments: But you are not to make the least Advance to oblige them: It is fit they should know by this Conduct, That their Deliberations are absolutely indifferent to me; and that all I desire to know is, what I am to expect from their Purposes for the future."

All this is contain'd in his Majesty's Dispatch of *November* 30. In that of *December* 11, he acknowledges the Receipt of Two from M. de *Briord*, informing him, of the different Motions in *Holland*, and the Reasons which ocurr'd, to believe, That the Partisans of the King of *England* were busy in exciting the States to engage in a *new* War. After which he procedes thus: "During the *Last*, the Deputies for secret Affairs had the same Powers to conclude such Treatics, as were said to be for the Good of the States, as are demanded now; whence it is reasonable to believe, that the Government of *Holland* thinks in earnest of forming a new League: But I am nevertheless of Opinion, That unless they are sure of Support, they will not dare to take a Step which has a Tendency to rekindle the War: I am even inform'd, That the King of *England* is already convinc'd, they have declar'd their Sentiments with too much Precipitation: He sees the *English* Nation too backward to engage in a new War, which would expose their Commerce to a Rupture with *Spain*: And the *Prorogation* of the Parliament is a certain Proof of the little Confidence which he places in the Affections of his Subjects: So that the *Hollanders* being as yet sustain'd by no Alliance, will enterprise nothing in earnest against the *Spanish* Towns in the *Low-Countries*. On the contrary, it occurs to me, They are in pain for the Troops they have in Garison there: It is nevertheless certain, that it would be abundantly more for the Interest of *Spain*, that those Troops should be immediately withdrawn. I should be glad to have your Sentiments concerning the best Manner of removing them: For, in short, if the *Spaniards* were completely Masters of those Places, the secret Intrigues of the Elector of *Bavaria* would no longer be of any use. That Prince continues to assure me, That he has no Engagement with any other Power: And that he will never be wanting in any Point of Duty as Governor of the *Netherlands* to the King my Grandson: But these Assurances do not altogether accord with the close Intelligence which seems to subsist between the King of *England* and

A. D. 1700. and Him; and which the frequent Expeditions of Couriers between *London* and the *Hague* also indicate. Time will discover the Truth. You are, nevertheless, to observe the same Exactitude during the Interval, in acquainting me with all you can learn, of the Measures and Resolutions of this Prince. The Resident of *Sweden (Palmquist)* has given me to understand, That M. *Lillierost*, (the *Swedish* Minister at the *Hague*) has signified to him, That the States-General are aware of all the mischievous Consequences to be apprehended from a new War: That They shall never think of rushing into one, till they are convinc'd I shall take Advantage of the new Union between my Crown and That of *Spain*, to introduce my Troops into the *Flemish* Towns: And that their Fear of such an Event, is, in Truth, strong enough to prompt them to the most desperate Measures, I have already observ'd to you. Hence, I think it for the Good of my Service, to re-assure the *Hollanders* on that Head: You, therefore, are on all Occasions to enforce the Sincerity of my Intentions to preserve the Peace; in order to convince them, That, having desir'd to preserve it with the late King of *Spain*, it was not to be suppos'd, for the Future, I would break it, for the Sake of making Conquests in the Dominions of the King my Grandson: That they may depend upon it, my Forces shall never enter into them; unless he should be oblig'd to demand my Assistance to repel the Enterprizes of his Neighbours: And that in consequence, it belongs to those who dread a War, and the Entrance of my Troops into the *Low-Countries*, to regulate their Conduct in such a Manner, that nothing may trouble the Peace. I do not doubt, that M. *Lillierost* will do all in his Power to confirm the Assurances you give of the Sincerity of my Intention: For the Interest of his Master will correspond with the Conduct of his Embassador: And if it were otherwise, I should lay no Stress on his Services."

Again: In a Third, dated *December* 15, (acknowledging also Two other Letters from M. de *Briord* of the 7th and 9th, in which he had farther inform'd his Majesty, That the States had as yet come to no Resolution on the present State of their Affairs: And that the different Movements he observ'd amongst them, rather discover'd their Inquietude than any settled Purpose to rekindle the War) He discovers a firm Persuasion, That they would not rush on a Measure so contrary to their Interests, in case they were convinc'd, He had no other Intention than to maintain the Peace: And that the Orders he had given, and was then giving, (to M. de *Briord* that is to say) would dissipate their Fears. "I would have you then take every Opportunity, continues his Majesty, to re-assure them on this Head; and in particular, to let the *Pensioner* know, That I have not the least Design on any of the Places belonging to *Spain*: I desire only to maintain the Tranquility of the *Catholic Netherlands*: And the States-General have nothing to apprehend from the Motions of my Troops, so long as they do not themselves take any Step to trouble the Peace. You may assure him I do not seek for any Pretence to introduce my Troops into those Places: But at the same Time, it is necessary those Places should be secure on all Sides. I will even enter into any reasonable Engagements which the States-General can demand on that Head, provided they will, at the same Time, withdraw their Troops, which at present are of no use there: But it is not proper, that you should make this Proposition to the *Pensioner*, according to the Overture made by M. de *Lillierost*: 'You are to confer with M. de *Lillierost* only: And if he can promise you, That the *Hollanders* will withdraw their Troops, I hereby authorise you to engage on my Behalf, That none of Mine shall be put into the Places of the *Low-Countries*.'"

A. D. 1700.

In the Sequel of the Dispatch, he condescends to justify himself with regard to some Complaints of the States, as, That he had refus'd to give an Audience to their Embassador, and that their Letters to him had been open'd; both which he not only denies, but also wonders, That any Pretext should be taken from thence, to occasion a Failure in the Credit that was due to M. de *Briord*'s Letters.

Making then a Transition to the State of Affairs on the Side of *Italy*, he signifies, That the Advices he receives from *Milan*, giving him the most precise and positive Assurances of Orders given by the Emperor for the March of an Army of 30,000 Men into *Italy*, he found it indispensably necessary on his Side, to cause a suitable Number of his Troops to rendezvous in *Dauphiné*, in order to assist the Prince of *Vaudemont*, agreeable to the Requisition he had made.

And, at last, returning to the States, he instructs M. de *Briord*, to inform himself of the Designs of the *Hollanders*, the Engagements they should enter into either with the Emperor or other Princes, and the Orders they gave for the Augmentation of their Troops, or the arming their Ships, with his usual Exactness: And he concludes with the following Remark, which the Editor of his Letters was either unable or unwilling to decypher; to wit: "I observe, by the Account you give me, That the Alacrity which appears at present in the Negotiations carrying on with the Princes of the Empire, differs widely from the Dilatoriness of the *Pensioner*, when negotiating with the same Princes, to bring them into the *Partition-Treaty*."

And yet again, in another Dispatch, dated the 24th of *December*, having once more hinted how desirable a Thing it was, That the States should withdraw their Troops; and touch'd, at the same Time, on the ill Consequences which might follow the obliging them to dislodge with too much Precipitation, he proceeds thus: "It is certain, That as to *England*, the greatest Part of the Nation dread a War; and that hence they are led to prefer the Measure of the *Will*,

A. D. 1709. to That of the *Partition-Treaty*: Conſequently, the King of *Great-Britain* will find great Oppoſition in his Parliament, in caſe he is diſpos'd to carry Things to a Rupture; as well becauſe he can neither ſhew the Neceſſity of it, nor anſwer for the Event, unleſs furniſh'd with a ſufficient Cauſe for undertaking it. But it would be giving him a Pretext ſpecious enough, to enflame the Spirits of the *Engliſh*, and ſmoothing the Way to all his Deſigns, if we ſhould oblige the *Hollanders* by Force to abandon the *Spaniſh* Towns: For in ſuch Caſe, the Introduction of my Troops in their Room, would authoriſe all the Rumours which are ſpread abroad, of ſecret Treaties and Conventions, for giving up the *Low-Countries*. I learn beſides, That the *Dutch* Troops in thoſe Places, ſcarce out-number the *Spaniſh*; ſo that the Danger is ſo much the leſs preſſing: And if any Foreign Troops ſhould move that Way, Mine ſhould be ready to march at the firſt Demand of the Elector of *Bavaria*; or the other General Officers of the King of *Spain*: I am, therefore, convinc'd, That Force muſt be deferr'd as long as poſſible: And that, nevertheleſs, all other Means muſt be us'd to diſlodge the *Hollanders*, and to leave the *Spaniards* in the ſole Poſſeſſion of their own Towns. M. *Lillieroot*'s Propoſal affords a natural Opening for a Propoſition to the States to that Effect: As I have no Intention to revive the War, and as, on the contrary, I have no Averſion to the Alliance, propos'd by that Miniſter, for the Maintenance of the Peace; I have already caus'd Mr. *Palmquiſt* to be inform'd, That if the King of *England* and the States-General are in a Diſpoſition to open a Treaty for that End, againſt all ſuch as would trouble it, I ſhall enter into it with Pleaſure. You are to ſignify as much to M. *Lillieroot*: And you are alſo to add, in conformity to what has been already ſaid to M. *Palmquiſt*, That the public Tranquility being thus confirm'd, it will be no longer of any Uſe to continue *Dutch* Troops in the Towns of *Spain*; ſeeing their very Continuance there could anſwer no other End, but to cauſe Suſpicion and Diſtruſt: That one of the Articles of the new Alliance, ought to contain a Proviſion for the withdrawing the ſaid Troops, on which Condition I will engage, not to replace them with any of mine, as long as the ſaid Alliance ſubſiſts. This appears to me the only Meaſure which can be taken at preſent: It is proper, nevertheleſs, not to give an entire Credit to M. *Lillieroot*, on the Subject of the Elector of *Bavaria*; and to keep that Prince in Dependence by the Hopes of the Advantages he may derive from his Attachment to the King of *Spain*. Beſides, The Eſtates he holds in the Empire, together with Thoſe of the Elector his Brother, render their Alliance conſiderable in the preſent Conjuncture of Affairs; and I have thought proper to make him the Offer of a *Treaty*, &c." In the next Paragraph, his Majeſty acknowledges the Expediency of authoriſing Don *B. de Quiros* to reſume his miniſterial Function in the King his Maſter's Name with the States-General, which ſeems to argue, A. D. 1709. that M. de *Briord* had ſuggeſted that Expedient himſelf. But what is more remarkable, his Moſt *Chriſtian* Majeſty ſends the Credential Letter for *Quiros*, ſign'd by the young King, and acknowledging him in the Quality of his Embaſſador Extraordinary, to M. de *Briord*, that the Former might receive it at the Hands of the Latter: And this Credential was accompany'd with another Letter, relating to the evacuating the *Spaniſh* Towns, which was to be kept in reſerve, till a proper Criſis for demanding thoſe Towns in form.

Thus the Diſmiſſion of the *Dutch* Troops out of thoſe Towns, is the Conſideration which is always uppermoſt: And here we have the real Secret of the Diſpoſition of *France* not only with regard to the States, but of Peace and War in general.

The *Swediſh* Propoſal referr'd to in this laſt Diſpatch, Lord *Manchеſter*, in a Letter to Mr. Secretary *Vernon*, dated *December* 29, calls the Project of a League between *England*, *France*, *Spain* and *Holland*, for the Security of *Flanders*, with a Proviſion, That any other Prince might enter into it: This he calls M. *Lillieroot*'s Propoſal; ſays, That *Palmquiſt* often preſs'd him on the Head of an Accommodation; but that M. de *Torcy* had communicated the Project to him; at the ſame Time, taking occaſion (in anſwer to a Suppoſition of his Lordſhip's, *That all Things in* Flanders, under the ſaid League, *were to remain as they were*) to declare, That as the King did not intend to ſend any Troops thither, ſo it could not be expected, That the *Dutch* ſhould remane there, or any but ſuch as belong'd to the King of *Spain*. His Lordſhip adds, "I have long perceiv'd, This was their Deſign. I only ſaid, That I thought *Spain* could never apprehend any thing from the *Dutch* Troops remaining there, tho' I could not tell, but it might excite Apprehenſions if they were remov'd. He would have argued this Matter, but I avoided it: I am confident, That if in *Spain* it ſhould be approv'd of, it would be oppos'd here: Yet if the Emperor can make any Head, ſo as to be able to give them Trouble, and *Portugal* ſhould be diſſatisfy'd, as I hear they are, I cannot but think they may be brought to what Terms we pleaſe." Towards the Concluſion of this Diſpatch, his Lordſhip mentions certain Motions of the *French* Troops towards *Thionville* and *Straſburgh*; and then ſubjoins this Reflection: "I know they are oblig'd by This, to withdraw all their Forces from *Flanders*, which ought to convince us, as They ſay, That They have no other Deſign but to prevent the Emperor and his Allies from breaking in upon them."

The real Diſpoſition of King *and alſo* Parliament.

To this the Secretary's Anſwer was as follows: "His Majeſty commanded me to acquaint you, That he does not know what M. *Lillieroot*'s Project is, any farther than the Account you give of it, nor does he know upon what Grounds he propoſes it: But he ſuppoſes, it ariſes from M. *Lillieroot* or M. *Palmquiſt*, without any Direc-

tions

A. D. 1700. tions from the King of *Sweden*: His Majesty approves of what you reply'd to M. de *Torcy*, upon his explaining, That it was the Intention of that Court, not to allow of the Continuance of the *Dutch* Troops in *Flanders*: If these Methods are perfued, it will be hard to make it understood, That they are Means to free People from their Jealousies and Apprehensions."

Thus All was cold, dry and reserv'd on our Side: And as well to make this more apparent, as to confute a Forgery which has been grafted on M. de *Tallard's* Return to *England* at this Crisis, it will be necessary to specify what pass'd on his Arrival, and at his first Audience, as the same is narrated to Lord *Manchester* by Mr. *Vernon*.

And the first Thing he touches upon, is an Irregularity in his Deportment on that Occasion: For the Count having notify'd his Arrival to that Minister, and at the same Time demanded an Audience of the King, which was assign'd him for the next Day; he, nevertheless, went to *Hampton-Court*, where the King then was, of his own Accord, the Day before: Nor was this all; for at the Court-Gate he met the Secretary, who stopp'd to make him acquainted with the King's Pleasure: Which, it seems, not being exactly conformable to his own, "He said, (these are the Secretary's own Words) That being there, he thought fit to go and make his Leg to the King; which I told him, he might do, as he thought fit. I went away for *London*; but I hear he came into the Bedchamber before the King *went* to the *Treasury*: The King stopp'd a little to speak to him about his Journey, and so went on to the Treasury; and the Embassador return'd to *London*. He went again next Day to his Audience: I was not there; but I hear it was very short. He deliver'd his Letter to the King, saying very little at the presenting of it; and then stood silent: The King said something to him about his own Inclinations to preserve the Peace of *Europe*; in manifesting whereof, he might, perhaps, have *advanc'd too far*: But he was very desirous that all the World should be satisfy'd of his Dispositions towards the public Tranquility. I understand the Embassador's Answer was to this Effect: That his Master had the same Inclinations to Peace; and thought he had given a Proof of it, by accepting the King of *Spain's* Will. His Majesty seem'd not to understand how that could be made out; and the Embassador proceded no farther; but only made a particular Compliment on his own Account; how much he valued the Honour of returning hither again to assure his Majesty of his profound Respect; and so took his Leave, and went immediately back to *London*. His Majesty had not open'd the Letter while the Embassador was with him; it not being usual: But reading it afterwards, he finds it there said of the Embassador: "He will explain distinctly the Reasons that "have oblig'd us to prefer the public Tran-"quility to our private Interests, by accept-"ing, as we have done, the Will of the "late *Catholic* King in favour of the King "our Grandson." And, therefore, his Majesty seems a little surpris'd, That he did not enlarge farther at his Audience, or desire some other Time for the doing of it. I return'd the Embassador the Visit that Evening. He told me, He had been at *Hampton-Court*, at the Time I had appointed him: That he was but a very short Time with the King: And that he having deliver'd the Letter, he had discharg'd his Commission. While I was with him, a Servant came in to tell him, There was a Gentleman arriv'd from *France* to speak with him: So That shorten'd my Visit too; and we had no Talk of any Business." A. D. 1700.

To this it may be necessary to add, That the same Minister, in another Letter to the same Embassador, dated *December* 20, O. S. says, "In the mean Time I can only acquaint you, That M. *Tallard* now comes regularly to Court once a Week. He was at *Kensington* on *Tuesday* last, in the same Manner as you go to *Versailles*, without having any Thing to say to the King: I did not see him there, nor have I seen him any where else: But I hear he talks of going away in *February*: And they say some of his Chapel at least are going away sooner." As also, That thro' all the rest of his Letters, there runs a similar Vein of Assurances, That M. de *Tallard* never did come to any farther Explanation or Expostulation with the Court of *England*, during his Stay in this Kingdom.

If, therefore, any thing so remarkable did occur, as the Circumstance presently to be explan'd, it will follow, either That the *Secretary of State* was not in the *Secret*, or that the Ministers still kept themselves on the Reserve with Lord *Manchester*: Neither of which, at this Crisis, there is the least Reason to imagine; as we shall see by the several Instances of Confidence repos'd in each, in the Course of Affairs.

A certain Creature of the *French* Court, who calls himself M. le Marquis de *Langallarie*, having furnish'd his Enemies with Matter to disgrace him, took Refuge in *Germany*, where he set forth a Book of Memoirs, containing some Facts sufficiently authenticated, and as many Fictions: Among the Latter of which, we have been, and shall be, furnish'd with sufficient Proofs, to place the pretended Anecdote which follows: Namely; That the King of *England*, having receiv'd Advice from his Envoy at *Madrid*, of certain Intrigues carrying on there by M. de *Harcourt*, to prevail with his then *Catholic* Majesty to make a Will in favour of a Prince of *France*, did, thereupon, dispatch Mr. *Prior* with a Letter writ with his own Hand (which *Prior* was to deliver to none but his Most *Christian* Majesty) representing what he had been made acquainted with; and insisting on full Satisfaction therein, before he sign'd the *Partition-Treaty* which was then depending: That *Prior* having, accordingly, presented the said Letter to his Majesty, He not only disown'd the whole Thing, but gave his Royal Word, That whatsoever should happen at the Court of *Spain*, He would never

A Fiction of M. de Langallarie, in relation to a Letter under King Lewis's own Hand to King William.

A. D. 1700. never renounce the Treaty: And that M. de *Tallard*, in his Audience of King *William*, on his Arrival in *England*, after the *Will* had been accepted, enlarging on the Sincerity of his Maſter, that Prince took the Opportunity to produce the Letter under his Moſt *Chriſtian* Majeſty's own Hand, containing the Promiſes above-mention'd, and to deliver it to the Embaſſador, who, being till then wholly ignorant of what had paſs'd, immediately withdrew in Confuſion, unable to extenuate ſuch a notorious Inſtance of Perfidy.

Adopted by Dr. Hare, Dr. *Hare*, late Biſhop of *Chicheſter*, while a Controverſial Writer, finds it for his Purpoſe to recite the ſame Story, tho' he does not think fit to give it in Mr. *Prior*'s Name; as apprehending, no doubt, That immediate Confutation would have been the Reſult: *and Mr. Tindal,* And Mr. *Tindal*, on Dr. *Hare*'s Authority, has interwove it with his Hiſtory, tho' inſerting at the ſame Time Mr. *Cole*'s Papers by way of Note, but without connecting them with his Text, for ſeveral Sheets together.

and confuted. From thoſe very Papers of Mr. *Cole*, Lord *Manchеſter*'s own Account of what paſs'd in conſequence of Mr. *Prior*'s Miſſion, has already been inſerted in this Work, (P. 822, 823). And tho' it is true, That, during his Lordſhip's Audience of the Moſt *Chriſtian* King, his Majeſty did refer to ſome Paper or Papers which the two Kings had reciprocally ſign'd, it appears even by the ſaid Reference, not only that the ſaid Paper was of ſome ſtanding, conſequently could not be any ſuch Letter as is thus confidently diſcours'd of, but alſo, that it was ſome Preliminary by which a Proviſion had been made, That the States ſhould ſend over a Perſon with proper Powers to ſign the Treaty in *England*: But as, on the one Hand, it is not to be conceiv'd, that the Court of *England*, with ſuch a Letter in Hand, would have ſuffer'd the Tables to have been ſo turn'd upon them in relation to the Will, without making ſuch an Uſe of it, as ſhould have expos'd the Perfidy of *France* to all *Europe*; ſo, on the other, an Incident aroſe out of the Parley between M. *Zinzendorf* and M. de *Torcy*, concerning the Treaty recited P. 861, which fully ſhews, the *Engliſh* Court had no ſuch Authority to produce, as we are told, was contain'd in the ſaid Letter. For Lord *Manchеſter*, having firſt inform'd Lord *Jerſey*, That M. *Zinzendorf*'s ſecond Queſtion, and M. de *Torcy*'s Anſwer to it, were thus ſtated, That is to ſay, *Queſtion, Si les* Eſpagnols *vouloient choiſir un Prince* François *pendent le Terme donné de trois mois, ſi en ce Cas, on conſent a ne pas attendre les Propoſitions d'* Eſpagne? Anſwer, *Oui, on y conſent*, the Laſt of thoſe Miniſters repeats the Queſtion and Anſwer in the very Words ſo given by Lord *Manchеſter*, then directs him, *to ſee in Diſcourſe, whether M. Zinzendorf underſtood it in that Senſe, and alſo to take care, that it be ſo explain'd to M. de Torcy, as ſhould leave no Room for any Difficulty.* And yet, when A. D. Lord *Manchеſter*, in his next Diſpatch, gives him to underſtand from M. de *Torcy*'s own Mouth, That he, M. de *Torcy*, in his Anſwer to M. *Zinzendorf*, had added the Proviſo before-mention'd, to wit, That the Emperor acceded to the Treaty within the ſaid three Months, otherwiſe not, the whole Matter is let fall; which, certainly, would not have been the Caſe, if King *William* had already been in poſſeſſion of a Promiſe under King *Lewis*'s Hand, Not to accept of a *Will* in prejudice of the *Treaty*.

Here, therefore, we may reſume the Series of Affairs; or rather inſert ſuch remarkable Incidents, as we have hitherto paſs'd over in Silence, for the Sake of continuing that Series to a proper Pauſe.

Death of the Duke of Glouceſter. And of Theſe, That which concern'd this Nation moſt, and which it has ſince been moſt ſenſible of, was the Death of the only Son of the Princeſs of *Denmark*, and the only Perſon, after her Royal Highneſs, included in the new Settlement of the Crown: He was call'd Duke of *Glouceſter*; and it has been generally underſtood, that he was ſo by poſitive Creation, as well as Nomination: But a late Enquiry has diſcover'd, That his Patent was never made out: A ſuperſtitious Perſuaſion to the Prejudice of that Title, having both then, and ever ſince, deterr'd the Court from making uſe of it.

His Highneſs had receiv'd the uſual Compliments on his Birth-Day, which was the 24th of *July*, when he completed the Eleventh Year of his Life, at *Windſor*, and had danc'd at the Ball given to the Nobility and Gentry, without making any Complaint, or ſeeming to have any Diſorder: But that Night he found himſelf fatigu'd, and the next Day grew extremely ſick, and complain'd of his Throat. (g) Dr. *Hannes*, as it muſt be gather'd from his own Letter to the King, was then call'd in: On the 26th, he was hot and feveriſh: On the 27th he was bled, and in the Evening (his Fever ſtill encreaſing) bliſter'd: The next Morning between Three and Four o'Clock, Dr. *Gibbons* was call'd in, and about Noon the ſame Day Dr. *Radcliff*, tho' he did not reach *Windſor*, according to his own Account, till Six in the Evening: From this Time all the Three Phyſicians proceed by Conſultation, and, as it muſt be preſumed, Agreement of Opinion: But, however this may be, his Fever being of the malignant Kind, accompany'd with Eruptions perhaps occaſion'd by ſome Intemperance on his Birth-Day, and being enflam'd with cordial Draughts, which were preſcrib'd, as Dr. *Radcliff*, in his Letter, informs the King, to reſiſt the Malignity, the Conſtitution which was tender and feeble ſunk under it, about Midnight, between the 29th and 30th.

Of his Parts and Acquirements, Biſhop *Burnet*, his Preceptor, makes very [illegible] Mention.

(g) See a Letter to a Friend concerning the Sickneſs and Death of the Duke of *Glouceſter*, with the true Copies of three Letters to the King from *Hannes*, *Gibbons*, and *Radcliff*, publiſh'd for the rectifying the many miſtaken Reports on that moſt lamented Loſs.

A. D. 1700. Mention; but of his Diſpoſition, makes no Mention at all: The ſame Prelate ſays, The Princeſs attended him with great Tenderneſs, but with a grave Compoſedneſs, which amaz'd all who ſaw it: And that ſhe bore his Death with a Piety and Reſignation, remarkably ſingular: He alſo adds, That the Nation was greatly alarm'd at his Loſs; with an Exception to the *Jacobites*, whom he repreſents as growing very inſolent upon it; and as ſaying, That now the chief Difficulty was remov'd out of the Way of the Prince of *Wales*'s Succeſſion. Biſhop *Kennet*, in the Words of *Boyer*, alſo ſignifies, That the *Republicans* were as much pleas'd with this Removal, as the *Jacobites*, tho' for a different Reaſon: His Lordſhip alſo follows the ſame Writer, in aſſerting, The King had ever expreſs'd a great Love for the Duke of *Glouceſter*, and was certainly very much affected with his Death: But B. *Burnet*, who beſt knew the Diſpoſition of his Majeſty towards this young Prince, and what his Majeſty's Behaviour was in conſequence of his Death, is wholly ſilent on this Head: And ſome Circumſtances which are ſcatter'd up and down *Cole*'s Collection of State-Letters, (tho', by the Way, he has either ſuppreſs'd or overlook'd the Account which muſt have been ſent from the Secretary's Office to Lord *Manchester* of that Event) ſeem to indicate, That his Majeſty did not take it very much to Heart: For his Lordſhip, writing to Mr. *Blathwayte* at the *Hague*, takes Occaſion to ſay, "I have had the melancholy News of the Death of the Duke of *Glouceſter*: I ſuppoſe I ſhall have Orders to notify it to *this* Court; and in what Manner it is to be done; whether my Coaches and Livery are to be put into Mourning, and if I am to aſk public Audience, and deliver Letters to all the Royal Family: If ſo, you will ſend me Copies of the Letters, that ſo I may frame my Diſcourſe accordingly: I deſire you will be *full* in your Directions; for I doubt, as he was Heir preſumptive, the Mourning will be the deeper." To this Mr. *Blathwayte* anſwers, "As to your Lordſhip's Mourning on the late ſad Occaſion, his Majeſty thinks it *enough*, That your Lordſhip, and ſuch Gentlemen as attend *near* your *Perſon*, do put on cloſe Mourning for Three Months." The like Inſtructions are repeated in another Letter to his Lordſhip of the ſame Day; that is to ſay, *Auguſt* 22, without the Addition of one Syllable concerning the *Notification*: And yet in a Third, dated *September* 5, he begins thus: "I have the Honour of your Excellency's Letter of the 27th paſs'd, and am expecting to hear what Reſolution will be taken by the Court of *France* in reference to the *Notification* of the Duke of *Glouceſter*'s Death, upon the *laſt Orders* I ſent your Lordſhip." Nor was this the only Difficulty which occurr'd to Lord *Manchester*: For in his Diſpatch to *Vernon*, dated *September* 8, we find him writing thus: "Laſt Night I receiv'd Letters from their Royal Highneſſes for this Court, which will not be receiv'd here, unleſs there is a Letter at the ſame Time from his Majeſty; nor, indeed, can I offer them, without being impower'd to do it, either by you, or by Mr. *Blathwayte*, as you ſee by the Incloſ'd, I freely tell Mr. *Griffith*, (Secretary it muſt be preſum'd to one of their Royal Highneſſes) whom I have deſir'd to conſult with you and my Lord *Marlborough* upon this Matter. There is ſo much Time already paſs'd, that I wait with ſome Impatience for your Directions in what *Manner* the Duke of *Glouceſter*'s Death is to be notified, *&c.*" Again, on the 15th, to the ſame Miniſter, "I have yours of the 29th of *Auguſt*, wherein you take Notice of the Princeſſes Letters. I am ſorry this Matter was not concerted with the King, which might have prevented theſe Difficulties, which I did, in ſome Meaſure, foreſee; and, therefore, I wrote fully on this Subject to Mr. *Blathwayte*. His Anſwer was, That, on this melancholy Occaſion, all that would be needful was, to put myſelf and my Gentlemen in mourning. Since my Illneſs, my Secretary has wrote to Mr. *Cardonnel*, (Secretary to Lord *Marlborough*) to explane whether any Notice is to be given to this Court. He deſires him to acquaint me, That there are no Orders given to notify the Duke of *Glouceſter*'s Death to any Court whatſoever: So you ſee how this Matter ſtands." On the 22d thus: "I receiv'd by the laſt Poſt a Letter from the Earl of *Jerſey*, (then at *Leo*) wherein he mentions, That the King would have me notify the Duke of *Glouceſter*'s Death to the *French* King; but he takes no Notice of any Letter I ſhould deliver at the ſame Time; and eſpecially ſince I have the Princeſs's Letter.....I hope my Orders by the next Poſt will be plain; for on the ſame Day my Lord Chamberlain wrote, Mr. *Blathwayte* writes me, that the Reaſon he had not ſent me any Orders was, *That the King did not think it neceſſary*. And laſtly, in a Poſtſcript on the 29th, thus: "As I was ſending away my Letters, I receiv'd one from Mr. *Blathwayte*, whoſe Stile is ſuch, that I am now ſtill under more Difficulties; He giving me no Anſwer to what I deſir'd of him in relation to the Princeſs's Letters, whether I am to deliver them or no: His Words are theſe, "We are expecting "to hear how the *bare Notification* of the "Duke of *Glouceſter* will be receiv'd in the "Court of *France*." I cannot tell what I ſhall do, becauſe the late King is at *Fontainbleau*: (where the *French* Court then was) But I believe I ſhall go thither."

How ſlightly paſs'd over by the King.

In ſhort, it all ended in what is here call'd a *bare Notification*, which was civilly receiv'd, and the Court did in conſequence go into Mourning: But then M. de *Torcy* did not fail to inſinuate, That the Merit lay on their Side, by ſaying to Lord *Manchester*, when the Latter was preparing the Ground for his Audience, "That while there was ſo good an Underſtanding between the Two Courts, he need not doubt but whatever came from the King would be well receiv'd."

And now it is Time to mention a Paſſage of *Lamberty*'s, (Tom. I. p. 121.) which not only deſerves Notice, but alſo Chaſtiſement:

A. D. 1700. *The Princess assisted by Lamberty of ill Designs in notifying his Death to the K. her Father.*

The said Passage is thus translated by Mr. *Cole:* "The other singular Affair is, That the Duke of *Glocester*, who was the Hope of the *English*, coming very unfortunately to dye, the Princess *Anne* of *Denmark*, his Mother, sent, *very clandestinely*, an Express to the Court of St. *Germains* to notify his Death there. The Earl of *Manchester*, who was Embassador from *England* at *Paris*, and who watch'd that Court, was advis'd of it. He dispatch'd his Secretary *Chetwynd* under other Pretences for *Loo*, to inform the King of it. It was because such a Sort of a Step, so contrary to what the Princess *Anne* had always shewn, made it appear, that she had *ill Designs*."

How unjustly.

Now, were it a Fact not to be disputed, That the Princess did actually send such a *Notification* to the King her Father, the Inference does not follow, That, therefore, she had *ill Designs*. On the contrary, had she ever corresponded with her Father, after what had happen'd to him in *England*, she might have been held inexcusable in a moral Light, if she had not corresponded with him on such an Occasion as this. A *bare Notification* was but an Act of filial Duty; and if it was no more, nothing ill could be the Result of it. But if, notwithstanding the Obligations which lay upon her, and which even the *Abdication* could not dissolve, it was Matter of Offence and Blame to correspond with him at all, a Correspondence wholly political, and which had for its Object nothing less than the opening a Prospect of the Succession once more to the pretended Prince of *Wales*, would have been abundantly more blameable and offensive.—Tradition has handed down several strange Stories of this Kind:—But traditionary Evidence is very rarely so qualify'd, as to be fit for historical Evidence.—All, therefore, that can be advanc'd at present, in relation to this tender Topic, must be drawn from two Letters of Lord *Manchester*'s to Mr. *Vernon*, dated *November* 3, and *December* 11, N. S. In the Former of these we find the Paragraph which follow; to wit: "Three Days ago Mr. *F. Graham*, Brother to the late Lord *Preston*, came over to St. *Germains*, and went away Post this Morning to *Flanders*, in order to embark for *England* in some of those Ports. It is believ'd, that he is sent over by Sir *Charles Musgrave*, and other Parliament Men, with Proposals, in order to get the Succession settled upon the pretended Prince of *Wales* on certain Conditions." And in the Latter This: "I cannot tell from whence They have at St. *Germans* an Apprehension that the pretended Prince of *Wales* will be carry'd away into *England* with his own Consent; and upon this they have encreas'd his Guard: Whereas he had formerly but Six, he has now Fourteen. They think their Game so very sure, that there is no Occasion he should make such a Step: Besides; the changing his Religion will never be suffer'd; and they have lately declar'd, That they would rather see him dead."

But whatever Correspondences, and from whatever Quarter, were, either constantly or occasionally, directly or indirectly, kept up with the Court of St. *Germains*, M. *Lamberty* is wholly in the Wrong in asserting, That Lord *Manchester* was advis'd of any such Express so *clandestinely* sent thither by the Princess of *Denmark*; and that Mr. *Chetwynd*'s Errand to *Loo* was to inform the King of it. The Letter which Mr. *Chetwynd* carry'd with him to Lord *Albemarle*, is extant in *Cole*'s Collection; and contains nothing more than an Account which he had receiv'd of a Design against the King's Life; and which he thought to be of such Importance, (tho' it prov'd to be a mere Imposture) that he chose to send his Secretary with it, for fear of any Miscarriage or Delay. It bears date *August* 12, N. S. being the very Day that his Lordship receiv'd the pretended Discovery; and Mr. *Chetwynd* set out the same Day for *Holland*, which was before the News of the Duke of *Glocester*'s Death reach'd *Paris*: So that every Circumstance in M. *Lamberty*'s Narrative being false, it may be reasonably inferr'd, That the Fact is not true.

A. D. 1700. *A Falsity in his Assertion detected.*

The Court of St. *Germains*, in the mean Time, was not the only one that was agitated by the Death of the Duke of *Glocester*: For as the Line of Succession was no longer observ'd, there was Room for Pretensions and Intrigues of all Sorts. In consequence of the *Abdication*, the Duchess of *Savoy* was nearest in Blood to the Throne, after the Princess of *Denmark*: But her Religion was a Bar insurmountable: And, as on the other Hand, it was understood, that something of a Family-Claime, how remote and feeble soever, was nevertheless to be consider'd, *in every new Settlement*, his Majesty had already engag'd his Vote and Interest to the Electoress of *Hanover*, who was a Protestant, and descended from King *James* I. by the Princess *Elizabeth*, marry'd to the Palsgrave of the *Rhine*: When the Former Bill of Settlement was on foot, he had recommended her to his Ministers; they had recommended her in Parliament, and, as we have seen, had the Commons prov'd as tractable as the Lords, she had then been included in it.

The procuring an *Electoral* Cap for the Duke of *Hanover*, had, no doubt, soften'd the Disappointment: But as the Attraction of a Throne grew so much the stronger, by the Removal of an Heir, it was thought advisable to press the same Point with more Importunity and Ardour than ever.

The Electoress of Brandeburg and Hanover visit King William at the Hague.

A Journey of the Electoress in Person to the *Hague*, was thought the most probable Method of carrying this great Point: And it was so manag'd, that the Electoress of *Brandeburg*, her Daughter, desir'd, and obtain'd her Consort's Leave, to accompany her thither. The Title of King was still ringing in his Ears: He could be satisfy'd with no other Sound: And whatever flatter'd his Hopes of obtaining it, was sure of his Approbation.

This has been touch'd upon already: It also, That it had produc'd a Change in his Ministry: *Dankelman*, for opposing his Master's Will and Pleasure, was not only disgrac'd but imprison'd; and *Colbe*, (since Count de *Wa-*

A. D. 1700. (*Wartemberg*) boldly undertaking what the other declin'd, obtain'd that Aſcendancy which he had forfeited.

That King *William* was on ill Terms with his Electoral Highneſs, has alſo been intimated already; not without a Retroſpect to the original Cauſe: But by this Time the Addition of more Fuel had increas'd the Flame: His Majeſty had not only endeavour'd to diſſuade the Elector from proſecuting this darling Point of his, but had actually interpos'd in *Dankelman's* Behalf, which had render'd the Breach wider than ever.

[Cole's Mem. p 224.] Lamberty.

When, therefore, the Electoreſs his Conſort obtain'd Leave to accompany her Mother, together with the Electoral Prince her Son, to *Holland* it muſt be ſuppos'd, That ſhe charg'd herſelf with ſome Commiſſion in regard to the Title, he ſo anxiouſly coveted, as well as gratify'd Madam *Colbe* with a Stool in her Preſence, which by Some was ſaid to be, the Price of the Leave ſo obtain'd.

But however this may be, or with what agreable Proſpects ſoever theſe great Ladies flatter'd themſelves with in the Courſe of their Journey, it may be preſum'd, their Reception was not altogether ſuitable.

His Majeſty having paid them one ceremonious Viſit, ſets out for England next Day.

For whereas they did not arrive at the *Hague* till the 27th of *October*, his Majeſty, having only made them one ceremonious Viſit, perſiſted in the Diſpoſition he had made, to ſet ſail for *England* the next Day; and probably this extreme Coldneſs and Neglect on his Side, however in Court-Language qualify'd and excus'd, was That which induc'd Count *Dohna*, who attended the Electoral Prince, to treat the King with ſo little Ceremony, when he ſnatch'd this very Opportunity to notify to him, in a very Cavalier Manner, his Maſter's Intentions, To oppoſe the *Swedes* with all his Forces, in caſe they fell into *Saxony*, in order to make Repriſals there, for the *Saxon* Irruption into *Livonia*: For his *Swediſh* Majeſty had already taken different Meaſures; and his Miniſters had made all the Merit they could of the Change; tho' it was owing more to the Neceſſity of his Affairs, than to any Motive of Complaiſance, which was no Ingredient in his Character.

Count Dohna makes him a rough Declaration concerning the Intentions of the Sweden to fall into Saxony. Lamberty.

But (to poſtpone the *Livonian* Affair a little longer) it is not altogether certain, That his Majeſty was not as much diſpleas'd with the *Hanover* as the *Brandebourg*-Viſit. For in a Letter of Mr. *Stanhope's* to Lord *Manchester* we have the following remarkable Sally; to wit: "Our Two Electoreſſes will be here To-morrow; and they ſay, That She of *Hanover* deſigns for *England*: If ſo, nobody doubts, but it is to ſolicite for her Son, to recommend him to the Parliament's good Graces: But in order to that very End it may be, ſhe would do him more Service, by ſtaying at *Home*."

A Remark of Mr. Stanhope's on this Viſit. [Cole, p. 227.]

The Acceptance of the Spaniſh Will favours Me to the Intereſt of Brandenburg and Hanover.

But how much ſoever the King's Heart was at this Time ſet againſt either or both theſe Suits, the Change put upon him by *France*, (which follow'd ſoon after) in preferring the King of *Spain's* Settlement by Will, to the Settlement made by the *Partition*-Treaty, made ſuch a Change in the general Current of Affairs, That his Majeſty (who from that Moment perhaps had a *new Confederacy* in his Eye) could no longer refuſe the Two powerful Houſes of *Brandebourg* and *Lunenbourg* any thing. A. D. 1700.

Till then all the Princes and Powers of *Europe* were apprehenſive, That if the Houſe of *Brandebourg* was gratify'd with a Royal Title, all the other Electors would alſo inſiſt on being coin'd into Kings; and for that Reaſon, were deaf to his Importunities: But from that Inſtant, the Criſis became altogether as favorable; and the *Emperor* yielding firſt, all embark'd in the ſame Intereſt, and found the ſame or the like Reaſons to follow his Exemple.

The Province of *Ducal Pruſſia*, which was now to be erected into a Kingdom, had belong'd to, and was ſtill claim'd by, the *Teutonic* Order: Hence it was not adviſable on one Hand, for the Emperor to grant the Inveſtiture; and, on the other, it was held a Diminution of the Honour, to accept it on ſuch Terms.

To avoid, therefore, both theſe Difficulties, it was agreed, That the Elector ſhould *aſſume*, and the Emperor *acknowledge*: The Conditions of this *Acknowledgment* were, That the new King ſhould furniſh 10,000 Men in the *Imperial* Service, in caſe of a War, during the whole Continuance of that War, at his own proper Expence: That he ſhould in like Manner furniſh a Company for the Gariſon of *Philipſburgh*: That he ſhould act in concert with the Emperor in all Things: That his Royalty ſhould not, in any Reſpect, vacate the Obligations which lay upon him on account of his *German* Dominions to the *Imperial* Throne: That he ſhould renounce all Subſidies and Arrears of Subſidies, due to him from the Emperor: And (with ſome little Reſerve) that he ſhould engage to give his Vote for the Election of the Heirs-Male of the Houſe of *Auſtria* to the *Imperial* Throne.

Treaty between the Emperor and the Elector of Brandebourg for acknowledging his Electoral Highneſs King of Pruſſia.

This Sketch of the Treaty, is taken from the Royal Memoirs of *Brandebourg*, before cited: But, according to *Lamberty*, the Engagements in relation to the 10,000 Men, was reciprocal: The Arrears renounced, amounted to no more than 100,000 Crowns; and the Acknowledgment of the new Kingſhip was extremely narrow'd: The Title allow'd him by the Emperor, and us'd by the *Imperial* Miniſters in their Addreſſes to him, was no other than King IN *Pruſſia*; as in *England* the Earl of *Derby* was call'd King IN *Man*: And in the Emperor's Letters of Felicitation, inſtead of addreſſing him in the Stile of, *your Majeſty*, he continued to make uſe of That of, *your Dilection*, which is the common Addreſs of the Emperor to all the Princes of the Empire.

On the other Hand, that we may ſee what Meaſure of Conduct his Electoral Highneſs obſerv'd at this Criſis with the Court of *France*, we muſt adjoin a Paſſage from one of Lord *Manchester's* Letters to Mr. *Vernon*, dated *January* 8; to wit: "M. *Spanheim* has had a private Audience of the King, when

A. D. 1700. when he presented a Letter from the Elector of *Brandebourg*, and shew'd the Reasons, why his said Master did intend to take upon himself the Title of King. He declar'd, That the Elector had no *other* Engagements with the Emperor, but the *renewing* a Treaty which was made with the late Elector in 1680: That the Emperor's acknowledging him, was in no other View than what he hop'd from other Princes. All the Answer the King made was, That he should see it by the Letter, and then he would consider of what he had said.—Here is no Likelihood of the King's owning him: And M. *Spanheim* expects soon to be recall'd."

The Elector, however, having made sure of the Emperor, *England*, and *Holland*, and by their Assistance having abundant Reason to rely on the like Complaisance from most of the Princes of *Europe*, resolv'd to make his Appearance on the public Stage, in the Character, and with the splendid Additions of State and Parade, he had so long panted for.

Accordingly, having repair'd to *Koningsburgh*, with a splendid Train of Courtiers, he caus'd himself to be proclam'd King by his Heralds, properly accompany'd with Guards, Drums, Trumpets, *&c.* in Words to this Effect: "For as much as it has pleas'd Providence to erect the Duchy of *Prussia* into a Kingdom; and its Sovereign the most serene and most puissant Prince *Frederic* is become King thereof, be the same made known to every Body by this Proclamation." And in a Manner agreeable to this Preface, was his Coronation celebrated: For he put on the Crown with his own Hands, tho' he had just before erected a Bishopric in that Province, and given it to the first Preacher of his Court, that he might be so much the better qualify'd to play his Part in the Shew, (as it was sarcastically call'd by the new Queen herself, who seems to have had a sovereign Contempt for the frivolous Ostentation of her Lord): He also erected a new Order of Knighthood (at the Instance of M. *Lamberty*, as he himself assures us) in honour of so extraordinary an Event: And Feasts, Balls, Plays, *&c.* made up the rest of the Pageantry exhibited on this Occasion.

Crowns himself, tho' he had made a Bishop to perform that Office.

The different Sentiments of different Courts thereon.

That a Ceremonial of such an extraordinary Nature, unless temper'd by some political Considerations as extraordinary, should not be relish'd at the Court of *Rome*, is not to be wonder'd at. Pope *Innocent* XII. was dead; and the News of the King of *Spain*'s Death quickening the Conclave, Cardinal *Albani* had been unexpectedly rais'd to the Pontificate in his stead, by the Name of *Clement* XI. Not being of the *French* Faction, he was admitted against the Grain by the *French* Cardinals: But being enough a Politician to know his own Interest, as well as the Interest of the Church, the Court of *France* did not despair of finding their Account in an Election, which they did not foresee, could not prevent, and were not prepar'd for.

A new Pope.

But if a new Pope could not be brought to bear the Erection of a new Heretical King-

A. D. 1700. dom, for ecclesiastical Considerations, the Republic of *Poland* discover'd the like Repugnance for secular Considerations: *Ducal Prussia*, had been a Fief of theirs; and *Royal Prussia* was still in Subjection to them: When, therefore, the Envoy of the new King had his first ceremonial Audience of King *Augustus*, not one single *Pole* could be induc'd to give his Attendance on that Occasion: In order, therefore, to re-conciliate their good Graces, the new King took his Opportunity to make a formal Declaration, That the Title he had assum'd, should in no Respect be understood to extend to Royal *Prussia*; nor even to prejudice the Clames of the Republic on Ducal *Prussia*; which were of such a Nature, that, upon Failure of Male Heirs in the House of *Brandebourg*, the said Duchy was to revert to *Poland*. This quieted the Clamours of the Republic: And for the Sake of his Electoral Dominions, which *Brandebourg* (tho' in pain for itself) had undertaken to secure against the *Swedes*, took immediate Advantage to acknowledge the Self-erected Monarch in Form.

It is true every Advance that he made on the Side of *Poland*, had a Counter Operation in *Sweden*: But the Emperor, *England*, and the States being now his Advocates, and *Sweden* being under a Necessity at this Time, to observe such Managements as should entitle her to the Consideration of those Powers, it was easy to foresee, That some Temperament would soon be found out to obtain from his *Swedish* Majesty the Concession desir'd: And as to *Denmark*, having so much to fear *from Sweden*, in case of a Revival of the old Quarrel, she discover'd all the Facility imaginable to oblige a Power whose Countenance and Support she was likely to stand in Need of.

But the Electors of *Mentz*, *Treves*, *Cologne*, and *Palatine*, were not so easily induc'd to admit a Superior, as the superior Powers already mention'd to admit an Equal: The Elector of *Cologne* in particular, as Grand Master of the *Teutonic* Order, not only protested against this Innovation, but also laid Clame to the very Province, thus converted into a Kingdom, in right of the said Order: And, lastly, That so singular a Transaction might produce Effects as singular, a certain Prince of *Radzevil*, at that Time residing at *Paris*, also enter'd his Protest against it, before a Notary-Public, as an Usurpation; and in all the defamatory Terms he could muster up. [Lamberty, Tom. I.]

And now for the *Livonian* Affair: Which will serve yet farther to shew what an Alteration the Politics of *Britain* had undergone, by its Alliance with the Continent: For tho' we could not send a Squadron to her to restore the Peace, as we had done to the Baltick, we could interpose by another Method, which has been often found as effectual. There was one M. *Picard*, it seems, who [Lamberty, having a due Degree of his Majesty's good T. I. p. 143. Opinion and Confidence, was by him sent into *Poland*, in order to try what Impression the Offer of a good Subsidy would make on

A. D. 1700. the Disposition of King *Augustus*: As also properly furnish'd with Bills of Exchange, to make the like pecuniary Applications, in case of ill Success with his *Polish* Majesty, to the leading Members of the Diet, in order to obtain such Votes and Resolutions by their Influence, as should oblige him to sheath the Sword.

All Senates it seems, as well as all Princes, were at this Time suppos'd liable to Corruption: And any Management that promis'd Success, was esteem'd so much the more expedient, because Apprehensions were still entertain'd of the *Czar* and his Designs; tho' he had, over and over again, assur'd the foreign Ministers about him, and also caus'd his own Ministers resident in foreign Courts, to repeat the like Assurances, in his Name, That it was his sincere and firm Purpose to live in Amity with *Sweden*, according to the Terms of the Treaty he had ratify'd in the *November* preceding, as also of his Letter to his *Swedish* Majesty, dated *April* 24, 1700: And even tho', among these Assurances, particular Care had been taken to urge, That King *Augustus* would do well to expedite a Peace with *Sweden*, seeing he was not to expect the least Assistance from the *Czar*.

What Advances M. *Picard* made in his Negotiations, is not particularly specify'd: But tho' his *Polish* Majesty, in the Course of the Year, was pleas'd to be very prodigal of his Compliments to the *Maritime* Powers; (As, that he had abandon'd his Enterprize on *Riga*, out of Tenderness to the Merchants and Factors of *England* and *Holland* settled in that Place, *&c.*) He still kept the Field; and prosecuted his Measures to reduce the Province: The Truth was, he had receiv'd Assurances from the *Czar*, in a Letter under his Hand, (notwithstanding all his former Professions and Declarations) That he had sent Orders to the Governor of *Novogorod*, to declare War and commence Hostilities against *Sweden*: And that he design'd to join him in Person with all possible Expedition.

And how sincere soever his *Czarian* Majesty had prov'd to *Sweden*, he kept his Faith with *Poland*: For he caus'd his Declaration of War, which was frivolous enough, to be publish'd accordingly: And having, about the same Time, imprison'd the *Swedish* Minister at *Moscow*, not only order'd his Forces to lay siege to *Narva*, but also took upon him to conduct the War in Person.

On the other Hand, the King of *Sweden* had already landed his Forces at *Carelscroon*; and having advanc'd with all possible Expedition towards the Enemy, on the 20th of *November*, being the Day Twelve-Month, when his *Czarian* Majesty had sworn the Peace with *Sweden*, in presence of the *Swedish* Embassador) came up with them, and after a desperate Engagement, which lasted Four Hours, storm'd their Camp, and obtain'd a complete Victory: In what Manner, and with what Circumstances on both Sides, may be seen at large in the Military History of that Monarch.

Battle of Narva.

It is now Time to return home: And as well for the clear Understanding of the Measures already discours'd of, as Those which are still behind, we ought to begin with a State of the Cabinet; which might have been rationally expected from Bishop *Burnet*, a Lord of Parliament, a Retainer to the Court in his Capacity of Preceptor to the Duke of *Gloucester*, a busy Party-Man, and who had in a more particular Manner made it his Province to explane the political Phænomena of his own *Times*.

A. D. 1700.

But whatever Opportunities he had of obtaining proper Intelligence, either he did not obtain it, or his Prejudices would not suffer him to make a full Use of it: And thence it often happens, that, instead of meeting with the Information we had a Right to expect, we are involv'd in Intricacies and Perplexities, which it is not in our Power to solve.

Having all along represented the Parliament then subsisting, (tho' call'd under a *Whigish* Direction) as intractable, as *resolv'd to force a Change of the Ministry* upon the King, and as to such a Degree obnoxious to him, That he would have dissolv'd them in Anger, if his Ministers had dar'd to venture on so bold a Measure, He takes the Hint from the premature Death of his Royal Pupil, to declame as follows.

"The Nation was falling under a general Discontent, and a Dislike of the King's Person and Government: And the King, on his Part, seem'd to grow weary of us and our Affairs; and partly by the Fret, from the Opposition he had of *late* met with, partly from his ill Health, he was falling as it were into a Lethargy of Mind: We were, upon the Matter, become already more than *half a Commonwealth*; since the Government was plainly in the Hands of the House of Commons, who must sit once a Year, and as long as they thought fit, while the King had only the Civil List for Life, so that the whole Administration of the Government was under their Inspection: The Act for *Triennial Parliaments*, kept up a standing Faction in every County and Town of *England*: But tho' we were falling insensibly into a *Democracy*, we had not learn'd the *Virtues* that are *necessary* for that Sort of Government: Luxury, Vanity, and Ambition, increas'd daily, and our Animosities were come to a great Height, and gave us dismal Apprehensions. Few among us seem'd to have a right Notion of the Love of their Country, and of a Zeal for the Good of the Public: The House of Commons, how much soever its *Power* was advanc'd, yet was much sunk in its *Credit*; very little of Gravity, Order, or common Decency appear'd among them: The Balance lay chiefly in the House of Lords, who had no natural Strength to resist the Commons." And, having set forth the Death of the King of *Spain*, the Acceptance of his Will, *&c.* he procedes in these Words: "It might have been expected, that, when such a new, unlook'd for Scene was open'd, the King should have lost no Time in bringing his Parliament together, as soon as possible: It was prorogu'd to the 20th of *November*, and the King *had sent Orders* from *Holland*,

A.D. 1700. *Holland*, to signify his Resolution for their meeting on that Day: But the Ministers, whom he was then bringing into his Business, had other Views: They thought they were not sure of a Majority in Parliament for *their Purposes*, so they prevail'd with the King to dissolve the Parliament; and after a Set of Sheriffs were prick'd, fit for the *Turn*, a new Parliament was summon'd, to meet on the 6th Day of *February*, but it was not open'd till the 10th."

Again; having touch'd on the King's *cold* and *reserv'd* Manner upon so high a Provocation, he undertakes to account for it by telling us, "That he had set the Earl of *Rochester* at the Head of his Councils, who was to bring the *Tories* into the Service, (at whose (*b*) Door, against a Variety of Evidence recorded by himself, he lays all the Opposition of the Reign) That he had *secretly* engag'd himself to them, before he went last to *Holland*: And that it was in order to manage these new Ministers and their Party, so that they might concur with him in a new War, which he saw was necessary, he kept so strict a Guard on his real Sentiments and Inclinations."

But so loose and desultory a Story, will scarce satisfy an inquisitive and intelligent Reader: His Majesty had certainly made an Opening to the *Tories* before he went abroad, but then it was by no Means with an Exclusion to the *Whigs*, as appears not only by the Offers he made to the Duke of *Shrewsbury*, but also by retaining *Vernon* in the Secretary's Office: In short, the same Fact seems also to shew, That the King, at this Crisis, proceeded on the same Maxim in regard to the *Whigs*, which he had set out with in regard to the *Tories*; and which B. *Burnet* is pleas'd to tell us, had like to have prov'd fatal to him: That is to say, of giving one Party the Lead, without breaking entirely with the other.

As at his Majesty's Departure to *Holland*, he chose to leave one of the Provinces in the Secretary's Office vacant, so when the Lord Privy-Seal *Londsdale* dyed, which was in *July*, at his Seat in *Westmoreland*, he suffer'd the Duties of that Office to be discharg'd by Commission till his return: Nor is it reasonable to think, That any Measures of Government were fully resolv'd upon, till Lord *Jersey* went over to *Holland*, which was in (*c*) *August*. At this Time, He was the only *Englishman* in the King's Confidence: It was even said, in so many Words, That he was the *Handle* by which the *great Turn* now making in the *Administration was made*: And tho' He was not in the Secretary's Office, it appears, that our Ministers abroad corresponded with him as their Principal: But that any such *Orders* were sent from *Holland* for the Meeting of the Parliament on the 20th of *November*, as are specify'd by the Historian-Bishop above cited, is untrue: For in a Letter of Mr. *Vernon*'s to Lord *Manchester*, dated *October* 14, O.S. he writes thus: "We have nothing of Moment stirring here: At the King's Arrival, People expect to hear of a new Lord Privy-Seal, and a new Secretary; and when the Parliament shall meet, whether the same or a new one, which, in the mean Time, they speak differently of, every one according to their Fancy." On the 19th following, his Majesty landed at *Harwich*: On the 21st Mr. *Vernon* writes again to the same Minister thus: "His Majesty has appointed the Council to meet here (at *Hampton-Court*) To-morrow, to resolve, to what Time the Parliament will be prorogu'd; which, I suppose, will be the 21st of next Month." And the Parliament was prorogu'd accordingly: After which, to wit, on the 28th of *October*, touching once more on the doubtful Situation of Things, he adds, "People are still in expectation whether we shall have a new Parliament or not, which cannot be long unresolv'd." And it has been already observ'd, That the News of the King of *Spain*'s Death, did not reach *Kensington* till the 4th of *November* (being his Majesty's Birth Day) in the Afternoon: By which Time, it may be collected, the Court-Disposition was made. For on the 25th, (of *October*) his Majesty was induc'd to pay a ceremonious Visit to the Princess of *Denmark* at *Windsor*: On the 28th, Lord *Jersey* signifies to Lord *Manchester*, "That his Majesty had renew'd his Orders to him, to correspond with his Excellency on the *great Affair*:

A.D. 1700. [M. S.]

(*b*) The whole Passage is so remarkable on many Accounts, that it deserves to be interwove with the Web of the Times: As follows.

"The Earl of *Rochester* was now set at the Head of his Business, and was to bring the *Tories* into his Service: They had continued, from his first Accession to the Throne, in a constant Opposition to his Interest: Many of them were believ'd to be *Jacobites* in their Hearts, and they were generally much against the *Toleration*, and violent Enemies to the *Dissenters*: They had been backward in every Thing, that was necessary for carrying on the former War; they had oppos'd Taxes as much as they could, and were against all such, as were easily levied and less sensibly felt by the People; and were always for Those, that were most grievous to the Nation, hoping that by those heavy Burthens, the People would grow weary of the War and of the Government. On the contrary, the *Whigs*, by supporting both, were become less acceptable to the Nation: In Elections, their Interest was much sunk; every new Parliament was a new Discovery, that they were become less popular, and the others, who were always opposing and complaining, were now cried up as the *Patriots*. In the three last Sessions, the *Whigs* had shew'd such a Readiness to give the King *more Force*, together with a Management to preserve the Grants of *Ireland*, that they were publickly charg'd as Betrayers of their Country, and as Men that were for stuffing the King with an Army; in a Word, they were accus'd of having made a Compliance with the Humours and Interests of Courts and Favourites, so they were generally censured and exclaim'd And now since they had not succeeded to the King's Mind, some about him possess'd him with this, That such as they would not, or could not serve him. In favour of those Notions and Principles lay against *those Things*, wherein *those former Proceedings* did naturally lead them to make the *Party* great and powerful; it was also said, That the great Application made to every Thing the King desired, and the Submissions that had been of late put upon him, flowed the less from the Hatred born to those who were employ'd by him, as what they had brought in their Friends and Creatures into Play. And they were now studying to recover the Favour of Posterity; which would make them easy, if not well with, in complying with what the King might desire for the Future. The *Whigs* did also begin to *complain* of the King's Conduct, of his minding Affairs so little, of his being so much out of the Kingdom, and of his *ill Choice of Favourites*; and many imputed the late Miscarriages to *Errors* in Council, which they could neither *prevent* nor *redress*."

(*c*) See a Letter from the King to Lord *Orkney*, dated *August* 15, in *Tindal*; signifying his Purpose to continue Lord *Rochester* Lord Lieutenant, and requiring Lord *Orkney*'s Thoughts upon it.

A. D. 1700. *Affair:* The same Day Mr. *Vernon* informs him, That the King had acquainted Lord *Tankerville* with his Design to remove him from the Head of the Treasury-Board to the Privy-Seal's-Office, in order to re-instate Lord *Godolphin* in his old Province: On the 7th of *November* Lord *Tankerville* was actually made Lord Privy-Seal; and Sir (*k*) *Charles Hedges* was taken from the Admiralty, and preferr'd to be Secretary of State: On the 20th, the Parliament was farther prorogu'd to *January* 26: On the 2d of *December* a List of Sheriffs was publish'd in the *Gazette:* On the 4th, Mr. *Montagu* was made a Lord, in *consideration* of his *good* and *faithful Services:* On the 12th Lord *Godolphin* was put in possession of the Treasury; as also Lord *Rochester* was nominated in form Lord Lieutenant in *Ireland:* And on the 19th his Majesty in Council was pleas'd to dissolve the Parliament, and order'd the Writs to be issued for a new one.

Mr. Montagu made a Lord.

But tho' it is to be understood, That by this Time, and by these Steps, the *Tories* had obtain'd a complete Ascendancy at Court, *Burnet* himself cannot help acknowledging, That they obtain'd it by a Sort of Compromise. His Words are these: "And that the most eminent Men of the *Whigs* might not oppose them in the new Parliament, *They* got Mr. *Montagu* to be made a Baron, *who took* the Title of *Halifax*, which was sunk by the Death of the (*l*) Marquis without Issue-Male: What Share the Duke of *Shrewsbury* (who was still the Head of the *Whigs* in Point of Rank and Dignity, who pass'd a whole Night at *Hampton-Court*, (October 28) and who soon after set out for (*m*) *France*) for want of Access to that Collection of his Letters which is still extant in the Hands of a noble Lord, cannot be explain'd: But then there is one of *Prior's*, (who by the Favour of Lord *Jersey* had no inconsiderable Share in the Secret, and who, upon the Resignation of the celebrated Mr. *Locke*, was made one of the Lords of Trade in his Room) which, containing the best Comment as yet to be met with, on the State of Affairs at this Time, must be admitted to supply that Defect: It is address'd to Lord *Manchester*; bears Date *December* 10; and, is conceiv'd in the following Terms; to wit: "I am indebted to my good Lord *Manchester* for two or three Letters, and it would be unreasonable, if I did not take the Opportunity of Mr. *Chetwynd's* Return, to tell your Lordship what I know of the State of Things here: That we shall have a new Parliament, is (I think) certain, (at least, as far as I can see into the Matter). What sort of a Parliament it may prove, I cannot any ways foresee; but sure there never was so much Work, as at present, in *securing Parties*, and *bribing Elections: Whig* and *Tory* are railing on both Sides, so violent, that the Government may easily be overturn'd by the Madness of either Faction. We take it to be our Play to do nothing against common Sense or common Law, and to be for those that will *support the Crown*, rather than *oblige their Party*; and in order to This, Men are preferr'd who are look'd upon to be honest and *moderate*. In this Number, (whether with Reason, or not, Time must decide) we comprehend our Lord-Keeper *(Wright)* and our new Secretary *(Hedges):* Lord *Rochester* and Lord *Godolphin* are in the Cabinet-Council; the Latter is at the Head of the Treasury, the Former (we take it for granted) is to go Lord Lieutenant of *Ireland*, tho' it be yet a Secret. The two *Companies* are to be brought to an *Agreement*, if possible; and Mr. *Montagu's* being made a Peer, (we take for granted) may contribute to this Union, since being in the House of Commons, he would make an ill Figure, if he either declin'd to support the New, or should find too great an Opposition in his endeavouring so to do. As to the great Affair, I presume the King will wholly defer it to the Parliament, and act conjointly with their Consent, which I take to be the only Method. All that I can say more on this Head is, that I take it to be happy for the King, that the *Will* is preferr'd by the *French*, at a Time when every body was peevish against the Court (tho' with what Reason *God* knows) about the *Treaty*. Count *Tallard* makes a foolish Figure here; I do not know as yet what he says to the King on this Occasion: But every body observes his Excellency to be very melancholy and desponding; and one may judge he has Reason to be so, as to his own Particular, concerning the Part he has been made to act, however his Country may in general approve their Monarch's Breach of Truth and Treaty. This, I think, is the present Figure of our Affairs, which I am glad to write to so good a Friend as my Lord *Manchester*, tho' to most of the World here, I am of Opinion, that to say least, is to do best. Your Friend, my Lord *Jersey*, grows very much a Minister, and is in a fair way of being *very great*. As

A Letter of Prior's concerning the State of Affairs.

A. D. 1700.

(*k*) Mr. *Lockyer*, who undertakes to explane our Party-Affairs at this Period, without understanding them, idly supposes Mr. *Hedges* was remov'd to make Room for him: He also puts Sir *John Leake*, Seymour, *Musgrave*, and *Harcourt* at the Head of the *whole Squadron*, whereas the Three Latter were veteran *Tories*, and represents them as treating with Lord *Portland* to prevent a Dissolution, whereas they were for a Dissolution; and were declar'd Enemies to that Foreigner.

(*l*) The Marquis, it seems, (who had desir'd Mr. *Montagu*, if ever he was made a Peer, to assume the Title he had worn) did not dye till this Year, tho' B. *Burnet* has plac'd his Death in the Year 1695: And we have fallen into the same Mistake formerly, by following him.

(*m*) Mr. *Vernon*, in one of his Letters observes, his Grace had fallen into a violent Fit of Bleeding at his House at *Croston*, which had never happen'd to him before in the Country; and infers, This would hinder his coming up to Town so soon as he intended..... And in the same Letter, wherein he mentions the *Hampton-Court*-Visit, he says, The Duke talks of going to *France* at the End of the Week..... On the other Hand; In the Manuscript Sketch of the Lives and Characters of the great Men of their Times lying before me, is the following Passage: "His leaving *England*, at a Time when the *Partition*-Treaty began to be question'd, gave his Enemies occasion to say, That he had flown from the Storm..... The Manner of the *French* King's receiving him at *Fontainbleau*, That he was still upon some Intrigue of State..... King *William's* obliging him to go to that Court against his Inclinations, look'd as if his Majesty was in the Plot to render him suspected to the People; which, it seems, he became to such a Degree, That, upon his proceeding to *Rome*, they fancy'd he was become a Re-Convert to the Roman Catholic Faith."

A. D. 1700. As to my own Affairs, I have a great many Friends that would set me up at *Cambridge*: I know I shall find great Opposition from Mr. *Hammond's* Party there, and great Trouble, in case I should throw him out, from those Men, who will never be satisfied, let me act as I will or can. If your Lordship thinks it convenient, I know you will not refuse me your Letter to the University."

Of the Jacobite *and* Republican *Managers at this Crisis.*

Of the Paper War carry'd on by the Press during this Struggle, and the detestable Virulence manifested equally on both Sides thorough the whole Course of it, a bare Mention will be sufficient in this Place, because the same Topic will of Necessity occur again, and become too considerable an Object to be pass'd over in this cursory Manner. But then it is fit to be remember'd here, That the *Republican* Spirit once more began to shew itself, at this extraordinary Crisis, as well as the *Jacobite*: For as the Latter left no Stone unturn'd to recommend the (pretended) Prince of *Wales* to the Favor of the Public, that a *positive Exclusion* at least might not lye against him, so the Former were for taking Advantage of the Gap made in the Succession by the Death of the Duke of *Glocester*, to exclude the whole Royal Family, and extinguish Royalty itself for good and all.

As the *Jacobites* were still of Two Sorts; namely, *Compounders* and *Non-Compounders*, according to the Distinctions given to the Two Factions of *Melfort* and *Middleton*, the Papers they set forth, differ'd in their Turn and Manner accordingly: Of the violent Sort, one had been publish'd this Summer in the Name of *Charnock*, justifying the *Assassination Plot*, and hinting, That if King *James* had, for some Reasons, rejected the like Proposals formerly, he might not be displeas'd with the Thing when done: And the *Whigs* did not fail to make a very politic Use of it, not only by abusing the *Jacobites* plentifully, but also by repeating some such Experiments on the King's Disposition, as plainly shew'd, They were well acquainted with the weakest Part of it. This is to be seen in a Pamphlet of Theirs, call'd, *The present Disposition of* England *consider'd*: In which having premis'd the Necessity of a new War to *chastise* France, *and bring the* Spaniards *to repent their hasty Submission*, they

[State Tracts, Vol. III.]

procede to tell his Majesty out of his own A. D. 1700. Declaration, That he came to *remove Evil Counsellors*, &c: As also, That it was They who in the *Convention subdued the Regency*, and put the (*n*) *Crown on his Head*, (These are their very Words); and *who in the next Parliament* recognis'd *him in the most emphatical Terms*: And that *unless the Rubbish of the Two late Reigns is remov'd*, and the Kingdom rightly *dispos'd by the Choice of a good Ministry*, there is no *Security for his Royal Person*, on *whose* LIFE, under *God*, *was their Dependance*. On the other Hand, Lord *Manchester* writing of this very Paper to Mr. *Vernon*, says, "As for *Charnock's* Paper, it is said to be writ by *Ferguson*: Others give out, That it is maliciously design'd to asperse Those of St. *Germains*." And certain it is, That in our *Party-History*, we shall meet with many Instances of the like Impostures.

But however this may be, the *Jacobites*, in other Papers, calculated to incite a parliamentary Enquiry into the Birth of the said pretended Prince, discours'd in a very different Strain; professing to keep such a Guard on their Lips, that nothing should escape tending to the Vindication of King *James*, to the Dishonour and Prejudice of King *William*, against the Settlement of the Succession, or in the least to impose on the Authority of Parliament.

[Observations on the Royal Succession, Fol. p. 1.]

On the other Hand, in proof of what has been advanc'd concerning the *Republicans*, we must have Recourse to a Tract still extant, (tho', perhaps, but in very few Hands) under the Title of, *The Free State of* Noland, which was publish'd at this Crisis, and which is introduc'd with such an Account of the Country so call'd, its Inhabitants, Laws, &c. as leaves not the least Room to doubt, what Purposes the Piece was to serve: To wit.

"As for *Noland* in particular, it very much resembles *England*, both in Soil and Climate: Also, (tho' it may seem incredible) they are of the same Religion, speak the same *English* Language, and have the *English* Laws: And their Government (till of late Years) was exactly conformable to the Monarchy of *England*; but the Royal Line wholly failing, they are now a *Free State*.

For when their last King died suddenly without Heirs, (which also happen'd in an Interval

---

n) All the other Services of the Party are in the same Piece, enumerated in the same *modest* Manner, without the least Mention of the Rewards They had receiv'd from his Majesty; After which, They proceede to load their *Breach* with as unreserv'd a Bitterness, under the Heads of Disaffection, Corruption, and whatever else could blast them in the Opinion either of Prince or People. On the other Hand, That nothing may be left untouch'd that may any way advance their Cause, they indirectly make their Court to the Princess of *Denmark*, as follows.

"If we consider how often his Majesty's *Life* has been in *danger*, and what a short Length our Succession is reduc'd to, with what Concern and Anxiety of Mind must it possess us, having always Reason to apprehend the *Practices* of our *irreconcilable Enemies*? Their Malice is in perpetual Motion, either in Action or in Counsels; poisoning the World with the publish Opinions they shed against the Government: Their Libel of last Summer, under the Name of *Charnock's* Letter, is the most execrable Paper that ever saw the Light: The late Duke of *Glocester* was hardly cold in his Grave, when this Monster came out of the Press; it impudently act nowledges all the late Plot, and defends the intended Assassination as a Thing lawful, necessary and just. The Author tells us, The Publication of it was *reserv'd to a proper Season*: As soon as the *dear young* Prince was dead, and thereby one of the Branches of our Settlement cut off. Then it seems was the *proper Season* to spread this Book of Devils, and to raise the infernal Spirit of the Party to murder the best of Kings."

And yet (notwithstanding the Concern here shewn for the dear young Prince) Doctor *Drake*, in the Preface to his *History of the Parliament*, (of 1701) brings the following Charge against the *Party* which this Piece so [illegible] to wit: "They were not contented to shew their Highness a constant Neglect and Slight themselves, but their whole Party were instructed to treat her with the Disrespect but Spite: They were busy to [illegible] false and scandalous Aspersions; and so far they succeeded Affront, as to make her, at one Time, almost the common Subject of the Table-Talk of almost every Coffee-House and Drawing-Room, which they promoted with as much Zeal, Application and Venom, as if a *Bill of Exclusion* had then been on the Anvil; and These were the introductory Ceremonies."

A. D. 1700. Interval of Parliaments) the Peers met with all Speed at their uſual Place; giving Notice forthwith to the Members of the laſt Houſe of Commons to meet there likewiſe. And now their great Buſineſs was, to chuſe a new King: And by the unanimous Concurrence of Lords and Commons, they choſe a Man of the higheſt Quality, who ſhall here be call'd *Ariſtæus*. He was a Perſon moſt accompliſh'd in every Reſpect; and had been the late King's chief Miniſter and Favorite, to the great Satisfaction and Delight of the whole Kingdom: So that now they elected him their King, without any Difficulty.

But the excellent *Ariſtæus* ſeriouſly excus'd himſelf, and would by no Means accept the Crown: He adviſ'd them, rather, to keep the Power in their own Hands; and to ſettle themſelves in the happy and glorious Condition of a free State. He told them, That both he and the late King (who was the beſt of Men, and a true Lover of his People) had long conſider'd and adviſ'd about ſuch a Government, and had digeſted it for them: A Government wherein *all Sorts* and *Degrees* of People ſhall find their Account, and feel their Condition *better'd*; ſhall be enrich'd, advanc'd, and adorn'd with the *Spoils* of the *Monarchy*; and ſhall have thoſe Advantages ſhar'd amongſt them, which in a Monarchy are engroſs'd and ſwallow'd up by *one Man*: Where the Peers will be in greater Splendor and Honour, where the Gentlemen will have a mighty Increaſe of Dignity, and where Trade and the learned Profeſſions will have high Encouragement: Where alſo the meaner Sort, by their Right of Suffrage in *Elections*, will oblige the great Ones (who are the Candidates) to treat them kindly, and without any Appearance of Inſolence or Oppreſſion.

But he chiefly inſiſted upon the great Strength which this Government would give them againſt foreign Enemies: Making it plain to them, that the Nation would be infinitely ſtronger in a well order'd, free State, than under a Monarchy; eſpecially a mixt one: Telling them further, That this was no more than needful in regard of the great Power of their Enemies; that the neighbouring *Idolaters* (who were furiouſly bent to deſtroy the *Chriſtians*) were exceeding potent; eſpecially *one over-grown, abſolute* Monarch, that was ready to devour all that Part of the World: So that it greatly concern'd them to provide for a vigorous Oppoſition."

Thus far by way of Narrative; and then the following Paſſage, in a different Type, is ſlipp'd in as a Kind of Parentheſis.

"We find that Cardinal *Maraxin* had the ſame Sentiments with *Ariſtæus*, concerning the Powerfulneſs of a free State. A Book of his Letters is publiſh'd in *Engliſh*; many of which Letters were written while he was engag'd in the *Pyrænean* Treaty with Don *Lewis de Haro*: And in the ſeventeenth Letter, and the 135th Page of the printed Book, there is this Paſſage.

"We ſpoke of the *Engliſh* Affairs ſeveral Times; agreeing, That the Republic of *England* eſtabliſhing itſelf, was a Power to be redoubted by all its Neighbours; ſeeing A. D. 1700. without Exaggeration, it would be a hundred Times more formidable than that of their Kings."

This Letter is directed to Monſieur *le Tellier*, who was one of the Miniſters then at *Paris*, and it bears Date the 25th of *Auguſt*, 1659: At which Time our famous long Parliament was yet in being, but their Continuance doubtful: The very Thoughts of which Parliament, made *Mazarin* and all *France* to tremble."

The Sequel contains the Plan of a Republic formally laid down: And in the Courſe of our Story, we ſhall meet with ſeveral Occurrences of the ſame Tendency, which will manifeſt clearly enough, That the *Republicans* had their Hopes, and were forming their Schemes during this Interval, as well as the *Jacobites*.

And now we are to interweave another Scots *Affairs*. Section of the Affairs of *Scotland*, which were ſtill in the ſame Ferment, on account of the *Darien* Adventure; and might have produc'd ſome ſtrange Reveulſion in that Kingdom, if the *Malcontents* had been all of one Mind; or if a ſuitable Degree of Countenance could have been obtain'd from *France*. But we ſhall find no Countenance could be obtain'd from *France* at this Criſis; as well becauſe of the Meaſures which the *French* Court were oblig'd to keep with King *William*, as for fear of giving Offence to the *Spaniards*, who had a more immediate Intereſt in deſtroying the *Scots* Colony, than even the *Dutch* themſelves: And as to the *Malcontents*, they were a Medley of all Parties: And of the *Preſbyterians* and *Jacobites*, which were the Principal, the Latter appear to have been abundantly more active than the Former.

In the Beginning of *May*, when the *Scots* Parliament was to meet, agreeable to the King's Promiſe, Lord *Mancheſter* informs Lord *Jerſey*, *There was nothing ſtirring at St.* Germains: And, on the other Hand, at *Edinburgh*, ſcarce a Day paſs'd, without ſome new Effort to increaſe the national Flame: To manifeſt which, we need only cite a few Paſſages out of a very curious and ſcarce Tract, call'd, *A ſhort Speech prepar'd to be ſpoken by a worthy Member at the enſuing Seſſion*, &c. which may alſo be eſteem'd Hiſtorical, in ſome degree, as well as Argumentative: To wit.

"We have for Enemies *Spain*, powerful in the *Weſt-Indies*; the *French*, powerful at Sea, who have often beg'd of the *Spaniard* the Liberty to deſtroy us: We have been abandon'd at home in Word and Deed. 'Tis declar'd we have no Right to the Place where we have ſettled our Colony, becauſe our Settlement in that Place contradicts a certain Agreement for the *Diviſion* of the *Spaniſh* Monarchy, and breaks the Meaſures of a *Catholic League* for the Extirpation of the Proteſtant Religion, and the Remainders of Liberty throughout the World. We are expos'd to be treated as *Pirates*; and tho' neither the *Engliſh* nor *Dutch* Nation be our Enemies, yet the *Engliſh* and *Dutch* COUNSELLORS (who, to the Diſhonour and Ruin of

A. D. 1700. this Nation, meddle too much in our Affairs) are our mortal Foes. What shall I say of *Scotsmen*, who concur in such Advice? If ever there were Reason to complain of *evil Counsellors*, sure it must be of Those of this Nation at this Time: Yet these Men have the Confidence to look us boldly in the Face, tho' their impudent Contrivances to ruin the Colony of *Caledonia*, and murder such Numbers of them in the *West-Indies*, be notoriously known. What shall I say of a Man *(Carstares)* who, without any other Character to protect him, than such as to the utmost aggravates his Crime, is at the Root of all the Mischief that has, or is like to fall upon this Nation. Who is it, that having the Right to destroy a noxious Beast, has not at the same Time the Right to destroy such a one? *Those* are the Enemies of your Company and Colony, which you have been at great Charges and unspeakable Pains to erect, establish, and maintain; that you might bring this Nation from Poverty and Reproach, to Honour and Wealth; our poor People from under the perpetual Tentations of stealing, lying, cheating, nay, and, after all, the Necessity of Starving, for want of Bread, to that Ease, Plenty, and Satisfaction, which always accompany Industry.

These are the Men, who this Day oppose the giving a reasonable Tax to support so good and glorious a Design, and would divert the Money which the Nation is willing to give to another Use:...To maintain a perpetual Standing Army.

Is there any Pretext for this Standing Army, that can be nam'd by Men of the least Ingenuity? Has the bad Usage I mention'd before, or the many Indignities put upon this Nation of late, afforded any? No! no thing has been able to provoke us: We have always, and in every Thing, complied with his Majesty beyond our Power; yet we are condemn'd to lose our Liberties: We are condemn'd to die, without any Guilt alledg'd against us: We are to have no Trade, because inconsistent with a Standing Army: Our only Commerce is to be in Soldiers; by whom, that we may be Gainers, we are to have a Superplus over and above what we can pay. In which sort of Commerce, if any Nation was ever a Gainer, I appeal to History.

This Nation has of late been in a starving Condition: And I wish that the Blood of many thousands may not be requir'd of divers, whose Duty it was in their several Stations to have provided for them: Yet during all that Time, we were to maintain an Army of idle Fellows, without the least Necessity; and in order to keep up 4 or 5000 of them, starve 30 or 40,000 innocent People: Since if the Pay of that Army had been prudently employ'd in buying of Corn, it would have been sufficient to save the Lives of the one and the other.

But when all Pretexts of Fears from a Foreign Invasion have fail'd; when no Indignities in point of Honour; no extraordinary Losses of vast Numbers of our People, and Treasure of the Nation; no Endeavours to create Animosities between the two Nations, have been able to provoke us, to give the least Pretence for the Standing Army, the *evil Counsellors* have had recourse to *Force* and *Bribery*: They have drawn the greater Part of the Standing Army near and about the Town in Time of Parliament; by which those Gentlemen who, last Session, voted for a Standing Army, may already see what Use is to be made of them; and will have their Names branded with Infamy to all Posterity, if they now vote for keeping them up any longer. They have remitted 20,000*l. sterl.* into *Scotland*, (which, they say, Mr. *Carstares* has done by way of *Holland* for the more close Conveyance, and that by my Lord *Portland*'s Means); they have procur'd many new Warrants for Pensions, of which probably the first Term only will be paid, and perhaps not that same; for when the Villainy is done, the Villains become useless. They have brib'd divers others with new Titles of Honour, for the most infamous of all Actions: The Twelve Years Duration of the Parliament, having given Occasion to the *evil Counsellors* to know the Pulse of *every Man*: And that no Artifice may escape them, they not only endeavour'd to corrupt the whole Representatives of Boroughs at one Dash, by a Tack of the Customs, (tho' *God* knows a very few reap the Benefit) but have also, at this Juncture, erected little, pitiful, inconsiderable Villages into *Royal Boroughs*, in order to have the same represented in Parliament by Persons secur'd to their Interest beforehand. And whenever the Representative of any Shire or Borough dies, 'tis too well known what Care is taken to have his Place immediately supply'd, *viis & modis*, by some Court-Myrmidon, a Guard or Dragoon-Officer, or some such. By all which Means, we may, in Time, expect to see the Officers of the Army (if kept on foot) muster'd in the Senate-House; and then the Country freed from the Charge and trouble of sending any other Representatives to serve in Parliament. I shall not insist on the spliting of State-Commissions among Members of Parliament, and granting sham Commissions *pro tempore* for the same Offices."

The Writer then procedes to assert a Thing wholly improbable; to wit, That the same *evil Counsellors* had contriv'd to furnish King *James* with 40,000 Louisdores, to spirit up his Party in that Kingdom, in order to furnish themselves with Matter, to procede against all Those in Opposition as Traitors: After which, he comes to the Close of his Matter in these Words.

A. D. 1700. "To conclude: Tho' we are remote from public Intelligence, and the *Presbyterian*-Party seems struck with incurable blindness; yet I hope the Parliament will not wilfully shut their Eyes, but seriously consider the fatal Consequences of a Standing Army; and how absolutely necessary it is to disband at least the far greater Part of our Forces, even tho' we had no other pressing Occasions for our Money at this Juncture."

To

A. D. 1700.

A Session of Parliament.

To procede; The Duke of *Queensbury* officiated as the King's Commissioner: And B. *Burnet* (who seems to think the History of his own Country, during this Interval, scarce worth mentioning) asserts, "Great Pains were taken, by *all Sorts of Practices*, to be sure of a Majority." Which reflects not a little Credit on the Piece just quoted.

The King's Letter.

The 21st of *May* was the Day of Meeting. The King, in the Front of his Letter, again asserts, That his Intention was to have held the Session in *Person*, if the present Circumstances of Affairs *abroad* would have given him Leave: And This is accompany'd with a refreshing Hint of the Design which had brought him over to *Britain*; namely, The *Relief* and *Happiness* of the Three Kingdoms. His Majesty then urges, The breaking out of a War in some Places of *Europe*, (*Holstein* and *Livonia* that is to say) the great Arming by Sea and Land, the uncertain State of the public Peace, and the continued Designs of their Enemies both at Home and Abroad, as so many Reasons, which could not but convince them, how necessary it was for their Safety, That the Forces be maintain'd, and sufficient Funds granted for that End: He bewails, in the next Place, the Misfortunes and Losses the Nation had sustain'd in their Trade; promises to concur in any Thing that would promote and encourage it; recommends the Establishment of the Manufactures, and the Improvement of the native Product; gives them full Assurances, That he would maintain their Religion, Laws, Liberties, and *Presbyterian* Government, as it was establish'd, &c.

His Grace the Commissioner, according to Custom, gloss'd on these several Heads, and in particular when he came to That of Trade, thus enlarg'd: "And I do so particularly know his Majesty's good Mind in this Matter, That I can give you Assurances of obtaining any Thing that shall be reasonably propos'd."

And the same Court-Pattern was also follow'd by the Lord Chancellor (o) *Marchmont*, who, in his way, took Occasion to observe, That all the Sufferings which had befallen *Scotland* during the late War, had been owing to their *ungrateful Countrymen*; (alluding to the Rising under Lord *Dundee*, and presuming no body would dare to recollect the *Glenco*-Massacre) and the Use he made of it, was, to suggest, That he hop'd to see the Time, and that it was not far distant, when the Parliament of *Scotland* would consider the great Losses and Prejudice sustain'd by their Fellow-Subjects, those worthy Persons who *then* bore the Burden and Heat of the Day: But then his Conclusion was, That the providing for the Forces, and their putting an *entire Trust* and *Confidence* in his Majesty, was the only Business which at that Time lay properly before them.

A. D. 1700.

Such was the Manner of opening the Session. But it soon appear'd, That the mere hanging out a Flag of Truce, was not sufficient to procure a Cessation: In order, therefore, to prolong the Parley, the House was adjourn'd till the 24th: By which Time all the Expedients for a Pacification having been found ineffectual, the Campaign was open'd, by the Delivery of a strong Remonstrance from the *Darien* Company, reciting all the Losses, Disappointments, and Hardships They had sustain'd. This was follow'd by several other Petitions and Addresses; all complaining of Grievances, and soliciting Redress: And one from the Shire of *Haddington*, more particularly taking up the very Topics of the King's Speech, represented, "That, instead of enjoying the Blessing of a happily-concluded Peace, by the Re-establishment of their Foreign Trade, Encouragement of Home-Manufactures, Employment of their Poor, Improvement of their native Product, and the lessening the public Burdens, They, to their unspeakable Loss, and almost Ruin of the Nation, found their Trade Abroad sensibly decay'd, and their Corn carried out, by the Importation of Commodities from Places where Theirs were prohibited: That their Woollen and other Manufactures at Home, receiv'd not that Encouragement which the Good of the Country requir'd; and more especially, that their Company trading to *Africa* and the *Indies*, met with so much Opposition from Abroad, and got so little Support at Home, that, after so great a Loss of Men, and Expence of Treasure, it was too probable that their Settlement in *Caledonia* would fall a second Time, under the same unlucky Circumstances as at first, if not prevented. That yet, after all those Hardships the Nation groan'd under, numerous Forces were kept on Foot, which occasion'd then, in Times of Peace, heavy and unnecessary Taxes, while their much wealthier Neighbours were disbanding their Troops."

The Company's Remonstrance.

Petition of Haddingtonshire.

Nor, when these Petitions, Addresses, &c. were read, was there any Want of the same Spirit within Doors which had been so active without. On the contrary, the Facts asserted being too notorious to be deny'd or disputed, it was mov'd, That the Parliament should resolve, "That the Colony of *Caledonia* in *Darien*, was a legal and rightful Settlement in the Terms of the Act of Parliament of 1695: And that the Parliament would maintain and support the same." And the Majority manifestly inclining to resolve accordingly, the *Commissioner* fearing the Consequence of such a Vote, and having no other Means to prevent it, did immediately adjourn the Parliament for three Days: But all his Endeavours in that Interval to extinguish or even moderate the Flame which rag'd so fiercely, were ineffectual: The Parliament met again in the same Ferment, and with the

A sudden Adjournment.

(o) Sir *David Hume*, of *Pebworth*, Outlaw'd by King *Charles* II. and created Earl of *Marchmont* by King *William*, perhaps for his steady Opposition to his Majesty's Two Royal Uncles; against whom he had been engag'd successively with *Shaftesbury*, *Monmouth*, and *Argyle*, and the Prince of *Orange*. He was said to be so given to declaiming, That every Answer he gave was a Speech.

A. D. 1700. *The Parliament adjourn'd.*

the ſame Diſpoſition as before: So that his Grace was forc'd to apply the Prerogative again, and adjourn them for twenty Days more; which he did with the following Speech.

The Commiſſioner's Speech.

"*My Lords and Gentlemen,*

I am troubled with ſuch a Cold and Hoarſeneſs, that not being able to ſpeak much, nor in a Condition to ſtay any Time here, I ſhall therefore only tell you, That, as I was ever firm and faithful to my King, ſo I was ever zealous for the Honour and Intereſt of my Country; and at this Time I hoped to have done acceptable Service to Both: For I can boldly ſay, That I have Power and Inſtructions for every thing that appear'd neceſſary or convenient for the Good and Advantage of the Nation, as to their Religion, Property, Liberty, Trade, and, particularly, what could be of moſt *ſolid* Uſe to our *African* and *Indian* Company. But ſeveral Things have occurr'd, wherein I find myſelf oblig'd to conſult his Majeſty, and ſo muſt of Neceſſity adjourn for ſome Days."

But neither did this plauſible Speech qualify the Meaſure, nor wholly anſwer the Ends propos'd by it: For the Majority of the Members met that very Evening, and agreed to an Addreſs, which, according to B. *Burnet*, was drawn in ſo high a Strain, as if they were reſolv'd to perſue the Effects of it with an armed Force.—But which does not altogether anſwer ſo warm a Deſcription: For the *Addreſſers*, having complain'd of their having been interrupted by a ſudden Adjournment while they were debating a Motion concerning their Colony at *Darien*, which they conceiv'd was not agreeable to the 40th Act of the 11th Parliament of King *James* VI. wherein it is enacted, That nothing ſhould be done or commanded, which might directly or indirectly prejudge the Liberty of free voting, and Reaſoning of the Eſtates of Parliament: As alſo, That by a ſubſequent Adjournment of Twenty Days, the Parliament was not permitted to come to any Reſolution in the preſſing Concerns of the Nation, which they could not think conſiſtent with that Article of their *Clame of Right*, whereby it was declar'd, That for the Redreſs of all Grievances, ſtrengthening and preſerving of the Laws, Parliaments ought to be frequently call'd and allow'd to ſit, and the Freedom of Speech and Debate ſecur'd to the Members; did, in the Sequel, earneſtly intreat his Majeſty, "That he would be pleas'd to allow his Parliament to meet on the Day to which it was then adjourn'd; and to ſit as long as might be neceſſary for redreſſing the Grievances of the Nation:" And do not appear to have made uſe of any Menaces at all.

An Addreſs of the Majority to the King.

To preſent this Addreſs to his Majeſty, the Lord *Roſs*, and the Lairds of *Grubbet* and *Torwoodlie*, were deputed; and they ſet out poſt for *London* accordingly: As at the ſame Time did alſo the Earls of *Argyle*, *Annandale*, and *Seafield*, on behalf of the Adminiſtration.

It was the 30th of *May* when the Parliament was adjourn'd; and on the 11th of *June* following, the Addreſs was preſented to the King; Lord *Roſs*, in the Name of the Reſt, expreſſing ſome Importunity for an Anſwer, which his Majeſty, however, declin'd, ſaying, That he could give none; but that They ſhould know his Intentions in *Scotland*. With this Anſwer, therefore, ſuch as it was, the Deputies were oblig'd to return; and were receiv'd by the Party (at the Head of whom the Duke of *Hamilton* openly acted) with ſuch Acknowledgments, as ſeem'd to argue, That to return from Court with the ſame Sentiments which a Man carry'd thither, was a ſort of Triumph over the Corruptions of the Times.

A. D. 1700.

His Majeſty declines giving any Anſwer.

In this Interval, the Parliament had been again adjourn'd by Proclamation; which, together with the cold Reception of their Deputies at Court, had contributed to throw the City of *Edinburgh* into a violent Agitation: For the Printers of the *Speech* juſt quoted, and other ſimilar Pieces, having been taken into Cuſtody, the Mob, headed by certain Gentlemen, whom we find diſtinguiſh'd with the Title of *Captains*, roſe and reſcu'd them; (tho', confiding either in the Goodneſs of their Cauſe, or the Strength of their Party, they afterwards ſurrender'd themſelves): And before theſe ill Humours could be diſpers'd, freſh Matter was collected by a Proclamation for apprehending the ſaid Captains; as alſo, by the Advices receiv'd from *Spain*, that *Pincarton*, and ſeveral of his Crew, which had been taken by the *Spaniards*, were condemn'd as *Pirates*, and would have been hang'd, if it had not been for the Interceſſion of the *Engliſh* Conſul at *Seville*: All which rais'd the national Flame to ſuch a Pitch, That the Malcontent-Members talk'd of ſitting by *force*; Adjournments by Proclamation not being *legal*; at leaſt, ſuch was the Language us'd in their Name at St. *Germains*, according to Lord *Manchester*'s Intelligence: To which they added alſo, That the Army was well inclin'd to them: That they wanted nothing but Money, to declare the Throne vacant, under Pretence, That the King had not *protected* them; and to reſtore King *James*.

Another Act. ſurament by Proclamation.

Ferment thereon.

And now it was that his Majeſty was adviſ'd, to take that Meaſure upon himſelf, which, it ſeems, neither his Commiſſioner, nor his Council in *Scotland* could ſupport any longer: Accordingly, *July* 26, he ſet his Name to a Letter, addreſs'd to the Duke of *Queenſbury*, his ſaid Commiſſioner, in which he declar'd, "That if it had been poſſible for him to have agreed to the Reſolve offer'd to aſſert the Right of the *African* Company's Colony in *America*, tho' that Method ſeem'd to him unneceſſary, yet his Majeſty had, from the Beginning, readily gone it, at the earneſt Deſires of his *Miniſters*, and for his Peoples Satisfaction, all other Conſiderations ſet apart: But ſince that Things were much chang'd, his Majeſty being truly ſorry for the Nation's Loſs, and moſt willing to grant what might be needful for the Relief and Eaſe of the Kingdom, he aſſur'd them, That he would be ready to concur with his Parliament, in every Thing that could be reaſonably

The King's Letter to the D. of Queenſbury, and Privy-Council of Scotland.

A. D. 1700. reasonably expected of him, for aiding and supporting their Interests, and repairing their Losses, that his good Subjects should have just Grounds to be sensible of his hearty Inclinations to advance the Wealth and Prosperity of that his Majesty's antient Kingdom. That his Majesty was confident, That that Declaration would be satisfying to all good Men, who would certainly be careful both of their own Preservation, and of the Honour and Interest of the Government; and not to suffer themselves to be misled, nor give any Advantage to Enemies and ill designing Persons, ready to catch hold of any Opportunity, as their Practices did too manifestly witness: Concluding, That his Majesty's *necessary Absence*, had occasion'd the late Adjournment; but as soon as *God* should bring him back, he was fully resolv'd his Parliament should meet."

This Letter was also publish'd in a Proclamation; probably in hope to put a Stop to the *National Address* which the Party had prepar'd, and which they were soliciting Hands to, all over the Kingdom: But if so, it had not the desir'd Effect; and even while that Measure was agitating, they had

An Association sign'd. Recourse to another; namely, an Association, whereby They promis'd, on their Honour and their Conscience, not to wear any Foreign Manufactures, nor drink any *French* Wines: And This, the Privy-Council holding it to be of dangerous Consequence, and contrary to the Act of Parliament which abolish'd the old *League* and *Covenant*, and withal declar'd all such Engagements, without the King's Leave, illegal, was also encounter'd by a Proclamation, forbidding all Persons to sign it: But still without Effect: For it was sign'd by Numbers of the Nobility and Gentry notwithstanding, who had lost all Reverence for a Government, which seem'd to have lost all fatherly Concern for them. And yet that the Parliament, which was now not only so alienated, but even exasperated against the Court, was the very same which under the Name of a Convention, had set the Crown of *Scotland* on the King's Head, the Mention that was made above of its long and corrupt Duration, will not suffer us to forget: Then as to the Use made by the *Jacobites* of these Distempers, Lord *Manchester* thus writes to Mr. *Vernon*, *September* 18, N. S. to wit: "I am *told* there is a Sort of Address lately come from *Scotland*, sign'd by the D— of *H*——, (meaning the Duke of *Hamilton*) and a Hundred Noblemen and Gentlemen more. I will endeavour to get a Copy of it, tho' I believe it will be hard to procure. They assure the late King, That They are ready to execute whatever may be for his Service, when he shall please to make use of Them. It is said, that the late King, in the last Visit which the *French* King made him, which was on the 16th Instant, took Notice of it to him, in hopes he would promise to assist him; which he evaded, by telling the late King, That he thought his chief Aim ought to be upon *England*; and that the more he rely'd on his Party in *Scotland*, the more he would oblige his Friends in *England*." And in another Dispatch, dated *December* 4, he says, "One Mr. *Gourdon* is lately come from *Scotland*, and is *suppos'd* to be sent by Duke *H*——n and Lord *Kennure*." But then very little Stress is to be laid on Intelligence so slenderly founded: That is to say, on what is *suppos'd*, what is *said*, what is *told*, &c. A Copy of the Address spoken of, never was procur'd: Most probably it was no other than the *National Address* which was as much a *Presbyterian* as a *Jacobite*-Measure: And in a subsequent Dispatch, dated the 22d of the same Month, he destroys all he had advanc'd before, by saying, in positive and explicit Terms, "The late King resents the Proceedings of *Scotland*, and declares it publickly: So that several of the *Scots* have retir'd from St. *Germains* to *Paris*." And hence it may be infer'd, That the poor *Scots* were in equal Disgrace with King *James* and King *William*, for adhering to the Interest and Honour of their Country, against the *Dutch* on one Hand, and the *French* on the other. A. D. 1700.

K. James declares against the Proceedings of the Scots Malcontents.

It is therefore, perhaps, not to be wonder'd, That, finding themselves at once so beset and so abandon'd, They should, by degrees, grow weary of a fruitless Opposition, and incline to a Compromise; more especially as the doubtful State of Affairs on the *Continent*, laid his Majesty under a sort of Necessity, to bid so much the higher for their good Will, for the Sake of being safe at *Home*.

A Second National Address for the Blessing of Parliaments.

It must not, however, be understood, that they rush'd into a Compromise all at once, or that the Interest of the Community was as much consider'd in it as that of Individuals: On the contrary, as in other Treaties, the *Few* devour'd the *Many*; and it appears by the *National Address*, that the Body of the Nation stood upon as high Terms as ever: But the very Time which such a Measure took up, and the open Manner of its Operation, gave the Court sufficient Opportunity to abate the Force of it, and thereby to weaken the Effect: Thus before it could be presented, the King had order'd the Parliament to meet; and when it was presented, he declin'd taking any Notice of it out of Parliament.

A Meeting order'd before it can be presented.

Besides: The King's Letter was conceiv'd in the most soft and insinuating Terms imaginable; promising and declaring his Resolution to give the Royal Assent to all Acts that should be offer'd to him for the better establishing the *Presbyterian* Government, the preserving and securing *personal Liberty*, more especially for making up the Losses, and promoting the Concerns of the *African* and *Indian* Company, *&c.* So that nothing was to be wanting on his Part, to make his People both happy and contented.

The Company were not, however, wanting to give in another warm Representation on the first Day of the Session; and Care was taken to superinduce the *National Address* upon This, which consisted, as may be easily imagin'd, of all the Enflammatories which could in decent Terms be collected together.

A. D. 1700. *The Contents of the first Address.*

For it imparted, "That they had formerly petition'd his Majesty for the Meeting of a Parliament, to support and assert their Company's trading to *Africa* and the *Indies*; which the said Parliament declar'd, by an *unanimous* Address on the 5th of *August*, 1698, to be their own and the whole *Nation's Concern*: And his Majesty having been graciously pleas'd to allow the Parliament to meet again on the 21st of *May*, 1700, they could not but then express their Sorrow for the unexpected Adjournment thereof, without their being permitted to do any Thing towards the End of their Meeting.

That they did, in all humble Manner, concur with the dutiful Address then lately presented to his Majesty, from the Plurality of Members of Parliament, representing the Prejudices arising to the pressing Concerns of the Nation from that Adjournment, and to the Rights and Liberties of Parliament, from the Manner of it: And that it was to their unexpressible Regret, that his Majesty did seem to be prevail'd upon, by the Misrepresentations of evil Counsellors, to issue out Proclamations, further adjourning the Parliament from Time to Time, whilst not only their said Company stood in Need of the Countenance, Support, and Protection promis'd to it by his Majesty in Parliament; and more especially upon the Misfortunes that had then lately befallen it, by the Success of their Enemies against its Colony of *Caledonia*; and whilst the Nation itself remain'd under the Pressure of such Grievances, as could only be redress'd in Parliament.

That, to the End his Majesty might have a just View thereof, they humbly represented to him, how indispensibly necessary it was, That the Protestant Religion be secur'd against the Growth of Popery, Immorality, and Prophaneness: That the Freedom and Independency of that antient Kingdom, and the Nation's Right and Title to *Caledonia*, as holding of his Majesty's Crown of *Scotland*, be asserted and supported: That the good Inclinations of his Majesty, and Successors of *Scotland*, be preserv'd from foreign Influence, as well as from the Misrepresentations and pernicious Counsels of *unnatural Countrymen*: That the Frequency and Sitting of Parliaments be secur'd and ascertain'd, pursuant to the Claim of Right: That dangerous Influences upon the Freedom of Parliaments, either by Gratuities, Pensions, and Farms of any Branch of the Revenue, and the disposing of any Part of the Revenue, or annexed Property of the Crown, otherwise than according to Law, for the necessary Support of the Government, be prevented: That the public Credit be restor'd, and an Enquiry made into the Application of the Funds laid on, and appointed by Parliament, for the Support of the Government, and Payment of the Army: That the Security of the Nation and Government be settled, in a duly-regulated National Force, instead of a Standing Army, so burthensome to the Country, and dangerous to its Liberties: That the Manner of applying the Security, which they had by the Clame of Right, for the personal Freedom of the Subject against long and arbitrary Imprisonment, as well as against Persuits upon old and obsolete Laws, be especially declar'd: That the Trade of the Nation be encourag'd and advanc'd, by duly regulating its Export and Import, by discharging prejudicial Branches thereof, by fixing their current Money, by encouraging Manufactures, by employing the Poor; and more especially by countenancing and assisting their said *Company*, in the Prosecution of its lawful Undertakings: And that all such Articles of Grievances presented to his Majesty by the Estates of that Kingdom, in the Year 1699, as had not been redress'd; together with such other Grievances as the Parliament should, at the Meeting thereof, find the Nation aggriev'd with, be redress'd in Parliament. A. D. 1700.

That his Majesty having, by his Royal Letter, of the 29th of *May*, 1699, been graciously pleas'd to declare, and give full Assurance to their Representatives, in the Meeting of the Estates, which settled the Crown and Royal Dignity of that Realm on his Majesty, That they should always find his Majesty ready to protect them, and to assist the Estates in making such Laws as might secure their Religion, Liberties and Properties; and to prevent and redress whatsoever might be justly grievous to them, That his Majesty would never believe, the true Interest of his People and the Crown, could be opposite: And that his Majesty would always account it his greatest Prerogative, to assent to such Laws as might promote Peace and Wealth in this Kingdom.

They, therefore, reckon'd it their Duty humbly to desire, and *assuredly to expect*, That his Majesty would be graciously pleas'd to satisfy the longing Desires and earnest Expectations of his People."

But if the Practices try'd by the *Commissioner*, had so far prevail'd, that no material Use could be made of this poignant Remonstrance, they were not able to procure a Disavowal of it: On the Contrary, a Vein of the same indignant Humour ran through the whole Session; but then it gradually diminish'd, as the Session drew towards an End: For what by the Force of National Concessions, and personal Applications, such a Temperament was at last found, as serv'd to close the Wound, tho' the Scar will for ever remain. And the Loss of that Clame which *Scotland* was induc'd to relinquish then, *Great-Britain* has since had sufficient Reason to lament. *The Dispute accommodated.*

The Particulars of the Job, are only to be found in the Memoirs of Secret Service: But the ostensible Part of it is contain'd in the following Vote of *January* 21; to wit: "That, in Consideration of their great *Deliverance* by his Majesty, and in that next under *God*, their Safety and Happiness depended wholly on the Preservation of his Majesty's Person, and the Security of his Government, they would stand by, and support both his Majesty and his Government, to the utmost of their Power; and maintain such Forces as should be requisite for those Ends." Which Vote is utterly irreconcileable with every Clause

of

A.D. 1700. of their *National Addreſs*: For according to That, they ſtood as much in Need of a *Deliverance* as ever: And the plain *Engliſh* of the ſaid Vote is, That the Government which had once made a Sacrifice of the Rights of the People, could never be ſafe without a *Standing Army*.

The Commiſſioner and his Agents did, however, give way to a Reduction: But then the Manner of making it was ſuch, that the King was gratify'd as much as the People were reliev'd: For the Number of Troops being fix'd at 3000, a Letter from his Majeſty was produc'd, deſiring he might have 1100 more on his own Account, which was readily comply'd with: And upon the whole Matter it is remember'd, that the Duke of *Queenſborough* had the Garter, and the Earl of *Argyle* was created a Duke, in Acknowledgment of the Services perform'd by them, in the Courſe of this turbulent Affair.

The Commiſſioner rewarded with a Garter, and the Earl of Argyle made a Duke.

The Management of the *Truſt* repos'd by Parliament in the Commiſſioners for reſuming and re-diſpoſing the *forfeited Eſtates*, was the only material Tranſaction at this Time depending in *Ireland*: And before we can attend the opening of the new Parliament at *Weſtminſter*, it will be expedient to procede with our Deduction of Foreign Affairs, as near to that Period, as the Order and Relations of Things will admit.

King Lewis ſalutes his Grandſon the King of Spain.

As ſoon, therefore, as it had been reſolv'd in the *French* Cabinet to accept the Will, his Moſt *Chriſtian* Majeſty ſaluted his Grandſon King of *Spain*; and caus'd all the Honours to be paid to him, which were due to the Royal Dignity: M. de *Harcourt* was diſpatch'd to *Madrid* to prepare his Way: The Duke de *Beauvilliers*, tho' ſaid to be the only Miniſter who in the Cabinet oppos'd the Acceptance of the Will, was nevertheleſs entruſted with the Care of the young King's Perſon: The proper Notifications were made in form to all the Courts where it was believ'd no Difficulty would be made to acknowledge him: The King his Grandfather, by a ſolemn Inſtrument, afterwards as ſolemnly enregiſter'd in the Parliament of *Paris*, reſerv'd to him all the Rights which were deriv'd to him from his Birth, in the ſame Manner as if he had actually continued to reſide in *France*: And in the Beginning of *December* he ſet out, with a Royal Train to take Poſſeſſion of his Kingdom: The *Dauphin*, in the Courſe of theſe Events, having ſignify'd his perfect Acquieſcence in theſe happy Words, *It ſhall be my Glory to ſay, The King my Father, and the King my Son.* And as to the Proteſt which the Dukes of *Orleans* and *Chartres* enter'd againſt the ſaid Will, it ſeems to relate only to the Prejudice done to them, by the Subſtitution which follows, of the Archduke, in caſe the Duke of *Berri*'s Line ſhould fail.

A.D. 1700. *The D. of Anjou's Claims and Rights reſerv'd by a ſolemn Inſtrument.*

Proteſt of the Dukes of Orleans and Chartres.

We muſt not, however forget, That while the Preparations were making for the young King's Departure, with all the Circumſtances of Expence, Pomp, and Magnificence, which the Wealth and Grandeur of *France* could furniſh, the Treaty between the Two Kings and the Elector of *Bavaria*, according to the Marquis de *Langallarie*, was perfected, tho' it is eaſy to prove it was not perfected ſo ſoon.

As that Writer, moreover, aſſures us, He was entruſted by the Court of *France* with the Conduct of the whole Negotiation, and that the Elector in conſequence of it, did, in a Hunting Habit, pay a Viſit to the Two Kings at *Verſailles*, before *Philip* ſet out to take Poſſeſſion, it will be fit to throw in a Remark or two in this Place, which will ſerve at leaſt to ſhew, how little Streſs ought to be laid on his Credit. For Example, tho' he pretends to be minute and preciſe in his Informations, he gives no more than the bare (*p*) Project of the Treaty, as he receiv'd it from M. *Chamillard*: And tho' he ſpecifies, That he had Four Conferences with the Marquis de *Bedmar* upon it, in the Courſe of which, all Difficulties were remov'd, and the Affair ſettled to the Satisfaction of both Parties, he does not ſpecify any one Particular in which the Treaty differ'd from the Project, nor even fill up the Blank

M. de Langallerie's Account of the Treaty between the Two Crowns and the E. of Bavaria.

(*p*) To wit, I. That his Electoral Highneſs will keep the Treaty ſecret that ſhall be concluded between the two Kings and himſelf.

II. That he ſhall permit the Troops of *France* upon a certain Day, to enter into all the Strong Places of the *Low-Countries*.

III. That thoſe Places being provided with *French* Garriſons, he ſhall conſent that the Foreign Troops that are therein, be diſarm'd and made Priſoners of War, [*which did not happen to be the Caſe.*]

IV. That in caſe the War happen to break out between the two Kings and the other Powers of *Europe*, upon the Subject of the *Spaniſh* Succeſſion, his Electoral Highneſs ſhall be engag'd to leave the *Low Countries*, and go in Perſon into *Bavaria*.

V. That he would conſent that the Marquis de *Bedmar* may have the Government of the *Low-Countries* during his Abſence.

VI. That his Electoral Highneſs being arriv'd to his Dominions in *Bavaria*, ſhall form a Party with the Princes and Circles of the Empire, under the Pretence of an Aſſociation to maintain Peace.

VII. That he would receive into his Dominions a Body of *French* Troops, with ſuch a General as the Moſt *Chriſtian* King ſhall think fit to command them.

VIII. That he ſhall make ſuch a Diverſion on that Side with his Troops, as ſhall be thought neceſſary, as well to diſturb the Empire, as to ſtop the Progreſs of the Arms of the Emperor in *Italy*, in favour of the two Crowns.

IX. That he ſhall perſwade the Elector of *Cologn*, his Brother, to embrace the Intereſt of the Two Kings, and to permit the *French* Troops to enter into ſuch Places of his Electorate, as they ſhall ſee convenient.

Theſe are the Demands of the Two Kings from the Elector; now we will ſee what they have promiſed him.

I. That his Electoral Highneſs of *Bavaria* ſhall have a Subſidy of —— during his Life, to be paid Quarterly; and that the Elector of *Cologn*, his Brother, ſhall likewiſe have a Subſidy of —— to be paid after the ſame Manner.

II. That the Two Kings ſhall engage themſelves to defray the whole Charge of the War that his Electoral Highneſs ſhould make in *Bavaria*, in order to diſturb the Empire.

III. That if it ſhould pleaſe *God* to bleſs his Electoral Highneſs's Arms ſo far as to dethrone the Emperor, the Two Kings will employ all their Power to place his Electoral Highneſs upon the *Imperial* Throne.

IV. That the Government of the *Spaniſh Low-Countries* ſhould be aſſured to him and his Poſterity for ever.

V. That the Two Kings will employ their Arms to bring to Reaſon the Chapters of *Cologn* and *Liege*, which are divided againſt the Elector his Brother.

VI. That the Two Crowns will never make an End of the War, without the Participation of his Electoral Highneſs, and firſt of all re-eſtabliſh him in his Dominions, and alſo the Elector of *Cologn*, in caſe the Arms of the Allies ſhould diſpoſſeſs them.

A. D. 1700. Blank left in the Former, for the Subſidy to be granted to the Elector for his Services, which he would certainly have done, had he been as deep in the Secret as he pretends to be: Nay; he does not even give the Dates either of ſigning or ratifying: And, laſtly, he ſays, the Treaty was *ſign'd* by the Two *Kings*, tho' it has not of late been uſual, for Princes to ſet their own Hands to Inſtruments of that Nature.

And of another ſecret Treaty for ceding the Netherlands and the Milaneſe to France.

Again: As to what the ſame Writer farther ſuggeſts concerning another ſecret Treaty between the Two Kings, before their Seperation, no Reliance can be plac'd upon it. He aſſerts, indeed, That by this Treaty, his *Catholic* Majeſty ceded the *Netherlands* and the *Milaneſe* to the Crown of *France* for ever, as a Conſideration for the Part which that Crown was to take, in ſettling the Duke of *Anjou* in his Kingdom, and maintaining him there againſt all Oppoſers: That He farther engag'd himſelf to act in concert with, and according to the Counſels of, his Moſt *Chriſtian* Majeſty in every Thing: As alſo, That he would permit no Nation but the *French* to trade in the *Weſt-Indies*: That, on the other Hand, his Moſt *Chriſtian* Majeſty oblig'd himſelf to ſatisfy the Elector of *Bavaria* and Prince *Vaudemont*, for their Pretenſions on thoſe Countries, ſo to be ceded to *France*: And moreover to aſſiſt the ſaid *Catholic* King, his Heirs and Succeſſors, with all his Forces, either offenſively or defenſively, as the Nature of the Caſe ſhould require; the Two Crowns from thenceforward being to have but one Intereſt, and to ſtand and fall together. But then the very Baſis of the Bequeſt which his late *Catholic* Majeſty had made, was, That the Monarchy ſhould not be diſmembred: Nor was the young King of an Age, or in a Condition, to ſign ſuch a Treaty; not having as yet taken Poſſeſſion of his Throne, nor received the Homage of his Subjects: So that every ſuch Act, ſo made and concluded, would have been *ipſo facto* void.

This, however, muſt be acknowledg'd, That Lord *Manchester* informs Mr. *Vernon*, *January* 15, "That nothing was wanting to complete the *Union* between *France* and *Spain*, but the ſettling the Trade: And that it was ſaid, All Impoſitions would be taken off the Commodities and Manufactures on both Sides: So that, ſays He, If the *French* can properly furniſh the *Weſt-Indies*, we *may ſuffer greatly*."

The Court of Vienna in great Perplexity, but reſolves to ſend Troops into Italy.

The Emperor, in the mean while, had no ſooner been made ſenſible of the fatal Turn which Things had taken at *Madrid*, than he fell into all the Perplexities and Uncertainties which great Diſappointments, great Pride, and great Weakneſs always occaſion.... One of the firſt poſitive Meaſures, if not the firſt which he took, regarded the *Milaneſe*, which he clam'd, agreeable to his former Declaration, as a Fief of the Empire: For on the 22d of *November*, he iſſued his *Imperial* Mandate to the Inhabitants of that Duchy, as his Feodatories, which they were to obey in all Things, on pain of being treated as Rebels: And he alſo made the beſt Diſpoſition he could for enforcing it by a ſuitable Body of Troops: Rather hoping that ſome unforeſeen Incident would fall out in his Favour, than having any rational Ground to promiſe himſelf Succeſs: For as his Affairs were in the loweſt Condition imaginable, according to Mr. *Sutton*'s Repreſentation, ſo his Credit and Intereſt in the ſeveral Courts of *Europe* were, if poſſible, yet lower. Mr. *Stanhope*, writing to Lord *Manchester* from the *Hague*, *December* 10, ſays, "The Emperor's Court makes a great Noiſe, and talks of ſending an Army into the *Milaneſe* early in the Spring: But little is to be expected from a Prince ſo irreſolute, and whoſe Finances are in ſo lamentable a Diſorder: Beſides, That the *German* Name, by their barbarous Actions in the laſt War in *Italy*, is become much more odious than the *French*: And, beſides, that their unreaſonable Project of reviving his antiquated Pretenſions to the *Imperial* Fiefs, has made all there fear, and, conſequently hate, the Nation." Lord *Manchester* alſo makes uſe of the like Language to Mr. *Vernon*, *December* 18, to wit: "They (the *French*) ſeem to value but little what the Emperor can do, yet they are reſolv'd to take right Meaſures in caſe of the Worſt. The Poſture of Affairs at *Vienna* is ſuch, that, if the Princes of *Italy* were not reſolv'd to oppoſe the *Imperialiſts*, yet they could not be in a Condition to march theſe three Months: But, it ſeems, there is ſuch Hatred againſt them there, by reaſon of their Proceedings in the late War, That I find, by all the *Italian* Miniſters, that they like the *French* Troops better than *Germans*: So that I cannot ſee, but the great Preparations that are now talk'd of, will come to nothing. The Emperor would be glad that Others would undertake his Cauſe."

[Cole, p. 160.]

A. D. 1700.

What Intereſt he had in the Empire, and among the *Swiſs*, we ſhall ſee in its Place: And what Aſpect the State of Affairs continued to wear in *Holland*, even when the great Noiſe of his Deſigns on *Milan* was reported by Mr. *Stanhope*, may be gather'd from another Part of the ſame Letter, in which it is ſaid, "They (the States) ſeem to be grown much cooler, and more moderate, than they were at the firſt News, (of the Will) when they talk'd of nothing but War: And I am now fully perſuaded, the Party for acknowledging the new King, will, e'er long, prevail by a great Majority. One ſaid To-day, They would have been pleas'd if their Embaſſador at *Paris* had done it, tho' without Orders: For then they had been at liberty to have own'd or diſown'd his Action, according as they had found it ſuit with their Intereſt afterwards."

And yet B. *Burnet* is pleas'd to write, [illegible] this Period as follows: "All this while, the *new Miniſters* talk'd of nothing but Negotiations, and gave it out, That the King of *France* was ready to give all the Security that could be deſir'd, for maintaining the Peace of *Europe*. At this Time, the Emperor ſent over to *England* a Miniſter, to ſet forth his Title to the *Spaniſh* Monarchy, ſetled

A. D. 1700. settled on his Houſe by antient Entails, often repeated, and now devolving on him by an undoubted Right, ſince by the Renunciation made by the late Queen of *France*, (as was ſtipulated by the Treaty of the *Pyrenees*, and then made by her in due form) *this could not be call'd in Queſtion.* Our *new Miniſters* were ſcarce *civil* to the Emperor's Envoy; and would not enter into *any Conſultations* with him: But the *Dutch*, who were about the King, and *all* the Foreign Miniſters, ſpoke in another Stile: They ſaid, That nothing but a *General Union* of *all the Powers* in *Europe*, could hinder the Conjunction of the Two Monarchies: So, by what Thoſe, who talked often with the King, gave out, it came to be ſoon known, That the King ſaw the Neceſſity of a new War, but that he kept himſelf in a great *Reſerve*, *that* he might manage his *new Miniſters* and *their Party*, and ſee if he could engage them to concur with him."

Beſides; concerning this *Imperial* Envoy, Mr. Secretary *Vernon*, *December* 30, thus expreſſes himſelf to Lord *Mancheſter*: "Count *Wratiſlaw*, the Emperor's Envoy, arriv'd here on *Saturday* laſt. He goes To-morrow to *Hampton-Court*, where his Majeſty has appointed him a private Audience. I hear he already begins to diſcourſe both of the Emperor's Pretenſions, as well to the *Spaniſh* Succeſſion, as to the Fief of *Milan*: And that they are about publiſhing a Manifeſto at *Vienna*, in Maintenance of each of thoſe Titles; and are reſolv'd to juſtify them, tho' they ſhould ſtand alone in the Defence of them. But they ſay, They cannot fall alone, ſince their Ruins muſt draw others after them." Thus it appears, That Count *Wratiſlaw* was receiv'd as ſoon as he arriv'd: And as to the Opinion entertain'd of his Miſſion, the ſame Lord *Mancheſter*, who was not one of the *new* Miniſters, in his Anſwer to Mr. *Vernon*, ſays, "I am of Opinion, that I partly know the Propoſals that M. *Wratiſlaw* will make: But I cannot ſee the Emperor is *able* to perform his Part: And it is ſaid, that Prince *Louis* of *Baden*, is not for having the Emperor engage in a War."

Confuted. To confute this officious Calumny, no more, indeed is neceſſary, than a plain Survey of the diſtracted Condition of *Europe* at this Conjuncture, and almoſt of every State in it; which was ſuch as not only ſhew'd a *General Union* to be impoſſible, but might alſo have deterr'd any Man living, from taking any Meaſure to precipitate a Rupture, who had any Regard to Conſequences. And if the Biſhop had recollected the Suggeſtions in Lord *Somers*'s Letter to the King from *Tunbridge*, concerning the *Deadneſs* and *Want of Spirit*, ſo univerſally ſpread thro' the Nation in relation to a *new War*, ſurely he would not have ventur'd to ſtain his Paper with it.

But the Court of *England* had now a particular Reaſon for retarding their Deciſions, which the Biſhop, it ſeems, was not made acquainted with; and which it is Time to explane, as far as the imperfect Traces left of it will admit. A. D. 1700.

A new Project to diſcover the Temper of the Spaniards. *Schonenberg*, the *Jewiſh* or *Flemiſh* Reſident for *England* and *Holland*, at the Court of *Madrid*, had, in his firſt Diſpatches from thence, not only ſpoke of the Acceptance of the Will by the Court of *France* in Terms (*q*) of Ap- [Cole, p. probation, but actually expreſs'd his Surprize, 255.] that Lord *Mancheſter* had not given him an Account of the *obliging Quickneſs* they had manifeſted on that Occaſion: Hence it is reaſonable to think, a Reſolution was taken to aſſociate another Perſon with him in his Charge at that Court: But, whether this Conjecture is rightly founded or not, it is in the following Manner that Mr. *Vernon* writes to Lord *Mancheſter*, *December* 10, O. S.

"I now ſend you back Mr. *Chetwynd*, his Majeſty having thought it proper that he ſhould bring you the incloſ'd Letter for Monſieur *Schonenberg*, which his Majeſty would have you ſend to *Madrid* by the quickeſt and ſafeſt way you can think of. I ſend you the Letter unſeal'd, that you may ſee it contains the Copy of an Inſtruction which his Majeſty gives to Dr. *Aiglionby*, (a *Civilian*) who is appointed to carry his Majeſty's Anſwer to the Letter that his Majeſty receiv'd the laſt Week from the Regency of *Spain*, notifying the King's Death, and the Diſpoſition he made of the Crown. He is order'd to go by the way of the *Groyne*, and I believe will ſet forward To-morrow. His Majeſty would be glad that he might reach *Madrid*, before the KING of *Spain*'s Arrival there; it being of Conſequence that no Time ſhould be loſt in executing theſe Inſtructions: But ſince he may be delay'd by contrary Winds, his Majeſty has thought fit that a Copy of the Inſtructions ſhould be ſent directly, and with Speed, to Mr. *Schonenberg*, that he may, in the mean Time, make his Majeſty's *Intentions* of living in his *former Friendſhip* with *Spain rightly underſtood*; and uſe his Endeavours either to keep them in, or bring them to the *ſame Diſpoſition* towards us: Your Excellency, therefore, ſeeing of how public a Concern it is, that this Letter be ſpeedily convey'd to *Madrid*, you will take the moſt effectual Way for it, and ſend it by an Expreſs of your own, if you can't find any other good Hand to truſt it to.

His Majeſty thinks Mr. *Schonenberg* will underſtand it, as it is in *Engliſh*; but not being aſſur'd of it, I believe it will be neceſſary that your Excellency ſhould intruſt Mr. *Chetwynd* to put it into *French*, and ſo to forward it with the Tranſlation, enjoining him to be *ſecret* in it, ſo as neither to ſpeak of it there, nor to take any Notice of it, in what he may write to *England*. He knows nothing at preſent of what he carries, and therefore your Excellency is more at

(*q*) In another of his Letters, M. *Schonenberg* alſo makes uſe of theſe Expreſſions: "It is almoſt inconceivable, how much Animoſity the Ill-intention'd at this Court ſhew againſt *England* and the united Provinces."

A. D. 1700. at Liberty to communicate it to him, or not, as you think fit.

Now your Excellency ſees what will be his Majeſty's Conduct towards *Spain*, if he meets with *ſuitable Returns* from thence, his Majeſty would have it ſerve as an Inſtruction to you, how to govern yourſelf in the Converſations you may have an Opportunity for with the *Spaniſh* Ambaſſador reſiding at *Paris*, or with ſuch of the Grandees as are coming thither from the Regency, to prevent their taking any *ill Impreſſions*, in relation to his Majeſty and his Kingdoms: But you will defer acquainting him with what his Majeſty has now order'd, ſince it may be doubted what Uſe he would make of ſuch an Information in that Court. It ſeems fit, likewiſe, that nothing be ſaid of the Particulars to the Emperor's Miniſter."

The very next Day after Lord *Manchester* had receiv'd this Diſpatch, he ſent Mr. *Jolly*, before-mention'd, with a *French* Paſs to *Madrid*, where he arriv'd ſafely on the 4th of *January*, N. S. But in his Return with *Schonenberg*'s Reply, was unfortunately drown'd in croſſing a River in *Navarre*; by which Means the Papers he was charg'd with, fell into the Hands of the *Spaniſh* and *French* Courts.

Of their Contents, as alſo of Dr. *Aiglionby*'s Inſtructions, we have nevertheleſs no other than a brief Abſtract in Mr. *Vernon*'s Letter to Lord *Manchester*, of *February* 17, to wit: "You know all we have ſent to *Spain*; which is, Aſſurances of Friendſhip, if they have the ſame Diſpoſition on their Side; and to exhort them to preſerve their Liberty: If this be an Offence, it is impoſſible to avoid it with *France*." The Occaſion of this Interjection, we ſhall ſee in its Place. And again, three Days after, "He *(Schonenberg)* has ſent me a Duplicate of his Letter of the 18th, (of *January*) which Mr. *Jolly* ſhould have brought. I don't ſee what Exceptions are to be taken to it to make ſuch a Noiſe about. He repeats the Points of his Inſtructions, and how he has perſued them by his Applications to the Regency, by the Secretary of State, and other Hands: And that they return'd uncertain Anſwers, referring thoſe Matters rather to be treated of in *France*, not daring ſo much as to promiſe us their Friendſhip and good Correſpondence, without firſt aſking Leave from the *French* Court: And when he preſs'd their Secretary, that their new King might notify to his Majeſty his Acceſſion to the Throne, as he did to the *Dutch*, he ſhrugg'd up his Shoulders, and made no Anſwer to it."

Which proves abortive.

[Tom. I. P. 373.] M. *Lamberty* alſo gives an Account of a Conference between the Regency of *Spain* and *Schonenberg*, as reported to the young King, which apparently is the very Conference thus alluded to by Mr. *Vernon*; tho' for want of the Lights contain'd in theſe Letters, that Writer could not aſſign it the Place which properly belong'd to it. According to him, the ſaid Conference aroſe from an Order of his *Catholic* Majeſty, dated *January* 4, (the Day Mr. *Jolly* arriv'd at *Madrid*) to the ſaid Regency, directing them to let the ſaid Envoy know, That he (the King) thought it ſtrange, That his Maſters the States-General, had not as yet recogniz'd and congratulated his Majeſty on his Acceſſion to the Throne; which being communicated to him, he made his own Uſe of it, by anſwering, Firſt, That he would do his beſt Offices with his Maſters in relation to that Point: And then, (tho' his other Maſter the King of *Great Britain* had not been nam'd) by proceeding to ſay, That he could alſo appriſe them of the Pleaſure his *Britannic* Majeſty receiv'd, in the Diſpoſition which his late Majeſty had made in his Will: That his ſaid Majeſty, and the States-General, deſir'd to maintain the Friendſhip, the good Correſpondence, and the Treaties which had till then ſubſiſted between them and the Crown of *Spain*; towards which they would contribute all that lay in their Power: That they flatter'd themſelves there was the ſame Diſpoſition on the Part of *Spain* to concur in the Renovation of the ſaid Treaties, with all the Clauſes which could render them firm and ſtable, as well for the Convenience and Utility of the Subjects of the three Powers, as for the general Tranquility of *Europe*: That the beſt Proof which *Spain* could give of her Deſire to preſerve a good Underſtanding with *Great Britain* and the States, would be, to continue the *Netherlands* for ever united to the *Spaniſh* Crown, under the Government of their King, in order to avoid all Occaſions of Jealouſy and Inquietude to his Neighbours: That this could never be ſo well done, as by continuing the *Dutch* Gariſons in the *Barrier* Towns, ſubject to the Order of the *Spaniſh* Governors, in the ſame Manner, as they then were: That all they had in view, was to continue that Country under the Domination of *Spain* in its preſent State: That, in order to demonſtrate how ſincerely the ſaid Powers deſir'd to live in the good Correſpondence with the Crown of *Spain* above expreſs'd, it would be moſt agreeable to them to be made acquainted, after the uſual Manner, with the Acceſſion of a new King to the Throne of *Spain*, and of his Arrival at his Court of *Madrid*, to the End, that they might acknowledge ſuch King of *Spain*, with all the Demonſtrations of Friendſhip, and all the proper Solemnities us'd on the like Occaſions between Allies ſo antient and ſo ſtrict, as the King of *Great Britain*, the States-General, and his *Catholic* Majeſty, (when ſuch Notification had been made) *Philip* the Vth."

A. D. 1700.

Thus it appears plainly enough, That the Article of the *Dutch* Gariſons in the *Barrier*-Towns, was the great Hinge of Peace or War; and that if theſe Propoſitions had been favorably receiv'd, Count *Wratiſlaw* would have been diſmiſs'd as coolly by the King, as it is ſaid, he was receiv'd by the new Miniſters.

But in this Interval, his Majeſty had been over and over again inform'd, That the Regency of *Spain* was *French* all over. "One would think, ſays *Schonenberg*, *December* 16, the *Junto* had made a Vow to abandon

A.D. 1700. abandon the Fate of the Monarchy to the Arbitration and good Will of *France*." "I am inform'd juſt now, ſays Lord *Mancheſter*, 1700-1. *January* 1, That an Expreſs is come from *Madrid*, and that the Regents have deſir'd the *French* King to accept of the General-ſhip of the Monarchy of *Spain*, and that they have ſent Orders to all the Viceroys, Governors, *&c.* in all Parts, to obey his Orders punctually in all Matters whatſoever." This again is verify'd by Mr. *Vernon*, on the Authority of *Schonenberg*. Lord *Mancheſter* again, *January* 10, further ſuggeſts, That by another Expreſs the Regency of *Spain* had acquainted the Moſt *Chriſtian* King, That *Spain* ſhould be included in whatever Treaty *France* ſhould think fit to make; as alſo, that ſuch Treaties might be ſign'd without waiting for ſpecial Authorities from them. Adding, "It is certain, That the King ſaid on this Occaſion, That he was *Le premier Miniſtre du Roy d'Eſpagne*." And the Excuſes made by the *Spaniards* for repoſing all at once ſuch an unlimited Confidence in their antient and till then irreconcileable Enemy, were to this Effect, That being threaten'd with a War on all Sides, and being utterly unable to defend themſelves on any, they had nothing for it, but by the Exceſs of their Reſignation, to merit a ſuitable Protection.

But there is ſtill another Reaſon, (beſides the Inclination of the *Maritime* Powers, thus clearly expreſs'd to acquieſce in the Death-Bed Settlement of his late *Catholic* Majeſty, provided the *Dutch* might have the *Barrier* in their Hands as before) why Count *Wratiſlaw*'s Propoſals were not adopted, without reſerve, as ſoon as they were made, which will be explan'd in its Place. And before we diſmiſs this Topic, it will be neceſſary to rectify another Miſtake of M. *Lamberty*'s in relation to the Diſcoveries made by the Accident of M. *Jolly*'s Packet falling into the Hands of the *Spaniſh* Court: For the Inquiſitor-General, the Confeſſor of the late King, and the Queen herſelf, being oblig'd to leave *Madrid* about this Time, under all the apparent Marks of Diſgrace, he adopts the Whiſper of thoſe Times, which was, That the ſaid Confeſſor having reported to ſeveral Perſons, That the late King, in his laſt Moments, had enter'd a ſort of Proteſt againſt his *own Will*, by ſaying, It had been forc'd from him, certain of the Grandees, with the Queen at their Head, had, thereupon, form'd a Party in favor of the Emperor: And that this being reported in the ſaid Packet, Cardinal *Porto-Carrero* diſpatch'd an Expreſs to the young King, then upon his way to *Madrid*, with a Narrative of the whole, which he receiv'd at *Tartas*, and which occaſion'd the Letter he writ from thence to her Majeſty; in civil Terms, requiring her to make choice of any City in *Spain* for the Place of her Reſidence, except *Madrid*: But, tho' it be true that this Letter was [Vole. p. 290.] dated from *Tartas*, it was dated *January* 10; whereas M. *Jolly* was not diſpatch'd from [Ibid. p. 302.] *Madrid* till the 18th: Add to this, That Mr. *Vernon* acknowledges a Diſpatch from *Schonenberg*, dated *December* 18, in which the Latter ſignifies the Intention of the Regency to get the Queen remov'd before the King's Arrival: That Lord *Mancheſter*, in his Anſwer ſays, "What you mention about the Queen of *Spain*, is certain; and ſhe has deſir'd the Protection of *France*: And, laſtly, That it does not appear, by any Overt-Act of any Kind, That the Emperor had any Party among the Grandees at all.

A Miſtake of Lamberty's rectify'd.

A.D. 1700. 1.

[Ibid. p. 285.]

In ſhort, it appears, That *Schonenberg* had no ſooner communicated what he had in charge in relation to the *Barrier-Towns*, than the Reſolution was taken, to put that Affair out of the Queſtion for good and all, as in part appears from one of Lord *Mancheſter*'s Letters, dated *January* 29, N.S. in which he writes as follows: "I ſaw in a Letter from *Spain*, which came from good Hands, That on the 5th of *January*, (which, it deſerves Note, was the next Day after *Jolly*'s Arrival at *Madrid*) the Regency had ſent an Expreſs to *France*, upon Advice that they had receiv'd from de *Quiros*, That *Holland* was reſolv'd to make War, *&c.*: That they thought it abſolutely neceſſary, that the *French* Troops ſhould march into *Flanders*, and then oblige the *Dutch* to declare what their Intentions were." It is true, this Intelligence was not exactly conformable to the Fact: For the Motion reſolv'd on, was of a Nature ſomewhat different: But that the ſaid Reſolve was made, as ſoon as *Schonenberg*'s Overture could be diſcuſs'd in the *French* Cabinet, is manifeſt from every Occurrence which follow'd upon it.

The Regency of Spain require the French to ſend Troops into the Barrier-Towns.

Thus, for Example, Lord *Mancheſter* having obſerv'd, *January* 19, that M. de *Bouffliers* was departed for *Liſle*, in his next of the 22d, proceeds in theſe Words, "It is certain, They here fear a War, and do believe it will end in it; which was the Reaſon why M. de *Bouffliers* went away ſo on a ſudden: And it is ſaid, He is to concert ſome Meaſures with the Elector of *Bavaria*. Count *Monaſterol* is much at Court, and has not been with me ſince his Return. I do not know but it is right he ſhould act ſo; yet when I conſider that the Elector of *Bavaria* would do any Thing rather than loſe his Government, I cannot but be, ſometimes, a little apprehenſive of what is tranſacting there; which makes me give you this Hint, tho' his Majeſty may be better inform'd." He had expreſs'd the ſame Suſpicion on the 12th. On the 2d of *February* he alſo repeats his Apprehenſions, That ſomething was doing in *Flanders*: And how well theſe Apprehenſions were founded, we ſhall ſee preſently.

Motives thereto.

But firſt we are to take Notice, That the States-General had, on the 15th of *January*, reſolv'd, to enter into Conference with M. de *Briord* (who was at that Time indiſpos'd) for the Confervation of the Peace, and of the Security which they had hitherto plac'd in the *Barrier* of the *Spaniſh Netherlands*: That on the 25th, the Secretary to the *Dutch* Embaſſy at *Paris* preſented a ſuitable Memorial, which was to all Appearance favorably receiv'd: That the Court of *England* being made acquainted with this Step, by their Lordſhips Order, Lord *Mancheſter* receiv'd Inſtructions

The States take the Hint to open a Negotiation with France. In which England takes a Part.

A. D. 1700-1. Inſtructions (which were dated *January* 16, O. S.) to ſecond the ſaid Propoſal, in caſe the Anſwer given to it was ſuch as ſhew'd an Inclination in that Court to comply with the ſame. That on the 4th of *February*, his Excellency did accordingly comply with thoſe Inſtructions, by the Interpoſition of M. de *Torcy*; who, in his Maſter's Name, reply'd, That he might aſſure his *Britannic* Majeſty, That the Moſt *Chriſtian* King was entirely diſpos'd to enter into any Negotiation which might contribute to a ſolid and firm Peace: And that, notwithſtanding all theſe Plauſibilities, the *French* Court believing, That the King and the States had made theſe Overtures only to gain Time, were determin'd, on their Sides, not to loſe an Hour.

Lord *Mancheſter*, when he had laſt mention'd his Fears of what was doing in *Flanders*, (to wit, *February* 2) adds, "I cannot but think that the States muſt have Notice, That This is to be fear'd: And I have now more Reaſon to think ſo than ever." And how right a Judgment he made in this, appears by the Reſolutions of the ſaid States in that very Interval, that is to ſay, *January* 29, N. S. which aroſe from the Intelligence they had receiv'd from the *Barrier*, That the *French* Troops were in motion; and which contain'd freſh Orders for their Embaſſador *Heemſkerk*, to renew his Inſtances to ſet on foot a Negotiation; accompany'd with an explicit Declaration, That the Rumours which had prevail'd abroad of their Purpoſe to enter into a new War, were falſe and groundleſs.

Lord Mancheſter acts for Holland, as well as England, by expreſs Orders.

And, *Heemſkerk* being at that Time on his Death Bed, their Lordſhips requeſted Lord *Mancheſter* to be their Solicitor in his Room, who was furniſh'd with proper Credentials from *Holland*, and with Inſtructions from *England* to obey them.

But Military Motions on theſe Occaſions, are much ſwifter than thoſe of the Cabinet: Thus on the very Day (namely, *February* 6) that Lord *Mancheſter* deliver'd his Memorial to M. de *Torcy* in the Name of the States-General, requeſting that Conferences might be open'd as *ſoon as poſſible*, a ſufficient Number of *French* Troops were introduc'd into all the Barrier-Towns from *Luxemburgh* to *Oſtend* and *Nieuport*, with ſo much Secrecy, that the *Dutch* Officers in thoſe Places had not the leaſt Suſpicion of ſuch an Event, till it had actually taken Place; and were forc'd to accept the Compliment that was made to them, (to wit, That theſe new Inmates had Orders to live with them as with good Friends) with the beſt Grace they could.

The French Troops take Poſſeſſion of the Barrier notwithſtanding.

And on the Morrow after this notable Meaſure had been thus effected, de *Quiros* preſented a Memorial to the States, complaining firſt, That their High-Mightineſſes, inſtead of conforming to the new Meaſures which his Moſt *Chriſtian* Majeſty had been oblig'd to take in order to prevent a War, by acknowledging the King of *Spain* their Maſter in that Quality, had made uſe of all Sorts of Means to form new Leagues againſt him, *&c.* and then proceding as follows.

The Memorial of the Spaniſh Miniſter to the States thereon.

"That his Moſt *Chriſtian* Majeſty has expected quietly till now, that your Lordſhips would come out of your firſt Reſentment, which was with *Care inſpir'd* into you, and might make ſuitable Demarches to ſecure a ſolid Peace, and a laſting one, ſuch as ſuits the Intereſt of your Provinces. A. D. 1700-1.

That his Moſt *Chriſtian* Majeſty has forgot nothing to engage your Lordſhips to make theſe Demarches: That he had not only given you Advice of the Reſolution he had taken, before his declaring it, but alſo, that whilſt it was public, he was willing to inform you by one of his Letters, to which his Ambaſſador had added the ſtrongeſt Aſſurances of his Majeſty's Affection for your Lordſhips, of the Deſire he had to maintain the Union eſtabliſh'd by the laſt Treaty of Peace, confirm'd afterwards by thoſe of an Alliance: That, in ſhort, his Majeſty had caus'd it to be inſinuated to you, that he was diſpos'd to enter into new Tyes of Friendſhip: That it was aſk'd, in his Name, of your Lordſhips, what Aſſurances you deſir'd for the future, promiſing to give them to you, provided they were juſt and reaſonable: That if your Lordſhips fear'd that he would introduce his Troops in the *Spaniſh* Places, he engag'd himſelf *never to let them enter into them*; and that he would be contented that the Care of them ſhould be entruſted with the *Spaniſh* Troops, who alone have a Right to keep them for the King my Maſter, who, at the ſame Time, gave Notice to your Lordſhips of *his* Acceſſion to the Crown, by a Letter which I deliver'd myſelf to Mr. de *Lier*, then Preſident of the Week. [Here he enlarg'd on the Power as well as the Moderation of the Moſt *Chriſtian* King, in order to ſhew the Advances he had made in a more meritorious Light; obſerving, That from his Conduct, it might alſo be thought he fear'd a War. And then proceding thus] That your Lordſhips, on the contrary, look upon it as your Advantage, whilſt very far from anſwering to the Advances made by his Moſt *Chriſtian* Majeſty, your Lordſhips did not ceaſe to negotiate with foreign Courts: That nothing is talk'd of in *Holland* but Preparations for War, to arm Ships, to keep conſiderable Sums of Money ready, to augment the Troops: That the Officers of thoſe which your Lordſhips have in the Catholic *Low-Countries*, raiſe actually their Recruits, as well in the Towns as in the Countries belonging to the King my Maſter: That, in ſhort, every Thing ſeems to be in motion here: That all Things here ſeem diſpos'd for War, at the ſame Time that the Emperor cauſes his Troops to march as well for *Italy* as for the *Rhine*; which he would, in all likelihood, not do, if he was not aſſur'd that your Lordſhips would ſupport his Intereſt, by making a Diverſion in the Catholic *Low-Countries*, by ſupporting the Pretenſions of the Emperor on ſome of the Places of that Country, and by helping ſome other Princes alſo to ſell them; which might have happen'd, if his Moſt *Chriſtian* Majeſty had not immediately us'd his Precautions ſo neceſſary for the

A. D. 1700.

the Security of the *Spanish Low-Countries*, especially in the Condition they are in at present, whilst the Troops which your Lordships have in the Places, are very much superior to those of the King my Master. That his Most *Christian* Majesty did very well know, at first, the Importance of making the *Dutch* Troops quit them; but being persuaded that your Lordships desir'd Peace, he thought till now, that the public Good requir'd that he should suspend it: But that at last it was no longer possible to leave those Troops in the Places of a King whom they did not *own*; and that, besides this, his Most *Christian* Majesty having been desir'd, by the King my Master, to take care of the Security and Conservation of the Places of the *Netherlands*, till he arrives at *Madrid*, and till he be in a Condition to do it himself; his said Most *Christian* Majesty thought that it was not prudent to defer any longer to guard them from the Danger which threatned them: So he found it necessary to write to his Electoral Highness of *Bavaria*, to let a Detachment of his Troops march, on the 6th of this Month, into all the principal Places; charging, very particularly, his said Electoral Highness, to order the Governors of the Places, in which these Troops are to enter, that the Moment they shall enter, they are to give Notice to the Troops of your Lordships not to be at all uneasy at it, whilst the *French* Troops enter only as Auxiliary Troops, and to support those of the King my Master, who had every Thing to fear from a Body of Troops very much superior to his own, in the Places whereof they will not own him to be the Sovereign: That, in short, the *French* Troops were under the Command of his Electoral Highness like them, and that they would do service (*r*) *jointly*; and that they had Orders to live with the Troops of your Lordships, with all the Union and Civility that could be desir'd, and which, no doubt, they will execute, according to the Obedience and Discipline under which they are used to live.

These, my Lords, are the Motives and the Reasons which his Most *Christian* Majesty has had to cause his Troops to enter into the Places of the King my Master, and which I have Orders to communicate to you; assuring you, nevertheless, that their Majesties are still in the same Disposition to entertain the good Correspondence and Friendship with your Lordships, and to enter, for that End, into all the just and reasonable Expedients, as if the Troops of *France* had not enter'd into the Places of the *Spanish Netherlands*."

Such was the Memorial of *Spain*: And the Effect was answerable to it; for the States Deputies having reported it to the States-General, their Lordships, on the 9th, came to a long Resolution upon it, in which, having express'd their Sorrow for the Imputations laid upon them, as if they were inclin'd to War, and making Preparations for it, They declar'd in so many Words, "That They had been always averse to it: That They were still the same; as knowing War to be irreconcileable with their Interest: That they wish'd for nothing more than to see the public Tranquility preserv'd, and their own Security establish'd..... That having learn'd, not by uncertain Rumours, but certain Advices, the great Armaments of *France*, and the Motions made on their Frontiers, they had just Reason to be alarm'd, and to put themselves in a Posture of Defence: That in doing this, they had proceded nevertheless with the utmost Circumspection, having done less than other Powers had done on the like Occasion, in order to avoid giving Umbrage: That if their High-Mightinesses had known the Continuance of their Troops in the *Barrier-Towns* had given Cause of Offence, They would have withdrawn them long ago: That as soon as they did come to such Knowledge, which was before they made the Overture above-specify'd, they did give Orders to withdraw them, tho' they had been station'd there on a contrary Principle; that is to say, for the Security of those Places, instead of giving Uneasiness by their being there: That they had caus'd the Elector of *Bavaria* to be inform'd of this their Intention, that Orders might be given for their Dismission: And that, upon the whole, they hop'd M. de *Quiros* himself would second this Representation of theirs with his good Offices, that all Cause of Exception, in relation to those Troops, might be so much the sooner remov'd, *&c.*"

It is to be observ'd, That M. de *Briord* (as well on Account of his Indisposition, as because he was not thought so well qualify'd to manage the Cabals and Factions which divided and distracted the Councils of the States, as M. *d'Avaux*, who had so long resided in *Holland*, and who had been particularly obnoxious to King *William* while Prince of *Orange*) had been recall'd; and the Latter appointed to succede him. That in their Resolution, the States had not only touch'd on this Incident, but also press'd to have his Departure hasten'd, for the Sake of hastening the Negotiations: As also, That M. de *Tallard* had actually receiv'd his Audience of Leave of his Majesty; which was on the *French* Side as cold as possible: For the Embassador presented no Letter of Revocation from the King his Master; nor assign'd any Reason for it, nor mention'd any Purpose of his Court to appoint a Successor: And all the Compliments and Professions he made, were from himself: And his Majesty, on the contrary, having signify'd how well he was satisfy'd with his Behaviour here, was pleas'd to go so far out of his way, as to desire him, to let his Master know at his Return,

M. d'Avaux sent to the Hague.

[Cole, p. 502]

M. de Tallard takes his Audience of Leave.

(*r*) And yet B. *Burnet* (on the Credit of *Langallarie's* Project perhaps) hardly says, the *Dutch* Troops were made *Prisoners of War*; in which he is follow'd by Mr. *Tindal*, who had *Lamberty* and *Cole*, (in both which Compilers this Memorial is to be found) open before him.

A. D. 1700-1. turn, How willing he had been to live in Friendſhip and good Intelligence with him.

This happen'd *February* 3, O. S. and the Day before, M. *d'Avaux* (whoſe Credentials were dated *February* 2, N. S.) had had his firſt Audience of the States; at which Time he preſented a (1) Memorial, in which he declar'd, That he was ready to enter into Conferences with their Deputies: That he and M. de *Briord* were entruſted with the neceſſary Powers, if they were diſpos'd to enter into new Engagements for the Preſervation of the Peace: That the King his Maſter had no Thoughts of making uſe of his Power, or of his Union with the King of *Spain*, to begin a new War: That his Deſire was, That this Event might ſerve to maintain the general Peace: And that he was ready to give all the Aſſurances on this Head, which could be reaſonably demanded of him."

M. d'Avaux's Memorial to the States.

Conference between Lord Mancheſter and M. de Torcy.

With the ſame fair Face M. de *Torcy* alſo receiv'd Lord *Mancheſter*, when he came to preſent the Reſolution of the States, in relation to the Entrance of the *French* Troops into the *Barrier-Towns*; on which Occaſion, He, M. de *Torcy*, reply'd to the Effect following: "That their High-Mightineſſes ought not to be ſurpris'd, that the King had poſſeſs'd himſelf of them for their new Maſter: That it was a good while ſince the Regency of *Spain* had requeſted him to do ſo; notwithſtanding which, he had ſo long deferr'd it, to remove, if poſſible, all Cauſe of Animoſity or Diſtruſt: That, hearing of nothing but War from all Parts, he had been no longer able to withſtand their preſſing Inſtances: That it would not have been prudent to ſuffer himſelf to be ſurpris'd: And that to mark the Sincerity of his Intentions, and his Zeal for Peace to all the World, he would make no Manner of Uſe of the Advantage he had over their Troops; having already given his Orders to leave them at Liberty either to ſtay or retire, as their Lordſhips ſhould think fit, even without enquiring whether any *French* or *Walloons* were amongſt them. Adding, moreover, That as to what related to the *Flotilla* at *Cadiz*, the ſame Liberty had been given, by expreſs Order, to all thoſe concern'd in it to withdraw their Effects in Safety, and without the leaſt Moleſtation, as had been us'd in former Times: And that, in return, his Majeſty flatter'd himſelf with the Hopes, That now, while M. *d'Avaux* was in *Holland*, proper Means would be found out to content their High-Mightineſſes in relation to their Security."

This was Lord *Mancheſter*'s Account of what paſs'd, which he ſent to the States: But in his Diſpatch to Mr. *Vernon* three Days before, (to wit, *February* 15) he drops another Circumſtance, which deſerves a particular Notice; as ſerving to ſhew, in the cleareſt Manner, That, in caſe the *Barrier* might might be left, for the future, in the Hands of *Spain*, and the Emperor was entirely excluded from any Share of the *Spaniſh* Succeſſion, *France* was, in earneſt, diſpos'd to maintain the public Tranquility: And that, on the contrary, if any Portion was to be carv'd out of it, on any Pretence, or for any Purpoſe whatſoever, it was to be carv'd out with the Sword. This other Circumſtance then is thus expreſs'd: "When I took Notice to M. de *Torcy*, That I thought they would have deferr'd any Thing of this Nature, till they had ſeen what Succeſs M. *d'Avaux* might have had, He *own'd* to me, That they would have done it, had they not had Notice, That Endeavours would be us'd to procure *Flanders* for the Archduke; and it was neceſſary to prevent ſuch a Proceeding; ſince the accepting of the *Will* of the late King, was in order to keep the whole Monarchy entire; and the dividing of any Part, would never be conſented to."

A. D. 1700-1.

Laſtly: Mr. *Vernon* having been order'd to aſk M. de *Tallard*, (who had not as yet left the Kingdom) what Directions he had receiv'd, upon what Lord *Mancheſter* had repreſented to his Maſter, in the Name of the King and the States, that Miniſter reply'd, That he was to give his Majeſty the like Aſſurances in the Name of his Maſter, which M. de *Torcy* had given to Lord *Mancheſter*: And, contrary to the Practice of that Nobleman, He choſe to do it in Perſon. Accordingly; At his Audience, he expreſs'd himſelf in the like general Terms: And his Majeſty enquiring, If he had nothing in particular to propoſe in relation to the public Security? He anſwer'd in the Negative: But added, That if his Majeſty had any Propoſal of that Nature to make, and thought fit to communicate it to him, He would tranſfer it to his Maſter: To which his Majeſty rejoin'd, That when He had, He would direct Mr. *Vernon* to communicate it to him.

A Conference between Mr. Vernon and M. de Tallard.

[p. 310.]

And now it was, That Count *Wratiſlaw*'s Negotiations began to take a favorable Turn; that is to ſay, when the Fate of the *Barrier* was decided; which, as we have ſeen, was in the Beginning of *February*, N. S. And as we have alſo ſeen, *Wratiſlaw* did not arrive here till *December* 28, O. S. All which is ſufficient to evince, That the Coldneſs (if any) ſhewn to that Miniſter, did not flow from the *new* Miniſters alone, or from any Body elſe, for Conſiderations merely *Engliſh*.

Count Wratiſlaw's Negotiations in England take a favorable Turn.

And that his Negotiation did, at this Criſis, take a favorable Turn, we need only refer to *Lamberty*; who, having enumerated all the Precautions taken by the States againſt a farther Surprize, by ſummoning all their general Officers, ordering their Fortifications to be repair'd, a large Fleet to be equipp'd, new Levies to be made, &c. all under the moſt plauſible Pretences, (for fear of giving the leaſt Umbrage) procedes to ſay, in ſubſtance, That on the 21ſt of *February*, (N. S.) an Expreſs from Count *Wratiſlaw* in *England*, arriv'd

(1) Which (as Mr. *Vernon* informs Lord *Mancheſter*) M. de *Tallard* caus'd to be printed and publiſh'd in *England*, in *French* and *Engliſh*, three or four Days before the King receiv'd it by the *Dutch* Poſt.

A. D. 1700. arriv'd at the *Hague*, where he ſtay'd but a few Days, and then continued his Journey to *Vienna*: That in this ſhort Interval, M. de *Goes*, the *Imperial* Miniſter in *Holland*, had a Conference with the *Penſioner*, which turn'd on the Matters ſo negotiated in *England*, and which afterwards gave Riſe to ſeveral other ſecret Conferences, of ſuch a Nature, that, in the Courſe of them, it was thought fit to call upon the Regency of *Amſterdam*, to empower their Deputies to tranſact certain important Points, without being oblig'd to recur to their Principals: That the ſaid Regency, inſtead of complying, urg'd the Reaſonableneſs of their being in the whole Secret of Affairs; ſeeing, That the greateſt Part of the Expence of the Province of *Holland* was defray'd by them: And, That all they could be brought to, was, "That if the King of *England* was convinc'd of the Neceſſity of a War, and could bring the Commons of his new Parliament to be of the ſame Opinion, They would join in the ſame Meaſure." Whence it is apparent, That the chief City of the *Union* was ſtill more unwilling to come to a Rupture with the Two Crowns, than the *new* Miniſters of *England*.

The Pope offers his Mediation to the Emperor.

This was the State of Things in *Holland*: And in this Interval the new Pope had ſent a Nuncio to *Vienna*, to make an Offer of his Mediation; as alſo, to ſignify his Readineſs to procure the *Low-Countries* for the Archduke *Charles*, as the Price of an Accommodation, provided the *Emperor* would engage not to ſend any Troops into *Italy*. But his *Imperial* Majeſty, without taking any Notice of this Offer, (*which he juſtly look'd upon* as a mere Feint to amuſe and perplex him) ſimply reply'd, That He would make no Difficulty to accept the Mediation ſo offer'd by his Holineſs, provided the *French* would recal the Troops they had already pour'd into *Italy*: As alſo, That *Naples* and *Sicily*, *Milan* and the *Netherlands*, ſhould be put into neutral Hands; the two Former into thoſe of his Holineſs, and the two Latter into thoſe of ſuch other Powers as ſhould be afterwards agreed upon.

Which is evaded.

This was enough to ſhew, That no pacific Project was likely to ſuccede: And about the ſame Time the *Venetians*, agreeable to their uſual Prudence, came to a Reſolution, to obſerve a ſtrict Neutrality in all Events; or, as it is explan'd by themſelves, to treat thoſe as Friends who behav'd as Friends to them; and, on the contrary, to treat thoſe as Enemies, who offer'd the leaſt Violence to the Republic.

Ambiguous Conduct of Portugal at this Criſis.

Laſtly: A Criſis was now come, when *France* had ſome Reaſon to regret the Succeſs of her own perfidious Intrigues in order to ſeperate *Portugal* from *Spain*: For it was obvious, That in caſe of a Struggle for the *Spaniſh* Succeſſion, the Court of *Portugal* would almoſt have the caſting Voice.

Nor was that Court at all ignorant of her preſent Advantage, or unpractis'd in the Turns and Doubles uſual on ſuch Occaſions. To the Emperor and the *Maritime*-Powers, their Miniſters magnify'd the Forces they had on foot, the Opportunities which their Situation afforded to make Incurſions into *Spain*, and the favorable Diſpoſition they were in to take their Part in any ſuch Meaſures as ſhould be agreed upon, for preſerving a due Degree of Equality among the Powers of *Europe*: And This they ſeem'd to do with ſo much the more Earneſtneſs and Shew of Sincerity; becauſe the Regency of *Spain* had quarter'd the Arms of *Portugal* in the Shield Royal; and in the Patents iſſued by the new King, he had ſtil'd himſelf King of *Portugal*, which had been renounc'd in form by the Treaty of 1667: But then they alſo added, That there was the utmoſt Neceſſity for keeping theſe Advances of theirs ſecret: And that if ſuitable Reſolutions were not form'd, they ſhould be oblig'd to acknowledge the ſaid new King, and to govern themſelves accordingly. A. D. 1700.

In effect, They had already acknowledg'd him: And ſo much Time being unavoidably waſted in the Manner already repreſented, without opening any near Proſpect of re-eſtabliſhing a new Grand Alliance in lieu of That, ſo ungracefully diſſolv'd by the Peace of *Ryſwick* and the firſt *Partition*-Treaty, his *Portugueſe* Majeſty thought it adviſable to make ſure of a back Game, by lending an Ear to the Offers of *France*, by becoming an Advocate for Peace, which, in a Letter to the States, he adviſ'd them to preſerve, and by actually ſuffering his Miniſters to enter into ſuch Engagements, as were utterly irreconcileable with the Parts they acted, and the Language they us'd, in the Courts above-ſpecify'd.

Parliaments ſeldom acquainted with the true State of Things.

Such was the Face of *Europe* when the new Parliament of *England* was to have their firſt Meeting. But we are not to ſuppoſe, That Many in either Houſe had the Advantage of any ſuch Premiſes as now lye before us, to direct the Judgment they were to make on the State of *Europe*, and the Part moſt ſuitable to the Intereſt and Honour of *England*, which the Parliament was to act upon it. The Advantage in Debate which Miniſters derive from their ſuperior Knowledge of Facts, is often the only Superiority they are poſſeſs'd of: And under ſome myſterious Pretence or other, they generally take care to foreclose all Enquiry. But tho' it may be true, that ſome Affairs are not fit to be communicated to a popular Aſſembly, it does not follow, that popular Aſſemblies, who are to provide for the Public Neceſſities, ought to be kept wholly in the Dark, as to the real State of the Public, which we ſhall find was nearly the Caſe at preſent.

Few Governments are entitled to entire Confidence, tho' All demand it: And when the beſt are complimented with it, the Conſtitution ſuffers: For Uſe, in ſuch Inſtances, ſoon becomes Abuſe; and a Gap once made in the Mound of Liberty, is ſeldom, if ever, cloſ'd again.

It muſt, however, be confeſs'd, That, unleſs the Court could, at this Criſis, have come to a Reſolution, to act ſo as no Court had perhaps acted before, that is to ſay, without Guile,

A. D. 1709-10. Guile, much Management was now neceſſary, ſo to diſpoſe and conduct the ſeveral interfering Points of Buſineſs in ſuch a Manner, as that Ends and Purpoſes might be anſwer'd, and yet Facts and Motives be conceal'd.

Court ſecretly inclin'd to a War.

To ſtimulate a due Degree of Reſentment againſt *France* for having preferr'd the *Will* to the *Treaty*, and againſt the Two Crowns for having rejected the Propoſitions made by *Schouenberg*, in relation to the *Barrier*, was, at Bottom, no doubt the favorite Point of the King; and yet an enflammatory Uſe could not as yet be made of that enflammatory Circumſtance, of admitting *French* Troops into the Towns of the ſaid *Barrier*: For it was not to be preſum'd in *England*, That, in caſe the *Dutch* Troops had continued Maſters there, the Duke of *Anjou* would have been acknowledg'd without any Difficulty, and the Emperor left to ſtruggle for a Share of the Succeſſion by himſelf.

Again: Tho' the *Acceptance* of the *Will* was to be decry'd as an outragious Breach of Faith, the Zeal of the *new* Miniſters did not prompt them to extol the Treaty ſo broken as a Maſter-piece to Policy, which ought to be the Pole-Star of all their Meaſures: On the contrary, tho' it did not become them as Servants of the King to call it in queſtion themſelves, they certainly were not diſpleas'd with the Proſpect of its being call'd in queſtion by Others: And, perhaps, even the King himſelf had ſo much the leſs Senſibility on that Head, when he found the Streſs of the Storm was to fall on Thoſe only whom he had diſmiſs'd, conſequently had qualify'd for Diſgrace.

The Partition-Treaty univerſally odious.

Beſides; this Treaty, which had been expos'd in all Languages, and was in (*t*) every Hand, was ſo univerſally odious, that no State-Proceſs of any Kind, could be deriv'd from it.

And under all theſe wayward Conſiderations, the *Succeſſion* was to be ſettled anew. The King's Life, it was manifeſt, could not be depended on: There was but one Life more in the Remainder: And his Majeſty (which was, perhaps, the moſt cogent Conſideration of all) was by no Means diſpos'd to leave that Work in the Hands of his Succeſſor.

Such, therefore, being the equivocal Nature of the Conjuncture, it was obvious, that the King's Speech at the opening of the Seſſion, would border more on Myſtery than Revelation: And while the moſt efficacious Means of perplexing under Pretence of informing, were yet in debate, Intelligence was receiv'd, That the Malecontents, that is to ſay, the Followers of the *late* Miniſtry, intended to divide the Houſe on the Choice of a Speaker. As, therefore, the late Speaker *Littleton* was known to be their Man, it was thought a wholeſome Expedient to take him off: Accordingly, having been ſent for [Cole. P. 303.] to *Kenſington* on the 3d of *February*, and ſpoke to by the King, he was eaſily perſuaded to gratify his Majeſty at the Expence of his Party; and in order thereto, promis'd to be abſent himſelf from the Houſe the firſt Day.

A. D. 1709-10. *The King frowns on Mr. Littleton to diſcourage the Choice.*

But tho' the Party loſt their Man, they did not give up their Meaſure; And ſuch was the Ferment on all Hands, that the Day of Meeting was put off by Prorogation, from the 6th to the 10th of *February*, under the Pretence of giving the Members Time to come up to Town, but in reality, to explore ſuch farther Expedients, as were moſt likely to qualify it.

So obſtinate, however, was the Aſperity diſcover'd on both Sides, that no Temperament could be found ſufficiently efficacious: And thus when the Day of Meeting came, Mr. *Harley* was nominated for the Chair on one Hand, and Sir *Richard Onſlow* on the other: This produc'd a Diviſion; and on the Iſſue, 249 Voices declar'd for the Former, and but 125 for the Latter.

The Whigs for Sir R. Onſlow: Mr. Harley choſen.

This ſeem'd to argue, That the new Miniſters were Maſters in all Things: And they would have been ſo, perhaps, if they had treated with the Court on a broader Baſis, and had made room there for more of their Party as well as for themſelves:—But the Plan of taking in none but *moderate* Men, left the Duke of *Leeds*, Marquis of *Normanby*, Earl of *Nottingham*, and Others, at Liberty in the Houſe of Lords; and what was of much worſe Conſequence, left *Seymour*, *Muſgrave*, *Finch*, *How*, *Harcourt*, *Shower*, &c. in Poſſeſſion of the Houſe of Commons: For tho' Mr. *Harley* was comprehended in it, he had ſtill his Managements with the Party: And tho' both the Secretaries of State were at this Criſis Commoners, They had but little Credit there, and leſs Authority. So that his Majeſty, in diſmiſſing the *Whigs*, becauſe they could no longer do his Buſineſs in Parliament, had done enough to diſoblige Them, but not enough to gain the *Tories*; and ſo met with ſuch Treatment from Both, as once gave him Occaſion to ſay, in a Pet to Lord *Halifax*, *That all the Difference he knew between the Two Parties, was, That the* Tories *would cut his Throat in the Morning, and the* Whigs *in the Afternoon.*

The new Cabinet not Scheme ſufficient for the new Parliament.

But to proceed:—The Speaker having, the next Day, been preſented and approv'd, his Majeſty made the following Speech to both Houſes; to wit.

" *My Lords and Gentlemen,* *King's Speech.*

Our great Misfortune in the Loſs of the Duke of *Glouceſter*, hath made it abſolutely neceſſary, that there ſhould be a farther Proviſion for the Succeſſion to the Crown in the *Proteſtant Line*, after me and the Princeſs. The Happineſs of the Nation, and the Security of our Religion, which is our *chiefeſt Concern*, ſeems ſo much to depend upon this, that I cannot doubt but it will meet with a general Concurrence: And I earneſtly recommend it to your early and effectual Conſideration.

The Death of the late King of *Spain* with

(*t*) M. de *Longuerue* takes upon him to ſay, That he had ſent a Copy of it to the *Dutch Gazettes* by the King his Maſter's Order.

A. D. 1700. with the Declaration of His *Succeſſor* to that Monarchy, has made ſo great an Alteration in the Affairs Abroad, that I muſt deſire you very maturely to conſider their *preſent State*; and I make no Doubt but your Reſolutions thereupon will be ſuch, as ſhall be moſt conducing to the Intereſt and Safety of *England*, the Preſervation of the *Proteſtant Religion* in general, and the *Peace* of ALL *Europe*.

These Things are of ſuch Weight, that I have thought them moſt proper for the Conſideration of a *new* Parliament, to have the more *immediate* Senſe of the Kingdom in ſo great a Conjuncture.

I muſt deſire of you, Gentlemen of the Houſe of Commons, ſuch Supplies as you ſhall judge neceſſary for the Service of the current Year; and I muſt particularly put you in Mind of the Deficiencies and Public Debts occaſion'd by the late War, that are yet unprovided for.

I am oblig'd farther to recommend to you, that you would inſpect the Condition of the Fleet, and conſider what Repairs or Augmentations may be requiſite for the Navy, which is the great *Bulwark* of the *Engliſh* Nation, and, ought, at this Conjuncture moſt *eſpecially*, to be put into a good Condition; and that you would alſo conſider, what is proper for the better Security of thoſe *Places* where the Ships are laid up in Winter.

The Regulation and Improvement of our Trade, is of ſo public Concern, that I hope it will ever have your ſerious Thoughts: And if you can find proper Means of ſetting the Poor at work, you will eaſe yourſelves of a very great Burthen; and at the ſame Time add ſo many uſeful Hands to be employ'd in our *Manufactures, and other public Occaſions.*

My Lords and Gentlemen,

I hope there will be ſuch an Agreement and Vigour in the Reſolutions you ſhall take, upon the important Matters now before you, as may make it appear, we are firmly united among ourſelves; and in my Opinion, nothing can contribute more to our Safety at Home, or to our being conſiderable Abroad."

It is to be here obſerv'd, That on the Day the King firſt went to the Houſe, to wit, the 10th, his Majeſty receiv'd Advice by an Expreſs, That the Court of *France* had granted Permiſſion to the *Dutch* Troops in the *Barrier*-Towns to march home; but that there were extraordinary Movements among the *French* Troops in thoſe Parts: That on the 13th, *Vernon* inform'd Lord *Mancheſter*, the Negotiations on foot were like to be carry'd on in *Holland*; adding, That he hop'd the King's Speech would be look'd upon as a Proof we were in a peaceable Diſpoſition. And that his Lordſhip, in his Anſwer, ſays, "I ſee we are peaceably inclin'd. They have the Speech alſo at Court. I hear they do not know what to make of it, and ſtill ſuſpect us."

What Biſhop *Burnet* has ſo boldly pronounc'd of this Parliament, muſt next be conſider'd. His Words are theſe.

B. Burnet's Account of the Completion of this Parliament.

"As ſoon as our Parliament was open'd, it appear'd that the *French* had a great *Party* in it: It is certain, great Sums came over this Winter from *France*; the Packet-boat came ſeldom without 10,000 *Louis d'Ors*; it brought often more: The Nation was fill'd with them; and in *ſix Months* Time, a Million of Guineas were coin'd out of them: The *Merchants*, indeed, ſaid, That the Ballance of Trade was then ſo much turn'd to our Side, that, whereas we were wont to carry over a Million of our Money in Specie, we then ſent no Money to *France*; and had at leaſt half that Sum ſent over to ballance the Trade: Yet this did not account for that vaſt Flood of *French* Gold, that was viſible amongſt us: And, upon the *French* Ambaſſador's going away, a very ſenſible Alteration was found in the Bills of Exchange: *So* it was *concluded*, that great Remittances were made to him, and that theſe were diſtributed among thoſe who reſolv'd to *merit* a Share in that Wealth, which came over now ſo copiouſly, beyond the Example of former Times."

A. D. 1700.

He does not, indeed, ſay, That this *French* Party was a *Jacobite*-Party: But having in his next Page taken Occaſion to ſay, That the *Tories* were a great Majority, it follows, according to the uſual Courſe of Party-Reaſoning, That what is not ſo expreſs'd, is nevertheleſs ſo to be underſtood. On the other Hand, Lord *Mancheſter* writing to Mr. *Vernon* concerning the Court of St. *Germains*, *December* 22, ſays, "They are apprehenſive of a new Parliament in *England*, for fear ſome of their Friends ſhould be left out, which makes me wiſh there may be one." And again, on the 12th of *February*, thus: "At St. *Germains* they do not like our Parliament; but they pretend to have ſuch Aſſurances, that they do not value it; and ſay, That however Matters turn, it will be for their Advantage; the Catholic Zeal being ſufficient to reſtore them." Then as to the Over-flow of *French* Gold, and the ſcandalous Uſe it was ſaid to be apply'd to, in the *Gazette* of *February* 6, we find the following Proclamation, which for the Sake of the Teſtimony it contains, deſerves to be inſerted entire: To wit.

Partial and diſingenuous.

[Cole, p. 270.]

[Ibid. p. 302.]

The Charge of Money being ſhrink'd by France con-ſider'd.

"At the Court of *Kenſington*, *Feb.* 5, 1700.

Preſent, The King's moſt Excellent Majeſty in Council.

It having been repreſented to his Majeſty in Council, That certain Pieces of Gold of *French* and *Spaniſh* Coin, call'd *Louis d'Ors*, or Piſtoles, do paſs, and are accepted in Payment in the Kingdom at the Rate of Seventeen Shillings and Six-pence a-piece, which is near *Six-pence more* than the *real Value*, his Majeſty taking the ſame into his Royal Conſideration, and being deſirous to prevent the Damage that may accrue to his good Subjects by the great Quantity of ſuch *French Louis d'Ors*, and *Spaniſh Piſtoles*, which have of late been, and may, hereafter, be imported into this Kingdom, in caſe the ſaid *Louis d'Ors* or *Piſtoles* ſhould continue to be receiv'd for more than the intrinſic Value; his Majeſty with the Advice of his Privy-Council, is therefore pleas'd to order, as it is hereby order'd, That Notice ſhall be given in the *Gazette*, That the ſaid *French Louis d'Ors*, and *Spaniſh Piſtoles*, be not hereafter receiv'd for more than Seventeen Shillings apiece."

A Proclamation in relation to the French and Spaniſh Coins.

A. D. 1700-1. Thus it appears, That the Matter which, paſſing thro' the Hands of this accurate, judicious, and upright *Hiſtorian*, had ſo black a Conſtruction put upon it, might poſſibly be no more than an ordinary Occurrence in the way of Trade. Gold, whether in Coin or Bullion, is a Commodity, and will always find its way to the beſt Market: Thus while Six-pence was to be got in *England* on each of theſe Pieces, it was worth the Remitters while to ſend them hither from all Parts: But when this Advantage was thus taken off by Proclamation, the Inducement ceas'd, and the Traffic with it.

Now Sir *Iſaac Newton* was the Perſon who mov'd for the Proclamation, as appears by his *own Memorial* to the *Treaſury*: The *Mint-Books* ſhew, That the Silver Coinage of this Year roſe in proportion to the Gold: For if the Gold coin'd was 26,742 lb. wt. the Silver was 37,477 lb. wt. Beſides, in the Reign of *George* I. the like Overflow of foreign Gold, produc'd the like Regulation, at the Inſtance of the ſame Great Man: The Money coin'd out of it was, 1,400,000*l.* The *Whigs* were then Lords of the Aſcendant: And if the Biſhop's Reaſoning is good, what is the Conſequence?

As nothing, however, ought to be ſuppreſs'd which ſeems to favor the Biſhop's Story, two Paſſages from Lord *Manchеſter*'s Letters to Mr. *Vernon* ſhall be in this Place inſerted, that the Reader may have all the Evidence extant on both Sides before him; to wit: In a ſeperate Paper inclos'd in his Pacquet of *April* 16, N. S. he writes thus: "I am aſſur'd, That there are often Inſtructions ſent from this Court, which are communicated to Members of Parliament, thoſe whom they call here, *well inclin'd to a Peace*, and ſo, conſequently, for the Good of their Country. They inſinuate to them, That the *French* King has no Deſign againſt *England*, neither will he ever promote the Intereſt of the Prince of *Wales*, unleſs the Nation ſhall approve of it, on certain *Terms* and *Conditions*: That their Liberties are in Danger, if ever they admit of an Army again in *England*. They alſo tell them, how all *Europe* is for *France*, and what Treaties they have made: That the Emperor cannot have the leaſt Hope of Succeſs: They obſerve *here* Meaſures which they are deſir'd to take; and are reſolv'd, whatever is done in *England* not to *reſent* it. In order to this, there are ſeveral Emiſſaries in *London*; and I am told of one M. *Peuſſin*, who, during the late War, was in *Italy*, and afterwards at *Conſtantinople*, and lately an intimate Friend of the Cardinal de *Bouillons*, whoſe Procedings he diſcover'd to the *French* King, and was forc'd to fly out of *Rome*. It is not long ſince he diſappear'd from hence. Whether he appears publicly at *London*, I cannot tell. It is thought, that if there be Occaſion, he may aſſume a Character from the *French* King. This is ſo nice a Matter, that if I had it not from one who can have no Intereſt to deceive me, I ſhould take no Notice of it. The like is doing in *Holland*." And on the 20th following, he adds, "I cannot but tell you, That it is ſaid privately, That *French* Money is ſtirring amongſt you, as well as at *Vienna*." A. D. 1700-1.

To neither of theſe Paſſages is there any Reply of the Secretary's to be found; which is ſtrange enough, if any Streſs was laid on the Information: And it is obvious, That what is ſaid in the Laſt concerning *French* Money, is rather more applicable to Miniſters than Members, conſidering the Mention that is made of *Vienna* in the ſame Breath. Laſtly: Tho' it ſhould be admitted, That the *French* Court had their Correſpondents in the Houſe, it is utterly inconceivable, that their Number ſhould be Many, or that they ſhould have any Influence but what aroſe from Reaſon and Argument.

But the Truth of the Matter is, That the Biſhop having ſet the Brand of *Tory* on this Parliament, as above-mention'd, thinks himſelf authoris'd to vilify them at Pleaſure: And it is as true, That all he ſays of them, is calculated to be a Libel on them and their Proceedings; tho' it often happens, That by over-loading the Piece, it recoils upon himſelf. Thus he ſays, That the Majority, to make the Matter ſure, reſolv'd to clear the Houſe of a great many that were engag'd in *another Intereſt*: Whence we are to underſtand, That the Houſe was to be clear'd of them, merely on that Account: And yet he admits, That a moſt ſcandalous Practice had been brought into uſe of buying Votes, with ſo little Decency, that the Electors engag'd themſelves by Subſcription to chuſe a blank Perſon, before they were truſted with the Name of the Candidate: As alſo, That the Matter was ſo well prov'd, that ſeveral Elections were declar'd void, and ſome of the Perſons ſo choſen, were for ſome Time kept in Priſon. Now the Perſons thus juſtly treated, were old *Shepherd*, and his two Sons, one *Allen*, and one *Cotesworth*, all of the New *Eaſt-India* Company: Of Theſe, old *Shepherd* was the Principal: The Boroughs purchas'd by them were *Bramber*, *Wooton-Baſſet*, *Ilcheſter*, *Malmſbury*, *Andover*, and *Newport*: And the Biſhop himſelf ſums up the Merits of the Caſe in theſe very Words: "The *Old Eaſt-India* Company had driven a Courſe of Corruption within Doors with ſo little Shame, that the *New* intended to follow their Example; but with this Difference, that whereas the Former had bought the Perſons who were elected, They reſolv'd to buy Elections." His Complaint, however, That great *Partiality* appear'd in theſe Procedings, was unqueſtionably well founded: But then the like Partiality having been uniformly practis'd ever ſince, That cannot be call'd the Peculiar of this Parliament which has been the Diſgrace of All: And whereas his Lordſhip cloſes his Account of this Tranſaction in the Terms that follow: "Thus, for *ſome Weeks*, the Houſe ſeem'd to have forgot all the *Concerns of Europe*, and was *wholly* employ'd in the weakening of *one* Side, and in fortifying the *Other*; it is incumbent on us to correct ſo notorious a Miſrepreſentation.

The Purchaſe of Elections acknowledg'd by Burnet.

Every body knows, That, upon the firſt aſſembling of a new Parliament, a ſtanding Committee is appointed to conſider and determine

A.D. 1700-1. termine the Merits of conteſted Elections; and that ſtated Days are appointed by the Forms of the Houſe for theſe Hearings; in the Courſe of which, the other Buſineſs of the Seſſion goes on regularly, notwithſtanding theſe occaſional Interruptions.

It was in the ſame cuſtomary Manner the Buſineſs of this Seſſion was conducted: And tho' it cannot be ſaid, that the Houſe receiv'd the Report of the Speech, approv'd, acknowledg'd, and echo'd back the Contents of it the ſame Day in which it was deliver'd, according to the Practice ſince brought into uſe, it is nevertheleſs notorious, That they ſhew'd all the Regard to his Majeſty's Requiſitions from the Throne, which was conſiſtent with their Duty as Repreſentatives of the People.

Thus, on the 14th of *February*, the Speech was reported; and it was thereupon *Unanimous Vote to ſtand by the King, &c.* reſolv'd *Nem. Con.* That the Houſe would ſtand by and ſupport his Majeſty and his Government, and take ſuch effectual Meaſures, as might beſt conduce to the Intereſt and Safety of *England*, the Preſervation of the Proteſtant Religion, and the Peace of *Europe*: And that the ſaid Reſolution ſhould be preſented to his Majeſty by the whole Houſe. What they promis'd, they alſo made good, as we ſhall find in the Courſe of the Seſſion; which will be abundantly ſufficient to prove the Miſrepreſentation charg'd on the Hiſtorian-Biſhop.

Reflections upon it. But before we procede any farther, it will be neceſſary to obſerve, That tho' the Vote above-ſpecify'd was carry'd in the general *Nemine Contradicente*, that particular Clauſe in the Tail of it, *and the* PEACE *of* EUROPE, *not only* gave Riſe to a long and warm Debate, *but to a Diviſion of the* Houſe, whether it ſhould ſtand or not: *Seymour*, *How*, *Muſgrave*, &c. were for the Negative: And, as their Adverſaries gave out, the Reaſon why they were ſo, was, becauſe, *It was plainly declaring for a* WAR: So that in political Language, Terms are ſometimes inverted it ſeems; and this was ſuch a Sort of an Oracle, as *Janus* himſelf would have deliver'd.

[Jura Populi Ang. 4to. p. 59. Burnet, Vol. II. p. 258.]

It is true, our *Miniſters* had not interpreted a fuller Phraſe in the King's Speech, to wit, *the* Peace *of* ALL *Europe*, the ſame way: On the contrary, Mr. *Vernon*, as we have ſeen, makes a Merit to my Lord *Manchester*, and thro' him to the Court of *France*, of the *peaceable Inclinations*, thus expreſs'd from the Throne: And we ſhall have Reaſon to be convinc'd, as we go on, that he continu'd the ſame Vein of Correſpondence with that Nobleman for ſome conſiderable Time longer.

If, therefore, the Court was ever ſo eagerly bent on military Meaſures, it is plain, they did not as yet think it adviſable to avow any ſuch Purpoſe: And, indeed, whatever that Purpoſe was, if the People of *England*, who had been ſo lately the Bubbles of the Continent, had ruſh'd headlong into a ſecond Continent-War, as a *Principal*, for the Breach of the worſt Treaty that perhaps was ever made, in the moſt unprepar'd Condition imaginable, againſt an Enemy arm'd at all Points, and by the Meaſures he was taking with *Portugal*, Maſter of every Port from the Bay of *Biſcay* to the *Dardanels*, it A.D. 1700-1. would have argued national Phrenzy beyond Exemple.

But the Party which ſeis'd this ſtrange Opportunity, to declare for *War*, by a Clauſe which ſeem'd to have no other Object but *Peace*, and which could not, by any Kind of Torture, be ſtretch'd beyond an arm'd Negotiation, had nothing *national* in their Thoughts but a *national Deluſion*. They had loſt the King; They knew his Foible; and They reſolv'd to recover him, if poſſible, by any Means whatſoever: Perhaps They carry'd their Views yet farther to his Succeſſor: How much Lady *Marlborough* was her Favourite, what Uſe was to be made of her, and how much Lord *Marlborough*'s Heart was ſet on being a Captain-General, They could not be ignorant: The Noiſe of a new War, They, moreover, preſum'd would ſilence old Complaints: And, laſtly, the Harveſt of Jobs which the Laſt had produc'd, had ſo ſharpen'd their Appetites for Another, that nothing but a ſuitable Crop could appeaſe it.

The Clauſe was however carry'd by 181 Voices, againſt 163, which has given one of our ingenuous Party-Hiſtorians the Hint [Oldmixon, Vol. II. p. 217.] to ſay, That this Vote, cold and undeciſive as it was, (ſpeaking of the whole Vote which was unanimous, as we have ſeen) could not not be carry'd without great Difficulty.

He that deſires only to collect and to recite, is aſham'd of ſuch Digreſſions as Theſe.... But as Aſſertions ſo hardily made will have weight till they are expos'd, 'tis abſolutely neceſſary to deſtroy what is falſe, before we can hope to eſtabliſh what is true.

The Addreſs founded on this Vote, was preſented to the King on the 17th following; upon which Occaſion his Majeſty expreſs'd himſelf as follows.

King's Anſwer. "I thank you for this Addreſs, and your ready Concurrence to thoſe great Ends therein mention'd, which I take to be extremely important to the Honour and Safety of *England*: And I aſſure you, I ſhall never propoſe any Thing, but what is for our common Advantage and Security. Having this Occaſion, I think it proper to acquaint you, That Yeſterday I receiv'd a *Memorial* from the Envoy Extraordinary of the *States-General*, a Tranſlation whereof I leave with you: As to the *Firſt Part* of it, I think it neceſſary to aſk your *Advice*; as to the *Latter Part*, I deſire your *Aſſiſtance*."

And here it might be expected that we ſhould inſert the ſaid Memorial: But as it was the Peculiar of this Seſſion, that our Parliamentary and Foreign Affairs had a conſtant Relation to each other, it will be neceſſary to intertwiſt the two Veins in their natural Order: And this will oblige us to inſpect the Reſolutions of the States, before we can procede any farther with our own.

A ſecond Memorial of M. d'Avaux to the States-General. M. *d'Avaux* had follow'd his firſt Memorial to the States, of *February* 13, N. S. with another on the 16th, which he alſo caus'd to be printed: And in This, after a Mixture of Cajolleries and Complaints, he ſignify'd, That, notwithſtanding all that was paſs'd, his Majeſty had receiv'd their Two Memorials

A.D. 1700-1. Memorials with Pleaſure: And that, as they ſeem'd calculated to perſuade him, their Lordſhips were in earneſt diſpos'd, to concert with his Majeſty the moſt effectual Means of ſecuring their Repoſe, he had ſent the ſaid Memorialiſt to receive ſuch Propoſitions, as they had to make for that End. But then, continued He, at the ſame Time that his Majeſty has calmly obſerv'd the extreme Diſguſt which the *Government* of the *United Provinces* has openly expreſs'd of his Intentions, he cannot diſapprove the Conduct of the *Catholic* King, ſo juſtly founded on That of your Lordſhips, ſince his Acceſſion to the Throne of *Spain*. The Memorials of his Embaſſador and his own Letter, remane unanſwer'd; which, together with the conſtant Refuſal of your Lordſhips to acknowledge him in quality of King of *Spain*, which has been made appear even on ſuch Occaſions as do not deſerve a Repetition, are not Methods to eſtabliſh Confidence.

The Wiſdom of your Government renders it hard to believe the Reports which are current, of a Project form'd to recogniſe that Prince, on *Condition* of ſeperating the *Low-Countries* from the Monarchy of *Spain*, and giving them to the Archduke. There is very little Likelihood, That the King of *Spain*, in the very Beginning of his Reign, would purchaſe a Peace at ſo dear a Rate. But if theſe Reports ſhould be abſolutely falſe; if what is alſo ſaid, That Arms, Ammunition, and every Preparative for War, was collecting in *Holland*, ſhould be equally falſe; and even there was no Negotiation on foot for new Alliances, it would be impoſſible for the King of *Spain* to ſee, without Uneaſineſs, his Towns fill'd with Troops, whoſe Maſters would not acknowledge him to be the lawful Sovereign of them: This Refuſal of your Lordſhips, it is, which has oblig'd him to apply to his Moſt *Chriſtian* Majeſty for the Succours which he has given him: But his Majeſty withal declares, That, after having taken the Precaution abſolutely neceſſary, to eſtabliſh the lawful Authority of the King his Grandſon, he is entirely diſpos'd to adjuſt immediately the Means of maintaining the Peace.

Thus the Continuance of the Peace depends on your Lordſhips: And it will be continued for a long Time to come, if it be true, that your Lordſhips deſire it ſo ardently, as it is declar'd you do, in the laſt Memorial deliver'd on your Behalf by the Earl of *Manchester*, the King of *England*'s Embaſſador. If the Treaty of *Ryſwick*, punctually obſerv'd to this Hour, is not ſufficient to remove all Cauſe of Alarm from your Lordſhips, as well for your Security as for your Commerce, his Majeſty is ready to receive new Propoſitions: But then they muſt be equitable in themſelves, and ſuch as his Majeſty can admit: Time is precious: And if the under-written Embaſſador may be allow'd to make ſo free a Repreſentation, and your Lordſhips are ſincerely inclin'd to Peace, you will not furniſh the leaſt Cauſe to ſurmiſe, That, under the ſpecious Pretence of Negotiation, your real Purpoſe is to procraſtinate Matters, till you are in a Condition to make War: Neither the Conſtitution of your Government, nor your Expectation of Anſwers from the King of *England*, hinder you from explaning yourſelves: You ought to be acquainted with the Intentions of that Prince: You ought to know, that he is inclin'd to maintain the Peace, ſince you truſted to his Embaſſador the Reſolutions you have taken to that End. His Majeſty perſuades himſelf theſe Reſolutions of your Lordſhips are conformable to the Intereſt you have in the public Repoſe: And that you will ſoon explane yourſelf in ſuch a Manner, that all cauſe of Diſtruſt being remov'd, he may continue to give you, on all Occaſions, the Marks of Eſteem and Affection, which he has ever preſerv'd for your Republic."

A.D. 1700-1.

Into what a Ferment this artful Paper muſt have thrown the ſeveral Factions of the Republic, is obvious to every Imagination; and how good a Judgment Mr. *Stanhope* made of the Event, appears from the Reſolution taken upon it by the States-General, to own the Duke of *Anjou* as King of *Spain*; in order to ſtop the Reports cited in the Memorial, That it was not their Intention to own that Prince, except on a *certain Condition*, which they did not think fit to ſpecify in their Reſolve: At the ſame Time, they alſo ſignify'd their Purpoſe to keep up the ſame good Neighbourhood, Friendſhip, and good Underſtanding with him, which they had kept up with his Predeceſſors: And declar'd, They were ready, with the Intervention of the King of *Great-Britain*, to enter into a Negotiation with their Moſt *Chriſtian* and *Catholic* Majeſties, for the Eſtabliſhment of the general Peace, as well as their own particular Security: Adding, That, having recall'd their Troops out of the *Spaniſh Netherlands*, and given the moſt convincing Proofs in their Power, of their ſincere Deſire to preſerve the Peace, &c. by thus acknowledging the King of *Spain*, and referring their own Demands to a future Negotiation, they hope they have anſwer'd all that was expected of them; and that in conſequence, his Moſt *Chriſtian* Majeſty will alſo recal his Troops out of the ſaid *Netherlands*, &c.

Their Lordſhips Reſolution thereon.

Thus, on the very Day that the Parliament of *England* met, conſequently *before* any Meaſure of theirs could be urg'd as a Motive, their Lordſhips of the *Union* gave up the *Partition-Treaty*, ſubmitted to the *Will* of the late King of *Spain*, and declar'd for a *Negotiation*.

On the 22d, they farther reſolv'd to put this Reſolution in force, by cauſing a ſuitable Letter to be ſent to the young King of *Spain*; and alſo a new Anſwer to his Moſt *Chriſtian* Majeſty's Letter of *November* 29, notifying the Duke of *Anjou*'s Acceſſion to the Crown of *Spain*. Both were as full of Reſpect and ſeeming Cordiality as could have been requir'd: And the Latter having been diſpatch'd to M. *Hemeſkerke* at *Paris*, to be preſented by him or his Secretary, it is worthy of Remark, That an Excuſe was ſent

They ſend a new Anſwer to K. Lewis's Letter, which paſſed at the Ld. Portland's Audience.

A.D. 1700-1. sent by the same Express to Lord *Manchester*, for not giving it in Charge to him; to this Effect, "That it might have embarrass'd him; seeing They were not *acquainted* with his Master's *Intentions* with regard to the *Recognition* of the King of *Spain*".

About the same Time also, they gave Orders to M. *Geldermalsum*, their Minister in *England*, to apprise his Majesty of the whole Proceeding; which he did accordingly in a formal Memorial, being the same communicated, as above-hinted, to the House of Commons.

But before we can lay it before the Reader, it will be necessary to shew the Effect of the States Letter at the Court of *France*, which shall be done from the most unquestionable Authorities.

Which is extremely well receiv'd.

Lord *Manchester*, in his Dispatch of *March* 2, to Mr. *Vernon*, writes as follows: "The Letter from the States was deliver'd to M. de *Torcy* by the Secretary of the *Dutch* Embassador. It was extremely well receiv'd, and the King will write to them. I hope to send the Copy of this Letter in my next. M. de *Torcy* did tell me, That the King did intend to withdraw his Troops out of *Flanders*, as soon as the Troops which the King of *Spain* was raising there were complete. This, I suppose, will not be, till all other Matters are settled with the States, which will soon be, in case they desire nothing but the renewing of Treaties with *Spain*, &c." His Lordship also, not over politicly, signify'd to the States, "That he had interpos'd in the Affair as much as his Character would permit; and that he had thereby drawn *those Acknowledgments from M. de Torcy*, above specify'd, with this farther Particular, That his Majesty was so pleas'd with their Letter, that tho' it did not require an Answer, he would nevertheless answer it."

King Lewis's Answer.

This Answer came accordingly: It was dated *March* 3, N. S. and contain'd the following Expressions: "We see with Pleasure the Part you take in the Accession of our Grandson to the Crown of *Spain*, and the Desire which you shew, to contribute to the maintaining the general Tranquillity happily re-established by the late Treaties. You must also not doubt but that my Intentions are exactly conformable to what you desire: And remembering always our antient Friendship, and that of the Kings our Predecessors for your Republic, we shall be very glad, that our present Union with the King of *Spain* may serve to procure you new Securities for your States, and new Advantages for your Commerce."

A Third Memorial of M. d'Avaux to the States.

Lastly: M. *d'Avaux*, by express Order of the King his Master, presented another Memorial to the States, in which, among other Things, he took Occasion to observe, That the free Leave given to the *Dutch* Troops to return, was an indisputable Proof of his Majesty's Desire to keep the Peace, and to leave the flourishing State of their Commerce unmolested: That such being his Disposition and Purpose, they might depend on finding all the Facilities from him which could contribute to their Repose. That, however, it would be easy to find such Expedients in the Conferences he was to open with their Deputies, as would render it solid and permanent. That, as soon as all Cause of Distrust was remov'd, and all Things were restor'd to their primitive State, his Majesty did assure them positively, He would no longer concern himself about the Augmentations they should think fit to make to their Forces, or their other Preparations for War: That as soon as the *Barrier* Towns were in full Security, he should withdraw his Troops, and leave them to the King of *Spain*'s own Keeping: That their Lordships could not be surpris'd, that his *Catholic* Majesty was anxious for the Security of those Places at such a Crisis: And that the Continuance of his Most *Christian* Majesty's Troops therein, during the Negotiations, ought not to give them the least Inquietude; seeing their Inclination to Peace, after such Assurances as they had given the King his Master, could not but be sincere, *&c.*"

The Memorial of the States-General to his Majesty.

And now the *Dutch* Memorial to the Court of *England*, which B. *Burnet* says, was *penn'd* with *great Spirit*, and in a *very moving* Strain, ought to be brought forward; which was to this Effect; to wit: "That they having consider'd, That their Delay of owning the Duke of *Anjou* for King of *Spain*, was subject to malicious Interpretations, as if their Aim had been only to gain Time to put themselves into a warlike Posture, they thought themselves oblig'd to acknowledge the Duke of *Anjou* without *any Condition*; reserving to themselves to stipulate, in the Negotiation ready to begin, the necessary Conditions to secure the Peace of *Europe*; in which Negotiation, they are firmly resolv'd to do nothing without the Consent of his Majesty, and the other Powers interested in the Maintenance of the Peace, as they have expressly declar'd to the Embassador of *France*: That, therefore, they pray'd him to send to his Minister at the *Hague*, necessary Instructions and Orders to act conjointly in this Negotiation; and that nothing be concluded but wherein *England* and *Holland* may equally find their Security, and which, at the same Time, may tend to strengthen the public Tranquility. But as it may happen not to be possible to agree with *France* and *Spain* on reasonable Conditions, and that, the Negotiation being interrupted, they may be suddenly attack'd by the numerous Troops, which *France* has order'd to move towards their Frontiers, their Envoy is to represent to his Majesty the urgent Necessity they should have, in so great a Danger, of the Assistance of *England*, and to desire him to get the *Succours*, stipulated by the *Treaty*, in readiness, that they may rely on them, if Occasion requir'd."

Thus, in communicating this Paper to the House of Commons, almost as soon as he had receiv'd it, his Majesty, tho' in the Hands of a *Tory* Ministry and a *Tory* Parliament, was induc'd to wave his Prerogative in a Manner which had been rarely practis'd before, and which, except in the Course of

A. D. 1700. of this Seſſion, has been rarely imitated ever ſince.

Addreſs of the Commons thereon. And the next Day but one after this Communication, the Commons voted an humble Addreſs to his Majeſty, That he would be pleas'd to enter into ſuch Negotiations, in concert with the States-General and other Potentates, as might moſt effectually conduce to the mutual Safety of theſe Kingdoms and the States-General, [*to which the Words before ſtickled for were alſo added*] and the Preſervation of the Peace of *Europe*: And giving him Aſſurances of Support, and Aſſiſtance in Performance of the Treaty made with the States-General *March* 3, 1667." Which was all the States had demanded. They alſo reſolv'd, That the ſaid Addreſs ſhould be preſented to his Majeſty by the whole Houſe, which was accordingly done; and his Majeſty's Anſwer was as follows.

King's Anſwer. "*Gentlemen*,

I thank you heartily for the *Advice* you have given me, and your *unanimous* Reſolution to ſupport and aſſiſt me, in making good the Treaty mention'd in your Addreſs: And I will immediately order my Miniſters Abroad, to enter into Negotiations in concert with the States-General, and other Potentates, for the attaining thoſe great Ends which you deſire. Nothing can more effectually conduce to our Security, than the *Unanimity* and *Vigour* you have ſhew'd on this Occaſion: And I ſhall always endeavour, on my Part, to preſerve and increaſe this mutual Truſt and Confidence between us."

Thus we are to underſtand from the Face of this Reply, That the Commons divided the Memorial in queſtion right, as to the *Former* and *Latter* Parts of it, ſo doubtfully recommended to them by the King; and that his Majeſty was perfectly ſatisfy'd with the *Advice* they gave him: But, as the Diviſion was left to themſelves, and a Houſe of Commons is generally a Compoſition of very diſſimilar Ingredients, if any Member or Members had taken it into their Heads, That the King had deſir'd their *Advice* concerning the *Recognition* of the King of *Spain*, and had, in conſequence of ſuch a Conceit, mov'd for the ſaid *Recognition*, on the ſame Principle which had *already* determin'd the Conduct of the States, it would not perhaps have excited much Wonder, it could not have afforded any juſt Cauſe of Complaint, and poſſibly might have been held, tho' not acknowledg'd, an acceptable Service: Even thoſe Expreſſions in the King's Speech, to wit, "*The Death of the King of* SPAIN, *with the Declaration of* HIS *Succeſſor*," imply'd a ſort of Acquieſcence in what had been done: And the Objections which lay againſt a Recognition, aroſe rather from Matter of Form, than any real Repugnance any where. The Miniſters who knew we had receiv'd no formal Notification, either from the King or Regency of *Spain*, and, conſequently, that we could not as yet acknowledge him with any Grace or Decency, knew alſo, that we had ſolicited ſuch Notification which had not been vouchſaf'd to us: So that the Miniſters themſelves, if conſiſtent with themſelves, could not have oppos'd ſuch a Motion, on any other Pretence, than the Impropriety of meddling with a Matter not immediately before the Houſe: And yet Biſhop *Burnet* has ventur'd to write as follows.

" A Deſign was laid in the Houſe of Commons, to *open the Seſſion* with an Addreſs to the King, that he would own the King of *Spain*: The Matter was ſo far *concerted*, that they had agreed on the *Words* of the *Vote*, and ſeem'd not to doubt of the Concurrence of the Houſe; but Mr. *Monkton* oppos'd it with great Heat, and among other Things ſaid, If that Vote was carry'd, he ſhould expect that the next Vote to be put, would be for owning the pretended Prince of *Wales*: Upon this Occaſion it appear'd, how much popular Aſſemblies are apt to be turn'd, by a Thing boldly ſaid, tho' the Conſequence is ever ſo *remote*; ſince the *Connection* of theſe *two* Points lay at ſome *Diſtance*, yet the Iſſue of the Debate was quite contrary to that which was deſign'd: It ended in an Addreſs to the King, to enter into new Alliances with the States, for our mutual Defence, and for preſerving the Liberty and *Peace of Europe*: Theſe *laſt Words* were not carry'd without much *Difficulty*: They were conſider'd as they were, indeed, an Inſinuation towards a *War*."

No ?, there is ſcarce a Circumſtance in this Paſſage which is not ſome how or other exceptionable: Inſtead of the Votes being carry'd with Difficulty, the King himſelf acknowledges it to be *unanimous*: What Difficulty theſe *laſt Words* occaſion'd, aroſe in the former Vote, as above explan'd: The *Memorial of the States*, which gave Riſe to the Vote, *is not ſo much as mention'd here*, which was the Place for it: If the Words of any ſuch Motion to acknowledge King *Philip* had been agreed on, we have ſhewn already in what alone they could be blameable: And as to any *Deſign form'd* to open the Seſſion with ſuch an Addreſs, Facts and Dates demonſtrate, (to ſay nothing of the Contents of his own Legend) That the Seſſion was not open'd with any ſuch Debate: Nor, indeed, is any Trace of any ſuch *Motion*, in relation to the King of *Spain*, to be found in the *Journals*.

But, in order to extinguiſh for ever the falſe Lights held forth by this *Ignus fatuus* of an Hiſtorian, let us confront his whole Teſtimony, and all the Uſe he makes of it, with the Words of Mr. *Vernon*, in his Letter to Lord *Manchester* of *February* 20: " I do [Cole, p. 323.] not doubt but you have our Parliament-News from many Hands. However, I muſt not omit ſending you the Vote that paſs'd this Day both in the Committee and in the Houſe, upon conſidering the *Dutch* Envoy's Memorial. You will ſee it has *fully anſwer'd all his Majeſty's Deſires*; and I muſt needs ſay, That I never ſaw ſo great a Spirit in the Houſe of Commons, and ſuch a Reſolution to preſerve *Holland* as well as *England*: I hope it will have that good Effect on your Side, as to produce a fair Diſpoſition to treat upon reaſonable Terms, that a War may be prevented; which I ſee we ſhall not decline, if we are forc'd into it by Neceſſity: But if *France* has any Inclination for Peace, we may ſtill hope for it."

O

A.D. 1700-1. *An intercepted Letter of Lord Melfort's communicated to both Houses.*

On the same Day that the King communicated the *Dutch* Memorial to the Commons, he also caus'd to be communicated to both Houses a Letter from the Earl of *Melfort*, address'd to his Brother the Earl of *Perth*, and dated *February* 18, N. S. which had been brought to *England* in the *French* Mail of the 19th: And an Incident which having been made such a Handle of, to practise on the Fears of the Public, by his Majesty, his Ministers, and his Parliament, certainly deserves to be set in a proper Light to Posterity: And yet B. *Burnet* has not so much as mention'd it; possibly, because if he had, it would have also oblig'd him to mention the Address of the House of Lords, which had been all this Time preparing; which had been communicated to the *Commons* for their Concurrence, but rejected by them; and which contain'd a Paragraph, scarce to be reconcil'd with that Prelates Account of the Proceedings of the Session.

We will begin with the said Address, which was as follows.

Lords Address thereon, &c.

"We the Lords Spiritual and Temporal in Parliament assembled, return our most humble Thanks and Acknowledgments to your Majesty, for your Concern express'd for the Protestant Religion in your gracious Speech, and your Care for its future Preservation, by recommending to our Consideration a farther Provision for the Succession to the Crown in the Protestant Line.

We are highly sensible of the Weight of those Things your Majesty is pleas'd farther to recommend to our Consideration; and therefore humbly desire you will be pleas'd to order *all* the Treaties that have been made between your Majesty and any other Prince or State, *since the late War*, to be laid before us, that we may be enabled to give our mature Advice, when we are *inform'd* of all those *Matters necessary to direct our Judgments*.

And we humbly desire of your sacred Majesty, That you will enter into Alliances with *all* those Princes and States who are willing to *unite* for the *Preservation* of the *Balance* of *Europe*: Assuring your Majesty, that we shall most readily concur in all such Methods which may effectually conduce to the Honour and Safety of *England*, the Preservation of the Protestant Religion, and the Peace of *Europe*. A.D. 1700-1.

And we humbly return our farther Thanks to your Majesty, for the *Letter* communicated to this House the 17th of *February* Instant; and having taken it into our immediate Consideration, we humbly desire of your Majesty to issue the necessary Orders for seizing the Horses and Arms of the Papists and other disaffected Persons, and for putting the Laws in execution for removing them from *London*; and that you will be pleas'd to give Directions for a Search to be made after Arms and other Provisions of War, which in that Letter are said to be in *Readiness*.

In the mean Time humbly addressing to your Majesty, That Order may be given, for the speedy fitting out of such a Fleet, as your Majesty in your great Wisdom may think necessary, in this present Conjuncture, for the *Defence* of your Majesty and the Kingdom."

To which his Majesty was pleas'd to answer.

"*My Lords*,

I thank you for this Address, and for the Concern you express in relation to our common Security both at Home and Abroad: I shall give the necessary Orders for those Things you desire of me, and take Care for setting out such a Fleet, as may be necessary for our common *Defence* in this Conjuncture."

Thus, it seems, the *Letter* had its weight with the Lords: And as for the Commons, they thought it incumbent on them to make a Provision for the *Defence* of the Kingdom, by authorising the Exchequer the very next Day to borrow 500,000 *l.* for the Service of the Fleet at 6 *per Cent.* and 50,000 *l.* for the Subsistance of the Guards and Garisons; soon after which, they order'd 30,000 Seamen for a Summer Guard; for which they are handsomely abus'd by B. *Burnet*, as having put the Nation to a needless and useless Expence.

And now it is Time to come to the Letter itself, which shall be inserted (*u*) entire, to evince,

(*u*) As follows.

My dearest Brother,

Since I promis'd to put in writing what we had not Time to talk fully of, I am set down to it in the Morning, that my Letter may be ready for the Messenger, if any call. I told you all that I had heard at *Versailles*, and the favourable Audience I had of Madam *Maintenon*; for which I beg it of you to return my most humble Thanks to the Queen, and beg her to be so good, as to thank Madam *Maintenon*, and know of her, what can be done in that Matter: It will be a great Charity in the Queen. I told you, among other Things, the great Fleet the King intends to put out this Summer; the Orders being given, and the Money ready, the Stores full, and every one concern'd active in their Station. There is no doubt but this Fleet will be Master of the Sea for some Time, if not for all the Summer; because the *Dutch* dare not stir, till the *English* be ready; and they have long Debates, yet, before they can be in a Condition to act, if they have the Will: and it is a Question, if they will have it at all. The King never had so favourable a Conjuncture, if he can persuade this King, that his Affairs are really in the Circumstances they are in; but there is the *Difficulty*. The King and Queen have more Authority with the King, and with Madam de *Maintenon*, than any other in the World can have; but that is not all: There should be some one, acceptable to the Ministers, who should lay before them those Proofs their Majesties cannot enter into the Detail of, and explain the Reasons, make Plans and Memoirs, by their Majesties Approbation, to convince them of the Necessity, and shew the Easiness of restoring the King, the Glory it brings their Kingdom, and the Advantage to Religion: How this will be done, their Majesties are wise enough to consider; and, I think, it is not a Subject for me to enter upon; but their Friends, in general, who know not the Half of what I know in this Matter, think, that it will not be well done by a *Protestant Minister*, (*Middleton*) lazy in his Temper, an Enemy to *France* by his Inclination, tainted with Commonwealth Principles, and against the King's returning, by any other *Power* than that of the *People* of *England*, and upon *Capitulation* and *Terms*; who is suspected of giving Aid to the *Commanders*, if not *worse*: That Mr. *Carrol* is qualify'd, no body doubts, but, in Society with the other, those who must be instrumental, will not trust him as they ought; so that, so long as the other is within Distance of penetrating the Affairs, they will never think themselves secure: And yet the King has no such Game to play, as by these very Persons who are thus dissident; namely, the true Church of *England* Party, the Catholics, and the Earl of *Aran*; and I shall say something of every one of them.

The King cannot but be sensible, that the true Church of *England* Party, and their principal Head, now the Bishop of *Norwich*, has been silent for a long Time; and their Majesties may remember, what Weight the Court of *France* laid upon their joining the King, (I mean the Non-swearing Clergy) in case of a landing: Therefore, all Arts should be used, without Delay, to get them to enter into a Correspondence

again;

A. D. 1700-1 evince, That we misrepresent no Part of it, in saying, That it contain'd no such Matter as ought to have alarm'd a great Kingdom, or that could have alarm'd a wise one: And that it contain'd some such, as, considering the Temper of the Times, ought not to have been made public. On the Superiority of the *French* Fleet, and the Favorableness of the Conjuncture, to make use of it in restoring King *James*, while the *English* and *Dutch* were in a Condition to put to Sea, the *Writer* does, indeed, insist in pretty strong Terms: But then he states the *Difficulty* of bringing King *Lewis* to make use of it, as what was scarce to be surmounted: And as to the Intelligence contain'd in this Article, Lord *Manchester* did, by every Post, furnish much better: The *French* had all the Coasts of *Spain*, as well as their own, to cover: And This could not be done against the *Maritime*-Powers, without suitable Preparations: Nor could any Thing more ridiculous be suppos'd, that than they should entertain any Design against *England*, when they had *Spain* to secure.

In short, the Whole seems to be little more than the the impotent Effort of a turbulent Man to obtain Credit, and thereby force himself into Business; intermix'd with A. D. 1701 frivolous Complaints, that a more discrete and moderate Man had the Preference in his Master's Favour; (which was one of the Articles that in point of Policy ought not to have been made public) And even as to the seven Regiments of Catholic Horse and Dragoons, which he raves about, it plainly appears, That some Years had past'd, since his Project concerning them had been exploded.

What is farther remarkable concerning it is This, That it was not publish'd altogether faithfully: For when Mr. *Vernon* first mentions it to Lord *Manchester*, he cites the following Expressions from it; to wit: "That this Opportunity must be improv'd, now the Court of *France* is dissatisfy'd with the Prince of *Orange*, for his *Treacheries* discover'd in their Hands." And some such Expressions were actually contain'd in the *Post-script* to it; whereas, in the printed Copy of the Letter, it is certain, there are no such Expressions to be found.

A Proof, that the Letter was not publish'd quite faithfully.

Now, the Reason which the Secretary assigns for making this Citation is, because his Majesty did not know what to make of the Passage, unless it referr'd to the Letters found

---

again; and every Impediment ought to be remov'd, I say, without Exception. And though, sometimes, it is of hard Digestion for Sovereigns, who ought to be obey'd, without reserve, to yield to the Humours of Subjects, yet Prudence shall teach them, when they cannot, without injuring their Affairs, do what they would, to do what they can; and remember the Fable of the Dog, who lost the Substance, by catching at the Shadow. Assurances from the Nonjurors, the founded and most venerable Part of the *English* Church, would be of great Use at this Time, to persuade *France* to undertake this great Affair; for, besides their own Example, at a landing, and their preaching and writing to the People, that their Religion was in no Danger, it is most certain, they know better than any other can do, what the Church of *England*, in general, would do for the King's Service; and they, being to run all the Hazard, would be better believ'd at the *French* Court than any other, as I found by Experience.

As to the Catholics, and other Associates with them, unfortunately for the King, they were thought to have too much Inclination for me, and to have been reckon'd as useless to the King: And I must beg Leave to say, that Undertaking was the best Feather in his Wing; and was most justly thought so by him and the Court of *France*, even to that Degree that they pretended, if this and the other Article concerning the Clergy, could be made appear, they would concur with the King to invade *England*. They confisted of Seven Regiments of Horse and Dragoons; their Arms, Trumpets, Kettle-drums, Standards, *&c.* were all ready, and are yet in Surety: Their Men were all listed, and their Officers chosen, and they had twenty Horses to a Troop: which Troops lying at a Distance, in a Horse-country, twenty Horses would soon have mounted the rest: Those who could not divine the Greatness and Use of the Undertaking, blamed the Rashness of it; and even some Churchmen have not been disapprov'd, for endeavouring unfaithfully (because contrary to the King's written Orders) to break the Design: But I desire you now, for all this, to believe, that you have not such an Argument to use to the Court of *France* as this: And, if you can make it appear, as it might have been, some Years ago, I should have very good Hopes of this Summer's Work: nay, let the King have what other Hopes, even Promises, you please, from the Court of *France*, this is to be put into the Circumstances it was in: For, if there will ever be a landing in *England*, to purpose, it must be before they can be arm'd; and they cannot be arm'd, before the Parliament come to a Resolution concerning the War; and, considering the few Troops in *England*, suppose these Men to be no better than Militia, what a Diversion would it be? It is not necessary for me to say any more of this Article, till I know whether their Majesties have as good an Opinion of this Undertaking as I have: If so, I shall shew what I think is to be done in it; if otherwise, I save the Pains. As to the Earl of *Arran*, it would be of great Use to have an Understanding with him: He *will* have arms, where * —— can pay: His all is at stake, and he ought to be wary with whom he ventures to deal. I think it better for the King's Service, that the Court-party prevail'd, in the Manner they have done, in the Parliament of *Scotland*, than that the Country party should have got their Will: Opposition swells the Water to a Flood; and so long as the Country-party is not discourag'd, they gain more Ground in the Kingdom, than they lose in the Government: So that the Dissatisfaction to the Government will increase; and one may judge of the Nation in general, which is of another Temper than this pretended Parliament, or rather, Presbyterian Rabble, in representing the Nation: For, since even in it there is such a Struggle against the Government, what would there be *in a free Parliament*, which the Prince of *Orange durst never hazard to call?* The Nation then, at least a great Part of it, being dissatisfied to this Government, it is of great Consequence, that the Earl of *Arran* may know what to do, in case of an Invasion of *England*; or in case he and his Friends be oblig'd, for Self-preservation, to rise in their own Defence. The Army, who are, and ever were, well affected, are to be gain'd by Money; and a little goes a great way with them: The disbanded Troops would be engag'd, and the Officers are well inclin'd: The Places of Strength would be secur'd, and such as can be put in Defence, without Expences fortify'd. To do all this, at least such a Part of them as can be begun with, a small Sum will serve; and he ought to have Hopes of it, and of the Command.

These being the only Heads to be discours'd of, and much to be said of every Part, it is not to be thought, that the Letter can carry a final Conclusion; for it may be, upon Discourse, I might change my Mind, or be more confirm'd in it, and see further. This makes me insist again to you, upon two Things, as appearing to me absolutely necessary to put Things upon a right foot: The first is, the removing of all Impediments out of the way, and sending all Suspected Persons to *Champagne* or *Burgundy*, according to their Guilt: And the second is of the last Use, both to their Majesties and the Prince; which is, the establishing of such a Number, under no Qualifications, to talk of their Affairs in their Majesty's Presence; with whom we can freely converse, and propose what may be for their Majesties Service.

As for the First, it will be for the King's Reputation, both at the Courts of *Rome*, *France*, and with all his true Friends in *England*, for many Reasons: As for the Second, it is according to Scripture, *In the Multitude of Counsellors there is Safety*. Nothing is so dangerous, as to determine what one will do, and then hear Reasons against it, and imitate the deaf Adder, *who heareth not to the Voice of the Charmer, let him charm never so sweetly*. Reasons, against a Resolution taken, offend; and the more Force they have, they offend the more; whilst, before the Resolution be taken, Reason has its Effect, and the Determinations are not the Effect of Humour and Fashion, but of Prudence and Justice. If in any Thing I fail, I'll swear it is want of Understanding, and not of Will: And I beg, that their Majesties may be perswaded, that it is no Humour nor Vanity, but their Service I have in my View; who am,

My dear S. Senior,
Most humble servant.

* Middleton.

P. S. There are no Letters from *England* which I expected and am promis'd.

I forgot to tell you, That the Conjuncture ought to be improven, so long as the Court of *France* have the Opinion of the Prince of *Orange*'s Treachery discover'd lately in their Hands.

Journ. of the Commons.

A. D. 1700-1. found on Mr. *Jolly*, the Contents of which he was not acquainted with: And the Embaſſador anſwers, "It was grounded on the Reports of *Paris*, which went ſo far, that they ſaid, There was a Deſign to poiſon the King of *Spain*."

Two Conferences between the Engliſh and French Miniſters concerning the ſame.

And, laſtly, in *Cole*'s Papers, we have Two Conferences between the Miniſters of *England* and *France* upon this Incident, which alſo deſerve to be inſerted, for the Sake of manifeſting the whole of its Operation. The Former, as contain'd in a Letter from Mr. *Vernon* to Lord *Manchester*, and the Latter, in his Lordſhip's Reply.

Whitehall, Feb. 20, 1701, O. S.

"I ſend you, incloſ'd, the Earl of *Melfort*'s Letter, printed by Order of the Houſe of Lords: I ſuppoſe, there will be no Queſtion made at St. *Germains*, whether the Letter be genuine or not; at leaſt, Monſieur de *Tallard* does not call that in Doubt, tho' he ſeems much offended at the Letter's being communicated to the Lords and Commons. He endeavour'd to ſpeak with me on *Monday* Night, but I was gone to *Kenſington*; and, upon his writing to me next Morning, that I would appoint him a Time when he might ſpeak with me, I went to him: He was full of Expoſtulation, of the Letters being carry'd to the two Houſes, by my Lord-Chamberlain and myſelf, as if it were done to create an Animoſity between the two Nations, and to give the Alarm, That the *French* had form'd a Deſign to invade *England*; whereas this appear'd to be only a chimerical Notion of *Melfort*, who (as he often repeated) was *un fou & un extravagant*; that he was baniſh'd from the Court of King *James*, and had nothing to do in the Court of *France*; that his waiting upon Madam de *Maintenon*, was only to get two of his Daughters put into the Nunnery of St. *Cyr*; that he had no Acceſs to the *French* Miniſters, but was ſpinning Cobwebs of his own; and there ought to have been no Occaſion taken from thence, to create Jealouſies and Miſunderſtandings: That the *French* had ſhewn their Diſpoſition to to live in Friendſhip with *England*; and he thought Care ought to be taken, on our Side, not to give any Grounds to believe, that we were picking a Quarrel with them; and This he thought neceſſary to tell me, as a Matter that deſerv'd Attention.

I told him, The Letter contain'd ſomething that might appear notional, and like a Project of his own: But other Parts of it laid down Facts, that it extremely concern'd us to provide againſt; ſuch as the fitting out a Fleet in *France*, that was like to be Maſter of the Sea this Summer: That we could make no Proviſion for our Safety, but in Parliament; and therefore it was fit they ſhould be acquainted with our Danger, and that the Proofs of it ſhould be laid before them: That, in *France*, they could diſpatch every Thing *dans le cabinet*: We had not ſo ready a Way in *England*, but what we did muſt be publicly, and *dans le marché*. Whoever had ſuppreſs'd ſuch an Advice here, might juſtly have expected an Accuſation of Treaſon againſt him. A. D. 1700-1.

He ſaid, He did not diſown, but they were fitting out Ships to Sea; but they did it upon the Preparations making in *Holland*, where they were at work, Night and Day, as well *Sundays* as other Days, to get out their Fleet; therefore, they could not do leſs in *France*: But they were not fitting ſo many Ships, as was repreſented; and that they had no Thoughts of being at Sea theſe three or four Months.

I told him, I ſhould be glad there might be no Occaſion for any Fleets coming out on either Side: I was ſure, *all* that we aim'd at was, to be on the *Defenſive*; and I ſhould be much better pleas'd, and think it more our Intereſt, to be diſarming our Ships, than arming them. As to the Character he gave my Lord *Melfort*, of *fou & inſenſé*, when we ſaw him treated as ſuch in *France*, we ſhould be willing to have the ſame Opinion of him; till then, we could not but remember what an Inſtrument he had been, in promoting the intended Aſſaſſination and Invaſion; and muſt be concern'd, that he is bringing himſelf again into play, upon the ſame Bottom: And, by his way of writing, at leaſt, one muſt ſuſpect, that he is admitted into Converſations with the *French* Miniſters. It ſeem'd very extraordinary, that he ſhould preſs the improving this Opportunity, now the Court of *France* had Reſentments, upon the Diſcovery of ſome Treachery they thought his Majeſty guilty of. He ſaid, This was a pure Fiction of *Melfort*'s. I told him, I was glad to hear them ſay ſo; and his Majeſty was very well ſatisfy'd, that he had given no Occaſion for any ones having ſuch hard Thoughts of him. I aſk'd him, once or twice, whether he knew of any Diſcovery of this Kind? He ſaid, He never heard any Thing like it; and there was no ſuch Thing, in reality.

In concluſion, he ſaid, That People ought rather to appeaſe Jealouſies on both Sides, than inflame them. I told him, He could contribute a great deal towards it; and, I hop'd he would make uſe of his Power: What I could do, in any Caſe, would be inconſiderable; but no Endeavours of mine ſhould be wanting to remove Miſunderſtandings, and ſo ſecure the public Peace."

Paris, March 9, 1701.

"The Conference I had with Monſieur de *Torcy*, was much the ſame with what you had with the Count de *Tallard*; his Diſcourſe turning in the ſame Manner, that the expoſing the Letter, was only to create and excite *Animoſities* in the Nation: That it ſhew'd a *Deſire* of breaking with *France*. That he had ſent for Lord *Melfort*, who was with him this Morning, and did own, that he had wrote a Letter of that Date, and that it was loſt, which he believ'd gave Occaſion for the framing of this: That he had mention'd ſomething in it of Madam de *Maintenon*, whom he had ſeen about his private Affairs; but he denies almoſt all that is in the Letter. As for that of the

A. D. 1700-1. Bishop of *Norwich*, he could have no Grounds to say it, since he hardly knew him, and he was satisfy'd to the contrary. As for Lord *Arran*, he was convinc'd he was not in King *James*'s Interest; that he was rather setting up for *himself*, as having some Pretence to the Crown of *Scotland*. In short, I found his Opinion was, that it was contriv'd only to frame a Design to *incense* the Nation, and to break with *France*, &c. He said, That I was sensible how little Credit Lord *Melfort* had at this Court, or at St. *Germains*: He read the Letter to me, as also a Paper cry'd about the Streets of *London*, of a new Plot or Conspiracy of *France* against *England*. The Answer I made him was, That by my last Letter, I had some Account of this Letter: That, by as much as I knew of it, I did not in the least doubt but they were Lord *Melfort*'s Thoughts, and wrote by him; but at the same Time I was satisfy'd, that the *French* Court was far from taking such Measures: That, as to the communicating it to the Parliament, if he knew our Constitution, he would know, that it was impossible to do otherwise in this Conjuncture, when greater Preparations, by Sea and Land, were never known to be made than are actually making now in *France*; which was no Secret, nor did I believe, that there was any Desire that it should be so: That he must forgive me, if I thought Lord *Melfort* was not so despicable a Person, since I saw him often at Court, which, here especially, is no Sign of it, since Men of that Character were not permitted to approach so near the King: That, not having yet my Letters of the last Post from *England*, I could not tell what Effect it had caus'd; but that my Opinion was still, that we were far from desiring a War; neither could it be our Interest, unless we were oblig'd to it for our own Security, and consequently that of *Holland*. I also took Notice of the Expression of the Discovery of some Treachery, which the King was suppos'd to be guilty of, and which I did not understand, unless it meant the extravagant Reports that were at *Paris*, of Letters found, which my Servant, who was drowned, brought from *Madrid*: And I did not doubt but he knew the Substance of them very well, and was convinc'd of the contrary of the Reports. I told him also, That the Proceedings of the Viceroy of *Navarre*, in opening the Letters, and sending them to *Madrid*, could not be any ways justifiable, since he could easily see, that they were directed to a public Minister residing at the Court of *France*. He did own, he could not tell the Meaning of that Expression, since the King was far from having any such Thoughts: He seem'd to know nothing of the Letters, but he had heard of this Accident; but he condemn'd very much the opening of them. I said further, That, as for the Paper cry'd about the Streets, I did believe it was not done by Order; that they printed what they pleas'd in *England*, tho', if the Authors were discover'd, they were liable to be punish'd: Because it is not sent to me, I am of Opinion, it is such a Paper as we have often at *London*; but, I do assure you, it makes more Impression here than the Letter: Endeavours are us'd to make it to be believ'd, that it was forg'd only to serve a Turn, as they say has been the Custom at the Beginning of Parliaments: This must reflect on the Honour of his Majesty; and I did venture to say to Monsieur de *Torcy*, That, in case it could be suppos'd such a Letter was forg'd, I did not doubt but I might produce the Original, if there was any Occasion. I wonder he did not mention to me what had pass'd between you and Monsieur de *Tallard*: In short, I am told, they take it for granted, that we shall enter into a War; And, as I happen'd to come a little later to *Versailles* Yesterday than usual, the whole Court had it, that we had declar'd War; but, when they saw me, it soon put a Stop to that Report."

A. D. 1700-1.

To conclude on this Head, *Melfort* at last own'd the Letter, and was disgrac'd for his Pains; having been first refus'd Admission at St. *Germains*, and afterwards sent by a *Lettre de Cachet* to *Angers*: Which was doing all that could be done, to extinguish our Apprehensions on his Account.

Melfort disgrac'd and sent to Angers.

Whether the Allegations on the *French* Side, That the Letter was made public by our Court, *purposely* to *inflame* the Nation, were ill or well founded, must be gather'd from the whole of the Evidence: That our Ministers talk'd only the Language of Peace, we have Proofs in abundance in *Vernon*'s and *Manchester*'s Letters; and that Language, whether real or feign'd, was but suitably countenanc'd by the defensive Measures of the House of Commons: But that there was nevertheless a Cabinet-Management, thro' some Channel or other, to precipitate a War, is obvious to Suspicion, tho', perhaps, it cannot be circumstantially prov'd: For all we can as yet discover by the closest Inspection, is, That the King put his Confidence at this Crisis, in Lord *Albemarle* only: That Lord *Jersey* acted as Minister under *Albemarle*; that *Vernon* and *Hedges* rank'd under *Jersey*; and that, tho' Lord *Rochester* is, invidiously but artfully, put at the Head of the new Ministry by the *Whig*-Writers, the Lords *Marlborough* and *Godolphin* had a much larger Share in the Management than he.

A secret Management somewhere to precipitate a War.

The Instructions given to Mr. *Stanhope* at the *Hague*, in consequence of the Commons Address, were as follows.

The Instructions given to Mr. Stanhope.

"WILLIAM R.

Whereas our loyal and dutiful Subjects, the Commons in Parliament assembled, have, by their humble Addresses, pray'd that we would be pleas'd to enter into such Negotiations, in concert with the States-General of the United Provinces, and other Potentates, as may most effectually conduce to the mutual Safety of these Kingdoms, and the States-General, and the Preservation of the Peace of *Europe*; and that we have promis'd them immediately to order our Minister abroad to enter into such Negotiations accordingly: You are therefore to enter forthwith into such

A. D. 1700-1. such Negotiations with the Miniſters of *France* and *Spain*, and other Potentates, at the *Hague*, in concert with the Miniſters of the States-General, in order to obtain the Conditions following, and in all other Matters which the ſaid States ſhall think neceſſary for their farther Security.

1. That the Moſt *Chriſtian* King ſhall order all his Troops that now are, or ſhall be, in Gariſon in any of the *Spaniſh* Towns in the *Netherlands*, actually to retire from thence, ſo as the ſame may be entirely evacuated of *French* Troops, within ſuch Time as ſhall be agreed upon in the Treaty; and that he ſhall engage not to ſend any Forces into any of thoſe Towns or Countries.

2. That no Troops, but ſuch as conſiſt of National-born Subjects of *Spain*, or *Germans*, continue in the *Spaniſh Netherlands*; except ſuch Troops as are to be plac'd, and remain in the cautionary Towns, mention'd in the next Article.

3. That for the better Security of us, and the States-General, and quieting the Minds of our People, there ſhall be deliver'd to us, and to the ſaid States, cautionary Towns, within ſuch Time as ſhall be agreed by the Treaty, to be kept by our Gariſons reſpectively, and none other, *viz.* to us, the Towns of *Nieuport* and *Oſtend*; and to the States-General, the Towns of *Luxemburg*, *Namur*, and *Mons*, in the Condition they now are, to be kept by our Gariſons, and thoſe of the ſaid States, reſpectively, during ſuch Times as ſhall be agreed upon; with a Proviſo, that the ſame be done without Prejudice to the Rights and Revenues of the Crown of *Spain*.

4. That no Towns or Countries belonging to the *Spaniſh Netherlands*, nor any Ports whatſoever belonging to the Crown of *Spain*, ſhall be exchang'd with *France*, or any ways deliver'd up, or put under the *French* Government.

5. That our Subjects ſhall enjoy the ſame Liberties and Privileges, in all Parts of the *Spaniſh* Dominions, as well by Sea as on the Land, as they did at the Time of the Death of the late King of *Spain*, and in as ample a Manner, as the *French* or any other Nation does, or ſhall do hereafter.

6. That the Emperor be invited to join in this Treaty; and that any other Princes or States, who think fit to unite for the Preſervation of the PEACE of *Europe*, may be admitted into the ſame.

7. That the States be deſir'd to begin the Negotiations aforeſaid, if the *French* Ambaſſadors do not; and you are to move them thereto.

8. You are to give a free Communication of theſe your Inſtructions, and ſuch others as you ſhall receive from us, and of all Proceedings on this Subject, to the Penſioner, and deſire a reciprocal Communication from him, as a Matter for our Service.

9. You ſhall obſerve ſuch further Inſtructions and Directions on this Subject, as you ſhall from Time to Time receive from us, or one of our principal Secretaries of State, with whom you ſhall conſtantly correſpond, and tranſmit to him an Account of all Matters which ſhall happen in the Courſe of your Negotiation, and of all Occurrences of Moment that ſhall come to your Knowledge. *W. R.*" A. D. 1700-1.

As the Article which related to the Emperor was of a very ambiguous Kind, ſo it ought to be obſerv'd, that theſe Inſtructions were dated *February* 28: And that in a few Days afterwards, Mr. *Stepney* was ſent Envoy Extraordinary to the Emperor, at a Weeks Warning, with Orders to conſer with the *Penſioner*, and the *Imperial* Miniſter at the *Hague*, de *Goes*, by the way: And we ſhall, in the Sequel, come to a Letter of his to Lord *Manchester*, which ſhews plainly enough, That his Errand was rather to concert the Plan of a new War, than to promote an Accommodation: Which ought to be remember'd, not ſo much for the Credit of the new *Miniſters*, as to confute the Charge brought againſt them.

Proceedings of the Commons to retrieve the Credit of Exchequer-Bills.

And here it may not be unfit, to produce ſome farther Proofs, That the Houſe of Commons was not for ſome Weeks *wholly* employ'd in *Party Matters*; as the pretended *Hiſtorian* of his *own Times* untruly aſſerts. Upon the Change which had been made in the Miniſtry, the Creatures and Dependants of Thoſe ouſted, affected to be in pain for the Owners of *Exchequer*-Bills, and ſuch other Creditors of the Public, as had either no Security for their Loans, or ſuch Securities as were deficient; as if the public Faith had been ſafe only in their Keeping; and the Removal of *Perſons*, had remov'd the very Landmarks of all Property veſted in the *Funds*: And ſuch an Effect had their Artifices, that *Exchequer*-Bills fell near 20 *per Cent.* under par, to the great Prejudice of the Revenue, and Embarraſment of Thoſe who had the Management of it: To ſay nothing of the Uſe that was made of it to blaſt the Government abroad, where it was reported and believ'd, That there was a Stop of Credit in the City. [Cole. p. 514.]

But tho' the creating this Grievance was a Party-Meaſure, the redreſſing it was ſurely a national Service: And yet this Service was perform'd, in a good Degree, ſo early in the Seſſion as the 22d of *February*, by an *unanimous* Vote, "That Proviſion ſhould be made from Time to Time, for making good the Principal and Intereſt due on all parliamentary Funds, granted ſince his Majeſty's happy Succeſſion to the Throne." And this was follow'd by a Bill for renewing *Exchequer*-Bills, which by frequent Aſſignments and Endorſements had been fill'd up, and reducing the Intereſt of 5*d.* a Day for 100*l.* to 4*d.* which having paſs'd thro' the Forms of both Houſes, receiv'd the Royal Aſſent *March* 13, being the only Act of the Day.

That, however, the Miniſters might neither have the Reputation nor the Uſe of theſe ſalutary Proceedings, the public Creditors were now taught to be diſſatisfy'd with a Proviſion of ſo indefinite a Nature, and to clamour for a Diſcharge of all Arrearages on the Debts unprovided for, which were ſaid to amount to Three Millions, or there-

A. D. 1700-1. thereabouts, at once: A Sum which, in those Times, was held to be impossible to be rais'd, together with what was absolutely necessary for the current Charge, within the Year; or if rais'd, must either have exhausted the People on one Hand, or excited such Discontent on the other, as might have prov'd dangerous to the Government.

Lenders on the Leather Duty receiving 8 per Cent. for their Money, clamour for Part of their Principal.

Of these Clamours, there is one extraordinary Instance which deserves to be remember'd: For among the Resolutions of the general Committee, there being one for raising the Sum of 35,310*l.* 13*s.* 4*d.* for a Years Interest of the Debt owing on the Leather-Duties, the principal Proprietors importun'd the House, upon the Report, for Payment of Part of their Principal, tho' they had 8 *per Cent.* for their Money.

But every new Regulation that was made in our Money-Matters, (and the Session produc'd several; more especially for restraining the Exorbitances which the Use of *Exchequer*-Bills had given Rise to) is said to have drawn down upon the Managers some new Abuse: And this injurious Treament, gave Rise to the following Reprizal, which is to be found in a Folio Tract of these Times, call'd, *A Justification of the Proceedings of the House of Commons.*

A Tory Remark on the Conduct of the former Ministers in relation to Exchequer-Bills.

"When *Exchequer*-Bills were first issu'd out on a Deficient Fund, and afterwards without any Fund at all, it was propos'd, That, instead of issuing out Bills on high Interest without a Fund, Bills with little or no Interest might be issu'd on a secure Fund, which would sink a certain Number of them every Year, and, in a reasonable Time, discharge the whole Debt, without farther Difficulties: By this Means, the whole Debt of *Exchequer*-Bills had been discharg'd by this Time, and above a Million of Money, paid for Circulation thereof, sav'd to the People; whereas now, the Debt still remains a heavy Clog upon the Nation.

But this Proposal was not accepted: 1st, Because this substantial Project had put an End to all other Projects for raising Money; and, consequently, to the Merit of some Persons that depended thereupon. 2dly, There would then have been no Room to create Dependancies, and to establish Offices for useful Parliament-Men, as *Trustees* for the circulating *Exchequer*-Bills, and at good Salaries from the King. 3dly, Some considerable Men would have lost an Opportunity of subscribing large Sums in other Persons Names, for circulating *Exchequer*-Bills, without paying in one Penny of Money to the *Exchequer*, and thereby have lost a Rent Charge of several thousand Pounds a Year, (as Interest Money without a Principal) to their own private Use."

By the Word *Trustees*, it must be observ'd, was meant the Trustees for the *Contractors* on one Hand, and for the Government on the other: For when this *Exchequer*-Expedient was brought into play, the Credit of the Public was so feeble, that it requir'd the Aid of private Security to support it: And to this End, the *Exchequer* was empower'd to contract with Persons of known Ability, at so much *per Cent.* to advance Money for exchanging *Exchequer*-Bills, or rather to indorse these Bills, and thereby give them a readier Circulation: There had been seven Contracts of this Kind: The Trustees were in Number Eleven: Five for the King, and Six for the Contracters. The last of These were *Francis Eyles*, Esq; Sir *Theodore Janssen*, *Gilbert Heathcote*, Esq; *George Doddington*, Esq; Sir *James Bateman*, and (*x*) Sir *Henry Furnese*: The Consideration for this Service was 3 *per Cent*: When the Credit of these Bills were at this Crisis fallen thus low, the Contractors were call'd upon by the Lords of the Treasury, to pay in their first Payment, of one Fifth of what they had subscrib'd: And a Clause was inserted in the Act above-specify'd, to dissolve the said Contract.

A. D. 1700-1.

Whether this was occasion'd by any Difficulty on the Side of the Contractors to comply with this Call, is not easy to determine: These were all Dependents on the old Ministry: The Difficulties brought on the New in their Money-Matters, was the Effect of Practice: The like Practice has been often since brought into play for Party-Purposes: And Experience has shewn, That whoever can obtain the Direction of the Money-Market, in doubtful Times may direct the Administration.

Impartiality, indeed, does oblige us to acknowledge, That the old *East-India* Company were accus'd of being as deep in engrossing Money and Bank-Notes at this Time, as any Persons whatsoever; and of coming with a Demand of 50,000*l.* on the *Exchequer* for their Bills at once: But if the Charge was well laid, most certainly their Purpose only was, to put themselves into a Condition to bid against their Rivals: And we shall find their Conduct was suitable to it. [Villany of Stock-Jobbers detected, 410; p. 8.]

Again: Our *Historian*-Bishop, having, in his confus'd, unmethodical Way, pass'd thro' more than half the Session, procedes to say, "While all these Things were in a Ferment all *Europe* over, the declaring a *Protestant-Successor* after the Princess and such Issue as she might have, seem'd to be *forgot* by our Parliament, tho' the King had begun his Speech with it." He also says, "That tho' the new Ministers spoke of it with much Zeal, the Manner in which it was manag'd did not carry in it great Marks of *Sincerity*: It was often put off from one Day to another, and it gave Place to the most trifling Matters: At last, when a Day was solemnly set for it, and all People expected, that it should pass without any Difficulty, *Harley* mov'd, that some Things previous to That might first be consider'd. He observ'd, That the Haste the Nation was in when the present Government was settled, had made us go too fast, and overlook many Securities, *B. Burnet's Account of the Succession Bill.*

(*x*) Sir *H. Furnese* and Mr. *Heathcote* having been return'd Members for this Parliament, were expell'd; under the Pretence, of being disabled to sit, by a Clause in the Act of the 5th and 6th of K. *William* and Q. *Mary*, for granting to their Majesties certain Duties upon *Salt*, &c. disqualifying certain Persons therein describ'd, from being Members. A strange Instance of *Party-Over-Righteousness!*

A.D. 1700-1 curities, which might have prevented much Miſchief; and therefore he hop'd they would not now fall into the ſame Error. Nothing preſs'd them at preſent; ſo he mov'd, they would ſettle ſome Conditions of Government as Preliminaries, before they ſhould procede to the Nomination of the Perſon, that ſo we might fix every Thing that was wanting to make our Security complete. This was popular, and took with Money: And, indeed, it had ſo *fair* an *Appearance*, that *none would oppoſe it.*" He then procedes to blame the Uſe that was made of a Method which he admits to be unexceptionable; talks of SOME WEEKS being ſpent upon theſe Preliminaries; ſays, the King was alarm'd at them, becauſe almoſt every Particular that was propos'd, imply'd a Reflection on him and his Adminiſtration: And then makes uſe of theſe very Words: "When ſome Time had been ſpent in theſe Preliminaries, it came to the Nomination of the Perſon: Sir *John Bolles*, who was then diſorder'd in his Senſes, and ſoon after quite loſt them, was *ſet on* by the *Party* to be the *firſt* that ſhould name the Electoreſs-Dowager of *Brunſwick*, which ſeem'd done to make it leſs ſerious when mov'd by ſuch a Perſon. He was, by the Forms of the Houſe, put into the Chair of the Committee." And, laſtly, he adds, That the Bill was ſtill put off for many Weeks: That the Call for it was coldly receiv'd: That it was very ill attended, *&c.* All which defamatory Matter is plainly taken from an abuſive Tract publiſh'd by the *Whigs*, and, perhaps, written by himſelf, towards the latter End of this Year, call'd, *A plain Proof, That all the* Tories *are* Jacobites.

Such is the Biſhop's Repreſentation: And now for the Fact.

The Matter of Fact. On the 1ſt of *March*, being preciſely the *fifteenth* Day after the King's Speech had been reported to the Houſe, the Clauſe in relation to the Succeſſion, was taken into Conſideration by a Committe of the whole Houſe, who came to certain Reſolutions, which were reported on the 3d, and with Two *Amendments* agreed to.

Theſe Reſolutions were as follow.

Reſolv'd, That for the preſerving the Peace and Happineſs of this Kingdom, and the Security of the Proteſtant Religion *by Law eſtabliſh'd*, it is abſolutely neceſſary a farther Declaration be made of the Limitation and Succeſſion of the Crown, in the Proteſtant Line, after his Majeſty, and the Princeſs, and the Heirs of their Bodies reſpectively.

Reſolv'd, That farther Proviſion be *firſt* made for the Security of the Rights and Liberties of the People.

Thus it appears, That the Two Parts of the Bill, to make a *farther Limitation* of the Crown, and a *farther Proviſion* for the Security of the People were coeval: And when Faction does act in the Manner that Patriotiſm would act, as in taking the popular Part of the Bill into Conſideration *firſt*, the Managers of theſe Times certainly did, Malice itſelf ought to be ſilent for its own Sake: For whoever complains in the wrong Place, may not be heard in the right. A.D. 1700-1

It likewiſe appears, That, on the 12th following, not only all theſe previous Points were ſo far ſettled that a Bill was order'd in upon them, but alſo, That the Ducheſs-Dowager of *Hanover* had been nominated and admitted, as the Perſon in whoſe Favor this mighty *Donation* was to be made: In Proof of which, it will be proper to inſert the Votes of that Day, which were as follow.

Reſolv'd, That all Things relating to the well governing of this Kingdom, which are properly cogniſable in the Privy-Council, ſhall be tranſacted there; and all Reſolutions taken thereupon, ſhall be ſign'd by the Privy-Council. *Plan of the ſaid Bill.*

That no Perſon whatſoever, that is not a Native of *England*, *Scotland*, or *Ireland*, or the Dominions thereunto belonging, or who is not born of *Engliſh* Parents beyond Seas, (altho' ſuch Perſon be Naturaliſ'd, or made Denizen) ſhall be capable to be of the Privy-Council, or a Member of either Houſe of Parliament; or to enjoy any Office of Place or Truſt, either Civil or Military.

That no Perſon whatſoever, that is not a Native of *England*, *Scotland*, or *Ireland*, or of the Dominions thereunto belonging; or who is not born of *Engliſh* Parents beyond the Seas, (altho' ſuch Perſon be Naturaliſ'd, or made Denizen) ſhall be capable of any Grant of Lands, Tenements, or Hereditaments, from the Crown, to himſelf, or any Other in Truſt for him.

That upon the farther Limitation of the Crown, in caſe the ſame ſhall hereafter come to any Perſon, not being a Native of this Kingdom of *England*, this Nation be not oblig'd to engage in any War, for the Defence of any Dominions or Territories not belonging to the Crown of *England*, without the Conſent of Parliament.

That whoſoever ſhall hereafter come to the Poſſeſſion of this Crown, ſhall join in Communion with the Church of *England* as by Law eſtabliſh'd.

That no Pardon be pleadable to any Impeachment in Parliament.

That no Perſon who ſhall hereafter come to the Poſſeſſion of this Crown, ſhall go out of the Dominions of *England*, *Scotland*, or *Ireland*, without Conſent of Parliament.

That no Perſon who has an Office under the King, or receives a Penſion from the Crown, ſhall be capable of ſerving as a Member of the Houſe of Commons.

That farther Proviſion be made, for the confirming of all Laws and Statutes, for the ſecuring our Religion, and the Rights and Liberties of the People.

That the Judges Commiſſions be made *Quam diu ſe bene geſſerint*, and their Salaries aſcertain'd and eſtabliſh'd: But upon the Addreſs of either Houſe of Parliament, it may be lawful to remove them.

That the Princeſs *Sophia*, Ducheſs-Dowager of *Hanover*, be declar'd the next in Succeſſion to the Crown of *England*, in the Proteſtant

A. D. 1700-1. teſtant Line, after his Majeſty, and the Princeſs, and the Heirs of their Bodies reſpectively: And that the farther Limitation of the Crown, be to the ſaid Princeſs *Sophia*, and the Heirs of her Body, being Proteſtants.

Again: Mr. *Conyers* held the Chair of the Committee regularly till the Bill was order'd to be brought in, which was the very Day theſe Reſolutions were adopted by the Houſe: The Perſons appointed to bring it in, were Mr. *Conyers*, Mr. *Gwyn*, Sir *Thomas Littleton*, Sir *John Bolles*, Mr. Attorney-General *Trevor*, Mr. *Harcourt*, Mr. *Lowndes*, and Sir *Rowland Gwin*. Moſt of theſe Gentlemen were eminent for their Experience in Buſineſs: And even Sir *John Bolles* himſelf had been appointed of ſeveral Committees, during the Courſe of the Seſſion: Whence it is ſufficiently manifeſt, that the Lunacy ſince imputed to him, was either not ſuſpected then, or had not broke out in any ſuch Inſtances, as amounted to a Diſqualification.

But if the Bill was diſhonor'd by ſuch a Chairman, and by ſo poor an Attendance, ſurely there was no Occaſion to run the Riſque of weakening its Authority to future Times, by recording ſuch Circumſtances: And if it was of ſuch ineſtimable Value, as we ought in point of Duty to eſteem it, ſurely the Merit of paſſing it, ought to atone for all Defects in the Manner of it. That the Court-*Whigs* had either no Share, or very little, in this Merit, is pretty manifeſt: For had They, who number'd 129 on the firſt Day of the Seſſion for Sir *Richard Onſlow*, but even countenanc'd it with their Preſence, they would either have been the Majority in the Committee, or would have oblig'd their Antagoniſts to have attended it better.

Cavils refuted. Then as to the Cenſures paſs'd on the *Limitations*, how well they become the Lips of Thoſe who utter them, let Thoſe decide, who recollect the Language made uſe of when King *Charles* the IId. was reſtor'd without *any*; and when the *Excluſion* of the Duke of *York*, by Act of Parliament, was ſo peremptorily and violently drove on, even to the Hazard of the public Peace.

Beſides; if the ſaid Limitations did really imply any Reflection on the King and his Adminiſtration, it follows, That Experience had already ſhewn the Neceſſity of them: And if they ſo much diminiſh'd the Value of the Gift, as that it was ſcarce worth acceptance, the Parliament, in caſe of Refuſal, could then but have done what they have done ſince, ſo much to their own Honour, we muſt preſume, and to the Advantage of theſe Kingdoms: That is to ſay, have taken the Act into *better Conſideration*; which, according to a Phraſe made uſe of by our *Hiſtorian-Biſhop*, which will be cited in its Place, was the Merit which the *Well-wiſhers* of the Act reſerv'd to themſelves.

And yet, to be candid, we ſhall be forc'd to acknowledge, notwithſtanding all the plauſible Things which either have been or which can be ſaid in Defence of the *Limitations*, That what was propos'd to be obtain'd by ſeveral of them, might have been obtain'd by a much ſhorter way, if the Court-Views at this Time could have been made to co-incide with the true Intereſt of the Country. A. D. 1700-1.

It cannot be unknown to any body converſant with the Occurrences of theſe Times, That, at or about the Commencement of the Seſſion, Mr. *Toland* ſet forth a Treatiſe in the Nature of, A Recital of what paſs'd in a Conference between *Two Friends*, ſuppoſ'd to be *Whig* and *Tory*, on the Succeſſion, under the Title of, *Limitations for the next* foreign Succeſſor, *or new* Saxon *Race*.

Suggeſtion in a Pamphlet of Toland's.

In the ſecond Page of this Treatiſe, he contends for the Reaſonableneſs of *Limitations*, by urging, That if we made Terms with the Prince and Princeſs of *Orange*, who had both Merit and an antecedent Title to the Crown, we might very well demand a *farther Security* for our Religion, Liberty, and Property, from thoſe who had no other Clame but what aroſe from our own good Will.

In proceding, he ſuppoſes, That, being to *elect* a *Succeſſor*, the Nation might be allow'd the ſame Liberty which the *Spaniards* took in beſtowing *their* Crown, to chuſe out of the Houſe of *Hanover*, or that of *Brandenburg*, which of the Sons they pleas'd: And then recommends it to be well weigh'd, Whether we ought to make any of thoſe Princes Kings of *England*, without obliging them at the ſame Time to *renounce* their *foreign Dominions*: "For, ſays He, if our Crown ſhould fall upon either of thoſe Families, They will fall under mighty Temptations, to enlarge their Dominions beyond Sea, in order to make the Communication betwixt their old and new Dominions more ſpeedy and eaſy. This the Family of *Hanover* may attempt by falling down upon the *Elbe* and the *Weſer*, and ſwallowing up *Hamburgh*, *Bremen*, *Verden*, &c. and the Houſe of *Brandenburg* might do the like, by falling down the ſame Rivers and the *Rhine*. All theſe Things, how remote and chimerical ſoever they may ſeem at preſent, ought to be conſider'd, *&c.*

After this, coming to the Terms and Limitations themſelves, he ſuggeſts, They ought to be ſuch as were at firſt put into the *Clame of Right*, but afterwards, by Neglect or Treachery omitted: And then ſpecifies Fifteen Articles, which would, indeed, have render'd both the King and his Throne of a Piece. And the *Tory*, in the *Conference*, having taken Occaſion to aſk, What Prince would accept the Crown on ſuch Terms? The *Whig* replies, "The Kingdom of *England* may reaſonably give the ſame Anſwer that rich Fortunes give their ſtingy Sweethearts in conſideration of their Fortune, *They may let them alone.*" Adding, "If the Prince upon whom we devolve our Crown, does not think it worth his while to grant us ſuch Security, That none of its Jewels (I mean the Privileges of the People) ſhall be embezzled, I am

of

A.D. 1700-1. of the Opinion, That it will not be worth our while to court such a Governor."

And, lastly, he takes a great deal of Pains to prove, That we are not to come to a final Conclusion of this Affair, either as to the Conditions or the Person, without the Concurrence of the *Scots*; for fear they should make a different Choice, and thereby throw both Kingdoms into Confusion.

More Cavils refuted.

Such was the general Drift of this Piece, which deserves at least to be set in Opposition to the Sophistries of B. *Burnet*. And now all that remanes to be added on this Topic, in reference to him, regards the Complaints he makes, of the Length of Time wasted in carrying the Bill thorough the Forms of the House, which being more Matter of Cavil than any thing else, scarcely deserves notice: For when the Heads of the Bill were settled, the Affair was understood to be in a Manner completed; as appears from these Words of Mr. *Vernon* to Lord *Manchester*, *March* 30: "We have made some farther Progress To-day about the Succession, and I hope we may come to a Conclusion To-morrow." Meaning a Conclusion of the Plan, which was accordingly concluded on the 12th, as we have seen. And, Secondly, Mr. *Cresset* writing to same Lord from *Zell*, *April* 8, says, "The great Restrictions tagg'd to the Limitation of the Crown in the House of *Hanover*, diminishes the Value of it. However, I am glad the Nation has done ITSELF *Right* in the *first Place*, and likewise Justice to this great Family..... If your Excellency thinks fit to write to her Electoral Highness on this Occasion, I will take care to present it, and to accompany it with such Expressions as your Excellency shall direct." Whence we must infer, That even the Courts most interested in the Event, were no longer in Pain for it, after the said Heads were agreed upon.

The Process of the Bill.

But we will, to be as candid as possible, give the Stages of the Bill: On the last Day of *March* it was presented to the House by Mr. *Conyers*: On the 7th of *April* it was committed to a Committee of the whole House: On the 13th, Sir *John Bolles* was plac'd in the Chair, by which Time the Two Factions were, as we shall see, in the Midst of their Broil: On the 6th of *May*, the Chairman of the said Committee made his Report, That the Committee had gone thro' the Bill, and made several Amendments: And These, by order, were to have been reported on the 8th: But on that Day the famous *Kentish* Petition was presented, and the bare Expectation of it had already occasion'd such a Ruffle in the House, as will be shewn in its Place, that one would have thought the Party who sprung this Mine, had done it purposely to blow up the Bill: Nor was this all: For on the same Day, another Vein of public Business was open'd, of such a Nature, as seem'd to warrant a Suspicion, That the Delivery of the said Petition, just at that Crisis, was the Result of a Pre-concert: On the 10th, however, the said Report was receiv'd; on which Occasion, it is remarkable, that the Minority struggled hard, to reject the Clause concerning the *Judges*; and also that Other which provided, That no *Officers* should be *Members* of *Parliament*, after the new Settlement took Place: But in vain: The Bill was then order'd to be engross'd; and on the 14th, by a *Nemine-Contradicente* Vote, pass'd and sent up to the Lords. A.D. 1700-1.

Upon the whole, If the Bill had been posted thro' the House, such an indecent Expedition would have furnish'd juster Cause of Complaint, than the most tedious Revisions: An Affair of greater Importance never came before Parliament: And if the Delays complain'd of, were really affected, such was the Ferment of the Times, that it is reasonable to think, one Party was, to the full, as much answerable for them as the other.

Proceedings of the Lords on the said Bill.

In the House of Lords, it seems, more Expedition was us'd in passing it: And yet B. *Burnet* himself, tho' led by his Prejudices to doubt the Sincerity of the *Tories* in a Measure which they actually accomplish'd, and to suggest, *That these Limitations were design'd to raise Disputes between the Two Houses*, had like to have gratify'd them with that very Opportunity which he would have us believe They waited for: For *Coke* affirms, "That out of his Zeal for the *Protestant Succession*, He, the (y) Bishop, was standing up to move for Amendments, when a great many of the young Lords, by a very signal Providence, cry'd out, *No Amendments! No Amendments.*" [Detection, Vol. III. p. 98.]

This Story, and another to the following Effect, That when the Bill was return'd to the Commons, without Amendments, several Members express'd their Dissatisfaction, by saying aloud to the Messenger, *The Devil take you and your Bill!* *Coke* tells on the Credit of Lord *Sommers*, who, according to him, had told it to many: So that the Bishop himself is within the Vortex of his own Invective; which shall be made yet farther appear by his own Words, *viz.* "Many of the Lords absented themselves on design: Some little Opposition was made by the Marquis of *Normanby*: And Four Lords, the Earls of *Huntington* and *Plymouth*, and the Lords *Guilford* and *Jeffreys*, protested against it. Those who wish'd well to the Act, were glad to have it pass'd any way, and so would not examine the Limitations that were in it: They thought it of great Importance to carry the Act, and that at another Time those Limitations might be *better consider'd*."

Lastly: If merely the non-expediting the Bill is Matter of Blame, the King himself is obnoxious to his Share of it. For either at the End of *May*, or on the 2d of *June*, the Lords, by Address, inform'd his Majesty, That

(y) He was Chairman of the Committee to whom the Bill was refer'd: And it is admitted in the Party-paper, call'd, *A plain Proof, that all the* Tories *are* Jacobites, That several Amendments were design'd; which it is there pretended were drop't, for fear the Bill should be lost.

A. D. 1700-1. [Cole, p. 590.] That it was ready for the Royal Aſſent: And it was expected, that on the *Wedneſday* following, he would have come to the Houſe to paſs it into a Law; inſtead of which, he caus'd their Lordſhips to be inform'd, That He would come to paſs it as ſoon as conveniently he could; and he did not paſs it till the 12th following.

The Bill carry'd by a Tory Miniſtry and a Tory Parliament.

Upon the whole, ſuch is the Matter of Fact, That, under a *Tory-Adminiſtration*, and by a *Tory-Houſe* of *Commons*, this great Point was carry'd: And whether Either or Both were under a *French* or *Jacobite* Influence, as our *Hiſtorian* Biſhop, together with all the Party-ſcandal-Mongers of the Times, have repeatedly maintain'd, let the Impartial judge from all that has already been ſaid, and from the Paſſages that follow out of Lord *Manchеſter*'s Letters to Mr. *Vernon*; to wit, of *March* 2: "What his Majeſty mentions (in his Speech) in relation to our own Succeſſion, will, if done, prevent in ſome Meaſure any ill Deſigns againſt his Perſon, or That of the Princeſs: But, at the ſame Time, were they not otherwiſe *engag'd*, it would produce no good Underſtanding, ſince it takes away the Pretenſions of *Savoy*; and, conſequently, That of this Family here (of *France* muſt be underſtood) I do believe they will take no Notice of it to me: But, I aſſure you, That on the Death of the Duke of *Glouceſter*, They were very uneaſy till they were ſatisfy'd, that the Houſe of *Hanover* was not in the Act of Settlement." And of *April* 1: "Neither can we expect but that, whatever Terms they grant now, they will break with us again, on Account of our Succeſſion, which, as I am told privately, ſtrikes to the very Heart."

Tho' diſpleaſing to the Court of France.

A Propoſal of Six Lords to the Miniſtry of Savoy.

Lamberty alſo mentions another Circumſtance, which, if true, ſerves to ſhew, That what Averſion ſoever was diſcover'd to the Settlement of the Throne in the *Hanover*-Line, it did not proceed ſolely from that Attachment to the excluded Family which is call'd *Jacobitiſm*: For he aſſerts, That Six Lords made an Offer to the Court of *Savoy*, to throw out the *Hanover*-Bill, and tranſfer the Succeſſion to one of his Sons, provided he would ſend him to be educated in *England*, and in the Religion of the *Engliſh* Church; which his Royal Highneſs thought fit to refuſe; for what Reaſon, is not ſpecify'd.

But if theſe Six Lords were not of the Miniſtry, it is plain, They had no Proſpect of ſucceeding in what They undertook; and it is not conceiveable, That any ſuch Offer would have been made, by thoſe that were: In ſhort, all the *Roman-Catholic* Princes of the Blood were excluded by the very Words of the King's Speech, as well as the very firſt Act of Settlement: And that very Excluſion was the greateſt [illegible] of the Bill.

A. D. [illegible]

That the Crown of *England*, at ever ſo great a Diſtance, was an Object which the Court of *Savoy* could not overlook, is manifeſt even from the Proteſt which their Envoy deliver'd, by the ſpecial Order of his Maſter to the Lord-Keeper, as Speaker of the Houſe of Lords, and alſo to the Speaker of the Houſe of Commons. But they knew the Door was ſhut againſt them; and perhaps ſo much the more cloſely, because of the Duke's Defection from the *Grand Alliance*; which had happened ſo lately, That it could not be ſuppos'd, his Majeſty, whoſe Memory was as tenacious on ſuch Occaſions as any Princes whatſoever, had already forgotten it.

The ſaid Proteſt, as preſerv'd by *Lamberty*, was to this Effect: To wit. [Vol. I. p. 503.]

Proteſt of the Duke of Savoy.

"*Anne* of *Orleans*, Ducheſs of *Savoy*, &c. Princeſs of the Blood of *England* by the Princeſs *Henrietta* her Mother, Princeſs Royal of *Great Britain*, puts ſo high a Value on that Prerogative, that ſhe gladly embraces the Occaſion which offers, to diſplay it before the Eyes of all the People of *England*, as a Teſtimony of the Pride ſhe takes in deriving a Right from thence to that auguſt Throne. (x) Being inform'd, therefore, That the Parliament now ſitting, have the Order of Succeſſion under Conſideration, ſhe *repreſents* to the King, and to the ſaid Parliament, That being the only Daughter of the late Princeſs *Henrietta*, ſhe is the neareſt Heir, after the King and the Princeſs of *Denmark*, according to the Laws and Cuſtoms of *England*, which have always preferr'd the neareſt *Branch* to the more remote. Her Right being thus manifeſt to the whole World, and inconteſtable, needs not be enforc'd by any other Allegations: But then ſhe cannot help proteſting againſt every Deliberation and Deciſion which ſhall be contrary thereto, in the beſt and moſt efficacious Manner in her Power, or practis'd in the like Caſes: In which ſhe is directed by Cuſtom rather than Neceſſity; becauſe ſhe has ſo high an Idea of the Wiſdom and the Juſtice of the King and Parliament, that ſhe has nothing to apprehend on their Part, which can be injurious either to her or her Children."

Mr. Vernon's ſenſible Behaviour upon it.

Concerning the Delivery of this Proteſt, Mr. *Vernon* alſo thus writes to Lord *Manchеſter*, *March* 27: "The Envoy of *Savoy* was with me on *Monday* laſt, to tell me the Orders he had receiv'd from his Maſter, to make a Proteſtation in the Name of the Ducheſs of *Savoy* for aſſerting her Right to the Crown after his Majeſty and the Princeſs: And he would have known, in what Manner it would be moſt agreable to his Majeſty,

(x) In the *French* of *Lamberty* thus.

C'eſt pourquoi, etant informée, qu'on a deliberée de regle l'ordre de la Succeſſion a la Couronne d'*Angleterre* dans le Parlement aſſemblée. Elle *repreſente* au Roi, & a cet même Parlement qu'en qualité de Fille unique de la feue Princeſſe Royalle *Henriette* ſa mere, elle eſt la premiere Apellée, apres le Roi *Guillaume*, & la Princeſſe de *Dannemarck*, &c.

In *Engliſh*, by B. *Kennet* and Mr. *Tindal* thus.

That, therefore, being inform'd, *That* it had been *reſolv'd* in the Parliament, *that*, being the only Daughter of the late Princeſs *Henrietta* her Mother, ſhe was the next in Succeſſion after his Majeſty *William* III. and the Princeſs *Anne* of *Denmark*, &c.

A. D. 1700-1. Majesty, That it should be communicated to the Parliament. I told him, That his Majesty took no Cognizance of what was doing in either House of Parliament, nor concern'd himself about it, till it was presented by both Houses in a Bill, or by either House in an Address. I told him farther, as from myself, That Protestations of this Nature, were Things unheard of here, and what nobody would advise him to: That I could understand it no otherwise, than protesting against an Act already pass'd about twelve Years ago, which excludes all Papists from the Succession here, and is now a Fundamental of our Constitution. Notwithstanding This, I hear he has sent his Protestations in a Letter directed to the Lord-Keeper, and our Speaker, which was deliver'd by two of his Gentlemen and a Public Notary, who is to make an authentic Attestation of the Delivery of it. Mr. *Harley* tells me, That, suspecting what he brought, he did not open his Letter, but told them, He was no other than a private Person out of the Chair: Whether my Lord-Keeper has observ'd the same Caution, I know not."

His Royal Highness embraces the Party of the Two Crowns.

And to This, all that need be added, is, That, while the Affair of providing for a Continuance of the *Protestant Succession* was holding this Course, the Duke of *Savoy* embrac'd the Party of the Two Crowns on very advantegious Terms to himself: For the young King of *Spain* was to marry his youngest Daughter without any Dowry; and he himself was to be *Generalissimo* of the *Allied* Army in *Italy*, with a Subsidy of 50,000 Crowns a Month, on Condition of furnishing 8000 Foot and 2500 Horse.

Conduct of Zell and Hanover at this Crisis.

Of the Proceedings of the House of *Hanover* during this Interval, it is not to be imagin'd, that a satisfactory Account can be given: But such of the Footsteps as can be trac'd, shall be given as they lye. Towards

[Cole, p. 264.] the Close of the preceding Year, Mr. *Creffet* represents the Two Courts of *Zell* and *Hanover*, as wholly at the Devotion of the King, as relying with a full Confidence on his Royal Conduct as to public Affairs; but expresses some Apprehensions of a strong *French* Cabal at the first of these Courts, which zealously assisted the Envoy of *France* in all his Designs, and also of the Duchess herself, who employ'd all her Power, which was

[Ibid. p. 296.] daily encreasing, the same way. In the Beginning of *February*, the same Minister represents the said Courts as invited on the one Hand by *Denmark*, to abandon the Duke of *Holstein*, in which Case *Denmark* would sacrifice the Branch of *Wolfenbuttle* to their Discretion: And on the other, to go *Halves* in the projected Expedition of the *Swedes* into *Saxony*; but as still dispos'd to take no Resolution without the Participation of his Majesty. In the Letter before cited, wherein the *Restrictions tagg'd to the Limitation*

[Ibid. p. 354.] of the Crown are mention'd, he says, "The said Courts do all the Service they can to the Public, being perfectly well-intention'd; 5000 Men are already march'd from hence towards *Holland*; and some other Regiments are order'd to be in a Readiness.....But these poor Princes cannot make Brick without Straw." And in his Letter of *June* 20, he writes thus: "The good old Princess has been so pester'd of *late* with the Letters of forward People almost unknown to her, that she is to be pity'd for the Trouble she takes in answering them *all*." To which Passage, no Man acquainted with Courts and Courtiers, will want an Interpreter. A. D. 1700-1.

Lastly: If we look a little forward, in order to close this Section, we shall find, That the King having appointed the Earl of *Macclesfield* to carry the *Garter* to the Elector of *Hanover*, as also to congratulate the Two Courts on the Election of the Princess of *Sophia* and her Lineage to the Throne of *England*, the Presents made to his Lordship on that singular Occasion, amounted to upwards of 7000*l. Sterl.*

Parliamentary Affairs resum'd.

Having thus thrown all the Lights in our Power on this memorable Affair, we must now resume the Course of our parliamentary Proceedings, which being of a Nature altogether peculiar to this Session, cannot be prosecuted without frequent interruptions.

In order to which, it will be necessary to premise, That if Mr. *Vernon* was under any Mistake when he told Lord *Manchester*, That the Commons in granting the Succours demanded by the States, had granted all his Majesty *desir'd*, it is nevertheless certain, They had then granted all they intended to grant, for the actual and immediate Service of the Continent: And here the Current of Business, or, at least, of Closet-Business, came to a Stand.

Disposition of the new Ministers.

The new Ministers and the new Parliament were for a *Moderate* Management Abroad as well as at Home: They were for acting as Auxiliaries, but not as Principals; and were ready to assist the *Dutch*, but unwilling to undertake the Reduction of Provinces for their Sake, or Kingdoms for the House of *Austria*, which the former Ministry had in effect given away.

One of their Writers had set forth in print, "That Leagues and Confederacies were useless to *England*, which, as an Island, was able to defend itself against the World. That our Manufactures and Trade had the Command of every Market: That our Fleets were able to protect and cover our Trade, in spite of all Mankind: And that the Concern we took in the Affairs of our Neighbours, only serv'd for a Pretence to raise Armies to enslave us at Home." This was, in the main, the Creed of the Party; and it would have been happy for us, if it had been the Rule of our Conduct.

Their Rivals, on the contrary, (tho' they had gone such amazing Lengths, by the Means of the Two *Partition-Treaties*, towards rendering *France* an Over-match for all the rest of *Europe*, merely to avoid the Expence and Hazard of a *new* Continent-War, on Account of the *Spanish* Succession, which was the Basis of the Grand Alliance) were not asham'd now to make their Court, by clamouring for a War at all Hazards, and even to drive the House of Commons on

A. D. 1700-1. addreſſing the King to do, what was in his own Prerogative to do, whenever he thought fit; and what, ſtrictly ſpeaking, did not belong to their Province.

In what Degree, or after what Manner his Majeſty ſignify'd his Approbation of their Conduct in this Particular, cannot be aſcertain'd: But ſome Degree of Countenance and Encouragement, They certainly met with: If we have not poſitive, we have preſumptive Proofs: The *Tories*, as we have ſeen, had as yet but few Places in the Adminiſtration; and no doubt were put on their good Behaviour for more. By the Death of the Earl of *Bridgewater*, the Admiralty-Board wanted a Head; and yet, inſtead of ſupplying the Vacancy out of that Party, the King thought fit to place the Earl of *Pembroke* there, tho' he was, at the ſame Time, Preſident of the Council: And tho' we cannot explane the underhand Intrigues to which this Management was owing, we may, nevertheleſs, conclude, That if Place and Power had the ſame Influence in thoſe Days, which they have had ſince, this Neglect on one Side, could not fail to produce a ſuitable Degree of Reſentment on the other. Whence it will follow, that all thoſe cautious Meaſures, which B. *Burnet* and other Party-Writers reſolve into a *French* Management, had their Riſe from the ſame Appetites, Paſſions, and Diſappointments, which have ſet the ill Humours of Mankind afloat from the Beginning of the World to this Day. It was in the Power of the Houſe of Commons, to make Reprisals on the Cabinet; and the Uſe they made of that Power was ſuch, as ſo diſturb'd the Surface of Things, That, in the Controverſy which enſued, the true Form and Colour of every Thing was loſt.

In treating of the preceding Seſſion, it was obſerv'd, That Thoſe who had accus'd the *old* Miniſtry of Mal-Adminiſtration, and who lay in wait for Proofs, had recourſe to an Act for appointing and empowering Commiſſioners to take, examine, and determine the Debts due to the Army, Navy, and Tranſport-Service: The Payment of theſe Debts had, during the ſaid Seſſion, been demanded by a Number of diſbanded Soldiers, tumultuouſly aſſembled at the Door of the Houſe of Commons; and it may be recollected, That a Proviſion was made, for their Payment, out of the Sale of the Forfeitures to be reſum'd in *Ireland*.

Report of the Commiſſioners of Accounts.

Soon after the Meeting of Parliament, theſe Commiſſioners made their Report, (tho' not a perfect one) in which, was one Section, relating to the Prizes taken during the War, and the Conduct of the Commiſſioners which had been appointed by the Crown to diſpoſe of and account for the ſame. On this Section the Leaders of the Majority faſten'd; For no Account had been deliver'd in, nor could any be procur'd: The Secret of This was ſuppos'd to be in *Parkhurſt* and *Poſchall*, two of the Commiſſioners, both of whom were Members: It was alſo ſuppos'd they had great Confederates; and that if hard preſs'd, they would make Diſcoveries to procure an Abſolution for themſelves. Theſe, therefore, were called upon in their Places; and not anſwering to the Satisfaction of the Houſe, were, upon the Queſtion, committed to the *Tower*, for Neglect of Duty and Contempt of the ſaid Act: After which a new Order was made for the ſaid Commiſſioners of Prizes to make up their Accounts, and tranſmit them to the ſaid Commiſſioners of Accounts in three Weeks. A. D. 1700-1. *Commiſſioners of Prizes committed to the Tower.*

The Affair did not end here: Confinement had not the deſir'd Effect on the Priſoners: And the Commiſſioners of Accounts not having had Time to perfect their Report, a Reſolution was taken to renew the Act; out of which new Matter of Debate and Contention aroſe; as when the Relation of Things require it, will be made appear.

The next Expedient which was made uſe of to trouble the Waters, was drawn from the Proofs which had aroſe as above, of the corrupt Practices made uſe of in Elections, by certain of the Directors and Agents of the new *Eaſt-India* Company. This was conducted by Sir *Edward Seymour*, with all the Skill and Dexterity which he had acquir'd in ſuch a Length of Practice, and which ſhew'd him to be a Maſter in parliamentary Management: For, tho' B. *Burnet*, in order to blaſt his Teſtimony, has Recourſe to Recrimination, pronouncing, That he had dealt in Corruption all his Life, it was at firſt reſolv'd, without a Diviſion, That he had made good his general Charge; and then, *Nemine Contradicente*, That the Thanks of the Houſe ſhould be given to him, for the great Service he had done the Public in detecting the Bribery and Corruption which had been practis'd in the Elections of ſeveral Members: And this Command the Speaker executed in the Manner and Terms following; to wit: "Sir *Edward Seymour*, The Houſe has had a long Examination of ſeveral corrupt Practices tending to the Deſtruction of the Conſtitution: They are ſenſible the Diſcovery thereof is owing to your Reſolution, to your Love of the Public, and is brought about by your (*a*) *Charge* and by your Conduct. It is an Honour, Sir, to you, that you are deſcended from Anceſtors who have been ſucceſsful in commanding the Armies and Fleets of this Kingdom, and from a Protector of this Realm: But it is your perſonal Honour that you have protected the Conſtitution of this Place. As the Houſe have expreſs'd their Zeal and Indignation againſt Thoſe who have endeavour'd to undermine and ruin the Foundation of our Liberties, ſo they are deſirous, at the ſame Time, That your Name may ſtand upon Record, as being the Means by which it is brought about; therefore, they have commanded, That the Thanks, *&c.*"

Thanks of the Houſe given to Sir E. Seymour.

Thus

(*a*) It is thus in the Journals; but no doubt it ought to be *Courage*.

A.D. 1700-1. Thus far it may be ſuppos'd, the Majority had nothing in view, but merely to diſgrace their Opponents: But when the Manner of making good their Vote to aſſiſt the States-General, according to the Treaty of 1677, they certainly carry'd their Views farther.

They had now the faireſt Opportunity imaginable to make their Court to the King, without being inconſiſtent with themſelves, or incurring the leaſt Danger of Cenſure from any Quarter, by granting new Levies for the 10,000 Men demanded: But being as unwilling as ever to truſt the King with an Army, and having, moreover, ſome Managements to obſerve with the oppoſing Members in the *Iriſh* Parliament, who paſſionately deſir'd to ſee their Military Eſtabliſhments reduc'd, they did by the King in this Inſtance, as he had done by them in relation to his Service; that is to ſay, They gratify'd him by Halves; as appears by the following circumſtantial Vote, which had nothing but the Gloſs of Unanimity to render it palatable: To wit.

Twelve Battalions voted for the Aſſiſtance of the Dutch.

"Reſolv'd, *Nem. Con.* That Twelve Battalions, part of the ſtanding Forces now in *Ireland*, ſhall be, by new Levies, made up 10,000 Men, and ſent to the Aſſiſtance of the States-General; and no new Levies to be made in *Ireland*, or elſewhere, to ſupply the ſaid Twelve Battalions drawn out of *Ireland*."

But then this narrow Meaſure was very artfully palliated by this Plea, That by this Means half the Levy-Money was ſav'd, and the whole Expence of Officers: For ſo it is [P. 27.] aſſerted in the Piece laſt quoted; and thence we cannot help inferring, That no new Commiſſions were iſſued on this Occaſion; nor did the Party forget to obſerve, with a particular Emphaſis on the ſame Occaſion, That, while the *Partition-Treaty* was carrying on or concluding, which was a League offenſive and defenſive with the *French* King, the then Miniſters and their Creatures, labour'd with all their Might to eſtabliſh a large Standing Army in *England*, under the Pretence, That the ſaid King had only made Peace, in order to break the Confederacy, and then to reſtore King *James*.

The Proceedings of both Houſes, in relation to the *Partition-Treaty*, challenge our Attention next; and having been ſomewhat odly connected with the Courſe of our foreign Affairs, the two Threads muſt be interwove together, which may be ſo much the more conſiſtently done, ſince Both will equally illuſtrate what was advanc'd above, That from a certain Point of Time, the Current of the Seſſion took a Turn leſs favorable to the Purpoſes of the Court.

Conferences at the Hague.

The Inſtructions given to Mr. *Stanhope* we have ſeen; but the Letters which accompany'd thoſe Inſtructions, ought alſo to be ſeen, in order to a full Underſtanding of the Story: For that Miniſter did not follow them exactly: And the Preamble of the Paper he deliver'd to M. *d'Avaux* on his Maſter's Behalf, differs widely from That of the ſaid Inſtructions: For Exemple: Where-

A.D. 1700-1.

as in the Former, the Deſire of the Houſe of Commons ſignify'd by their Addreſs, is given as the Reaſon for opening Negotiations with the Courts of *France* and *Spain*, the Reaſon aſſign'd in the Latter, was drawn from the *Partition-Treaty*, of which his Majeſty clam'd the Effect, as well to eſtabliſh the general Tranquility of *Europe*, as the particular Security of his own Kingdoms: And what was abundantly more material, the States, inſtead of confining their Demands to the *Three* Towns ſpecify'd in the ſaid *Inſtructions*, to wit, *Luxemburgh*, *Namur*, and *Mons*, added Seven more to their Liſt, namely, *Venlo*, *Ruremonde*, *Stevenſwaert*, *Charleroy*, *Dendermonde*, *Damme*, and St. *Donas*, making Ten in all: And in his Diſpatch of *March* 25, to Lord *Mancheſter*, Mr. *Stanhope* himſelf touches the Fact in the following tender Manner: "You will obſerve ſome Alterations from [Cole, p. 338.] the firſt Project, and ſome Points in particular more enlarg'd upon; which you will pleaſe charitably to believe, I have my Reaſons for doing as well as the States."

Propoſals made to M. d'Avaux different from the Inſtruction given to M. Stanhope.

Then as to the Reception theſe Propoſals met with from M. *d'Avaux*, it is briefly but fully recited in the ſame Diſpatch, as follows: "M. *d'Avaux*, after hearing both the Papers read, ſeem'd greatly ſurpris'd, ſaying, That as He expected, we would demand to have the *French* Troops withdrawn out of the *Spaniſh Netherlands*, ſo he came prepar'd to give Satisfaction in that Article, by aſſuring them, It ſhould be done, as ſoon as the King of *Spain* ſhall have Forces of his own to guard the Country: But as to the other Articles, they were ſuch as we could not have rais'd higher, if we had gain'd Four Battles againſt his Majeſty: So it was impoſſible, He could give them any other Anſwer at the preſent, than that, He would tranſmit them to the King, as he did the ſame Night. He added, That it ſeem'd as if they reſolv'd to have War, and confirm'd the Advices he had from their Miniſter at *Vienna*, That they had lately concluded and ſign'd a League with the Emperor. From this Charge the Deputies every one of them clear'd themſelves, by abſolutely denying, There was any ſuch Treaty: And that it is notorious to all the World, the Manner of their State inclining to Peace, when they may have it with Security, which is all they aim at by theſe Propoſals. Thus the Matter is like to reſt, till the Orders come from *Verſailles*, where, poſſibly, it may not be ſo heinouſly repreſented, as by M. *d'Avaux* here. The Article about the Emperor will *puzzle* them moſt, becauſe no body yet knows what will ſatisfy him. In ſhort, if we muſt have War, I am pleas'd to ſee, we neither fear it here, or in *England*; but think ourſelves as well prepar'd for defence, as any Enemy can be to attack us. However, a reaſonable Peace, would certainly be better for us all."

M. d'Avaux's Anſwer.

It is remarkable, That the *puzzling* Article about the Emperor, tho' in the Paper deliver'd by the States, was not inſerted in Mr. *Stanhope's*: As alſo, That when the States

Deputies

A.D. 1700-1. Deputies made their Report to the States-General of what had paſs'd at the Conference, they took care to ſpecify the Demand of *Nieuport* and *Oſtend* on the Behalf of his *Britannic* Majeſty, as a Circumſtance which made an *eſſential Difference* in the Two Papers: And that Mr. *Stanhope*, in another Letter four Days afterwards, ſignifies not only, That the *French* Miniſters exclam'd againſt thoſe Demands as moſt unreaſonable; as alſo, that they labour'd underhand, to create Jealouſies among the *Dutch*, by urging, How prejudicial it might one Day prove to their Government, to have theſe Places in the Hands of the *Engliſh*, "but, continues He, with little Succeſs as thoſe I converſe with tell me, tho' they own that great Induſtry is us'd by the *French* to ſpread the Poiſon."

Lord Manchester's *Repreſentation of the Behaviour of the* French *Court.*

Laſtly: Lord *Manchester* makes the following Repreſentation of what happen'd between him and M. de *Torcy*, on this ſignal Occaſion; to wit.

"I can aſſure you, that the Demands of the States, as well as ours, ſurpriſe them here very much; and tho' I expected it would be ſo, even as I had Reaſon to think what the Propoſitions would be, yet when I found ſo *many Towns* demanded, and ſaw the *Manner* in which they expreſs'd it, I prepar'd myſelf accordingly to diſcourſe with M. de *Torcy*. He began with exclaiming extreamly againſt the States, and told me, That he might with great Reaſon ſay, That the Memorial they had given was *inſolent*, and ſufficient to try the Patience of the King: That it would be *printed*, to ſhew to the World the Manner in which they treated Him and *Spain*: Yet, nevertheleſs, the King was reſolv'd not to begin the War; but he would oppoſe thoſe that ſhould attack him. I endeavour'd to *palliate* the Matter, and ſaid, That we ſhould have been very glad if the Propoſitions had come firſt from M. *d'Avaux*: That in Negotiations of this Nature, the Propoſals ſeem at firſt extraordinary; but when they were digeſted, and Expedients were propos'd, they came often to a happy Concluſion, which I hoped theſe would do: That I did believe that the King, when he accepted the *Will*, never intended that we, nor the States, ſhould be in a worſe Condition, in regard to our Security, than by the Treaty: That tho', by the Emperor's not ſigning it, there remain'd, as might be alledg'd, no *Obligation* towards him; yet as to *England* and *Holland*, That was ſtill in force, or at leaſt an Equivalent: And I left him to judge, if the Archduke had been King of *Spain*, whether our Troops would not have been in theſe Places now demanded, or in moſt of them. That, ſince the Queſtion was *not* about *diſmembring* the *Spaniſh* Monarchy, I was in hopes, that any thing that did not tend to that, would have been agreed to. I preſs'd him to know what they intended to propoſe. He ſaid, That were the *Hollanders* entirely Maſters of *Flanders*, their Demands could not be greater; and that it did not deſerve an Anſwer: But that M. *d'Avaux*'s Orders would be to tell them, That the King would never conſent to any Thing of this Nature, but would obſerve ſtrictly the Treaty of *Ryſwick*. renew what other Treaties were neceſſary, and withdraw his Troops when the King of *Spain* ſhall have ſufficient of his own to guard his Places. He took Exceptions againſt almoſt every Paragraph, as to the renewing the Treaty of *Munſter*, that they ſhould demand that, as if that Treaty was broke: That as to what was mention'd of the Emperor's being ſatisfy'd in his Pretenſions, that could tend to nothing *leſs* than the *diſmembring* of the *Spaniſh* Monarchy. As to that of *Munſter*, he muſt own, That when new Treaties were made, it was uſual to confirm old ones: That as for the Emperor, we could not tell yet what his Demands would be, and it was neceſſary to know them. I endeavour'd to ſhew him, That it was impoſſible *England* could think itſelf ſafe, as the Face of Affairs was now, without having what we demanded: But it would be too tedious to relate all that paſs'd. He did not expreſs himſelf in regard to the King, as he had done in relation to the States: But I found that Mr. *Stanhope*'s Memorial is as much *diſlik'd* as that of the States. At laſt I ſaid to him, That I did not doubt but the King's Reſolutions would be very prudent; and that when I had the Honour to ſee him next, this Matter would be farther conſider'd, and that there might be ſtill Means found out to come to an Accommodation; which he gave me no ſort of *Encouragement* to expect, eſpecially in this Manner. You will ſee that the whole Matter is now public: I acquainted M. de *Zinzendorf* with what had paſs'd at the *Hague*: He waited alſo on M. de *Torcy*, where he expreſs'd, how ready the Emperor was to ſacrifice his own *Rights*, in ſome *Meaſure*, to procure a Peace to *Europe*, if there could be Means found out to give him any *reaſonable Satisfaction*; and that, at the ſame Time, other Princes might find their *Security*. The Anſwer made him, was of the ſame Nature with what I had.

A.D. 1700-1.

I did not imagine, that the States nor we ſhould have open'd the *whole Matter* at *firſt*, tho' I do not doubt but they had their Reaſons for it, and they know beſt what is neceſſary for their Security: I am of Opinion that we cannot expect much from theſe Conferences; and I judge ſo, becauſe this Court has Meaſures to keep, ſo as not to loſe the Affections of the *Spaniards*, by ſeeming to yield to any Terms or Conditions, which they may be diſpos'd to grant, before they are ſure what will ſatisfy us: So on the other Side, I ſuppoſe *we* are *unwilling* to *diſoblige* the Emperor, but would *endeavour* to *ſatisfy him in his Pretenſions*. Thoſe, I think, will never be granted, unleſs he has Succeſs in *Italy*; and even *then*, *France* muſt be brought to the *laſt Extremity*, before ſhe yields up *whole Countries*, for that is the Caſe of the Emperor. I am not determin'd, but that a War might be more advantageous on all Accounts, than any Conditions we can now expect: But if our Deſign is to prevent a Rupture,

A. D. 1700-1. Rupture, the only Method muſt be, to know firſt what the Emperor *expects*, and what would *ſatisfy* us and *Holland*, and that ſhould be agreed upon as Preliminaries, underhand, between the *Penſioner* and M. *d'Avaux* without ſigning: Or, if his Majeſty ſhould think it proper, I might manage it, ſo as not to engage the King nor the States farther than they pleaſe, and to know which of thoſe Demands this Court conſents to: For that they will come to *Terms*, is *certain*; but the Difficulty is in putting this in a right Method: I muſt confeſs, that I am at a Loſs how to act now, ſince I find that the Demands far *exceed* what I was acquainted with."

Having thus the Matter of Fact clearly enough ſtated before us, it will be proper to annex *Dates*; becauſe our Hiſtorian of his *own Times*, who of all Hiſtorians is the moſt negligent of *Dates*, pretends to cover his Narrative of theſe Tranſactions by them, as follows.

B. Burnet's *Inferences from Dates.*

"While the Houſe of Commons was going on, minding *only* Party-Matters, a Deſign was laid in the Houſe of Lords, to attack the *Partition-Treaty*, and ſome of thoſe who were concern'd in it: They *began* with an Addreſs to the King, That he would order ALL the Treaties made ſince the Peace of *Ryſwick*, to be laid before them. This was comply'd with ſo ſlowly, that they were not brought to the Houſe till the 26th of *February*, and no Notice was taken of them till the 10th of *March*: It ſoon appear'd that this was done by a *French* Direction. The Court of *France* (perceiving that the *Dutch* were alarm'd at their Neighbourhood, and were encreaſing their Force, both by Sea and Land, and were calling upon their Allies to furniſh their Quotas, which they were bound by Treaties to ſend to their Defence) enter'd upon a Negotiation with them at the *Hague*, to try what would lay theſe Fears. Upon this, in the Beginning of *March*, the States, in conjunction with Mr. *Stanhope*, the *Engliſh* Envoy at the *Hague*, gave in Memorials, in which they inſiſted on the Violation of the *Partition-Treaty*, and particularly on the *French* poſſeſſing themſelves of the *Spaniſh Netherlands*: They alſo deſir'd, That the Emperor might have juſt Satisfaction in his Pretenſions, and that in the mean while, *Luxemburgh*, *Namur*, *Mons*, and *Ath*, might be put in their Hands; and *Oſtend* and *Newport*, into the Hands of the *Engliſh*; and both they and the *Dutch* might have a free Trade, as before, to all the *Spaniſh* Dominions. The *French* ſeeing theſe Demands run ſo *high*, and being reſolv'd to offer no other Security for the Peace of *Europe*, but the renewing the Treaty of *Ryſwick*, ſet all their Engines at Work in *England*, to involve us into ſuch Contentions at Home, as ſhould both diſable us from taking any Care of foreign Affairs, and making the reſt of *Europe* conclude, that nothing conſiderable was to be expected from *England*. *As ſoon* as the News of thoſe Memorials could come to *England*, the Marquis of *Normanby*, and the reſt of the *Tories*, took up the Debate concerning the *Partition-Treaty*."

A. D. 1700-1.

Now this Addreſs for ALL the Treaties, which we are told the Lords begun with, was no other than a Clauſe in their Addreſs to the King in Anſwer to the Speech. 2dly, The Commons had voted a like Addreſs *February* 15. 3dly, The ſlow Compliance with theſe Addreſſes, was the Fault of the Secretary's Office, which ſurely could not be ſuppos'd to be under a *French* Direction. 4thly, The partial as well as ſlow Compliance with theſe Addreſſes, ſeems to ſhew, what was abundantly more natural and probable, That the Court of *Kenſington* had ſo far the Direction, and not the Court of *France*. 5thly, That, whereas the firſt Motion to appoint a Day of the Lords for taking the *Partition-Treaty* into Conſideration, was the 10th of *March*, the Propoſals deliver'd to M. *d'Avaux*, on the Behalf of *England* and *Holland*, were not deliver'd till the 11th: And, 6thly, That his Majeſty's Meſſage to both Houſes, in relation to theſe Propoſals, was not ſent till the (*b*) 18th. So that the Deſign of taking the *Partition-Treaty* into Conſideration, as theſe very *Dates* evince, was not only laid at the very opening of the Parliament, but alſo the ſaid Treaty was brought in queſtion, even before the Conferences at the *Hague* were open'd.

Examin'd.

But this is not all: For whereas the Biſhop craftily ſuggeſts, That ALL the Papers were brought to the Houſe by the 26th of *February*, in order to derive Matter of Calumny from their being ſuffer'd to lye on the Table till the 10th of *March* without Notice, the Truth is, that many material Papers were ſtill wanting; as appears by the following Minute in the Lords Journals of the 12th, (being the Day appointed for the Conſideration) and which alſo ſeems to indicate, That the Queſtion of the Day had been, Whether their Lordſhips ſhould procede on the Papers already before them, or whether they ſhould apply for the reſt, agreeable to the Words of the Addreſs: For the ſaid Minute is thus expreſs'd; to wit: "The Houſe came to this *Agreement*, That the Lord-Chamberlain do humbly move his Majeſty, That ALL Matters or Papers any way relating to the Negotiation of the Treaties, be laid before this Houſe."

And compar'd with the Lords Journals.

On the 14th, certain other Papers were accordingly brought from the Secretary's Office, which having been read and debated, a Committee was appointed, "to draw up and ſtate the Fact, as to the Treaty then in debate, and all Things and Circumſtances relating

(*b*) Which was two Days before the Lords agreed on their Addreſs. As, yet *the* ſame Writer, in another Place, (to wit, p. 782.) ſtrains to the Charge as follows.

"As ſoon as they was *over*, (the Diſcuſſion of the Addreſs, meaning) the Earl of *Jerſey* did, by the King's Order, bring to the Houſe of Lords the Memorials that had been given in at the *Hague*: and then, by *comparing Dates*, it was eaſy to conjecture, why the *Partition-Treaty* had been ſet ſo long on the Table; and it ſeem'd as if it was taken up at laſt, only to blaſt this Negotiation: A *French* Management appearing very plainly in the whole Steps that had been made."

A.D. 1700. relating thereunto, and to draw an Addreſs to be preſented to his Majeſty thereupon."

A Committee appointed to ſtate Facts in relation to the Partition-Treaty.

This Committee was form'd of the Dukes of *Devonſhire*, *Bolton*, and *Leeds*, the Marquis of *Normanby*, the Earls of *Peterborough*, *Stamford*, *Thanet*, *Kingſton*, *Burlington*, *Shaftſbury*, *Nottingham*, *Rocheſter*, *Abingdon*, *Marlborough*, *Romney*, and *Orford*, the Viſcounts *Weymouth* and *Longueville*, and the Lords *Willoughby*, *la War*, *Ferrers*, *Wharton*, *Mohun*, *Colepeper*, *Lexington*, *Berkeley*, *Craven*, *Guildford*, *Godolphin*, *Cholmondeley*, *Herbert*, and *Hallifax*.

Of this Committee, which, it is obvious, was compos'd of both Factions, the Earl of *Nottingham* was Chairman; and the very next Day, his Lordſhip made the following Report of ſuch Facts as had been drawn up and ſtated by them, in relation to the ſaid Treaty; to wit.

Their Report, and the Debates it occaſion'd.

1. That by the Treaty of *Partition*, *Naples*, *Sicily*, &c. were to be given to the *Dauphin*.

2. That the Emperor was not a Party to this Treaty, tho' principally concern'd.

3. That no Miniſter of the States-General met with the Plenipotentiaries of *England* and *France*, as were requir'd by the Powers at the making the Treaty in *London*.

4. That there were no Inſtructions in writing to our Plenipotentiaries, tho' the Powers were unlimited; and that if there were verbal Orders given, yet it appears not to us they were conſider'd in any Council.

5. That the Treaty was not conſider'd in Council before it was ratify'd.

6. That it appears, That the Warrant for Ratification, was counterſign'd by one of the Plenipotentiaries.

7. That the Treaty was tranſacted and ſign'd, and the Great Seal affix'd to it during the Sitting of the Parliament.

Every one of theſe Particulars occaſion'd a Debate: For tho' Facts are Facts, and theſe were ſtated with a good Degree of Preciſion, the Houſe was free to adopt or reject at Pleaſure.

The Firſt, however, was admitted with a ſmall Alteration: But the Second was abſolutely thrown out by the Majority; no doubt becauſe the Lords, who were moſt for keeping Meaſures with the Cloſet, were unwilling to bring forward a Circumſtance, which prov'd, That the Emperor, whoſe Quarrel we were now again eſpouſing, had then been ſacrific'd. And yet this Article might have been objected to, on a different Account: For tho' it was reaſonable, That no Treaty of *Partition* ſhould be made, without the Emperor's Conſent, it was not to be conceiv'd, he could be a Party in This, which was calculated to compel him to come in: Upon this Occaſion, however, ſixteen Lords enter'd their Diſſent, no doubt for ſuch Reaſons as had occurr'd in the Debate, as follows.

1ſt, Becauſe it was manifeſt by the Treaty itſelf, that the Matter of Fact was true.

2dly, Becauſe the Emperor, as They conceiv'd, had been the moſt proper to have been treated with on this Occaſion; for it was more prudent and ſafe to have treated with the Emperor to have reſtrain'd the Pretenſions of *France*, than with *France* to leſſen the Dominions of *Auſtria*, which, in full Strength, and in Conjunction with the moſt conſiderable Powers in *Europe*, and with the Expence of more than ſixty Millions *Sterling* to our Share, was ſcarce able to withſtand the Arms of *France*. A.D. 1700.

3dly, But, admitting that the Emperor was not the moſt proper to be treated with; yet to prevent the Umbrage which might be taken, by uniting *too many* Dominions under *one* Prince, eſpecially ſuch a Prince as, without any Additions, was formidable to *Europe*, of all others the Emperor was the moſt improper to be left out of ſuch a Treaty, for he was moſt concern'd in it; and our Miniſters could not, or at leaſt did not ſufficient ſupport his Intereſts, or the juſt Ballance of *Europe*: But, on the contrary, as the Houſe had been inform'd by one Lord who ſign'd this Treaty, it was concluded againſt the expreſs Deſire of the Emperor.

The Third had the ſame Fate with the Second, which drew on a Second Proteſt founded as before, on the Reaſons urg'd in the Debate.

1ſt, Becauſe the Truth of this Propoſition, was Reaſon enough for aſſerting it; and it muſt certainly be of fatal Conſequence, if Miniſters, without any Directions, by Inſtructions in writing, ſhall preſume to act contrary to the very Commiſſion that empowers them: And in this Caſe, the Aſſiſtance of the *Dutch* Miniſters was the more neceſſary; becauſe the Emperor was no Party to this Treaty, and the States-General were more immediately concern'd than we were to promote his Intereſts.

2dly, *But if this Treaty* was concerted with the *Dutch* Miniſters in 1699, before his Majeſty's Return into *England*, as was aſſerted by one of the Lords who ſign'd it afterwards in *London*, 1ſt, This Treaty was made by thoſe who had no Authority to tranſact it; for the Power was not granted by his Majeſty till the 2d of *January* following. 2dly, As they acted without Power, ſo without Inſtructions too in writing, which never was practis'd in any former Tranſaction Abroad.

Laſtly: It was conceiv'd, That neither of the foregoing Facts ought, in Reaſon, or according to the Method of Parliament, to be order'd to be omitted, becauſe, till the Committee had form'd the Addreſs perſuant to the Order, it was impoſſible to know what Uſe would be made of thoſe Facts: For as they might have been improperly apply'd, and then would have been juſtly rejected, ſo there might have been ſo great Uſe made of them, and ſo oppoſite to the Deſign of the Houſe in the intended Addreſs, that it would be improper to omit them.

Thirteen Lords were govern'd by theſe Reaſons; and the Debate was afterwards adjourn'd till the next Day; when the Fourth Article was taken into Conſideration, and gave Occaſion to many Severities. And here a very extraordinary Piece of Management offers; which is thus touch'd upon by Mr. *Vernon*, in his Diſpatch of the ſame Day, to Lord *Manchester*: "My Lord *Portland*, finding himſelf cloſe preſs'd in this Examination, thought

A.D. 1700-1. thought it would be a Juſtification to him, to name ſome Lords of the Cabinet-Council, that were preſent a little before the Treaty was ſign'd, when a Draught of the Treaty was read at his Lodgings: But thoſe Lords remembring, likewiſe, the *Objections* made to it at the ſame Time, that *Defence* might as well have been omitted. I hear my Lord *Portland* mention'd likewiſe, in a Committee of the Houſe of Lords, as if he had proceeded in that Treaty upon ſome Advice I had writ to him in *Holland*; but he not producing any ſuch *Letter*, nothing was ſaid to me at a Committee of the Lords, tho' I attended them To-day, concerning the Meeting abovemention'd, where the Treaty was read."

B. *Burnet* treats the ſame Paſſage ſomewhat more circumſtantially; as follows.

"The Earl of *Portland*, apprehending that This [meaning the tranſacting an Affair of ſuch Importance without *written Inſtructions*, or the *Advice* of the *Cabinet-Council*] might fall too heavy on him, got the King's Leave to communicate the *whole Matter* next Day to the Houſe: So he told them, That he had not concluded the Treaty *alone*, but had, by the King's Order, acquainted ſix of his chief Miniſters with it, who were the Earls of *Pembroke* and *Marlborough*, the Viſcount *Lonſdale*, the Lords *Sommers* and *Halifax*, and Secretary *Vernon*: Upon which thoſe Lords, being likewiſe freed by the King from the Oath of Secrecy, told the Houſe, That the Earl of *Jerſey*, having in the King's Name call'd them together, the Treaty was read to them, and that they excepted to ſeveral Things in it; but they were told, That the King had carry'd the Matter as far as was poſſible, and that he could obtain no better Terms: So, when they were told, That no Alterations could be made, but that every Thing was *ſettled*; they gave over inſiſting on Particulars: They only *adviſ'd*, That the King might not engage himſelf in any Thing that would bring on a *new War*, ſince the Nation had been ſo uneaſy under the laſt. This was carry'd to the King; and a few Days after that, he told ſome of them, That he was made acquainted with their Exceptions; but how reaſonable ſoever they were, he had driven the Matter as far as he could: The Earl of *Pembroke* ſaid to the Houſe of Lords, He had offer'd the King thoſe Advices, that he thought were moſt for his Service, and for the Good of the Nation; but that he did not think himſelf bound to give an Account of that to any other Perſons: He was not the Man ſtruck at, ſo there was nothing ſaid, either againſt him or the Earls of *Marlborough* or *Jerſey*. Upon this, the Debate went on: Some ſaid, this was a *Mockery*, to aſk Advice, when there was no Room for it: It was anſwer'd, The King had aſk'd the Advice of his *Privy-Council*, (for *Cabinet-Council*) and they had given it; but that, ſuch was the Regal Prerogative, that it was ſtill free to him to follow it or not, as he ſaw Cauſe."

But tho' the King, perhaps, is not queſtionable for ſuch a Strain of the Prerogative, ſuch as obey what Commands he thinks fit to give, which are not only pernicious in themſelves, but for that Reaſon, expreſſly diſavow'd by his Council, are either anſwerable to Parliament for their Conduct, or, otherwiſe, all the Fundamentals of *Whiggiſm* fall to the Ground. A.D. 1700-1.

And This is tacitly admitted in the Minute which their Lordſhips agreed upon, when the Houſe was reſum'd; tho' the Edge of that Vote was turn'd againſt the *Meaſure*, not againſt the *Managers* of it: For the ſaid Minute was conceiv'd as follows.

"Whatever verbal Orders or Inſtructions were given, yet it appears not to us, That the Draught of the Treaty when perfected, was conſider'd at any Council when the King was preſent, or that it was adviſ'd, or approv'd by any Council or Committee of Council."

It is moreover obſervable, That the Sixth Fact, ſettled by the Lords Committees, to wit, That the Warrant for Ratification was counterſign'd by one of the Plenipotentiaries, had a perſonal Direction: But as this was introduc'd by the *Whig*-Lords, purpoſely to involve Lord *Jerſey* in the Proſecution, the *Tory*-Lords purpoſely overlook'd it: For as it is manifeſt, That he was at the Bottom of the whole Meaſure, ſo it is equally manifeſt, That he was ſtudiouſly exempted from all Conſequences notwithſtanding.

But to procede: This Minute was the only material Point of this Day: And when the Debate was again reſum'd on the Morrow, the Propoſition firſt made to the Houſe, was drawn up in theſe Words.

"That it appears, that there were Powers dated the 1ſt of *July*, to treat with the Emperor, the *Dutch* and *French* Miniſters, for ſecuring the mutual Friendſhip, upon Terms moſt ſuitable to the Circumſtances at that Time; and we are inform'd, that accordingly there was ſome Progreſs made in that Negotiation: But, afterwards, there were new Powers granted the 1ſt [by Miſtake for 2d] of *January*, to treat with the *French* and *Dutch* Miniſters only; and the Treaty for the *Partition* of the *Spaniſh* Monarchy, was concluded without the Emperor."

And after Debate thereupon, this Queſtion being put, Whether the ſaid Propoſal ſhall go to the Committee, to be one of the Heads for the Addreſs? It was reſolv'd in the Negative: After which, ſix Lords enter'd their Diſſents, but without aſſigning Reaſons: And (c) then it was farther propos'd by Lord *Wharton*, "That it appears, that the *French* King's Acceptance of the Will of the King of *Spain*, is a manifeſt Violation of the Treaty; and humbly to adviſe the King, That in all future Treaties with the *French* King, his Majeſty do procede with ſuch Caution, as may carry along with it a real *Security*."

After Debate thereupon, a warm Debate enſu'd, and upon the Iſſue this Queſtion being

(c) It is ſaid the King kept himſelf on the *Reſerve* at firſt, and went to *Hampton-Court* the firſt Day of the Debate: It appears, the Earl of *Portland* behav'd almoſt as an Accuſer in the Part he play'd, in order to diſculpate himſelf; and for theſe Reaſons, the *Whig* Lords, tho' the Majority, having made their own Party good as they thought, left his Majeſty to ſhift for himſelf.

A.D. 1700-1. being put, Whether the ſaid Propoſal ſhall go to the Committee, to be one of the Heads for the Addreſs? It was reſolv'd in the Affirmative: Againſt which eight Lords enter'd their Diſſent; the following Reaſons having been urg'd in the Courſe of the Debate.

"1. Becauſe it might be conſtru'd to be an Approbation of the Treaty, which, as They conceiv'd, was not intended by the Houſe.

2. Becauſe it was impoſſible to know the full Meaning and Extent of *Real Security*."

The Motion which occaſion'd the laſt Proteſt, was made by Lord *Wharton*, or, according to Mr. *Vernon*, by ſuch as [Cole, p. 348.] were of the Addreſs: "And, continues that Miniſter in the ſame Letter, if it occaſions its being laid aſide, I think there will be no Inconvenience in it: I hear that is under Debate." This Letter was dated the 20th, two Days *after* the King had ſent the Meſſage to both Houſes concerning the Conference at the *Hague*, which Meſſage was dated the 27th. But if any ſuch Hopes had been entertain'd, they were not well grounded: For, notwithſtanding the apparent Diſpoſition of the Majority, to moderate the Cenſures beſtow'd on the Treaty, the Addreſs was not only carry'd, but it was alſo order'd, that the whole Houſe ſhould attend his Majeſty with it: And tho' it was conſiderably ſoften'd, what remain'd was ſufficient to ſhew, That a worſe Thing could ſcarce have befallen this Country, than its being carry'd into Execution, as will appear by the Addreſs itſelf, which was as follows.

The Addreſs againſt the ſaid Treaty.

"We your Majeſty's moſt dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament aſſembled, *having* read and conſider'd the Treaty made with the *French* King, together with the ſeparate and ſecret Articles which your Majeſty has been pleas'd to communicate to us, do with all Humility repreſent to your Majeſty, That to our great Sorrow, we find the Matter thereof to have been of very ill Conſequence to the Peace and Safety of *Europe*: For beſides the *Occaſion* it may have given to the late King of *Spain*, to have made his *Will* in favour of the Duke of *Anjou*, if this Treaty had taken effect, the Prejudice to your Majeſty and your Subjects, and indeed to all *Europe*, by the Addition of *Sicily*, *Naples*, ſeveral Ports in the *Mediterranean*, the Province of *Guipuſcoa*, and the Duchy of *Lorrain*, had been not only very great, but contrary to the *Pretence* of the Treaty itſelf, which was, To prevent any Umbrage which might be taken by uniting *two many States* and *Dominions* under *one Head*.

And by all the Informations we have yet had of the Progreſs of this *fatal Treaty*, we cannot find, That the verbal Orders and Inſtructions, *if any were given*, to your Majeſty's Plenipotentiaries, were ever *conſider'd* in any of your Majeſty's *Councils*, or that the *Draught* of this Treaty was ever laid before your Majeſty at any *Meeting* of your *Council*, much leſs that it was *debated* or *approv'd* by any *Council*, or *Committee* of *Council*: We, therefore, think ourſelves oblig'd in Duty to your Majeſty, and Juſtice to our Country, moſt humbly to beſeech your Majeſty, That for the future your Majeſty will be pleas'd to require and admit, in all Matters of Importance, the Advice of your *natural-born* Subjects, whoſe known Probity and Fortunes, may give your Majeſty and your People a juſt Aſſurance of their *Fidelity* in your Service: And in order hereunto, to conſtitute a Council of ſuch Perſons, to whom your Majeſty may be pleas'd to impart all Affairs, both at Home and Abroad, which may any way concern your Majeſty and your Dominions: For as Intereſt and natural Affection to their Country, will incline them to wiſh the Welfare and Proſperity of it much more than others who have not ſuch Tyes upon them; ſo as their Experience and Knowledge of their Country will alſo render them more capable than Strangers of adviſing your Majeſty in the true Intereſt of it; ſo we are very confident, That after ſuch large and repeated Demonſtrations of your Subjects Duty and Affections, your Majeſty cannot doubt of their Zeal in your Service, nor want the Knowledge of Perſons fit to be employ'd in all your moſt ſecret and arduous Affairs.

And ſince it appears, That the *French* King's accepting the King of *Spain*'s Will is a manifeſt Violation of this Treaty, we *humbly adviſe your Majeſty, in future Treaties with the French King, to procede with* ſuch Caution, as may carry along with it a *real Security*."

A Motion to ſend it to the Commons for their Concurrence, over-rul'd.

The Debates concerning it did not however terminate here: For thoſe who had driven it thus far, and who were ſtill deſirous to drive it ſomewhat farther, now preſs'd to have it communicated to the Commons, for the Sake, as they alledg'd, of their Concurrence: But this was oppos'd with as much Violence as it was preſs'd, and in the End (*d*) over-rul'd, which occaſion'd a Proteſt of Three Lords without Reaſons, and of Twenty-three with; of what Import, may be gather'd from the Paragraphs that follow.

"1. Becauſe it was conceiv'd, the laſt Clauſe in the Addreſs, did neceſſarily imply a War, and that a very long one, by reaſon of the Extent unintelligible (at leaſt to Them) of a *Real Security*, and the great Improbability of obtaining any Terms of that Kind; and ſince this neceſſarily imply'd great Supplies, which could not be granted without the Houſe of Commons, their Concurrence in this Addreſs was abſolutely neceſſary; and that it was very improper for Them to deſire that of

(*d*) So that *Boyer* was greatly miſtaken, in aſſerting, as he does, in his Life of King *William*, Vol. III. p. 474. That the Lords ſent a Meſſage to the Commons, to acquaint them, "That there having been lately a Treaty made with *France*, extreamly dangerous in itſelf, and tranſacted alſo in a moſt irregular Manner, the Lords had thought fit to communicate it to the Houſe of Commons, and to deſire them to appoint a Committee for meeting a Committee of the Lords, in order to their joint Conſideration of ſome Method to be uſe'd in making ſuch an Application to his Majeſty about this Matter, as might, for the future, prevent any Proceedings of this Kind." It is probable, ſuch a Point was ſtarted; but certain, it ſo, it miſcarry'd.

A.D. 1700. of the King, which for want of such Concurrence of the Commons, it is to be conceiv'd his Majesty would not think fit or prudent for him to grant.

2. It was conceiv'd all the other Parts of the Address, were very fit to be communicated to the House of Commons; for upon the Success of it, depended the future Happiness of this Nation: And as the Readiness of the Commons to join in any proper Measures towards it could not be doubted of, so it was reasonable to think their Concurrence in it would highly contribute towards the obtaining a gracious Answer from his Majesty: And They could not but think it reasonable, That the Advice of the whole Nation, assembled in Parliament, should be made known to his Majesty upon that Occasion.

3. Having desir'd the House of Commons, to permit Mr. Secretary *Vernon*, a Member of their House, to come to a Committee of Lords, to inform them of some Matters relating to this Treaty, there was Matter of Apprehension, that the House of Commons might think it extraordinary, and not suitable to the good Correspondence which is highly necessary between the two Houses, not to acquaint them with the Things which had come to their Knowledge partly by the Information of their own Member.

4. And having been otherwise inform'd of some Transactions relating to this Treaty, between the Earl of *Portland* and Mr. Secretary *Vernon*, by Letters, of which we have not had a full Account, it may be very useful to the Public to communicate this Address to the Commons, who have better Opportunity than the Lords have had, of enquiring into this Matter, which seems to be yet in the *Dark*, and which their own Member might help to explane to them."

Those who had carry'd the Address, did not, however, obey the Order they had establish'd, to attend the Delivery of it. For as Mr. *Vernon* informs Lord *Manchester*, the Lord-Keeper carry'd it alone, and found no more than Two or Three of the Lords in waiting, at Court, to make the *Shew* of a *House*. A Circumstance, which may be thought, perhaps, more favorable to their Lordships Characters as Courtiers, than as Senators. His Majesty's Answer contain'd a brief but handsome Evasion in the following Words.

" *My Lords*,

This Address contains Matter of very great Moment: I will always take care, that all Treaties I make, shall be for the Honour and Safety of *England*."

It now behooves us to return to the Commons: And, in order to do Justice to their Procedings, his Majesty's Message twice before alluded to, must first be inserted.

The King's Message.

" WILLIAM R.

His Majesty having directed Mr. *Stanhope*, his Envoy Extraordinary, and Plenipotentiary at the *Hague*, to enter into Negotiations in concert with the States-General of the *United-Provinces*, and other Potentates, for the mutual Security of *England* and *Holland*, and the Preservation of the PEACE of *Europe*: And the said Mr. *Stanhope* having transmitted to his Majesty Copies of his Demands, made by himself and the Deputies of the States, upon that Subject, to the *French* Ambassador there, his Majesty has thought fit to communicate the same to the House of Lords, it being his Majesty's gracious *Intention to acquaint them, from Time to Time, with the State and Progress of these Negotiations.*"

A.D. 1700.

This Message was certainly of the most gracious and condescending Kind; and, as it may be suppos'd, was rather calculated to mollify the Rancour of the reigning Party, than to furnish them with a Pretence to discharge it, with double Bitterness on the other.

But the Contrast which appear'd when the Contents of this Message were compar'd with the Conduct of the Court in the *Partition-Treaty*, was so strong, that a popular Assembly, form'd as this was, of Elements not to be reconcil'd, could not help being dazzled with it: And it is besides observable in the Course of the Debate, which this Message occasion'd, That the officious Petulance of the Latter, (Party) render'd the Procedure more bitter, than perhaps was at first intended by the Former.

That the Memorials deliver'd to M. d' *Avaux* at the *Hague*, were founded on the *Partition Treaty*; and that the Lords had already censur'd that Treaty, created the Disposition (or at least furnish'd the Pretence) which appear'd in the House to do the same, is acknowledg'd by Mr. *Vernon* to Lord *Manchester*: But when the Motion for an Address of Thanks for his Majesty's gracious Message was made, the Question was stated in the following moderate Terms; to wit: " That an humble Address be made to his Majesty, to return the Thanks of this House for his gracious Message, wherein he is pleas'd to communicate his Royal Intentions, to acquaint this House from Time to Time, with the State and Progress of these Negotiations into which his Majesty has enter'd, pursuant to the Address of this House."

Proceedings in the House of Commons.

[Cole. p. 550.]

Journal of the Commons.

And this we must suppose was the neutral Language of the Ministers, who not being able to prescribe to the House, so qualify'd what they had to propose, That it might not give Offence on one Hand, and yet on the other, might serve as a Ground-work for such Additions and Amendments, as might answer their most sanguine Purposes.

Thus the Debate was no sooner open'd, than the Sticklers for a *War* propos'd to add the following Words, *And for his Majesty's Care of these Nations and the* PEACE *of* EUROPE: A fierce and obstinate Debate ensued; in which the great Privilege, of Freedom of Speech was more freely exercis'd, than had ever been known before: Mr. *How* in particular, calling the Treaty a *felonious Treaty*; Others, with equal Severity, maintaining, That it was not more iniquitous than impolitic: And the Question being at last referr'd to a Division of the House, it was carry'd in the Negative by 193 Voices against 187: A slender Majority it is true; but a Slenderness easily accounted for: Because, on all these Occasions, the whole Corps of *Court-Whigs*

A. D. 1700-1. *Of the flying Squadron, as well as*

Whigs not only voted as one Man, but were also join'd by many of the moderate *Tories* in Office, who, perhaps, thought it an Office-Duty to ſtrain a Point, for the Sake of a perſonal Compliment to his Majeſty.

But then this ineffectual Effort ſeems only to have ſet an Edge on the Proceedings of the oppoſite Party: For the next Amendment that was offer'd, came from them, in the following Words: "Alſo, to lay before his Majeſty, the ill Conſequences of the Treaty of *Partition* to this Kingdom, and the PEACE of EUROPE." This, again, was follow'd by Another in theſe, "paſs'd under the Great Seal of *England*, during the Sitting of Parliament." And This by a Third as follows: "Whereby ſuch large Territories of the King of *Spain*'s Dominions were to be deliver'd up to the *French* King." All which being ſo contriv'd, as to coincide with each other, were ſeverally adopted by the Houſe, without a Diviſion, and interwove with the general Reſolution, that was to ſerve as an Inſtruction to the Committee, appointed to draw up an Addreſs conformable thereto.

This Committee was compos'd of Forty-five Members, with an almoſt equal Mixture of *Whigs* and *Tories*: Among the Former were Sir *Thomas Littleton*, Sir *Richard Onſlow*, Lord *Coningeſby*, Lord *Catts*, Lord *Spencer*, Lord *Hartington*, Mr. *Smith*, Mr. *Cowper*, Mr. *Monckton*, Sir *Rowland Gwyn*, Sir *Joſeph Jekyll*: and among the Latter, Sir *Edward Seymour*, Sir *Charles Muſgrave*, Mr. *Finch*, Mr. *Howe*, Sir *Humphry Macworth*, Sir *Bartholomew Shower*, Mr. *Hammond*, Mr. St. *John*.

The next Day, *March* 22, the Addreſs was reported by Sir *Edward Seymour*; and being thought by Some rather more pointed than was warrantable by the Votes of the Houſe, a Motion was made for reading and conſidering it Paragraph by Paragraph, which paſs'd in the Negative without a Diviſion.

It was drawn up in theſe Words.

Theſe Addreſs directed againſt the Partition-Treaty.

"*Moſt Gracious Sovereign*,

Whereas nothing can more conduce to the Safety and Honour of your Majeſty and this Nation, than taking the Advice of your *Engliſh* Councils, we your Majeſty's moſt dutiful and loyal Subjects, the Commons in this Parliament aſſembled, do, with all Humility, return your Majeſty our hearty Thanks for your gracious Meſſage, wherein you are pleas'd to communicate your Royal Intentions to acquaint this Houſe with the State and Progreſs of thoſe Negotiations into which your Majeſty has enter'd, purſuant to the Addreſs of this Houſe; which Method, had your Majeſty been advis'd to take before the Treaty of *Partition* was perfected, (which was paſs'd under the Great Seal of *England* during the Sitting of Parliament, and without Advice of the ſame) we had been prevented from laying before your Majeſty, what we are now bound in Duty (tho' with *Grief*) to do, the ill Conſequences of that Treaty to this Kingdom and the Peace of *Europe*, which ſo directly tended to encreaſe the Power and Greatneſs of *France*, by delivering up to the *French* King A. D. 1700-1. ſuch large Territories of the King of *Spain*'s Dominions, and to the Deſtruction of the Trade of this Kingdom, to which Treaty may juſtly be aſcrib'd the Dangers which now threaten both this Kingdom and the PEACE of *Europe*."

It was by ſpecial Order preſented to the King by the Houſe in a Body: And it is remark'd by Mr. *Vernon*, that the Speaker on this trying Occaſion, was much better attended than the Lord-Keeper had been: Notwithſtanding all which, and the quick Senſe which his Majeſty had of the Practice thus try'd upon him, he did not think it prudent to enter into any Expoſtulation upon it, as appears by his Anſwer to the ſaid Addreſs, which was as follows.

"*Gentlemen*,

I am glad you are pleas'd with my communicating to you the State of the Negotiations I have enter'd into, purſuant to your Addreſs; I ſhall continue to inform you of the Progreſs that ſhall be made in them, and be always willing to receive your *Advice* thereupon; being fully perſwaded, that nothing can contribute more effectually to the Happineſs of this Kingdom, and the PEACE of *Europe*, than the Concurrence of the Parliament in all my Negotiations, and a good Underſtanding between me and my People."

Thus a Meaſure which every one of the Miniſters, except the immediate Agents in it, and which, conſequently, reſted on the King himſelf, had *diſown'd*, was condemn'd by both Houſes of Parliament, as well as by the People with one Voice; whether by a *French* Management or not, the Reader is now able to determine for himſelf.

It is true, Mr. *Vernon*, in his Diſpatch to [Cole, p. 351.] Lord *Manchester* of *March* 24, ſays, "I believe M. de *Tallard* will repreſent that Day's Proceedings (the 22d that is to ſay) as advantageous to their Deſigns. I hear he diſpatch'd a Courier that ſame Night; ſo that he will be beforehand in the Relation; but no certain Judgment can be made what will be approv'd, or diſapprov'd of, till the Propoſals themſelves come under Debate." Which the Houſe, as he before ſuggeſts, avoided meddling with, till the Anſwers to them ſhould be alſo communicated: And no doubt, ſo far as theſe Debates and Diſſentions ſerv'd to ſhew, that our great Men were more diſpos'd to cut one anothers Throats, than to perſue any national Purpoſe whatſoever, this Suggeſtion of Mr. *Vernon*'s was well grounded: But then it concludes no farther: And tho', in his next Diſpatch, he alſo ſays, "You will find both [Ibid. p. 353.] the Lords and Commons have cenſur'd the late Treaty of *Partition* in their Addreſſes to his Majeſty, which I ſuppoſe will not be *diſagreable* News to that Court, ſince they care ſo little to hear of it." Nothing, at this Time, is more demonſtrable, than that they cenſur'd it, for the Sake of cenſuring the Miniſters under whom it was made; and not for the Sake of diſculpating *France* for the Breach of it.

Beſides:

A.D. 1700-1. Besides: It is not unusual, perhaps, for Ministers to drop such Insinuations as these, in order to bespeak suitable Answers: But if so, the Practice in this Instance did not altogether operate in the Manner expected: For These that follow, are Lord *Manchester*'s Words: "All I could perceive by his (M. de *Torcy*'s) other Discourse was, That he thought the Proceedings in *England* somewhat extraordinary, in the Manner they treated the *French* King: But he said also, That the King of *England* was not much better us'd. I find they intend not to take the least Notice of any Thing that passes in Parliament, neither will they do any Thing to provoke the Parliament."

[Ibid.]

1701. What Emotions the Proposals made at the *Hague* occasion'd in the Court of *France*, have been already explan'd in Lord *Manchester*'s Letter: What Effects they produc'd, we also find particularis'd in the following Letter of Mr. *Stanhope*'s, dated at the *Hague*, *April* 5, N. S.

Sense of the States in relation to the Conduct of France.

"M. *d'Avaux* receiv'd his Courier last *Saturday* Morning early, and about Eleven visited me, when he own'd the Courier was come, but pretended to know nothing, telling me his Letters were not then decypher'd. The same Evening he demanded an Hour of the *Pensionary*, and told him, His Master had no other Answer to give to our Proposals than, That he is ready to renew and confirm the Treaty of *Ryswick*, which is all the Security we are to expect. He then ask'd him, If he had communicated the same to me; who answer'd, He had seen me that *Morning*, but had not *then* decypher'd *his* Letters. The other urg'd him again, Whether he did not intend to tell it me? To which he reply'd, He had no Orders to do it: For if the King of *England* has any Thing to demand of his Master, he has his Ambassador at *Paris*, and there is a *French* Minister at *London*, by either of whose Hands it may more properly be represented than here at the *Hague*, where he has a Commission only to treat with the States. However, to try him a little farther, by giving him an Opportunity, I return'd his Visit Yesterday Morning: But it pass'd all in common Discourse, and he said not a Word to me of the Business, nor did I think it convenient to ask him, after what I had heard before. Last Night, the States Deputies desir'd a Conference with me this Morning; wherein they gave me, in form, an Account of all this I knew already, by a Resolution of the States; and at the same Time told me, That, at my Requisition by his Majesty's Order, their Fleet of Twenty-four Capital Ships, and Sixteen Frigates, is ready to go presently to join ours in the *Downs*; and that they hope and desire the 10,000 Men we are to send to their Assistance by Land, may be speedily ready also; since by the *French* Motions on their Frontiers, and other Advices, they fear they shall suddenly have Occasion for them. All this I shall write this *Night* to *England*.

Mr. *Stepney* has been here three Days, and I believe in as many more will pursue his Journey towards *Vienna*: The Emperor's Minister here is very silent.

A.D. 1701.

Count *d'Avaux* has intimated by another Minister, his confident Agent, that he expects the States Resolution in eight or ten Days, otherwise he must be gone. All his underhand Trinketing with the *Pensionary* will come to nothing, nor will they ever be able to disunite us, as their Design is: I know all that passes, which amounts to no more yet, than general Hopes of giving them Satisfaction apart, excluding our King and the Emperor: But this I dare assure your Excellency, if we do not abandon this State, they will never seperate from our Interests. A good Vote or two of the Commons, will settle our Matters as we desire; and I doubt not but this *French* Haughtiness will conduce much towards it."

And what were the Consequences in *England*, the Journals of the Commons inform us: For therein we find, That on the last Day of *March*, Mr. Secretary *Hedges* presented the Copies of the Resolutions of the States, as also of a Memorial, to the King, from their Minister in *London*, conformable thereto, together with the following Message.

"WILLIAM R.

The Answer of France communicated in a Message from the King to both Houses.

His Majesty having receiv'd an Account from Mr. *Stanhope*, his Envoy Extraordinary at the *Hague*, that the *French* Ambassador there had declar'd to the *Pensionary*, That the King his Master had no other Answer to return to the Demands made by the *States-General* of the *United Provinces*, than that he is ready to renew and confirm the Treaty of *Ryswick*, it being all the Security the *States* are to expect; and that he has no Orders to give any Answer to his Majesty's said Envoy: But if his Majesty has any Thing to demand, it may be done by his Ambassador at *Paris*, or to the *French* Minister at *London*; and that he has no Commission to treat with any but the *States*. And his Majesty having also receiv'd two Resolutions of the *States*, and a Memorial from their Envoy here, relating to the Ships they are sending to join his Majesty's Fleet, and the Succours they desir'd may be hasten'd to them, by Virtue of the Treaty made the 3d of *March*, 1677, his Majesty has thought fit to communicate the whole to this House, that they may be particularly inform'd of the present State of Affairs Abroad, where the *Negotiations seem to be at an End*, by the positive Answer the *French* Ambassador has given to the *States*: Which his Majesty recommends to the serious Consideration of this House, as a Matter of the greatest Weight and Consequence; and desires that they will give his Majesty such Advice thereupon, as may be for our own Security, and that of the *States-General*, and the PEACE of EUROPE."

Thus the King himself having, by the Height of his own Demands, bespoke such an Answer, as he had receiv'd, avows his own Readiness to put an End to the Negotiation, again uses the very Words which the Faction for a War had made such an equivocal

A. D. 1701. vocal Uſe of, and thereby endeavour to extort in a Manner ſuch Advice from the Houſe, as was moſt ſuitable to his own Inclinations.

But if any Hope had been entertain'd of ſurpriſing the Houſe into any ſuch Vote or Votes, as might tend to involve the Nation as a Principal in a new Continent War, the Event was not anſwerable: For, in order that they might have Time for ſuch a Concert as the Criſis requir'd, they poſtpon'd the Conſideration of the ſaid Meſſage till the 2d of *April* following: And, upon the Iſſue of the Debate of that Day, Reſolv'd, *Nemine Contradicente*, "That the humble *Advice* of this Houſe be given to his Majeſty, to deſire, That his Majeſty will be pleas'd to *carry* on the *Negotiations* in concert with the *States-General*, and take ſuch Meaſures therein, as may moſt conduce to their Security: And that his Majeſty will perſue the Treaty made with the *States-General* the 3d of *March*, 1677; and to aſſure his Majeſty, That this Houſe will *effectually* enable him to ſupport the ſaid Treaty of 1677."

The Commons Vote of Advice.

It is obvious, That a Vote of Advice, which fell ſo far ſhort of his Majeſty's Deſires, could not be very acceptable to him: And yet the Language us'd in his Name, by way of Anſwer, was altogether as ſmooth, as any he had us'd before: For, according to the Report of Mr. Secretary *Hedges*, it was to *the Effect following*, which are the very Words of the Journal.

The King's Anſwer.

"That according to the Advice of the Houſe of Commons, his Majeſty has given Orders to his Envoy Extraordinary at the *Hague*, to carry on the Negotiation in concert with the *States-General*, and to take ſuch Meaſures therein, as may moſt conduce to their Security. His Majeſty thanks you for the Aſſurance you have given, that this Houſe will effectually enable him to ſupport the Treaty of 1677, and will perſue the ſame as you adviſe: He does not doubt, but the *Readineſs* you have ſhewn upon this Occaſion, will very much contribute to the obtaining ſuch a *Security* as is deſir'd."

Proof from original Papers, that the Proceedings of the Commons were exactly conformable to the State of Things abroad.

And now, in order to ſhew how rationally the Commons proceded, and, at the ſame Time, how conformably to the Proceedings and State of the Continent, it will be expedient to inſert certain original Papers in this Place, which, it is preſum'd, will put the Matter out of Controverſy; to wit.

"Propoſitions made by Count *Schlick*, the Emperor's General, to the Elector of *Cologn* at *Bon*, on the 10th of *April*, N. S. 1701.

The Count of *Schlick*, General of the Armies of his *Imperial* Majeſty, being arriv'd here on *Thurſday* laſt in the Evening, had the next Day, about Noon, an Audience of his Electoral Highneſs; in which, as alſo at the Conferences held with him afterwards, he ſaid, That his *Imperial* Majeſty having indiſpenſable Reaſons to purſue his Right to the Monarchy of *Spain*, by all poſſible Means, he with'd that his Electoral Highneſs would make no Engagements with the Powers that diſpute it with him; and that in caſe of a Rupture, he would unite himſelf with his ſaid *Imperial* Majeſty and his Allies, as being thereto incited by two powerful Motives; of which one is, The ſtrict Alliance which the Electoral Houſe of *Bavaria* has with the Houſe of *Auſtria*; and the other is, The general Intereſt of all the Empire, from which the Crowns of *France* and *Spain* will withdraw the *Netherlands* and the Dutchy of *Milan*: And it being to be fear'd, that by their Union, they may put themſelves in a Condition to ſubdue, in Time, all the reſt of the Empire, if the Princes, that are Members of it, don't make uſe of this Opportunity to hinder it, *France* being not yet ſo terrible as it would ſeem to be.

He has repreſented beſides, That his *Imperial* Majeſty, being not any more engag'd on the Side of *Hungary*, he may employ all his Forces againſt that Crown with more Succeſs than ever; and that, on the other Hand, the *Engliſh* and *Dutch* will make their *laſt Effort* to help his *Imperial* Majeſty in all his Deſigns; as well to revenge themſelves of the *French* their deſpiſing the Treaty of *Partition*, as to maintain their Religion, their Liberty, and their Commerce: And if his ſaid Electoral Highneſs would enter into Concert with his *Imperial* Majeſty, and with *them*, he had *Orders* to agree with him, in *their Names*, about all the Advantages and Conditions he could deſire; promiſing to himſelf a favorable Reſolution upon this, whilſt the Queſtion was about the Liberty of *Europe*, and chiefly about that of the Princes of the Empire, who otherwiſe ran the Riſque of loſing for ever their Sovereignty, and of being treated hereafter, as, formerly, the Biſhops of *Toul*, *Metz*, and *Verdun* have been treated, and very lately the Biſhop of *Straſburg*. He adds, That if, againſt all Expectations, his Electoral Highneſs would not come over to his Reaſons, it was to be fear'd, that when the Standards of the ally'd Powers ſhould be rais'd about his Country, they could not have that Regard for him, as if he had united himſelf with the ſaid Powers.

This is the Subſtance of what was repreſented: But Count *Schlick* was very much ſurpris'd, when, in the Place of receiving the favourable Anſwer which he expected, he was told, That his Electoral Highneſs being intruſted with his Archbiſhopricks and Biſhopricks, he will always prefer their Advantage to that of his Houſe and Parentage, when they cannot agree the one with the other: And that if he was to act according to the Nearneſs of Blood, it would be conſider'd whether the Princes of *France*, deſcended from the Dauphineſs his Siſter, are not nearer to him than the Archdukes of *Auſtria*, for the which he ſhall nevertheleſs always retain all imaginable Veneration: That, as to what regards the Empire, he aſſur'd his *Imperial* Majeſty, that he will never ſeperate himſelf from it, when the *French* and the *Spaniards* ſhall preſume to attack the Rights of the Empire; but as they

A.D. 1701. they have hitherto proteſted, that they will own to belong to the Empire all that the Kings of *Spain* have ever own'd, it did not ſeem to him, that they have room, on the Part of the ſaid Empire, to diſapprove their Conduct in this Reſpect, nor to meddle with the particular Affairs betwixt the Houſes of *Auſtria* and *Bourbon*, nor to diſturb the common Repoſe. That the Circles of *Franconia* and *Suabia* have, upon that Foot, found it convenient to aſſociate themſelves, and to invite ſeveral other Circles and Princes to join with them, in order to be able to preſerve the Tranquility they enjoy ſince the laſt Peace, and of which his Moſt *Chriſtian* Majeſty promiſes to let them taſte the Sweets: That if the Court of *Vienna*, as the farthеſt off, does not at preſent find the *French* Forces formidable, theſe Countries, who are more expos'd, have the more Reaſon to apprehend them: That when heretofore *Spain* was ſtill united to the other Allies, his Moſt *Chriſtian* Majeſty did nevertheleſs *alone* reſiſt almoſt all the Powers of *Europe*: That beſides this, if his *Imperial* Majeſty is not any more oblig'd to keep up an Army againſt the *Turks*, he will be oblig'd, according to his Projects, to ſend one into *Italy*, as conſiderable as that which he has had in *Hungary*: That it muſt nevertheleſs be own'd, that by the Union of the *Engliſh* and the *Dutch*, with may Proteſtant Princes and States, great Armies can be rais'd; but that it had been ſeen in the laſt War what the Catholics, and eſpecially the Eccleſiaſtics, had got by it, of which there remain ſtill diſmal *Marks in the Countries of Cologn* and *Liege*: That the King of *England* was a Prince of an unſettled Health, and the *Engliſh* Nation inconſtant, and at preſent almoſt exhauſted: That the *Hollanders* had been always for War, and that, afterwards, they have been the firſt to treat ſeperately, to the great Diſadvantage of their Allies: That, from all Times, the Country of *Liege* had found Advantages in a Neutrality; and that the only Time it had declar'd itſelf, it had been ſo ill treated, that the States had heartily pray'd his Electoral Highneſs to procure them, by all Means, in this Conjuncture, a good Neutrality: And if that Name is odious in the Sight of the whole World, they may content themſelves with the Effect. That for the reſt, his Electoral Highneſs has thought fit to unite himſelf to the other eccleſiaſtical Electors, at an Aſſembly held at *Lobuſſen*, where they had reſolv'd to join with the aſſociated Princes, and Circles, with a Deſign, that his *Imperial* Majeſty ſhall not be leſs ſatisfy'd with this, than he ſhew'd to be with the Aſſociation of the two abovemention'd Circles: And that, laſtly, his Electoral Highneſs, truſting to the Equity and Juſtice of his ſaid *Imperial* Majeſty, cannot believe that he will begin to uſe ill the Electors and other Princes, only for the Care they take for the Preſervation of their Dominions, and their not engaging in a Quarrel, which does not hitherto concern the Body of the Empire."

"*Mr.* STEPNEY *to the Earl of* MANCHESTER. A.D. 1701.

My Lord, *Frankfort, April* 21, 1701.

You will have heard at how ſhort Warning his Majeſty has commanded me to *Vienna*: Thus far I am come on my Way thither, and ſhould have made more Diligence, if the *Penſionary* and Count de *Goes* had not judg'd it neceſſary, that I ſhould viſit on the Way up the *Rhine*, the ſeveral Electors, (who are my old Acquaintance) and obſerve what Effect Count *Schlick*'s Remonſtrances may have had on them. I found the Elector Palatine as zealous as the Emperor and we could wiſh him; but as I have advanc'd into the Empire, I have leſs Reaſon to be ſatisfy'd with their Proceedings. I forwarded to Mr. *Stanhope*, a Project of Neutrality which *France* propoſes to ſeveral Princes and States in the Empire, deſiring him to ſend your Lordſhip a Copy: It has made great Progreſs. The two Circles of *Franconia* and *Suabia*, (who, during the late War, were eſteem'd the Baſtions of the Empire) have been the firſt to enter into theſe Engagements, under the Name of Aſſociations. The Elector of *Bavaria*, (whom we have Reaſon to ſuſpect) was to ſign Yeſterday: The Elector of *Cologn* own'd to Count *Schlick*, that he was engag'd three Weeks ago: He has receiv'd Money from *France*, and to has his Brother *Bavarian*, with which this laſt is now raiſing 10,000 Men, and the other 5000: The Commiſſions were dealing about as I paſs'd thro' *Bonn*. The Elector of *Treves* means well, but his Situation obliges him to follow this ill Example; and he told me, he intended to ſend a Deputy to *Frankfort* on the 30th of this Month, to ſign the ſaid Aſſociation with the other Princes of this Electoral Circle of the *Rhine*, at the Invitation of the Elector of *Mentz*, who is ſole Director of this Circle. The two Directors of the Upper *Rhine*, are the Elector Palatine, and his Brother the Grand Maſter, (as Biſhop of *Worms*): They hitherto ſeem firm to the *Auſtrian* Family; but ſtanding by themſelves, are likely to prove but of little Uſe. By this unexpected Defection in the Heart of the Empire, it will be impoſſible for the Emperor to offend *France*, tho' he were never ſo well diſpos'd and prepar'd for it: He has no Sphere left for Action: The Door is barr'd againſt him from *Auſtria* to *Duſſeldorp*; and, were he in a Condition to force a Paſſage, his doing it would be contrary to his Coronation Oath, and the Conſtitution of the Empire. Thus has *France* found an eaſy Way to fence itſelf againſt any Attack this way, and I give the *Game for loſt*. A ſtrange Thing, that the Emperor ſhould be ſo negligent of his greateſt Intereſt, as not to make ſure of theſe Princes, when he could not but foreſee the Want he ſhould have of their friendly Aſſiſtance. This News, I fear, will give no great Encouragement to our Parliament to declare for an Empire ſo *divided in itſelf*, &c.

G. STEPNEY."

A.D. 1701. *Lord* MANCHESTER *to Mr. Secretary* VERNON.

" *SIR*, *Paris, April* 16, 1701.

I have none of yours to acknowledge, and little to acquaint you with by this Poſt: The only News at Court is, That the Elector-Palatine has let the King of *France* know, That he is ready to ſign the Treaty of Neutrality with the reſt of the Princes in *Germany*, as to his Perſon and his Country; but as for his Troops, he is oblig'd by a Treaty to leave them at the Diſpoſition of the Emperor. If all that they ſay here is true, the Emperor is like to make War by *himſelf*, &c.

Mr. STANHOPE *to the Earl of* MANCHESTER.

" *My Lord*, *Hague, April* 19, 1701.

In Anſwer to your Excellency's Favour of the 15th Inſtant, the Count *d'Avaux* has yet made no new Propoſal here, nor do we expect any, unleſs our Houſe of Commons comes about to make ſome vigorous Votes ſuitable to their Beginning, which we are in hourly Hopes of receiving by the Letters we expect. I the leſs expect any Propoſals from this State *more moderate* than the Former, ſince the Reſolution and Unanimity I obſerve in this People to be ſatisfy'd with nothing *leſs*; having heard this Day from a conſiderable Man at *Amſterdam*, that, provided *England* gives them *only* the Succours ſtipulated by the Treaty of 1677-8, as they cannot do leſs, they are content to hazard the War againſt *France* and *Spain*, in Conjunction with the Emperor and their *German* Allies. Monſieur *Briord* is very pleaſant in his Complaint of our King's Power over this State, as if his Maſter had not a much greater over the whole Monarchy of *Spain*. We *believe* not a *Word* of the (*r*) Treaty M. *d'Avaux* brags ſo much of, as *defenſive* and *offenſive* with *Portugal*; and that in caſe of a Rupture, neither *Engliſh* nor *Dutch* Ships will be receiv'd in any Ports of that Kingdom; tho' he *ſhews* his *Maſter's Letter* for it, with this Inference thereupon, *Et que le Roy* d'Angleterre *ſonge a cette heure s'il voudra faire la Guerre*," [and now let the King of *England* think whether he would make War]. I am, &c.

Then, as to the Reception of the *Engliſh* and *Dutch* Propoſitions by the Regency of *Spain*, Schomenberg writes as follows to Lord *Manchester*, " An extraordinary Courier ſent by the Court of *France*, and bringing the News of the ſaid Propoſitions, arriv'd here [P. 365.] (at *Madrid*) two Days ago: The Duke of *Harcourt* communicated them immediately to the Miniſters, treating them as ridiculous: And as if the Dependence of this Court on the good Pleaſures of *France* is an abſolute Submiſſion, they did immediately declare, That they reſign'd themſelves entirely to all that the Moſt *Chriſtian* King ſhall pleaſe to determine in This, and in every other Affair, in which this Monarchy is concern'd."

[366] Laſtly: In full Juſtification of the Houſe of Commons, Mr. *Stanhope* writes that to Lord *Manchester*: " The late Votes of the Houſe of Commons, to enable the King to make good to this State our Treaty in 1677-8, has put a new Spirit into this People; and two or three more ſuch, may make your Court not ſo backwards to a Negotiation, nor think our Propoſals ſo unreaſonable." And Mr. *Vernon* to the ſame Lord thus: " I don't doubt [P. 370.] but you hear directly from *Holland*, that the States have paſs'd a Reſolution, containing their Thanks to his Majeſty for the Care that has been taken of complying with the Treaty of 77; and to aſſure his Majeſty, That they will not act ſeperately from *England*. His Majeſty intends This ſhall be communicated to the Houſe of Commons:" And on the 24th of *April*, being three Days after this Letter was writ, an Extract of the ſaid Reſolution was communicated accordingly.

But his Majeſty had, nevertheleſs, his Reſerves on this Head of parliamentary Communications, as will appear by what follows.

Some Time in the Beginning of *April*, M. de *Tallard* quitted the *Engliſh* Court for good, and (leaving M. *Pouſſin*, formerly mention'd in a Letter of Lord *Manchester's*, to officiate as Secretary of the Embaſſy in his ſtead) was on his Arrival at *Verſailles*, rewarded with the *Cordon bleu*, and the Government of *Foix*, with Leave to ſell it, that he might put 200,000 Livres into his Pocket.

King of Spain's *Letter of* Notification *to the King of* England.

But at the very Inſtant of his Departure, and before M. *Pouſſin* had enter'd on the Functions of his Miniſtry, on the 19th of *April*, N. S. that is to ſay, M. de *Torcy* took an Opportunity to give Lord *Manchester* a Letter, telling him, It was for the King; and that M. de *Tallard* being come away, he deſir'd his Excellency would take Care of it: His Excellency in reply aſk'd, From whence it came? And, tho' inform'd it was from the King of *Spain*, as alſo, that it was to notify his Acceſſion, charg'd himſelf with the Tranſmiſſion of it to *England*; which, if he had thought fit, he might have evaded very eaſily.

This Letter was dated at *Buen-Retiro*, *March* 24; and the Receipt of it is acknowledg'd by Mr. *Vernon April* 14, O. S. who alſo acknowledges, it was read the Night before in the Cabinet-Council: The Contents were neither uncourtly nor unartificial: For, in ſuggeſting, That ſince he had taken *Poſſeſſion* of *all* the Kingdoms and Dominions belonging to him, he could no longer delay giving his Majeſty Notice of it: He alſo inſinuated a Sort of Excuſe, for not having notify'd his Acceſſion before; and he alſo aſſur'd his Majeſty, That he deſir'd nothing more than the Cultivation of a mutual Friendſhip with his Majeſty and his Crown.

Of what paſs'd in the Cabinet on this ſignal Occaſion, Mr. *Vernon* is wholly ſilent; nor

(*r*) It was not as yet ſign'd.

A.D 1701. [P. 268.] is the Subject resum'd in any of the subsequent Letters which have been preserv'd in *Cole*'s Collection: And yet Lord *Manchester* acknowledges the Receipt of one dated *April* 17, which is omitted: But Bishop *Burnet*, tho' not a Cabinet-Counsellor, assures us, There was some *short* Debate concerning it, but that it was *never* brought into any *farther* Deliberation there, which is somewhat strange, considering what he subjoins; to wit: "That the Earl of *Rochester*, and the rest of the new Ministry, prets'd the King to own the King of *Spain*, and to answer his Letter; urging, That since the *Dutch* had done it, it seem'd reasonable, that the King should likewise do it; and that they prevail'd *at last*, but with *much Difficulty*." For if the Debate was short, and it was never renew'd, it must follow, either, That the King did not need much pressing, or else his Majesty found the Arguments they made use of irresistible.

B. Burnet's Account of his Majesty's Reasons of Acknowledgment.

The Bishop adds, "The Thing was kept secret, and was not communicated to the Privy-Council, or to the Two Houses; nor did the King speak of it to any of the foreign Ministers: The *Paris-Gazette* gave the World the first Notice of it: This being carry'd in such a Manner, seem'd the more strange, because his Ministry had so lately condemn'd a former one, for not communicating the *Partition-Treaty* to the Council before it was concluded; and yet had in a Matter of great Consequence, so soon forgot the Censure they had thrown out so liberally upon the Secrecy, with which that Matter had been transacted."

Observed upon. Thus Party-Impertinence is to pass for History; and that This was nothing else, is notorious. The King had solicited this Letter of Notification, as hath been shewn already: Consequently having receiv'd it, he could do no less than acknowledge it: Besides; as we were jointly concern'd with the States in the Negotiation at the *Hague*, we could not avoid treating on the same Basis with them: And they had acknowledg'd the King of *Spain*, without so much as *apprising* the King of *England* of their Intentions to do so: Then, as the *Cabinet-Council* had, in the whole Course of this Reign, held the Place of the *Privy-Council*, in imparting it to his *Cabinet*, it may be said, He imparted it to his *Council*: And it is admitted, the Measure was not only approv'd, but advis'd by them; whereas the *Partition-Treaty* was neither regularly imparted, nor approv'd at all. Again; as to the Two Houses, tho' his Majesty had engag'd himself to communicate the Progress of the *Negotiation* to the House, he had engag'd himself to communicate nothing else: And, lastly, as to the Secrecy of the Transaction, it must be suppos'd, the King himself was in part answerable for it: For nothing could have serv'd the Purpose of the new Ministers, to avoid being Principals in a general War, better, than the making it known: Nor was the Secrecy observ'd any where except at Home; our Ministers residing in foreign Courts were inform'd of it; and made and receiv'd Compliments upon it, in the most open Manner. A.D 1701.

And here it is high Time to observe, That Mr. *Tindal* has inserted, among his Notes, certain Extracts from a Manuscript, written, as he says, by a very considerable Person of these Times; as also, That B. *Burnet* has either made great Use of the said M. S. or the Writer of it has made great Use of B. *Burnet*'s History: The same Points, the same Circumstances, are touch'd in the same Manner, in Both: And that one of these Extracts, is deliver'd in the following Terms.

"One Advantage our Friends had, to let the King see they were not dispos'd to quarrel with any Thing he did, tho' it was visibly the Effect of their Counsels who design'd their Ruin. The King had assur'd both Houses, That he would acquaint them with the whole Progress of the *Negotiation*; yet an Incident happen'd of great Consequence, in which they carry'd their Designs, without advising either with Council or Parliament. The King of *Spain*, after long Deliberation about it, at last wrote to the King: By the *Date*, and other Circumstances, it appear'd, That Mr. *Harley* knew why he *mov'd* the House to leave the Matter of owning the King of *Spain* to the King. This was a Thing of such Consequence, that one would have thought it deserv'd to be well consider'd at Home, and to be communicated to our *Allies Abroad*, before it was done."

Now the Date of the Letter we have already before us: The (*f*) Answer was dated *April* 17, just Eight Days after the Affair had been laid before the Cabinet; and, consequently, whoever recollects, that Mr. *Harley* could not have made the *Motion* here talk'd of, at any other Time, than

(*f*) To wit.

"*William* the Third, by the Grace of *God*, King of *Great-Britain*, *France* and *Ireland*, Defender of the Faith, &c. to the most serene and most potent Prince the Lord *Philip* the Fifth, by the same Grace, King of *Spain*, both *Sicilies*, *Jerusalem*, *Hither*, &c. Archduke of *Austria*, Duke of *Burgundy*, *Brabant*, and *Milan*, Earl of *Hapsburg*, *Flanders*, *Tyrol*, &c. our most dear Brother and Cousin, Greeting. Most serene and most potent Prince, Brother and Cousin, we have receiv'd the Letters of your Majesty of the 24th of *March* last past, which were for many Reasons very acceptable to us: as well because they gave us Notice of your happy Arrival in your Kingdom of *Spain*, of which you have taken Possession, taking upon you the Government of the Dominions thereunto belonging, as that you have assur'd us, that your Majesty has a Mind that the very antient Friendship and Correspondence betwixt the Two Crowns, shall remain inviolable. We have, indeed, willingly embrac'd this Opportunity to congratulate your Majesty on your happy Accession to the Crown of *Spain*, and to certify to you, how much we value you, and how great a Desire we have that your Majesty should know, that we will, with great Application, do all that we can, that the mutual Union, subsisting betwixt us, by Treaties and Friendship, be closer united, and that the Advantages of both Nations may every Day be more and more promoted and flourish, which we hope will also end in the Advantage and Prosperity of all *Europe*. For the rest, we recommend your Majesty to the Care and Protection of Almighty *God*. Given at our Palace of *Kensington*, the 17th of *April*, in the Year of the Lord 1701, and the Thirteenth of our Reign. Your Majesty's most loving Brother and Cousin,

WILLIAM R.

Ja. Vernon."

A. D. 1701. than when the *first* Memorial of the States (containing their Acknowledgment of the King of *Spain*, without any Condition or Reserve) was under Consideration, which was *February* the 19th, cannot help concluding, not only, That *Dates*, as manag'd by these Writers, only serve to confute themselves; but also, from the Part thus ascrib'd to Mr. *Harley*, that there was no such Design form'd by the Party, as both these Writers discourse of, almost in the same Words, to *open* the Session with a Vote, for an Address to the King, to own the King of *Spain*.

But if, by way of Plea for any such Vote, any of them, at any Time, did make use of the Language in this Manuscript imputed to them, to recommend such a Vote; to wit: "That it was no Matter who was King of "*Spain*; and that whoever was King of "*Spain*, must know his own Interest, must "be govern'd by *Spanish* Councils, must "be true to their antient Allies, *&c.*" They talk'd like rational Men: And their Arguments have been verify'd by Facts, which would have been abundantly more glaring, if *Spain* had not been afterwards dismember'd of those Provinces, which render'd the Alliance of the *Maritime*-Powers of such Importance to her Interest.

Hitherto both Houses had thought fit to confine their Censures to the *last Partition-Treaty*, without meddling at all with the *first*: But a bare Censure of the Measure, would not wholly answer the Ends of Those who had brought it into question: On the other Hand, it appear'd from the Altercations which had pass'd in the Lords Committee, That the Earls of *Portland* and *Jersey*, were the only Persons who could be made answerable for it: And tho' no Favour was intended to the Former, it was scarce possible to procede against him on this Head, without involving the Latter, who, in exchange for his Services in the Cabinet, had been taken into the Protection of the Party.

In order, therefore, to make the necessary Discriminations, and yet serve the great Purposes in View, it was so contriv'd, that the House of Commons should take the Ball at the Rebound, and procede by the following Method.

Proceedings of the Committee in relation to the Second Partition-Treaty.

A Committee was appointed to examine the Journals of the House of Lords, and to report their Procedings in relation to the Treaty of *Partition*: This Report was made by Sir *Edward Seymour*, on the 26th of *March*; and it was order'd at the same Time, That all the Members of the House should attend the Service of the House on the 29th following, upon Pain of incurring the Displeasure of the House.

On the said 29th, the House resolv'd itself into a Committee, to consider the State of the Nation, and of the Treaty of *Partition*: Colonel *Granville* was put into the Chair: The Debates of the Day was such as might have been naturally expected from the Occasion and the Purpose in View: The Resolution they came to was This, 1. That *William* Earl of *Portland*, by negotiating and concluding the Treaty of *Partition*, (which was destructive to the Trade of the Kingdom, and *dangerous* to the *Peace* of *Europe*) was guilty of a high Crime and Misdemeanor. But then, as if Time was to be allow'd for some Sort of Management, the Report was not receiv'd till *Tuesday* the 1st of *April* following: And upon the Report, the House not only agreed with the Committee, but resolv'd without a Division, That the said Earl should be impeach'd of high Crimes and Misdemeanors: Besides which, they order'd Sir *John Leveson Gower* to impeach him, at the Bar of the House of Lords; and appointed a Committee to prepare Articles against him; which Committee was compos'd of Mr. *Finch*, Sir *Christopher Musgrave*, Sir *Godfrey Copley*, Mr. *Bridges*, Sir *Thomas Powis*, Lord *Mordaunt*, Sir *John Leveson Gower*, Colonel *Granville*, Sir *Humphry Mackworth*, Sir *Bartholomew Shower*, Mr. *Hammond*, Mr. *How*, Sir *Edward Seymour*, Dr. *Davenant*, Mr. *Bertie*, Sir *William Coryton*, Mr. *Dolben*, Mr. Attorney-General, Mr. St. *John*, Mr. *Gwyn*, Mr. *Conyers*, and Sir *Rowland Gwyn*.

The next Step they took, was to call upon the Lords at a Conference, for the Particulars of what had pass'd between Lord *Portland* and Mr. *Vernon*, in relation to the *Partition-Treaty*; as also for what other Informations they had obtain'd in relation to *any Negotiations* or *Treaties* of *Partition* of the *Spanish* Monarchy, by Letters or otherwise.

They apply to the Lords for the Papers communicated to them.

This Step was taken *April* 2: And the Lords demurring for several Days, on the 8th the House resolv'd (without a Division) to apply to his Majesty by an Address, for a Copy of the *Grand-Alliance* and the Two secret Articles, as also of the First *Partition-Treaty*, together with the Powers and Instructions for negotiating the *late Treaties*: To which Application, Mr. *Vernon*, in his Majesty's Name, the next Day made Answer, "That his Majesty had been pleas'd to give Order for the *Treaties* and *Powers* to be laid before the House: But that there were no Instructions for either of those Treaties in *Writing*."

And to his Majesty by Address.

The next Day the Lords agreed to the Conference demanded by the Commons on the 2d; and in Compliance with the Purport of it, the Marquis of *Normanby* deliver'd to the Managers of the Commons, Two Papers in *Latin*, the one dated at *Kensington*, *January* 2, 1699-1700, and containing the full Powers granted to the Earls of *Portland* and *Jersey* for signing the *last Partition-Treaty*; and the other dated at *Loo*, *July* 1, 1699, containing the like full Powers to the same Lords, to treat with the Ministers of the *Emperor*, *France*, and the *States*, for the Conservation of the Peace, (without any Mention by the Way of the *Spanish Succession*): As also the following Paper, which was laid before their Lordships by Lord *Portland*, but not sign'd by him, and the Question and Answer which follow'd it: To wit.

Lord

A. D. 1701.

Lord PORTLAND's *Paper.*

" At the Beginning of the Summer in the Year 99, when I was in *Holland* at my Country-Houſe, and when the King would have me be concern'd in the negotiating of this Treaty with the EMPEROR, the *French* King, and the *States*; being very unwilling to *meddle with Buſineſs again*, from which I was retir'd, before I would engage myſelf, I advis'd with my Friends in *Holland*, and writ into *England* to Mr. Secretary *Vernon*, as my particular Friend, Whether it was adviſable for me to *engage in any Buſineſs again!* To which Mr. *Vernon* anſwer'd in ſubſtance, That This would not engage me but for a little while: That I being upon the Place, and generally acquainted with the Foreign Miniſters, it would be eaſier for the King, and properer for me, to be employ'd in it than any body elſe, that muſt be otherwiſe ſent for on purpoſe."

" The Earl of *Portland* being deſir'd by the Lord *Somers*, with the Leave of the Houſe, to declare, if he pleas'd, Whether the Lord *Somer*'s Name was mention'd in the Letter he receiv'd from Mr. Secretary *Vernon*? The Earl of *Portland* declar'd, That if he had remember'd any ſuch Thing in the Letter, and had not inſerted it in the Paper which he had deliver'd to the Houſe, he ſhould have thought he had deceiv'd the Houſe."

And here it is again incumbent on us, to cite the Teſtimony of the Hiſtorian of his *own Times*, who repreſents this Section of our Story as follows.

B. Burnet's Account of Lord Portland and Mr. Vernon's Behaviour at this Criſis.

" *England* was all this while very unwilling to engage; yet for fear we ſhould at laſt have ſeen our *Intereſt* ſo clearly, that we muſt have fallen into it, thoſe who were practis'd on to embroil us, ſo that we might not be in a Condition to mind Foreign Affairs, ſet on foot a Deſign to impeach the former Miniſtry.

The Handle that brought this about, was given by the Earl of *Portland*: When he was excuſing his *own Part* in the *Partition-Treaty*, he SAID, That, having withdrawn himſelf from Buſineſs, and being at his Country-Houſe in *Holland*, the King ſent to him, deſiring him to enter upon that Negotiation: Upon that, he wrote to Secretary *Vernon*, to aſk his Advice, and the Advice of his other Friends, whether it was fit for him to meddle in that Matter, ſince his being by Birth a *Foreigner*, ſeem'd a juſt Excuſe for not engaging in a Thing of ſuch Conſequence. To this Secretary *Vernon* anſwer'd, That all his Friends thought he was a very proper Perſon to be imploy'd in that Treaty, ſince he had known the Progreſs of all thoſe Treaties, and the Perſons who were employ'd on that Occaſion; and he *nam'd* the Lord *Somers* among thoſe who had advis'd this. The Earl of *Portland* had *miſtaken* this Circumſtance, which did not belong to the *laſt Partition-Treaty*, but to That of the Year before, in favour of the Prince Electoral of *Bavaria*. The Houſe of Commons hearing of this, requir'd Secretary *Vernon* to lay before them that Letter, with his Anſwer to it; for the Earl of *Portland* ſaid, That he had left all Papers relating to that Matter, in *Holland*. *Vernon* ſaid, He had receiv'd no ſuch Letter in the Year 1699; ſo that led them to enquire farther, and they requir'd him to lay before them all the Letters he had relating to both Treaties: He ſaid, thoſe were the King's Secrets, writ in Confidence by the Perſons he employ'd: But in ſuch a Caſe, a Houſe of Commons will not be put off: A Denial rather raiſes in them more Earneſtneſs in following their Point: It was ſaid, the King had diſpens'd with the Oath of Secrecy, when he order'd *all* Matters to be laid before them, and they would admit of no Excuſe. *Vernon*, upon this, went to the King, and told him, ſince theſe were his Secrets, he was ready to expoſe himſelf to the Indignation of the Houſe, and to refuſe to ſhew his Letters: But the King ſaid, His refuſing to do it, would *not* only raiſe a Storm againſt himſelf, from which the King could not protect him; but it would occaſion an Addreſs to the King, to order him to lay *every Thing* before the Houſe, which, in the State that Things were in then, he could not deny: *Vernon*, upon theſe Orders given him, at *two* different Times carry'd *all* the Letters, and laid them before the Houſe of Commons: It appear'd by Theſe, that he had communicated the Treaty to the King's Miniſters, who were in Town, about the End of *Auguſt* 1698: That Lord *Somers* being then at *Tunbridge*, he went to him; and that he had communicated the Project, both to the Earl of *Orford* and the Lord *Halifax*: Several Objections were made by them to many Parts of the Treaty, which were mention'd in *Vernon*'s Letters; but, if better Terms could not be had, they thought it was better to conclude the Treaty, than to leave the *Spaniſh* Monarchy to be over-run by *France*, or to involve *Europe* in a new War: Lord *Somers* had alſo put the Seals to Blank Powers, for concluding this Treaty. When all this was read, thoſe, who were ſet on to blow up the Flame, mov'd the Houſe to impeach ſome of the Miniſters, who had been concern'd in this Tranſaction."

Thus, tho' the Biſhop thought fit to paſs over ſeveral material Circumſtances in relation to Lord *Portland*'s equally fallacious and futile Plea, and to alter others, yet he nevertheleſs acknowledges enough to indicate, That the *Letters* produc'd by Mr. *Vernon*, ſerv'd as well to entangle Lord *Somers* in his own Query, as to expoſe Lord *Portland*, and unravel a great Part of that pernicious Negotiation, in which the *Emperor* was ſo far from having any Concern, that the total Sacrifice of his Pretenſions, was the great Object which all the Parties concern'd had in View.

But whereas he alſo ſays, That *Vernon*, at *Ibidem.* Two *different* Times, did carry ALL the Letters, and lay them before the Houſe, it is fit to obſerve, That neither did he communicate ALL the Letters in queſtion to the Houſe, nor was the Communication he did make by the King's Permiſſion, made at Two *different* Times: It is true, That on the

A.D. 1701. 11th, (of *April*) he did present to the House the Treaties, Powers, &c. call'd for on the 5th, making Fifteen Papers in all (which, by the Way, again farther demonstrates, how imperfectly the Addresses of both Houses, at the Beginning of the Session, had been comply'd with; and how solicitously every Thing relating to the *Bavarian* Treaty, had been thrown into Shadow): But then the Order for the Letters, tho' made the same Day, was not made till after those Papers had been presented: And whether the Letters presented the next Day, by the same Minister, were *all* that the House requir'd, let the Reader judge from what follows, which is the Order of the House *verbatim*; to wit: "That Mr. Secretary *Vernon* do lay before this House, all the Letters and Copies of Letters, which have pass'd between himself and the Earl of *Portland* in the Years 1698, 1699, or at *any other Time*, with relation to *any Treaty* concerning the *Partition* of the *Spanish* Dominions."

Order of the House for all Papers, &c.

Besides: The Letters so presented, were but Twenty-four in all; all of them dated between the 14th of *August*, N.S. and the 7th of *November*, 1698: And of These, not one was of Mr. *Vernon*'s writing; which also serves to manifest, how little B. *Burnet*'s Narrative is to be depended upon: So that the House were in possession but of one Half of the Correspondence; and it seems, were so well satisfy'd with it, That they made no farther Demand, for farther Information.

Whether the Acquiescence of the House on this Occasion, was the Result of any Remains of Tenderness for the King, who was deeply affected by this Inquisition, or of the Partiality so justly complain'd of by B. *Burnet*, (which visibly drove the Current of the Prosecution with an Over-violence against some, and yet under such a Management, that it pass'd almost without a Murmur by others) is out of our Power to determine: But in the Account of their Proceedings, publish'd by Order of the House, they took Care to specify, That *all* the said Letters were dated in the Year 1699.

What Mr. *Vernon* himself thought proper to say to Lord *Manchester* on this remarkable Incident, also deserves some Notice; to [Cole, p. 367.] wit: "I had rather you should hear from other Hands, what I have been compell'd to by an Order of the House; and in what Manner it has been push'd to Impeachments against my Lord *Somers*, Lord *Orford*, and Lord *Hallifax*:—But I hope they will not be prosecuted." To which Lord *Manchester* reply'd, "The obliging People to shew all Letters, will make it impossible to serve the King as one ought, without being expos'd to the Humour of a Party." And Mr. *Vernon* rejoins as follows: "The producing of Letters, must be allow'd to be an extraordinary Case; and what may occasion great Caution in Correspondencies for the future: But I hope a Thing so circumstanc'd, will never happen again: And for what is pass'd, I must leave it to others who are rightly inform'd, to judge where the Blame originally lay."

A.D. 1701. [Ibid. p. 370.]

To proceed: The Letters so communicated, were referr'd to a Committee to be translated; for tho' relating to the Government of *England*, and passing between Ministers in the Service of *England*, they were written in *French*: On the 14th, these Translations were presented to the House by Sir *Godfrey Copley*: And having been read, as also the *Bavarian* Treaty and the *Grand Alliance*, for the Sake of exposing the Inconsistency of the Two Measures, the Serjeant was order'd to go with his Mace, to summon in the Members from the Courts, and other Places adjacent; which having been done, and the Debate open'd, the Partiality above glanc'd at, became manifest: For, instead of including all the Parties concerned in the Transaction in the same Charge, Mr. *Vernon*, and Sir *Joseph Williamson*, who was concern'd with Lord *Portland* in some of the Letters, and sign'd the Treaty jointly with him, were exempted, and the whole Fury of the Day was pointed against the Lords above-mention'd by Mr. *Vernon*.

The Letters communicated by Mr. Vernon referr'd to a Committee.

And now it was that Lord *Somers*, the first of them, came to a Resolution to face the Storm, while it was yet rising, in hope to weather it by the Force of his own Abilities, and his own personal Credit in the House of Commons, which had been greatly serviceable to him, not only in former Parliaments, but even in This: As appear'd by the Issue of the Debate of *March* 2d, when *Kidd*'s Affair was once more resum'd; and after a long and warm Debate, the Question being put, That a Grant pass'd under the great Seal of *England*, to *Richard* Earl of *Bellomont* and others, of the Goods, Merchandizes, Treasure, and other Things therein granted, which should be taken by Captain *Kidd*, from *Thomas Too*, *John Ireland*, and others in the said Grant mention'd as Pirates, before their Conviction, was illegal and void, it was carry'd in the Negative by 198, against 185, (g).

Matter in Kidd's Grant over-rul'd.

Accordingly,

(g) The next Day an Address was voted, That his Majesty would be pleas'd to give Order, That *Kidd* might be proceeded against according to Law: Upon which he writ a Letter to Sir *Edward Seymour*, (who was the Leader in this Prosecution, and who had treated the Grantees on all Occasions at a *Corporation of Pirates*) desiring to be heard by the House, which was admitted; but what he had to say was so frivolous, that the Journals only say, That he was heard, and that he was remanded back to *Newgate*. A Rumour, That he had been carry'd to some *other Place* besides the House of Common, (by which he to be understood the House o lons of the Lords, said to be his Accomplices) also gave rise to an Examination of the Keeper and Turnkeys of *Newgate*; which, in like Manner, went off in Smoke: And, in short, every Practice, fair or foul, that Artifice could invent, or Malice enforce, was made use of, in hope of extorting fresh Matter against the Accus'd.—But then, the more odious the Authors of these Practices appear, the more Honour belongs, in this Case, to that Majority which could not be induc'd to expose them for any of those Considerations, which, in factious Times, too often constitute both the Strength and Merit of a Party.

And, lastly, in Justice to the Lords involv'd in this Affair, it ought to be remember'd, That the King himself, being certain'd with a Dinner at some Noblemen's House, soon after the Session broke up, took occasion to say at Table, "That if by the Laws of *England* he might be a Witness, he could, of his own Knowledge, justify the said Lords, in all they had done therein."

State Trials, Temp. Geo. III. Vol. III. p. 251.

As to *Kidd*, he was try'd for Piracy on the 8th and 10th of *May*, and executed the 23d following.

A. D. 1701. *Lord Somers heard before the House of Commons*

Accordingly, having caus'd the House to be inform'd, That he desir'd to be heard, an Order was made for his Admission; and Candles having been first brought in, his Lordship made his Entrance with the Ceremonies usual on the like Occasions: These over, his Lordship rose up, and standing uncover'd at the Back of the Chair assign'd him, began his Apology: Which, it is pretty evident, was at the Expence of the Measure in question.

Bishop *Burnet*, indeed, tells us, *He had obtain'd the King's Leave to tell every Thing*, and pretends to give a Sort of Abstract of his Speech: But if that Abstract is a faithful one, his Lordship but ill supported the Dignity and Lustre of the great Character he had establish'd.

But that Historian has drawn his Narrative into Suspicion, by omitting a Circumstance which is upon Record, and which shews, That Lord *Somers*, on that great Occasion, did not dishonour the rest of his Life.

Before his Admission, it had been order'd, That he should be ask'd from the Chair, Who it was inform'd him, That there was a Debate in the House relating to his Lordship? And the said Question, after he had done speaking, being put to him accordingly, his Lordship made the following Reply; to wit: "That he was strangely surpris'd at a Question, that he never knew was put to any Man that came to desire the Favour of being heard: And that if the Question was ask'd, to bring the least Prejudice to any Man in *England*, he would not only be content to lye under the Censure of the House, but suffer the worst Thing that might befal him upon Earth, rather than do a dishonorable Thing." After which follows this other Article in the Journals: "And then his Lordship withdrawing, came back, and desir'd, to leave with the House a Letter, his Lordship acquainted the House that he had receiv'd from his Majesty, (and which, he said, he had his Majesty's Leave to acquaint the House with) and also a Copy of his Lordship's Letter, which he sent to his Majesty in Answer thereof; which Letter and Copy his Lordship had mention'd in what he had offer'd to the House, and he left the same accordingly, and then withdrew (*b*).

This is all that can be deliver'd, with any Certainty, concerning this Event: For of the Debate which follow'd, or even the Names of those who conducted it, on either Side, no specific Mention is made.

And all that the Journals farther report, is, That the Question being put, That *John* Lord *Somers*, by advising his Majesty in the Year 1689 to the Treaty for dividing the *Spanish* Monarchy, whereby large Territories of the King of *Spain*'s Dominions were to be deliver'd up to *France*, is guilty of a High Crime and Misdemeanour, the House divided; and it was resolv'd in the Affirmative by 198 against 188. A. D. 1701. *Votes to impeach him*

The like Question was afterwards put in relation to the Earl of *Orford* and Lord *Halifax*; and was carry'd on two several Divisions in the Affirmative; to wit: Against Lord *Orford*, by 193 against 148: And against Lord *Halifax*, by 186 against 163. *As also the Lords Orford and Halifax.*

It was also resolv'd, That the said Lords should be severally impeach'd of High Crimes and Misdemeanors at the Bar of the House of Lords, in the Name of the House of Commons, and of all the Commons of *England*, by Mr. *Harcourt*, Colonel *Byerly*, and Mr. *Bruges*: Which they did accordingly, the next Day; and severally made their Reports thereof to the House.

The Affair of drawing up Articles against them, was then referr'd to the same Committee, to which the drawing up Articles against Lord *Portland* had been already referr'd: And the said Committe was farther re-inforc'd by the Addition of Mr. *Bromley*, Mr. *Winnington*, Mr. *Harley*, Mr. *Scobel*, Sir *J. Tredenham*, Mr. *Paget*, Sir *T. Meeres*, Mr. *Tredenham*, Mr. *Brotherton*, Colonel *Byerly*, and Serjeant *Hooper*.

The Letters, and Copies of Letters, deliver'd to the House by Mr. *Vernon*; as also the King's Letter to Lord *Somers*, and Lord *Somers*'s Answers, were also referr'd to the same Committee: And then, as if the Managers of the Prosecution had foreseen the Fate of it, or were resolv'd to anticipate the Effects of it, a Motion was made, and the Question put, That an humble Address be presented to his Majesty, That he would be pleas'd to remove *John* Lord *Somers* from his Council and Presence for ever; upon which the House dividing, it was carry'd in the Affirmative by 162 Voices against 107.

The like Motions were then made against the Lords *Orford*, *Halifax*, and *Portland*, and carry'd successively without a Division.

All were referr'd to the impeaching Committee, which was empower'd by the House to draw up a suitable Address: And such an Address as those Gentlemen thought suitable, was the next Day reported to the House.

And now the Public was entertain'd with one of the most extraordinary Games that ever was play'd between Two Rival Factions for the Countenance of a King, and the Honours and Profits of a Kingdom: For as the Ministers, to exculpate themselves, had loaded the King, their Prosecutors resolv'd to exculpate the King, as far as they could, by loading his Ministers: Thus the Address, as reported by Mr. *Bromley*, ran as follows.

"*Most Gracious Sovereign*, *Address to remove the said Lords from the King's Presence and Council for ever.*

We your Majesty's most dutiful and loyal Subjects, the Commons in Parliament assembled, do humbly crave Leave to represent to your Majesty, the great *Satisfaction* we have from

(*b*) Of his Behaviour in the House of Lords, when the last *Partition-Treaty* was in debate there, the following Account is given by Mr. *Tindal* out of the M. S. before cited: "And the Lord *Somers* gave so clear an Account of the Share that himself had in it, that there were not Two in the whole House who did not seem satisfy'd with his Behaviour in that Matter. This was signify'd by shouts and Acclamations that were rais'd higher, and continued longer, than some who had sat there long, had ever observ'd before."

Tindal, p. 472.

A.D. 1701. from our late Enquiry concerning the Treaty of *Partition*, made in the Year 1698, (on which the Treaty of 1699 was founded) to see your Majesty's *great Care* of *your People* and *this Nation*, in not entering into that Negotiation, without the Advice of your *English* Counsellors: And finding that *John* Lord *Somers*, on whose Judgment your Majesty did chiefly rely in that so important Affair, did, in *concert* with *Edward* Earl of *Orford*, and *Charles* Lord *Hallifax*, advise your Majesty to enter into that Treaty, of so dangerous Consequence to the Trade and Welfare of this Nation; and who, to avoid the Censure which might justly be apprehended to fall on those who advis'd the same, endeavour to insinuate, That your Majesty, *without* the Advice of your Council, enter'd into that Treaty, and under your *sacred* Name, to seek *Protection* for what themselves had so advis'd: Of which Treatment of your Majesty, we cannot but have a just Resentment: And that they may be no longer able to deceive your Majesty, and abuse your People, we do humbly beseech your Majesty, that you will be pleas'd to remove *John* Lord *Somers*, *Edward* Earl of *Orford*, and *Charles* Lord *Hallifax*, from your Council and Presence for ever; as also *William* Earl of *Portland*, who transacted these Treaties, so unjust in their own Nature, and so fatal in their Consequences to this Nation, and the PEACE of EUROPE."

And, instead of forming and proposing any Question which might contribute to expose the disingenuous, designing, malignant Spirit which dictated this Paper, or the strange Expressions it contain'd, of the *Satisfaction* felt by a Parliament of *England*, in discovering, that a Measure they had voted to be of the most pernicious Kind, had been advis'd by *English* Ministers, the adverse Party made no other Use of it, than to graft such an Amendment upon it, as they thought would contribute most to their Re-establishment in the Cabinet; to wit.

Our Amendment admitted.

"And we humbly crave Leave upon this Occasion, to repeat our Assurances to your Majesty, that we will always stand by and support your Majesty, to the utmost of our Power, against all your Enemies, both at Home and Abroad."

However, this Amendment was carry'd without a Division: But when the same Party, encourag'd by this Success, offer'd a Second, in the following Terms, "And to prevent the ill Consequences that seem to threaten the PEACE of EUROPE, and the Interest and Trade of this Nation, by the present Union of *France* and *Spain*:" The Addressers, in order to defeat them in the least exceptionable Manner, had recourse to the previous Question which pass'd in the Negative, by 208 Voices against 120.

This was rejected.

This pass'd on the 16th of *April*: And as it was to be presented to the House in a Body, it was thought but a Point of Decency, to direct such Members as were of the Privy-Council, by a previous Application to his Majesty, to know, When it would be his Pleasure to receive it; of which Process such an Advantage was taken, as seem'd more consonant to the Subtleties of Court, than the Simplicity and Dignity of Parliaments.

A.D.

In the Reign of *Charles* II. when the *Whigs* had the Majority in Parliament, and Parliaments, for their Intractability, were in Disgrace at Court, such Addresses as This had been carry'd with a high Hand, against such Lords as were suppos'd to be most in the King's Favour: And if such Addresses were then complain'd of as grievous and unjust on one Side, they were as highly extoll'd on the other: The same Practice being now reviv'd, it produc'd the same Complaints; but with this Difference as to Parties: The *Tories* follow'd the Precedent they had formerly condemn'd, and the *Whigs* adopted the Arguments they had formerly exploded: It was now unjust and injurious to pass a Censure, without a previous Hearing of the Persons so censur'd: And under this Pretence, while the Report of the Address was yet in Debate, a Counter-Address was set on foot in the House of Lords; which was contended for with as much Ardour by the Majority there, as the Former had been contended for by the Majority below: In vain it was urg'd by Those in Opposition, That it was contrary to the Method of proceeding in Parliament, to take Notice in one House of what was passing in the Other, on the bare Report of such Lords, as had attended their Debates: And that it was not proper to address the King on a Subject not properly before them; because it might be productive of some Indecency towards his Majesty, and of some such Controversy between the two Houses, as might prove of ill Consequence to the Publick Service: The Lords who made the Motion, resolv'd to carry it thro'; and did so at last, by a Majority of Twenty Voices.

A Counter-Address moved for in the House of Lords, and carry'd.

Twenty-six Lords, however, enter'd their Dissent, and assign'd the most inflammatory Reasons which had arose in the Course of the Debate; and which being afterwards objected to, were by Order expung'd, tho' not without producing another Protest, sign'd by Twenty-two Lords, of whom the Duke of *Ormond* was one, to this Effect: "That it was the Privilege of the Peers to enter their Dissent, and it had been the antient Practice to enter also the Reasons of their Dissent; of which the Lords so protesting, were the most proper Judges, as best knowing what Arguments their Opinions were grounded upon; and no Reasons being more proper, than such as they conceiv'd to be grounded on Matter of Fact."

But protested against.

The Address was as follows.

The Address.

"We your Majesty's most loyal and dutiful Subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg Leave to represent to your Majesty, that the House of Commons have severally impeach'd at the Bar of our House, *William* Earl of *Portland*, *John* Lord *Somers*, *Edward* Earl of *Orford*, and *Charles* Lord *Hallifax*, of High Crimes and Misdemeanors; and they having acquainted us, That they will, in due Time, exhibit particular Articles against the said Lords, and make good the same, we [illegible]

A. D. 1701. most humbly beſeech your Majeſty, that your Majeſty will be pleas'd not to paſs any Cenſure upon them, until they are try'd upon the ſaid Impeachments, and Judgment be given according to the Uſage of Parliament, and Laws of the Land."

The Lords with white Staves were order'd to preſent This to his Majeſty; and Two of them (to wit, the Duke of *Devonſhire*, and the Earl of *Romney*, for the Earl of *Jerſey* found Means to excuſe himſelf from being concern'd in an Office ſo diſagreable to his Party) did preſent it accordingly; but receiv'd no Anſwer: Which Silence, tho' ſo expedient on the King's Side, who found it impoſſible to gratify one Houſe without offending the Other, gave ſo much Diſſatisfaction to their Lordſhips, that They appointed a Committee to enquire, Whether there was any Precedent of the like Behaviour on the like Occaſions.

The King returns no Anſwer.

His Majeſty under Difficulties with reſpect to the two Houſes.

His Majeſty, as it is eaſy to imagine, was now ſurrounded with Difficulties which it was ſcarce in the Power of human Prudence wholly to remove: But as an Adjournment to gain Time for the Application of Palliatives, was the firſt Expedient to be laid hold of, an Adjournment was accordingly obtain'd from *Thurſday* the 17th, to *Wedneſday* the 23d of *April*: Which Interval, by the Way, ſhould have been reckon'd in, when we were accounting above for the Delay of the *Succeſſion-Bill*; as alſo Another, occaſion'd by two other Adjournments; to wit, from *Friday* the 25th, to *Tueſday* the 29th, and from thence to the 2d of *May*, on Account of the Speaker's being *ſeiz'd with a Quinſey, which* Diſorder for ſo long render'd him incapable of performing the Service of the Houſe.

Three Adjournments.

That the Two Factions were not idle during the firſt of theſe Adjournments, cannot be ſuppos'd; but how they were employ'd, neither our Hiſtorians nor our Records have reveal'd.

All that we know is, That when the Commons met again, on the 23d that is to ſay, Mr. Secretary *Hedges* ſignify'd, That his Majeſty had appointed that Afternoon, at Five o'Clock, for the Attendance of the Houſe upon him with their Addreſs: That They did accordingly give their Attendance: And that his Majeſty's Anſwer was a Maſterpiece in Point of Ambiguity: For tho' it ſeem'd to countenance the Requiſition made in the former Part of the Addreſs, the Emphaſis was manifeſtly laid on the Latter; not without an oblique Inſinuation, That the Faction which anſwer'd his Purpoſes beſt, ſhould have the moſt of his Confidence and Favour: For it was conceiv'd as follows.

The King's Anſwer to the Commons Addreſs, which produces a Vote of Thanks.

"I am willing to take all Occaſions of thanking you very heartily, for the Aſſurances you have frequently given me, and now repeat, of *ſtanding* by and *ſupporting* me againſt all my Enemies, both at Home and Abroad; towards which, nothing, in my Opinion, can contribute ſo much as a good Correſpondence between me and my People: And therefore you may depend upon it, that I will employ *none* in my Service, but ſuch as ſhall be thought moſt likely to improve that mutual Truſt and Confidence between us, which is ſo neceſſary in this Conjuncture, both for our own *Security*, and the *Defence* and *Preſervation* of our *Allies*."

A. D. 1701.

But how ambiguous ſoever this Language appears to us, the Houſe affected to underſtand it ſo well, That, upon the Report, it was reſolv'd, *Nemine Contradicente*, "That the humble Thanks of the Houſe ſhould be given to his Majeſty for his ſaid moſt gracious Anſwer."

As if, alſo, it was to be, in like Manner, underſtood without Doors, That his Majeſty and his faithful Commons were on the beſt Terms imaginable with each other, Mr. Secretary *Hedges*, the ſame Day, imparted to that Houſe, by his Majeſty's Command, a Copy of an Extract out of the Regiſter of the States-General, in which they reſolve, not to take any Step in the Negotiation with *France*, without his Majeſty's Concurrence; and return him their hearty Thanks for the Proviſion he was making for their Aſſiſtance, as before intimated: And, on the other Hand, the Commons agreed to the Reſolution which they had come to in their general Committee the Day before, That an Aid OF 3*s.* in the Pound ſhould be laid on Land, *&c.* which Vote of Agreement was accompany'd with this remarkable Circumſtance: For it having been mov'd by way of Amendment, That the Word OF ſhould be left out, and the Words NOT EXCEDING ſubſtituted; the Queſtion was put, That OF ſhould ſtand as part of the ſaid Vote, and it was reſolv'd in the Affirmative without a Diviſion: Upon which Text, and the general Diſpoſition of the Houſe, we find a remarkable Comment in Mr. *Vernon*'s Letter to Lord *Manchеſter* of the ſame Day; to wit: "There ſeems to be a very good Diſpoſition to go on with raiſing the Supplies that have been voted. The Committee voted Yeſterday 3*s.* in the Pound, *&c.*: And the Houſe have this Day agreed to it: And I ſuppoſe, they deſign to lay another Shilling upon Land, towards diſcharging of *Exchequer*-Bills."

A Reſolution of the States-General communicated to the Commons.

They vote 3s. in the Pound on Land.

[Cole, p. 374.]

Nor was even This all: For, in the Juſtification of their Proceedings, ſet forth at the End of the Seſſion by Thoſe who had had the Management of it, it is ſaid, "This gracious Anſwer from his Majeſty, went to the very Heart of Thoſe that had all along been endeavouring to create a Miſunderſtanding betwixt the King and the Commons: They had told the King ſtrange Stories what they could do for him, and how much this Houſe of Commons was againſt his Intereſt: But his Majeſty, whoſe Judgment is ſo great and piercing, who always judges by Mens Actions, and not by their Words, (and who had ſufficient Experience of the Fidelity of ſome Perſons, when they were not contented to get vaſt Eſtates in his Service, but muſt, at laſt, endeavour, by ſiniſter Ways and Means to lay their own Crimes upon the *innocent* and *ſacred Perſons* of their Prince) ſaw through their thin and Cobweb-Pre-

[P. 22.]

A.D. 1701

tences, and abhorr'd ſuch mean and baſe Deſigns, to ſhelter themſelves from Juſtice by a fatal Diviſion, to the Ruin of their native Country."

But what Uſe ſoever was made of theſe Adjournments, and what Conceſſions ſoever they produc'd, the predominant Party could not be prevail'd upon to go ſuch Lengths in gratifying the Court as their Rivals. On the 2d of *May*, the Houſe having reſolv'd itſelf into a Committee of Ways and Means, the ſeveral Branches of the Revenue aſſign'd to his Majeſty for the Service of his Houſhold, or Civil-Liſt, were taken into Conſideration; and it being made appear, That, by the Savings which aroſe upon it, from the Non-payment of 50,000*l. per Annum.* allotted as a Dower to King *James*'s Queen, of 30,000*l. per Annum.* fallen in by the Death of *Catherine* the Queen-Dowager, and of 20,000*l. per Annum* more by the Death of the Duke of *Glouceſter*, 100,000*l. per Annum.* might be apply'd to the current Service, without any Diminution of the Proviſion intended for his Majeſty, a Queſtion was ſtated and mov'd accordingly.

The Savings ariſing on the Civil-Liſt apply'd to the Current Service.

which diſcredits the Court, and for that Reaſon is oppos'd by the Whigs.

But tho' no Propoſition was ever more reaſonable or equitable than This, ſo averſe was the (*i*) Court to *Reſumptions* of every Kind, ſo willing were all thoſe in Office to conſider the ſaid Savings, as the *Vails* of Royalty, and ſo forward was the whole Body of temporiſing *Whigs* to lay hold on the Occaſion, to make a Tender of their Services at the Expence of their *Principles*, that the Matter was hotly debated, and not without ſome Difficulty carry'd in the Committee; for which Reaſon the Report was deferr'd till the 5th, that the whole Poſſe of the Party being call'd in, his Majeſty might be once for all convinc'd, That againſt them the united Efforts of his Veterans, Voluntiers, *Huſſars* and *Swiſs*, of every Claſs, would be ineffectual.

Accordingly, on that Day, Mr. *Conyers* reporting, That he was directed by the ſaid Committee, to move the Houſe for Leave to apply the ſaid Sum, (being part of the Sum of 700,000*l.* granted for the Service of his Majeſty's Houſhold, and other Expences and Occaſions) towards the Payment of the public Debts, the Occaſions for which the ſaid 100,000*l.* was given being ceas'd, it was carry'd in the Affirmative by 214 Voices againſt 169.

On the other Hand, ſcarcely was this Conteſt thus decided, before a Meſſage came from the Lords, to put the Houſe in Mind, "That as yet no particular Articles had been exhibited againſt the Lords impeach'd; which, after Impeachments had been ſo long depending, were due in Juſtice to the Perſons concern'd, and agreeable to the Methods of Parliament in ſuch Caſes." To which, after a due Time of Deliberation, the Commons reply'd, "That the Articles againſt the Lords impeach'd were preparing, and, in a ſhort Time, the Houſe would ſend them up to the Houſe of Lords." A.D.

The Lords again remind the Commons of their Impeachments.

Theſe were the only remarkable Occurrences of this Day; but the next (upon which, according to Order, Sir *John Bolles* was to have made his Report of the Succeſſion-Bill, as before ſpecify'd) produc'd Others, which, in ſome Reſpects, were yet more remarkable than Theſe.

A Diſſention between the Two Houſes, which had been thus apparently beſpoke, was not likely to have ſo quick an Operation as the Beſpeakers of it deſir'd: It was, therefore, thought expedient to try whether a Flame might not be kindled amongſt the People, by the Help of ſome political Combuſtibles artfully ſcatter'd amongſt them: The Quarter-Seſſions for the Peace was to be held for the County of *Kent* at *Maidſtone*, on the 29th of *April*; and proper Care had been previouſly taken, to create ſuch a Diſpoſition in the Minds of the Yeomanry, *&c.* of thoſe Parts, as ſhould be ſufficiently favorable to any ſuch Experiment. This appear'd by an Expreſſion familiar in their Mouths, to wit, That *They had ſown their Corn, and the* French *were coming to reap it.* Mr. *Colepeper*, tho' abſent, (*where* or on *what Account*, is not ſpecify'd) was choſen Chairman; and his Brethren, we are told, paid him ſuch unuſual Reſpect, that They kept the Chair empty for ſeveral Hours, that it might be fill'd by none but him:.....At laſt, however, he arriv'd; and having taken his Place, the Plot began to open: For we may ſafely ſay, that ſuch Movements as That we are now treating of, are *not ſpontaneous*:.....Certain Freeholders came into Court, and call'd upon the Chairman to make ſome Application to Parliament, in order to ſet forth the Apprehenſions of the People: The Chairman refers them to the Grand-Jury: The Grand-Jury adopt the Motion, and call upon the Chairman to induce the Bench to concur: The Chairman takes this Office upon him: The Bench agree, and deſire the Chairman to draw up a proper Petition: What he writes they approve, as alſo the Grand-Jury, who ſign it, as we are left to underſtand, one and all: Twenty-three Juſtices ſet their Hands next, and then every other Man whom they could preſs into the Service, during ſeveral Days after: On the 6th of *May*, Mr. *Colepeper*, his Brother Mr. *Thomas Colepeper*, Mr. *David Polehill*, Mr. *Juſtinian Champneys*, and Mr. *William Hamilton*, as Deputies for the Reſt, deliver'd it to Sir *Thomas Hales*, one of the Knights of the Shire, to be by him preſented to the Houſe: But he having conſulted ſome other Members upon it, and finding it was likely to give great Offence to the Houſe, deſir'd to be excus'd: Upon which Mr. *Meredith*, his Colleague, officiouſly undertook what the other had declin'd, and on the 7th did preſent it accordingly, under the following Preamble, which

Manymen at the Quarter-Seſſions at Maidſtone in Kent, to draw a Petition to the Commons.

The Commons receive and Petition accordingly.

(*i*) B. *Burnet* owns, It was very unacceptable to the King: And that the new Miniſters found it no eaſy Thing to maintain, at the ſame Time, their Intereſt both with the King and their Party.

A. D. 1701 which the Presenter thought fit to take, when the House order'd, That the said Petition should be brought up to the Table; namely, The signifying, That several of the Gentlemen who sign'd it, were at the Door ready to own the same: Upon which, the next Order was for their Admission; and being admitted accordingly, they severally did own the said Petition, and their Hands to the same.

They were then order'd to withdraw, and the Petition was read, as follows.

The Petition.

"We the Gentlemen, Justices of the Peace, Grand-Jury, and other Freeholders, at the General Quarter-Sessions at *Maidstone*, in *Kent*, deeply concern'd at the dangerous Estate of this Kingdom, and of all *Europe*; and considering that the Fate of us and our Posterity depends upon the Wisdom of our Representatives in Parliament, think ourselves bound in Duty, humbly to lay before this honourable House the Consequence, in this Conjuncture, of your speedy Resolution, and most sincere Endeavour, to answer the great Trust repos'd in you by your Country: And in regard, that, from the Experience of all Ages it is manifest, no Nation can be great or happy without *Union*, we hope, that no Pretence whatsoever, shall be able to create a *Misunderstanding* among ourselves, or the least Distrust of his most *sacred Majesty*; whose great Actions for this Nation, are writ in the Hearts of his Subjects, and can never, without the blackest Ingratitude, be forgot. We most humbly implore this honourable House to have regard to the *Voice of the People*, that our Religion and Safety may be effectually provided for, that your *loyal Addresses* may be turn'd into *Bills of Supply*, and that his *most sacred* Majesty (whose *propitious* and *unblemish'd* Reign over us we pray *God* long to continue) may be enabled *powerfully* to *assist* his *Allies*, before it is too late.

And your Petitioners shall ever pray, &c."

Remarks upon it.

As this was manifestly a *Charge* rather than a *Petition*, insolently and impertinently deliver'd in the Name of *the People*; and as, in orderly Times, it was never known that any Branch of the Legislature had ever been so deliberately and formally affronted before, it could not but excite a suitable Indignation in the House.

Formerly, when Parliaments were under a *Whigish* Direction, they had, in so many Words, refus'd to grant the King a Supply, unless they were made acquainted with his Alliances: They had both censur'd and impeach'd his Ministers: They had committed, without Mercy, whoever had presum'd to arraign their Proceedings: They had even insisted on new-modelling the Succession: And they would hear of no Temperament, tho' any Temperament whatsoever had from Time to Time been offer'd to them from the Throne: During which whole Interval, Opposition seem'd to constitute the Sum of parliamentary Merit; and any Man who had recommended *Union*, would have been branded as a Traitor to his Country.

And yet the *Tories* who had been so branded at that Time, for adhering to the Prerogative, and who had now follow'd in all Things the popular Pattern set them by the *Whigs*, (except in clamoring for a War with *France*) were, now to be run down by the Populace for that very Reason. A. D. 1701.

But however unjustly treated, and justly provok'd, They would, perhaps, have acted more prudently, in throwing the *Kentish* Petition with Contempt over the Bar, and dismissing the *Petitioners* with such a Reprimand as their Folly and Arrogance deserv'd, than in proceding against them as the Hot-Heads of the House resolv'd to do, with all the Severity in their Power.

Practices try'd on the Petitioners to induce them to solicite the Clemency of the House.

It seems, however, that some of the Members did endeavour to moderate Matters, by coming out to the Petitioners during the Debate, and persuading them to make some such Submission, as might recommend them to the Clemency of the House: But the Vanity of being held Men of Consequence in the State, had taken such Possession of them, that they could be brought to make no other Concession than what follows, which they sent in to the House in writing, by the said Members; to wit: "We are humbly of Opinion, That it is our RIGHT to *petition* this honourable House, according to the Statute of 13 *Car.* II. And as to the Matter of the Petition, we declare we intend nothing offensive to this honorable House."

The Concession they made.

This not proving satisfactory, it was, on the Issue, resolv'd, without a Division, That the said Petition was scandalous, insolent and seditious, tending to destroy the Constitution of Parliaments, and to subvert the establish'd Government of this Realm; as also, That the said Presenters of it should be taken into the Custody of the Serjeant at Arms; which was done accordingly; and wherein behaving rudely, they were as rudely treated, till the House afterwards thought fit, on the Complaint of the said Serjeant, to send them to the *Gate-House*; which was carry'd on the Question by 169 Voices against 93. "This (says B. *Burnet*, whose Sally on this Occasion deserves to be inserted entire, and who not only calls Mr. *Colepeper*, &c. *Persons of Quality*, but adds, They were visited during their Imprisonment, and treated as *Confessors*) was highly censured; it was said, the Commons were the Creatures of the People, and upon all other Occasions, they us'd to favour and encourage Petitions: This Severity was condemn'd, therefore, as unnatural, and without a Precedent: It was much question'd, whether they had really an Authority to imprison any except their own Members, or such as had violated the Privilege of their House: But the Party thought it was convenient, by such an unusual Severity, to discourage others from following the Example set them by those of *Kent*: For a *Design* was *laid* to get Addresses of the same Nature, from all Parts of the Kingdom, chiefly from the City of *London*. The Ministers represented to the King, what an Indignity this would be to the House of Commons; and that, if he did not discourage it, he might look for unacceptable Things from them: It might rather

The Serjeant order'd to take them into Custody.

They are remov'd to the Gate-House.

A.D. 1701. ther discourage, than give Heart to our Allies, if they should see such a Disjointing, and both City and Country in an Opposition to the House of Commons: Some went in his Name, to the eminent Men of the City, to divert it; yet with all this it came so near, for such an Address, in a Common-Council, that the Lord-Mayor's Vote turn'd it for the Negative, so that fell."

Another Message from the King, accompany'd with a Letter from the States-General, &c.

The other Remarkable of the Day, was a new Message from the King to Mr. Secretary *Hedges*, accompany'd with another Letter to his Majesty from the States-General, and a Letter of Mr. *Stanhope*'s to Mr. Secretary *Hedges*; all which, at once serving to display the State of the Negotiations at the *Hague*, as also the notable Use made of it by the *Dutch* Regency, to quicken the Motions of *England*, and to assist us, in forming a true Notion of our parliamentary Procedings, require to be made a Part of our History.

Another Message from the King to the Commons, concerning the Negotiations at the Hague.

"WILLIAM R.

His Majesty having lately receiv'd an Account from Mr. *Stanhope*, of the present Posture of Affairs in *Holland*, and likewise a Letter from the States-General, which is of the greatest Importance: And his Majesty, who has so perfect a Knowledge of their Country, being intirely convinc'd of the Hardships of their present Condition, and the great Pressures they now lye under, which are particularly express'd in their Letter, has thought it absolutely necessary to communicate the same to this House, that the Expectations the States have of present Assistance from his Majesty, may more fully appear: And his Majesty does not doubt, but this House will be so justly sensible of those immediate Dangers, to which they stand expos'd, as to take the same into their most serious and effectual Consideration; it being most evident, that the Safety of *England*, as well as the very Being of *Holland*, does very much depend upon your Resolution in this Matter."

The States-General's Letter to the King.

The *States-General*'s Letter to the King.

"SIR,

After the Protestations, which we have made to your Majesty in our last Letter, of the 23d of *April*, not to enter into any Negotiation with *France*, but in concert with *England*, we have thought fit to ask of the Count *d'Avaux*, Ambassador Extraordinary of his Most *Christian* Majesty, if he was inclin'd and authoris'd to re-enter into the Negotiation, in the Manner it was begun, in conjunction with the Minister of your Majesty; as you may see by our Resolution of the 2d of this Month, here annex'd. Count *d'Avaux*, having sent this to his Most *Christian* Majesty, presented us, after the Return of his Courier, with the Memorial, of which we join likewise a (*k*) Copy to this Letter. We have immediately communicated it to Mr. *Stanhope*, Envoy Extraordinary from your Majesty; and, after having concerted with him about it, we found, in the said Memorial, certain Obscurities, which made us doubt of its true Sense: For that Reason, we thought it necessary, to shew the Count *d'Avaux* the Letter, which we did ourselves the Honour to write to your Majesty, on the 23d of *April* last, and our Engagements to take no Measures in the Negotiation, but in concert with you. The Count *d'Avaux* answer'd our Deputies, That he was come hither only to treat about Means to preserve the general Peace, and to establish our particular Security: That, if we concert on this with your Majesty, he had nothing to say against it; and that he was contented, that your Majesty's Envoy should assist at the Conferences to be held about this; but that he was not at all authoris'd to enter into a Negotiation with us, about the Interests of *England*, which were to be treated of elsewhere. Upon this, our Deputies represented, That, in the Conferences about a general Peace, your Majesty was equally concern'd with us: That our Security could not, by any Means, be seperated from that of *England*: That the two Nations had, in this, a common Interest; and that we could not but look upon your Majesty as a principal Party concern'd, as much as we, in the present Negotiations, *without* our injuring your Majesty. But, notwithstanding several Instances of our Deputies, and all the Reasons they could alledge, Count *d'Avaux* persisted in the forementioned Answer, saying, That he had no other Orders: That he would send our Resolution (of which your Majesty will here see the Copy) to the Court of *France*, without giving the least Hopes of an Answer conformable to our Sentiments. Upon the Report, which has been made to us, we have judg'd, that thus they would seperate the Interests of *England* from those of our Republic. We look upon them as inseparable; and, as it is a plain Case that they are so, we could draw no other Conclusion from this Proceding, but that, on the Side of *France*, there was a Design to end the Conferences, and to consent to none of the *Securities* demanded, which are so necessary to the Preservation of the Kingdoms of

A.D. 1701.

(*k*) To wit.

"The under-written Ambassador Extraordinary of the Most *Christian* King to your Lordships, has sent to the King his Master, the Resolution which you have deliver'd him on the 3d of this Month; by which you shew the Desire you have that the Conferences, which have been begun with him, for the Preservation of the Peace, and for the Establishment of your particular Security, be resum'd conjointly with the Envoy of the King of *England*: your Lordships declaring at the same Time, That you desire nothing more ardently, than to see that Negotiation soon ended by a good and happy Conclusion: His Majesty, to whom the under-written Ambassador has given an Account of the Answer he made to your Lordships, in relation to the Admission of the Envoy of *England*, has intirely approv'd of it: Nor has he less approv'd the Assurances which your Lordships give in the Name of the Desire you have to preserve the Peace; and as his Majesty persists in the same Resolution to maintain the general Repose, he will see, with Pleasure, that Means may be found the most conformable to the general Good of *Europe*, and to secure its Tranquility. It is with this View, that, as soon as he knew that your Lordships had propos'd to re-commence the Conferences, he consented that the under-written should renew them, and that he should * remain at the *Hague* for that Reason.

Sign'd, The Count d'Avaux.

* He had before signify'd to the *Pensionary*, That he had Orders to return.

A.D. 1701. of your Majesty, and of our Republic. We are oblig'd to give your Majesty Notice of all this: We protest, that our Interests being the same with those of your Majesty, in this Negotiation, and inseparable one from the other, we shall not suffer them to be divided in any Manner. In the mean while, Sir, we cannot but represent to your Majesty, the pressing Occasion we have to be assisted, without Loss of Time, if we will prevent the Ruin we are threaten'd with, and the apparent Danger in which we are: You know, to the Bottom, the State of our Affairs; and you can easily judge if it be possible, in the Situation in which we are, to resist Forces so much superior, as those of *France* are: It is that which makes us desire, with so much Earnestness, the Execution of the Treaty, which receiv'd the *Approbation* of the *Parliament*, in the Year 1678, betwixt King *Charles* II. of glorious Memory, and this State. We repeat, now, our most earnest Instances to have quickly the stipulated Succours, and the intire Execution of the said Treaty: We flatter ourselves, that your Majesty will make a serious Reflection on the Condition in which we are, particularly after the positive Assurances which you have given us, that the Resolutions of your Parliament, were to interest themselves vigorously in our Preservation, and to assist us in the Necessity in which we are, by furnishing the Succours we are agreed about. We will tell you, Sir, in what Condition *France* puts itself; and your Majesty will judge, by that, if our Fear, which reanimates our Demands, be ill founded. *France*, not contented with having taken possession of all the Places in the *Netherlands* that remain'd to *Spain*, has thrown into them, and causes, actually, every Day, formidable Forces to march thither: They draw a Line from the *Scheld*, near *Antwerp*, to the *Maese*: They are going to begin to draw such a Line, according to our Advices, from *Antwerp* to *Ostend*: They send a numerous Artillery into the Places, that are nearest to our Frontiers: They make, with great Diligence, many Magazines in *Flanders*, in *Brabant*, in *Guelderland*, and at *Namur*, which they fill up with all Sorts of Ammunition for War and Subsistence, besides the great Stores for Forage, which they gather from all Parts: They build Forts under the Cannon of our Places: Besides, they have work'd, and work still, continually, to draw the Princes, that are our Friends, from our Interest, to make them enter into their Alliance, or to engage them to a Neutrality at least. In short, by Intrigues and Divisions in the Empire, they make our Friends useless, and increase those of *France*. Thus we are almost surrounded, on all Sides, except on the Side of the Sea. See here, Sir, without any Disguise, the true Situation, to which we find ourselves reduc'd, without adding any Thing to what is Fact: This makes us hope, that, as your Majesty understands our Affairs perfectly well, you will agree with us, that, at present, our Condition is worse than it was during the late War, and worse than if we were actually at War; whilst they make Forts under the Cannon of our strong Places, and Lines along our Frontiers, without our being able to hinder it, as we might do, if we were at War. A.D. 1701.

These Reasons oblige us to put ourselves in a State of Defence, more than if we were actually attack'd, by overflowing our Country, and even to cut the Dikes, to secure our Frontiers: We are forc'd to employ these Means, and all those we could bear in an open War; so that our Subjects suffer, already, more than they did during the last War. Hitherto, the Winter has serv'd us as a Sort of Security: That Season is over, and we are at the Brink of being invaded and overturn'd every Moment, if we do not get prompt Succours. We promise ourselves, Sir, that it will come from your Side, especially, since it has pleas'd your Majesty to assure us, that your Parliament had taken Resolutions that were favourable for us. As our Necessity is pressing, we pray you to consider well the Extremity in which we are, and the Impossibility of avoiding our intire Ruin, and the Overthrow of our Republic, if we are left in this Condition. We believe, Sir, that the Interests of *England* are so strictly united with ours, that we would sooner expose ourselves to all Hazards, than suffer that they should be separated, or take any Measures, but in concert with your Majesty. It is quite unnecessary to represent to you, that the Preservation of your own Kingdoms, ought to induce you to prevent our Ruin, whilst we believe their Loss to be inseparable from ours. The Reasons, Sir, are better known to you than to us, as well as the fatal Consequences to which we are expos'd, by leaving us in this Condition. This convinces us, that your Majesty will direct every Thing by your consummate Wisdom, and the good Intentions of your Parliament, in such a Manner, as to shew to all *Europe*, that nothing is more advantageous to it, than the Alliances with *England*, and its Friendship. As for us, we expect, without delay, the Accomplishment of the above-nam'd Treaty: And, we pray *God*, Sir, to preserve the sacred Person of your Majesty in long Health, and your Dominions in a flourishing Prosperity.

Your Majesty's very humble Servants,

Hague, May 13. 1701. *The* States-General *of the* United Provinces *of the* Netherlands.

J. Van Wicher,

By their Order, F. Fagel."

Mr. *Stanhope*'s Letter to Mr. Secretary *Hedges*.

"SIR,

The Conference, I told you in my last, the States Deputies had invited me to, for next Morning, was to acquaint me in form with the Count *d'Avaux*'s last Memorial; a Copy whereof I then also sent you; and to consider what was fit to be done next: I answer'd, That was wholly their Business, and not properly Mine, farther than to serve them, as I should be always ready to do: For as to all Affairs of the King my Master,

A. D. 1701. fter, I was as much excluded from the Conferences by this Memorial, as by M. *d'Avaux*'s former Anſwer; and deſir'd it might be read before them. They were all of the ſame Opinion. I propos'd then, That it would be convenient to be inform'd, Whether M. *d'Avaux* underſtood it in the ſame Manner? Which they approv'd, and, conſidering of the Manner, it was agreed, the only proper Way for them was, to demand a Conference with him. To That the Penſioner objected, That having had one Conference already without me, if they ſhould have Another, it might give Occaſion to ſome Ill-minded People to blow it abroad, as if the States were treating of ſomething for their own particular Intereſts, ſeperate from Thoſe of *England*: I eaſily obviated That, by ſaying, That as I had repreſented to his Majeſty, their former Conference in quite different Colours, as a Product of their great Reſpect and Veneration of his Majeſty, that they would not expoſe his Miniſter to M. *d'Avaux*'s Caprices, till they knew from himſelf, How He ſhould be receiv'd: And the Conference now propos'd would be juſtify'd by the ſame Reaſons, ſince it was deſign'd only for the farther clearing of the ſame Point, as I engag'd to inform you that it was. Being ſatisfy'd with this, they reſolv'd on a Conference; and, after having had it at Five in the Evening Yeſterday, they deſir'd me to meet their Deputies this Morning at Eleven, and deliver'd me the inclos'd Copy of their Reſolution, which was the Subſtance of the Conference on their Part. M. *d'Avaux*'s Anſwer was, He had no Orders to admit me at the Conference with them on any other Terms; but upon their repeated Inſtances ſaid, He would write again to the King his Maſter, for a farther Eclaircifſment, tho' he believ'd nothing would be alter'd. I found them in great Apprehenſions of ſome ſudden Invaſion from the *French*, by freſh Advices from *Flanders*, of extraordinary Motions of their Troops there; and of Letters (meaning *Orders* no doubt) writ to the Governors of all the Towns, not to be open'd till ſuch a Day; and then to be immediately executed all on the ſame Day; of more Forces coming into the Country, and Tranſports of prodigious Quantities of Cannon, Mortars, Bombs, and Ammunition from ſeveral Parts towards their Frontiers: And for theſe Reaſons, They reſolv'd to write this Poſt to M. *Guildermaſſon*, to move his Majeſty again for the Succours they expected from *England*, and deſir'd me to do the ſame, as I perform, by letting you know it."

Theſe were the Contents of the ſaid ſeveral Papers; and that the Houſe might have due Time for Reflection, they poſtpon'd the Conſideration of them till the next Day.

Articles againſt Lord Orford, reported, approv'd, and ſent up to the Lords.

After which, in order to convince the Lords, they were not unmindful of the Impeachments they had undertook, they went thro' the Articles prepar'd by their Committee againſt the Earl of *Orford*, and reported by Sir *Bartholomew Shower*; which having been read, Paragraph by Paragaph, were order'd to be engroſs'd: Nor did they A. D. 1701. loſe ſight of them the next Day, till they had ſent them up to the Houſe of Lords by Colonel *Byerly*, with Order to demand, That the Earl of *Orford* ſhould give *ſufficient Security* to abide the Judgment of the Houſe of Lords.

Having thus given an Earneſt of their Intention to carry on the Proſecution they had commenc'd, they took his Majeſty's laſt Meſſage, *&c.* into Conſideration: And after the Contents had been thoroughly debated, Reſolv'd, *Nemine Contradicente*, "That they would effectually aſſiſt his Majeſty to ſupport his Allies, in maintaining the *Liberty* of *Europe*, and would immediately provide Succours for the States General, according to the Treaty of 1677." Which was, certainly, a more conſiderable Advance towards the Purpoſes of the Court, than ever they had made before. Hitherto they had confin'd their Regards to the States only: But now a new Propoſition was admitted; and the Phraſe they made uſe of in relation to the *Liberty* of *Europe*, could not be call'd equivocal, as That of the *Peace* of *Europe*, ſo often before contended for, certainly was. They alſo reſolv'd, That the ſaid Vote ſhould be preſented to his Majeſty by the whole Houſe: And that his Majeſty ſhould be addreſs'd for an Eſtimate of the Charge of the Succours ſo to be provided.

The very next Day was appointed by his Majeſty for the Attendance of the Houſe with this welcome Vote: And the Anſwer he gave to it, which follows, fully demonſtrates, (if Words can demonſtrate any Thing) That he was fully ſatisfy'd with it: To wit.

" *Gentlemen*,

I return you my hearty Thanks for the ready Aſſurances you give me of providing immediate Succours for the States-General, and for the Zeal you expreſs for the common Cauſe: I know nothing that can be more effectual for its Support, both at Home and Abroad, than the unanimous Concurrence which you have ſhewn upon this Occaſion: And it will be a particular Satisfaction to me, in my Time, to revive the Glory which the *Engliſh* Nation has formerly had of maintaining the *Liberty* and *Ballance* of *Europe*."

It is, beſides, extremely remarkable, That the very next Day after the Commons attended the King with the ſaid Vote, Count *Wratiſlaw*, the *Imperial* Envoy, drew up a Memorial to his Majeſty, in which he ſet forth the Danger to be apprehended from the exceſſive Power of *France* by its late Union with *Spain*, the Injury done to his *Imperial* Majeſty by that Union, and the Reſolution of his *Imperial* Majeſty to vindicate his Rights, and oppoſe ſo formidable an Innovation, with all his Power: After which, admitting the Difficulty and Danger of the Undertaking, and that he had no other Confidence but in the Juſtice of his Cauſe, and the Aſſiſtance of the confederated Kings and Princes, among whom his Majeſty had the principal Place, he procedes to demand the Succours

Count Wratiſlaw's Memorial. [Coll. p. 385.]

A.D. 1701. ſtipulated by the *Grand-Alliance:* As if the ſaid Alliance was ſtill in Force, tho' it had been ſo notoriouſly diſſolv'd by the Treaty of *Ryſwick*, and the two *Partition-Treaties* which follow'd it.

And tho' Mr. *Cole* has not favour'd us with any one Letter of Mr. *Vernon*'s at or about this Criſis, that is to ſay, from *May* 1, to *June* 2, his Collection contains one from Lord *Manchester* dated *May* 18, N. S. in which having obſerv'd, That the Court of *France* had order'd Twenty Battalions and Thirty-ſix Squadrons, which had been deſign'd for the *Rhine*, to march for *Flanders*, he afterwards procedes in theſe Words:

[P. 386.] "This will increaſe the Apprehenſions of the States-General: But as long as *England* acts, as it has lately done, their Fears will be eaſily remov'd. I am apt to think, that this Reſolution of ſending more Troops to *Flanders*, was taken upon the News from *England:* I cannot yet give any Judgment what Effect it will have here; tho' I can aſſure you, it is what they did not expect. I am ſatisfy'd, that the Nation will take Care of itſelf, notwithſtanding our Factions and Intrigues. The King's Anſwer to the Commons, will certainly pleaſe the Nation; and I hope the Lords will receive the like Anſwer."

Thus we have Evidence upon Evidence, That the Vote of the Commons contain'd all that was eſſential at that Period to the public Service, or that could be rationally requir'd of the King by his Allies.

But the more notorious This was, the more neceſſary Thoſe who had the Aſcendency in the Houſe of Lords held it, to lower the Credit they had obtain'd thereby: And the Method they took for that Purpoſe, was to procure ſuch an Addreſs by way of Anſwer to the King's Meſſage, as ſhould not only ſurpaſs the ſaid Vote on every Court-Topic, but alſo ſaddle their Adverſaries with as great a Weight of Odium, on Account of the preſent diſorder'd State of *Europe*, as They themſelves had been loaded with on Account of the Two *Partition-Treaties*.

Accordingly, ſuch an Addreſs they did procure; and the Terms they made uſe of, were as follow.

The Lords Addreſs. "We your Majeſty's moſt dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament aſſembled, return your Majeſty our moſt humble Thanks, for communicating to us the Letter from the States-General to your Majeſty: It gives us an Opportunity (with great Satisfaction) to repeat to your Majeſty the Aſſurances of our Duty, and Zeal for your Service: And we take this Occaſion further to aſſure your Majeſty, we are very ſenſible of the great and imminent Danger, to which the States-General are at preſent expos'd: And we do perfectly agree with them in believing, that their Safety and ours are ſo inſeparably united, that whatſoever is Ruin to the one, muſt be fatal to the other: And we humbly deſire your Majeſty will be pleas'd, not only to make good all the Articles of *any former* Treaty to the States-General, but that you will enter into a ſtrict League, *offenſive* and *defenſive*, with them, for our common Preſervation; and that you will invite into it all Princes and States, who are concern'd in the preſent viſible Danger, ariſing from the Union of *France* and *Spain:* And we farther deſire your Majeſty, that you will be pleas'd to enter into ſuch Alliances with the *Emperor*, as your Majeſty ſhall think fit, perſuant to the Ends of the Treaty of 1689. Towards all which, we aſſure your Majeſty of our hearty and ſincere Aſſiſtance, not doubting, but, whenever your Majeſty ſhall be oblig'd to engage for the Defence of your Allies, and the ſecuring the Liberty and Quiet of *Europe*, Almighty *God* will protect your ſacred Perſon in ſo righteous a Cauſe; and that the Unanimity, Wealth and Courage of your Subjects will carry your Majeſty, with Honour and Succeſs, thro' all the Difficulties of a *juſt War*. And, in the laſt Place, with great *Grief*, we take Leave humbly to repreſent to your Majeſty, That the Dangers, to which your Kingdoms and your Allies have been expos'd, are chiefly owing to the *fatal Councils*, that prevented your Majeſty's ſooner meeting your People in Parliament."

Thus, in direct Contradiction to the Sentence ſo boldly pronounc'd in the *Kentiſh* Petition, That his Majeſty's Reign was *unblemiſh'd*, both Parties in turn, charge him to his Face with having been directed by *fatal* Councils: And yet we are told, in the Extracts taken by Mr. *Tindal* from the M. S. in his Poſſeſſion, "That ſo *tender* was one of theſe *Parties* to the King, (meaning That which prevail'd in the Houſe of Lords) and ſo unwilling to find Fault where his Majeſty's Honour was engag'd, That they choſe rather to let his Acknowledgment of the King of *Spain*, without the Concurrence of his Parliament, paſs in Silence, than to perplex his Mind as well as his Affairs with *new Complaints*."

The Addreſs was preſented to the King *May* 14: His Majeſty's Anſwer was in theſe Words.

His Majeſty's Anſwer. "*My Lords*,

I thank you for the Expreſſions you make of your Duty and Zeal to my Service, and the Concern you ſhew for the imminent Danger, to which the States-General are at preſent expos'd: I ſhall take into Conſideration your Deſires to me, of entering into new Meaſures with them and other Princes and States for our common Preſervation: And you may be ſure, it ſhall be always my Care to make ſuch Alliances with our Neighbours, as may tend to our own and their greateſt Security; which will be the moſt effectual Means to raiſe the Honour of the *Engliſh* Nation, in our Days, to the Reputation it hath maintain'd in any former Times."

And while the ſaid Addreſs yet lay on the Lords Table, (on the 13th, that is to ſay) Thoſe of the oppoſite Party, in the Houſe of Commons, by way of Reprisal, mov'd, "That a *farther* humble Addreſs ſhould be

A. D. 1701. *A Second Address from the Commons to remove the Lords impeach'd, &c.*

be presented to his Majesty, That he would be graciously pleas'd effectually to answer the Address of the House, for removing the Lords *Somers*, *Orford*, *Halifax*, and *Portland*, from his Councils and Presence for ever; and on a Division, carry'd their Point by 134 Voices against 111.

But the King, who began now to trim between the two Parties with more Nicety than ever, continued mute notwithstanding: And the very next Day after this Motion was thus carry'd, and while the Lords were parading with their Address to *Kensington*, such an Outrage was offer'd to the House of Commons, as shew'd there was a daring, licentious Spirit Abroad, capable of any Kind of Practice, to serve any Kind of Purpose. A Packet was put into the Hands of the Speaker, by a Woman it was first said, and, afterwards by the Writer of it, surrounded with Sixteen Gentlemen of *Quality*, who, if any Notice had been taken of him, were ready, as we are also told, to carry him off by Force. This Packet was compos'd of a Letter to the (*l*) Speaker, and a Memorial to the House: The Letter containing a vin-

A. D. 1701. [The Legion Letter. Hist. of Ass. Pref. 400.]

(*l*) The said *Libel* and *Letter* were conceiv'd and express'd as follows.

" *Mr.* Speaker,

The enclos'd Memorial you are charg'd with in the Behalf of many thousands of the good People of *England*.

There is neither *Popish*, *Jacobite*, *Seditious*, *Court* or *Party-Interest* concern'd in it: but Honesty and Truth: You are *commanded* by 200,000 *Englishmen*, to deliver it to the House of *Commons*; and to inform them, that it is no Banter, but serious Truth; and a serious Regard to it is expected: Nothing but *Justice* and their *Duty* is requir'd; and it is requir'd by them, who have both a Right to require, and *Power* to *compel*, viz. the PEOPLE of ENGLAND.

We could have come to the House strong enough to oblige them to hear us, but we have avoided any Tumults, not desiring to embroil, but to save our native Country.

If you refuse to communicate it to them, you will find Cause in a short Time to *repent* it.

The MEMORIAL.

To the Knights, Citizens, and Burgesses in Parliament assembled.

A Memorial, from the Gentlemen, Freeholders and Inhabitants of the Counties of ——— in Behalf of themselves, and many thousands of the good People of *England*.

Gentlemen.

It were to wish'd you were Men of that Temper, and possess'd of so much Honour, as to bear with the Truth, tho' it be against you; especially from us, who have so much Right to tell it you: But since, even Petitions to you from your Masters,—(for such are the People who chose you) are so haughtily receiv'd, as with the committing the Authors to illegal Custody, you must give us Leave, to give you this fair Notice of your Misbehaviour.

If you think fit to rectify your Errors, you will do well, and possibly may hear no more of us; but if not, assure yourselves, the Nation will not long hide their Resentments: And tho' there are no stated Proceedings to bring you to your Duty, yet the great Law of Reason says, and all Nations allow, That whatever Power is *above* Law, is *burthensome* and *tyrannical*, and may be *reduc'd* by *extraordinary Methods*: You are not above the Peoples Resentments; they that made you Members, may reduce you to the same Rank from whence they chose you; and may give you a Taste of their abus'd Kindness, in Terms you may not be pleas'd with: When the People of *England* assembled in Convention, presented the Crown to his present Majesty, they annex'd a Declaration of the Rights of the People, in which was express'd what was illegal and arbitrary in the former Reign, and what was claim'd as of Right to be done by succeeding Kings of *England*.

In like Manner, here follows, Gentlemen, a short Abridgment of the Nation's Grievances, and of your illegal and unwarrantable Practices; and a *Claim of Right*, which we make in the Name of ourselves, and such of the good People of *England*, as are justly alarm'd at your Proceedings.

1. To raise Funds for Money, and declare, by borrowing Clauses, that whosoever advance Money on those Funds, shall be reimburs'd out of the next Aids, if the Funds fall short; and then give subsequent Funds, without transferring the Deficiency of the Former, is a horrible Cheat on the Subject who lent the Money, a Breach of public Faith, and destructive to the Honour and Credit of Parliaments.

2 To imprison Men who are *not* your own *Members*, by no Proceedings, but a *Fate* of your House, and to continue them in Custody, *sine die*, is *illegal*, a notorious Breach of the Liberty of the People, setting up a *dispensing Power* in the House of Commons, which your Fathers never pretended to; a bidding Defiance to the *Habeas Corpus Act*, which is the Bulwark of *personal Liberty*; destructive of the Laws, and betraying the Trust repos'd in you: The King, at the same Time, being oblig'd to ask you Leave, to continue in Custody the horrid Assassinators of his Person.

3. Committing to Custody those Gentlemen, who, at the Command of the People (whose Servants you are) came in a peaceable Way to put you in Mind of your Duty, is illegal and injurious; destructive of the Subjects Liberty of Petitioning for Redress of Grievances, which has, by all Parliaments before you, been acknowledg'd to be their undoubted Right.

4. Voting a Petition from the Gentlemen of *Kent* insolent, is ridiculous and impertinent; because the Freeholders of *England* are your Superiors; and is a Contradiction in itself, and a Contempt of the *English* Freedom, and contrary to the Nature of parliamentary Power.

5. Voting People guilty of Bribery and ill Practices, and committing them as aforesaid, without Bail, and then, upon *Submission* and *Kneeling* to your House, discharging them, after exacting exorbitant Fees by your Officers, is *illegal*, betraying the Justice of the Nation, selling the Liberty of the Subjects, encouraging the Extortion and Villainy of Goalers and Officers, and discountenancing the legal Prosecution of Offenders in the *ordinary Course of Law*.

6. Prosecuting the Crime of Bribery in some, to serve a Party, and then proceeding no further, tho' Proof lay before you, is partial and unjust, and a Scandal upon the Honour of Parliaments.

7. Voting the Treaty of Partition fatal to *Europe*, because it gave so much of the *Spanish* Dominions to the *French*, and not concerning yourselves to prevent their taking possession of it all: DESERTING the *Dutch*, when the *French* are at their Doors, till it be almost too late to help them, is unjust to our Treaties, and unkind to our Confederates, dishonourable to the *English* Nation, and shew you very negligent of the Safety of *England*, and of our Protestant Neighbours.

8. Ordering immediate Hearings to trifling Petitions, to please Parties in Elections; and postponing the Petition of a Widow, (meaning *Mary Stout*, of *Hertford*, presented *March* 13.) for the Blood of her murder'd Daughter, without giving it a reading, is an illegal Delay of Justice, and dishonourable to the public Justice of the Nation.

9. Addressing the King to displace his Friends, upon bare Surmises, before the legal Trial, or any Article prov'd, is illegal, and inverting the Law, and making Execution go before Judgment, contrary to the true Sense of the Law, which esteems every Man a good Man, till something appears to the contrary.

10. Delaying Proceedings upon capital Impeachments, to blast the Reputation of the Person, without proving the Fact, is illegal and oppressive, destructive to the Liberty of *Englishmen*, a Delay of Justice, and a Reproach of *Parliaments*.

11. Suffering saucy, indecent Reproaches upon his Majesty's Person, to be publicly made in your House, particularly that impudent Scandal of Parliament, *John How*, without shewing such Resentments as you ought to do; the said *John How* saying openly, That his Majesty had made a *seditious Treaty to rob his Neighbours*; insinuating, that the *Partition Treaty* (which was every way as just as blowing up one Man's House to save another's) was a Combination of the King to rob the Crown of *Spain* of its due: This is making a *Billingsgate* of the House, and setting up to bully your Sovereign, contrary to the Intent and Meaning of the Freedom of Speech, which you claim as a Right; is scandalous to Parliaments, undutiful and unmannerly, and a Reproach to the whole Nation.

12. Your Speaker exacting the exorbitant Rate of 10*s. per diem* for the Votes, and giving the Printer Encouragement to raise it on the People, by selling them at 4*d.* per Sheet, is an illegal and arbitrary Exaction, dishonourable to the House, and burdensome to the People.

13. Neglecting to pay the Nation's Debts, compounding for Interest, and postponing Petitions, is illegal, and dishonourable, and destructive of the public Faith.

14. Publicly neglecting the great Work of Reformation of Manners, tho' often press'd to it by the King, is the great Dishonour of *God*, and Encouragement of Vice, is a Neglect of your Duty, and an Abuse of the Trust reposed in you by *God*, his Majesty, and the People.

15. Being scandalously vicious yourselves, both in your Minds and Religion, lewd in Life, and erroneous in Doctrine, having public Blasphemers, and impudent Abusers of our Saviour's Divinity among you, and suffering them unreprov'd and unpunish'd, to the infinite Regret of all good Christians, and the just Abhorrence of the whole Nation.

Wherefore, in a sad Prospect of the impending Ruin of our native Country, while Parliaments (which ought to be the Security and Defence of our Laws and Constitution) [illegible]

A. D. 1701. lent Invective againſt what they had done, and a Courſe of arrogant Clames and Preſcriptions to make them acquainted with their Duty: And the Former, charging the Speaker to apply this *Petard* to the Houſe, under an inſolent Menace, That, otherwiſe, he would ſoon have Cauſe to repent it.

On the Day before it was deliver'd, the Houſe had addreſs'd his Majeſty to put the ſeveral Preſenters of the *Kentiſh* Petition out of the Commiſſion of the Peace: And the Day it was deliver'd, the younger *Colepeper*, who had made his Eſcape from the Serjeant, ſurrender'd himſelf: Whence a Report prevail'd, That he had brought this Packet out of *Kent*; and that the whole Country were at his Heels to make it good; which prov'd to be Report only.

The Sentiments of our Hiſtorians concerning it.

Of this wicked and audacious Inſult to the Legiſlature, B. *Burnet*, however, makes not the leaſt Mention: But B. *Kennet*, having at firſt call'd the Memorial a *Libel*, and the Letter to the Speaker a very *inſolent* Letter, not only interweaves a conſiderable Part of it in the Body of his Work, but alſo pronounces upon it, "That a Number of prudent, ſober Men, who did not approve of the Wording, or Way of ſending this Memorial, were apt to think the Subject-matter of it, for the moſt Part, true and reaſonable:" And *Oldmixon*, who aſſerts, That de *Foe*, (once a Hoſier of *London*, but now a Party-Writer) had, in his Hearing, taken to himſelf the *Honour* of being the Author of this Paper, will not believe him *capable* of it; and afterwards ſuggeſts, That *Thoſe* who were *concern'd* in it, were at leaſt a Match for the *beſt Lawyers in the Houſe*.

It puts the Houſe into a great Ferment.

In what Manner it was communicated to the Houſe, or whether at all according to Form, does not appear by the Journals: All that we find, there is, That the Serjeant having been order'd to go his Rounds with the Mace, to ſummon ſuch Members as he ſhould find to attend the Service of the Houſe, a Complaint was made, of Endeavours to raiſe Tumults and Sedition in order to diſturb the public Affairs; and it was order'd thereon, That a Committee be appointed, to draw up an Addreſs, humbly to lay before his Majeſty, the Endeavours of ſeveral ill-diſpos'd Perſons to raiſe Tumults and Sedition in the Kingdom; and humbly to beſeech his Majeſty, That he will provide for the public Peace and Security. The Committee ſo appointed, conſiſted of Fifty-three Perſons: They were to meet the ſame Day at Five o'Clock in the Speaker's Chamber: They were empower'd to ſend for Perſons, Papers and Records; and were directed to ſit *de Die in Diem*:.....But, having thought better of it, no Report was call'd for, and the whole Affair was ſilently let fall. A. D. 1701.

That, however, the Houſe was in no ſmall Ferment, appears from a Minute in the Journals, which intimates, That ſuch warm Words had paſs'd between Sir *William Strickland* and Mr. *How*, that the Authority of the Houſe was made uſe of to prevent Conſequences: As alſo, from a Paragraph of another Piece, of the ſame brazen Author's, call'd *Legions new Paper*, or *Second Memorial*, wherein it is ſaid, That Mr. *How*, in the Courſe of the Debate ſaid, He was in fear of his Life: That ſeveral other Members were frighted into the Country; and that, in general, the whole Houſe was frighted out of their Wits, as appear'd by their *ſenſeleſs Addreſs to his Majeſty, to defend himſelf againſt his People, which they were afterwards aſham'd to preſent*.

And it is certain, That in proportion as the Public grew more and more infatuated with their Reſentments againſt *France*, and their

---

their Truſt, and abuſe the People whom they ſhould protect: And no other Way being left us, but the Force which we are very loth to make uſe of, that Poſterity may know we did not inſenſibly fall under the Tyranny of a prevailing Party, we do hereby claim and declare,

1. That it is the undoubted Right of the People of *England*, in caſe their Repreſentatives in Parliament do not proceed according to their Duty, and the Peoples Intereſt, to inform them of their Diſlike, diſown their Actions, and to direct them to ſuch Things as they think fit, either by Petition, Addreſs, Propoſal, Memorial, or any other peaceable Way.

2. That the Houſe of Commons, ſeparately, and otherwiſe than by Bill legally paſs'd into an Act, have no *legal Power* to *ſuſpend*, or *diſpenſe* with, the Laws of the Land, any more than the King has by his *Prerogative*.

3. That the Houſe of Commons have no *legal Power* to *impriſon any Perſon*, or commit them to the Cuſtody of Serjeants, or otherwiſe, (their own Members excepted) but ought to addreſs the King to cauſe any Perſon, on good Grounds, to be apprehended; which Perſon ſo apprehended, ought to have the Benefit of the *Habeas Corpus Act*, and be fairly brought to a Trial by due *Courſe of Law*.

4. That, if the Houſe of Commons, in Breach of the Laws and Liberties of the People, do betray the Truſt repoſ'd in them, and act negligently, arbitrarily and illegally, it is the undoubted Right of the People of *England* to call them to an *Account* for the ſame; and by *Convention*, *Aſſembly*, or *Force*, may proceede againſt them as *Traitors and Betrayers of their Country*.

Theſe Things we think proper to declare, as the undoubted Right of the People of *England*, whom you ſerve: And in purſuance of that Right, avoiding the Ceremony of petitioning our Inferiors, for ſuch you are by your preſent Circumſtances, (the Perſon ſent is leſs than the Sender) we do publickly proteſt againſt all your aforeſaid Actions; and, in the Name of ourſelves, and all the good People of *England*, do require and demand,

1. That all the public, juſt Debts of the Nation be forthwith paid and diſcharg'd.

2. That all Perſons illegally impriſon'd, as aforeſaid, be either immediately diſcharg'd, or admitted to Bail, as by Law they ought to be; and the Liberty of the Subject recogniz'd and reſtor'd.

3. That *John Hora*, aforeſaid, be oblig'd to ask his Majeſty Pardon for his vile Reflections, or be immediately expell'd the Houſe.

4. That the growing Power of *France* be taken into *Conſideration*, the *Succeſſion* of the *Emperor* to the Crown of *Spain* ſupported, and our Proteſtant Neighbours protected, as the true Intereſt of *England* and the Proteſtant Religion requires.

5. That the *French* King be *oblig'd* to quit *Flanders*, or that his Majeſty be addreſs'd to *declare War againſt him*.

6. That ſuitable Supplies be granted to his Majeſty, for the putting all theſe neceſſary Things in execution; and that care be taken, that ſuch Taxes as are rais'd, be more equally aſſeſs'd and collected, and ſcandalous Deficiencies prevented.

7. That the Thanks of the Houſe may be given to thoſe Gentlemen, who ſo gallantly appear'd in the Behalf of their Country with the *Kentiſh* Petition, and have been ſo ſcandalouſly us'd for it.

Thus, Gentlemen, you have your Duty laid before you, which 'tis hop'd you will think of: But if you continue to neglect it, you may expect to be treated according to the Reſentments of an injur'd Nation; for *Engliſhmen* are no more to be Slaves to *Parliaments* than to *Kings*.

Our Name is LEGION:

And we are MANY.

P. S. If you require to have this Memorial ſign'd with our Names, it ſhall be done on your firſt Orders, and perſonally preſented."

A. D. 1701. their Paſſion for a War, and as the Difficulties and Controverſies of the Seſſion increas'd, Numbers of Members did abſent themſelves from the Service; nor could be prevail'd upon to return to it, either by Orders, or Letters from the Chair, accompany'd with all the Menaces of the Houſe.

If, therefore, They did, on ſome Occaſions, by yielding to the various Preſſures of the Times, depart a little from the Firmneſs they manifeſted at firſt, it is ſcarce to be wonder'd at. A Noiſe without Doors, is more diſcouraging than Oppoſition within: And when the People are divided in their Opinions, That of the Court, like the Serpent of *Aaron*, will ſwallow all the reſt.

The Lords, the very Day after the Legion-Memorial had been deliver'd, and while the Commons were yet ſhaking with the Panick of the preceding Day, ſent down Lord *Orford*'s Reply to the Articles they had exhibited; and the ſame Day, by another Meſſage, put them in Mind, That no particular Articles were as yet exhibited againſt the Lords *Portland*, *Somers*, and *Halifax*: To which the Commons reply'd, That the ſaid Articles were preparing, and, in a ſhort Time, ſhould be ſent up to their Lordſhips.

The Lords remind the Commons of their Impeachments.

The Articles preferr'd againſt the Earl of *Orford*, were in Number Ten, to this Effect.—1. That, during the Preſſures of a burdenſome and calamitous War, he had procur'd from his Majeſty one or more Grants of ſeveral Manors, *&c.* of a great yearly Value; as alſo, of exorbitant Sums of Money, in violation of his Duty, and to the Diminution of the Revenue. 2. That in Breach of the Truſt repos'd in him, while he was Commander in Chief of the Navy Royal, in or near the Streights of *Gibraltar*, he had converted great Sums of public Money to his own Uſe, and had unlawfully and unjuſtly procur'd a Privy-Seal, or Privy-Seals, to diſcharge him from accounting to the Public for the ſame. 3. That while he was in the ſame Service, he had receiv'd conſiderable Sums of Money from the King of *Spain*, as alſo great Quantities of Proviſions, which he ought to have accounted for, but did not; converting them to his own Uſe and Profit; and that he had procur'd and held divers great Offices which were inconſiſtent, *&c.* 4. That, during the ſaid Interval, he had, clandeſtinely, and contrary to the Law of Nations, ſold and diſpos'd of ſeveral Prize-Veſſels, and their Ladings, without Condemnation, or judicial Proceedings, and converted the Money to his own Uſe. 5. That when that the *Eaſt-India* Company were complaining of Piracies on their Trade, and ſoliciting Letters of Marque and Reprizal, which were refus'd, the ſaid Earl, jointly with others, did procure a Commiſſion for *Kidd*, and alſo a Grant of the Goods of the Ships and Goods of certain Pirates; the Contents of which Commiſſion the Board of Admiralty refus'd to communicate to the ſaid Company, in Violation of the Law of Nations, and to the Interruption and Diſcouragement of Trade. 6. That when the Kingdom was under an Apprehenſion of an immediate Invaſion, the ſaid Earl did cauſe Captain *Stewart*, Commander of the Ship *Duke*, to deliver over to the ſaid *Kidd* a great Number of able Seamen, levy'd and provided at the Expence of the Public, againſt their own Conſent, *&c.* 7. That the ſaid Earl, during the ſaid War, did procure a Grant or Order for his Majeſty's Ship the *Loyal*, then fitted out for the Service of the Public, to be employ'd in a private Undertaking for the Advantage of himſelf and Others concern'd with him. 8. That thro' Pride and Contempt of Orders, he did unneceſſarily hazard and expoſe the ſaid *Navy-Royal*, while under his Command; and, contrary to Advice, and in diſobedience to Orders, did overlook many Opportunities of taking and deſtroying the Ships belonging to the *French* King. 9. That the ſaid Earl, in concert with other falſe and evil Counſellors, did adviſe the King to enter into the Two ſeveral Treaties for dividing the Monarchy and Dominions of *Spain*; both which Treaties were diametrically oppoſite to the Alliance of 1689, for preventing the Growth of the *French* Power, were injurious to the Emperor, ruinous to Trade, diſhonorable to Prince and People, and prejudicial to the Intereſt of the Proteſtant Religion. 10. That during the Commiſſion of all and every the ſaid Crimes, the ſaid Earl was one of the Lords Juſtices during his Majeſty's Abſence, firſt Commiſſioner of the Admiralty, Commander in Chief of the Navy, a Privy-Counſellor, and Treaſurer of the Navy.

An Abſtract of the Articles againſt the E. of Orford.

On the other Hand, the Earl, *in his Anſwer to the firſt Article, admitted*, he had obtain'd a Reverſionary Grant of ſome Houſes, of no great Value, at the End of about Twenty-nine Years: As alſo, of the Remainder of a groſs Sum, amounting to about 2000*l.* a Year for Ten Years; which ſaid Grants his Lordſhip was pleas'd to inſinuate, did not out-weigh the *Merit* of his Services, and what could not be interpreted into any Violation of Duty, or of any Truſt repos'd in him: That he had ever converted any public Money to his private Uſe, or procur'd any privy Seal, as he was charg'd by the Second Article, he utterly deny'd: Adding, That his Accounts had been made up upon Oath, that they had been legally declar'd, upon a very great and ſtrict Examination, and that he had obtain'd his Quietus:—Only, the Commiſſioners of the Victualling having made ſome unuſual Objections to part of the ſaid Accounts, concerning ſome Proviſions furniſh'd to the Fleet by the ſaid Earl, in the King of *Spain*'s Dominions, his Majeſty was pleas'd to direct and order a Privy-Seal to diſpenſe with the Forms in that Particular; and urging, That the ſaid Earl had drawn no Advantage to himſelf thereby; That the Government had not been in the leaſt defrauded therein: That upon a ſtrict Examination it appear'd, leſs Rates had been allow'd for theſe Proviſions, than were had been allow'd before: That as Circumſtances

His Lordſhip's Reply.

A.D. 1701 the Navy, he had deliver'd in his Accounts, ſome of which lay before the Auditors ready to be declar'd, and the reſt of them being made up and deliver'd in to be examin'd: And that, after juſt Allowances had been made, he did not believe he ſhould appear to be indebted upon the ſaid Accounts. The Third and Fourth Articles, and every Circumſtance in them, he firmly and poſitively deny'd: He alſo deny'd, That ever the *Eaſt-India* Company had, to his Knowledge, been refus'd Letters of Marque in *common Form*: And he maintain'd, That *Kidd*'s Expedition was intended for the public Good and Service. As to the Sixth, and the Mention therein made, of the Ship *Ducheſs*, &c. he alledg'd, the Men taken out of her, to put on Board *Kidd*, were but ſome of the very Perſons, which had juſt before been taken from on Board *Kidd*, and were return'd by their own Conſents; not being above Twenty in all; and all Danger of an Invaſion being then over. That as to the Ship *Dolphin*, what had been done therein, had been done after the Peace was concluded, by his Majeſty's Command, at the Inſtance and Requeſt of other Perſons, and contrary to the Opinion of the ſaid Earl, who was not concern'd in Intereſt therein, till after his Majeſty's Orders were given about the ſaid Ship, when he did take certain Shares therein, at the Deſire of thoſe concern'd; but ſtill without any Breach of Duty, Truſt, &c. The Eighth Article, the Earl wholly deny'd; as alſo the Ninth, declaring, That he had been ſo far from adviſing the *Partition-Treaty*, that he had objected to, and given his Opinion againſt the ſame: And, laſtly, he argued, That his faithful Diſcharge of the ſeveral Truſts repos'd in him, was enough to juſtify his Acceptance of them.

Articles againſt Lord Somers.

The ſame Day that this Replication was read in the Houſe of Commons, Mr. *Harcourt* reported the Articles which the Committee had drawn up againſt Lord *Somers*. Theſe were in Number Fourteen: In the Firſt of which, containing an Abſtract of the *Grand-Alliance*, and the *Bavarian* Treaty, it is ſaid, That the ſaid Lord *Somers*, well knowing the moſt apparent evil Conſequences, as well as the Injuſtice of the ſaid *Partition*, did not, according to the Truſt and Duty of his Office, diſſuade or endeavour to obſtruct its taking Effect, but, on the contrary, having neither regard to his Majeſty's Honour, nor the Trade and known Intereſt of this Kingdom, or the *Peace* of *Europe*, did adviſe his Majeſty to enter into the ſaid Treaty, and did ſo far encourage or promote the ſame, that the ſaid Treaty was concluded and ratify'd under the Great Seal of *England*; and not only ſo, but as an Agreement between his Majeſty, the *French* King, and States-General, notwithſtanding the ſaid Lord *Somers* well knew, that the ſame had been concluded between his Majeſty's Commiſſioners and the *French* Ambaſſador, or the Commiſſioner of the *French* King, ONLY; and that the Purport thereof had never been communicated to the States-General, at the Time of the Ratification thereof under the Great Seal of *England*, notwithſtanding the Negotiation thereof in *Holland*. A.D. 1701.

The Second, Third, and Fourth Articles deſerve to be inſerted entire; to wit: "That, for the more effectual carrying on the ſaid Treaty, one or more Commiſſion or Commiſſions was or were prepar'd, amended, enlarg'd, or alter'd by the ſaid Lord *Somers*, without any lawful Warrant for his ſo doing: Whereunto the ſaid Lord *Somers*, contrary to the Duty of his ſaid ſeveral Offices, and in Violation of the great Truſts repos'd in him, in or about the Month of *September*, 1698, without communicating the ſame to the reſt of the then Lords-Juſtices of *England*, or adviſing in Council with his Majeſty's Privy-Council thereupon, did preſume to affix the Great Seal of *England*. That no certain Perſons of known Honour, Fidelity, and Experience, were therein nominated Commiſſioners, at the Time of affixing the Great Seal of *England* thereto; but a Blank or empty Space was left in the ſaid Commiſſion or Commiſſions, at the Time of the ſealing thereof, wherein the Commiſſioners Names were to be afterwards inſerted *beyond the Seas*: Notwithſtanding which, an *unlimited* Power was thereby granted to the Commiſſioners, whoſe Names were therein afterwards to be inſerted, as aforeſaid, or to either of them, without any *written Inſtructions* whatſoever to reſtrain, guide, or direct them in the Exerciſe thereof, in his Majeſty's Name to confer and treat with the ſaid Commiſſioner, or Deputy, or Commiſſioners or Deputies of the *French* King, and alſo with the Commiſſioners or Deputies of the States-General, for preſerving the Public Peace, and touching the Succeſſion to the Crown of *Spain*: And his Majeſty did thereby engage himſelf to approve, ratify, and confirm whatſoever ſhould be thereupon concluded by them, or either of them.

That the ſaid Lord *Somers*, contrary to the Duty of his ſaid Office of Lord Chancellor, did affix the Great Seal of *England* to the ſaid Commiſſion, or Commiſſions, not having firſt receiv'd any *lawful Warrant* for that Purpoſe: In hopes of concealing which evil and moſt dangerous Practice, the ſaid Lord *Somers*, after he had ſeal'd the ſaid Commiſſion, or Commiſſions, us'd his Endeavour to procure a Warrant to be tranſmitted to him, for affixing the Great Seal to the ſaid Commiſſion, or Commiſſions, and that it might not be known but that he had it in due Time.

That the ſaid Lord *Somers*, contrary to the Duty of his ſaid ſeveral Offices, affix'd the great Seal of *England* to the Ratification of the ſaid Treaty, made in the Year of our Lord 1698, not having firſt communicated the ſame to the reſt of the then Lords Juſtices of *England*, or adviſ'd in Council with his Majeſty's Privy-Council thereupon: And at the Time of his affixing the Great Seal thereto, one entire blank Sheet, and many other Blanks were left in the ſaid Ratification, with an Intent to be afterwards

A.D. 1701. afterwards fill'd up by other Persons beyond the Seas."

The setting the Seal to the second *Partition-Treaty*, furnish'd the Matter of the fifth Article: By the sixth he was made answerable; for the Non-Enrollment in the Court of Chancery of the Commissions and Ratifications of and for the said Treaties, which, it was urged, ought to be done by the Prothonotary of the said Court. The seventh contain'd, 1. A Brief of the Lord-Keeper or Chancellor's Oath, well and truly to serve the King and his People, and not to know or suffer the Hurt or disinheriting of the King; or that the Rights of the Crown should be decreased, as far forth as he might let it be; and then a Charge, That, contrary to his said Oath, he had passed many great, unreasonable, and exorbitant Grants under the Great Seal, of divers Manors, Lordships, Lands, *&c.* belonging to the Crown of *England*, amounting to a *most prodigious* and *excessive Value*; and did also advise, promote and procure divers great, unreasonable and exorbitant Grants to be made of the late forfeited Estates in *Ireland*, in Contempt of the Advice of the House of Commons, and without any Regard to his Majesty's gracious Assurance thereupon to both Houses of Parliament: And engag'd to procure, and accordingly did procure, divers Acts, prepar'd for confirming the said Grants in Parliament in *Ireland*, to be approved in Council in *England*, and afterwards remitted the same under the Great Seal of *England*, to be passed into Laws in *Ireland*. The 8th set forth, That, not being content with all the Fees, Profits, and Perquisites legally belonging to the Great Seal, and together with an additional Pension of 4000 *l.* *per Annum*, he had, contrary to his Oath, begg'd and procur'd, for his own Benefit, many great and unreasonable Grants of several Manors, Lands, Tenements, Rents, Hereditaments and Revenues belonging to the Crown of *England*: That, in, or about the Month of *April* 1697, he did procure and pass a Grant under the Great Seal, without any real Consideration whatsoever to *Joseph Jekyll*, Esq; of the Manor or Manors of *Rygate* and *Howleigh*, of the Value of 12,000 *l.* and upwards. That, under the Pretence of purchasing divers Fee-Farm-Rents, vested in Trustees for Sale thereof, in pursuance of several Acts of Parliament in the Reign of *Charles* II. the said Lord, in the same Year, did procure a Warrant from his Majesty to the Commissioners of the Treasury, to contract, or to warrant the said Trustees to contract with *Humphry Hetherington*, Esq; for as many *Fee-Farm* Rents, and other Rents then remaining unsold, as should amount to 100 *l.* a Year, at the Rate of sixteen Years Purchase; and that upon such Contract, the said Rents should be convey'd by Warrant from the Treasury to the said *Hetherington* and his Heirs, or such as he should appoint. That, under the like Pretence, and by a like Process, the said Lord procured another Grant of as many of the said Rents as A.D. 1; should amount to 700 *l.* a Year, to be convey'd in like Manner to *Richard Aday*, Esq; as also another of 600 *l.* *per Annum* to *Samuel Newton*, Esq;. That, in pursuance of Warrants issued from the Treasury accordingly, certain Contracts were made, or pretended to be made, with the said Persons, by which *Hetherington* became obliged to pay into the Exchequer 12,800 *l.* *Aday* 11,200 *l.* and *Newton* 9,600 *l.* And That the said several Manors and Rents aforesaid were granted to the said *Jekyll*, *Hetherington*, *Aday* and *Newton*, in Trust only, for the said Lord *Somers* and his Heirs. The ninth yet farther set forth, That the said Lord did enter into several Treaties, and had many Communications with divers Persons entrusted with the Care and Management of the said Rents, particularly *Reginald Marriot*, Auditor of the Rates, and *John Digby*, Clerk to the said Trustees; and for encouraging the said *Persons* to discover such particular Fee-Farm-Rents, *&c.* as then remain'd undispos'd of, to the Intent that the said Lord *Somers* might beg the same. He the said Lord, did agree and contract with the said *Marriot*, to give the said *Marriot* for himself and his Accomplices, as a Reward for his said Discovery, a full fourth Part of all Rents so discover'd; and accordingly an Assignment of 500 *l.* *per Annum* was made, by the Direction of the said Lord, in Trust for the said *Marriot*, *&c.* The tenth affirmed, That notwithstanding the said pretended Contracts and Payments, there was not any Sum of Money whatsoever really and *bona fide*, paid as the Consideration of the said Conveyances: But that such Contracts and Payments of the said several Considerations amounting in the whole to 33,600 were colourably and fraudulently contrived and made by Direction of the said Lord, contrary to his said Oath, in Deceit of his Majesty, and Elusion of the said Act of Parliament. The eleventh maintains, That many Quit-Rents and Copyhold Rents, standing in Charge as Parcel of several Manors, *&c.* Reserved Rents, Rents before granted on Lease or otherwise, Rents appropriated to special Purposes; also many Quit-Rents, and other Rents annexed to *Windsor*-Castle, together with many other Quit-Rents belonging to divers antient Manors of the Crown, were convey'd by the said Trustees, thro' the Direction and Power of the said Lord *Somers*, to the said *Hetherington*, *Aday* and *Newton*, *&c.* as if the same had been entire Fee-Farm Rents, to the great Vexation and Oppression of many of his Majesty's good Subjects, and erecting many new and unreasonable Charges on other Revenues of the Crown: The twelfth declares, That by the Direction of the said Lord, the said *Hetherington*, *Aday*, *&c.* surrendered 347 *l.* 11 *s.* 5 *d.* ½ on Suggestion, that the same had been before conveyed, or otherwise appropriated, or else were grievable; and that the said Lord in the Year 1699, did, in Breach of his Duty, and contrary to the Laws, procure other Rents of the

A. D. 1701. the yearly Value of 391 *l.* 0*s.* 3$\frac{3}{4}$*d.*, to be allowed by way of Reprize, to the ſaid Perſons, in Truſt for himſelf, as if the Rents ſo ſurrendered had been really and *bona fide* purchaſed, in perſuance of the ſaid Acts, for the Sale of Fee-Farm Rents. The thirteenth was compos'd of *Kidd*'s Affair: And the fourteenth charged his Lordſhip with many extraordinary Methods and unwarrantable Proceedings in the Court of Chancery, by which Cauſes had been ſeveral Years delay'd; as alſo with arbitrary and illegal Orders, having revers'd Judgments given in the Court of Exchequer, by his own Authority; and having declared and affirmed in public Places of Judicature, That particular Subjects might have Rights and Intereſts, without any Remedy for Recovery of the ſame, unleſs by Petition to the Perſon of the King only, or to that Effect; which Poſition was highly dangerous to the legal Conſtitution of this Kingdom, and abſolutely deſtructive to the Property of the Subject.

This was the Subſtance of theſe Articles; which on the 19th of *May* were carry'd up to the Lords by Mr. *Harcourt*, and on the 24th following his Lordſhip's Anſwer was brought down to the Commons: The firſt Article whereof conſiſted chiefly of a Narrative, tending to ſhew, That the firſt *Partition-Treaty* was the King's own Meaſure, and that he, Lord *Somers*, had given his Opinion freely upon it, as appear'd by his Majeſty's Letter, and his Anſwer thereto, formerly inſerted: *After which his Lordſhip proceded as follows:*

His Lordſhip's Anſwer.

"That, after writing of his ſaid Letter, he had no Account whatſoever, nor heard any Thing of the ſaid Treaty, or knew or heard whether the ſame was proceded upon, or not, until towards the latter End of *September* following, when he was acquainted by Mr. Secretary *Vernon*, that he had receiv'd an Account, that a Treaty relating to the Succeſſion of the Crown of *Spain* had been adjuſted, concluded, and ſigned by the Commiſſioners named by his Majeſty for that Purpoſe, and the Ambaſſador and Plenipotentiary of the *French* King: And the ſaid Lord *Somers* doth deny that the ſaid Treaty of *Partition*, or any Propoſition for ſuch Treaty, or the Tranſactions thereof, was communicated to him the ſaid Lord *Somers*, nor was he acquainted with the ſame, or the Deſign thereof, or any other Matter relating thereto, at any other Time, or in any other Manner, before he was told of the concluding and ſigning thereof as aforeſaid, than as is herein before mentioned to be done by his Majeſty as aforeſaid, and by his and the ſaid Earl of *Portland*'s Letter herein before mentioned: And the ſaid Lord *Somers* doth deny he did at any Time whatſoever adviſe his Majeſty to enter into the ſaid Treaty, or any way encourage or promote the ſame; but having made the Objections before mentioned in his ſaid Letter to his Majeſty, againſt the Propoſitions ſo communicated to him as aforeſaid, and clearly laid open ſuch Thoughts and Obſervations as occurred to him upon the ſaid Matter; he did thereby, as he conceived, fully and faithfully diſcharge his Truſt, and the Duty incumbent on him." His Lordſhip then farther ſignified, That, having been inform'd by Mr. Secretary *Vernon*, that the Treaty was perfected; that he, Mr. *Vernon*, had a Copy of it; that he had alſo his Majeſty's Command to prepare Inſtruments for Ratification of the ſame, leaving Blanks for the Names of the Commiſſioners of the *States General*; and Mr. *Vernon* having accordingly prepared the ſaid Inſtruments and brought them to the ſaid Lord, in order to their being paſſed under the Great Seal, they were paſſed accordingly, his Lordſhip having a good and lawful Warrant for it. His Lordſhip farther acknowledged, in Anſwer to the ſecond and third Articles. That having receiv'd his Majeſty's expreſs Commands (in his Majeſty's *(French)* Letter from *Holland*, muſt be underſtood) for ſo doing, which he humbly conceiv'd, and had been advis'd, was a ſufficient Warrant, he did alſo put the Seal to the full Powers, in which, Blanks were left for the Names of his Majeſty's Commiſſioners, which Commiſſioners were to receive their Inſtructions from his Majeſty for the Execution of the ſaid Power, in uſual Manner: But what Inſtructions, or whether any Inſtructions were given in Writing to the ſaid Commiſſioners he knew not. Adding, That he did indeed deſire his Majeſty, that a particular Warrant for the ſaid Commiſſion, which, as Mr. *Vernon* informed the ſaid Lord, had been before ſent to his Majeſty, might be ſign'd and return'd; not that he doubted his Majeſty's ſaid Letter to be a ſufficient Warrant, but that ſuch Warrant might be more proper to be produced, if Occaſion ſhould require, than his Majeſty's ſaid Letter, which by Reaſon of other Matters therein contain'd might not be produc'd, without his Majeſty's Permiſſion. To the fourth, in the ſame Courſe of Acknowledgment, his Lordſhip reply'd, That he had affix'd the Great Seal with the like Blanks to the Ratifications, which he conceiv'd he might lawfully do; and that he did not communicate the ſaid Treaty to the reſt of the Lords Juſtices, or to the Privy-Council, becauſe of his Majeſty's Command to keep it ſecret; and becauſe it was unneceſſary, in regard his Majeſty had then by his Commands, perfected the ſame Treaty, ſo that the ſame could not be alter'd. In Anſwer to the fifth, his Lordſhip deny'd, That he had any Knowledge of the ſecond Treaty, or of any Tranſaction in order thereunto; ſave only, that a Draught of the ſaid Treaty, having been read over in Preſence of divers of the Privy-Council (of whom his Lordſhip was one) he and Others then preſent, did make ſeveral Objections thereto, but were told by his Majeſty's Plenipotentiaries, who were alſo preſent, That the ſaid Treaty was ſo far perfected, that nothing could then be alter'd therein:

A. D. 1701.

A.D. 1701. And his Majeſty, afterwards by his Warrant, requiring the ratifying of the ſaid Treaty under the Great Seal, he did accordingly affix the Great Seal to ſuch Ratification; being, as he conceiv'd, obliged ſo to do. To the ſixth, which regarded the enrolling the Treaty in the Court of Chancery, his Lordſhip anſwer'd, That it was not incumbent on him as Lord-Chancellor, to ſee ſuch Commiſſions enroll'd: That they were brought to the Great Seal by the Secretaries of State ready engroſs'd; and when ſeal'd were taken away by him: And that this Care of enrolling Treaties, if neceſſary, belonged to the Prothonotary. To the ſeventh, That the Grants he had paſs'd (which he believed were not ſo conſiderable as Thoſe which, in the like Number of Years, had been paſs'd in moſt of his Predeceſſors Times) had been regularly paſs'd thro' the proper Offices, and brought ſuch Warrants with them, as he thought himſelf obliged to obey. That he neither adviſ'd, promoted or procur'd any Grants of any forfeited Eſtate in *Ireland*, for any Perſon whatſoever, nor any Act or Bill for confirming any ſuch Grant: And that all Bills of that Nature were firſt approved and paſs'd by the Privy-Council of *England*; by whoſe Order the Great Seal was affix'd thereto. To the eighth, That the Penſion he had receiv'd of 4000 *l. per Annum* was no other than had been allow'd to ſeveral of his Predeceſſors. That he had never begg'd, nor us'd any Means to procure any Grant whatſoever for his own Benefit: That what his Majeſty was pleas'd to give him proceeded from his own Motion, and of his mere Bounty, and, as his Majeſty was pleas'd to ſay, as an Evidence of his gracious Acceptation of the ſaid Lords zealous Endeavours for his Service, without any previous Solicitation, either by himſelf, or any Other to his Knowledge or Belief: That his Majeſty, in the Year 1697, did grant him the Manor or Manors of *Ryegate* and *Howley*, but that the ſame was far ſhort of the Value ſuggeſted: That he never did pretend to purchaſe, either in his own Name, or the Name of any other Perſon, any of the Fee-Farm Rents; but that his Majeſty, taking Notice, That ſeveral of the ſaid Rents were unſold, and that they were held by the Truſtees, in Virtue of ſeveral Acts of Parliament, for the Benefit of his Majeſty, his Heirs and Succeſſors, did of his own Motion, acquaint the then Lords of the Treaſury, That it was his Pleaſure, that 2,100 *l. per Annum* of thoſe Rents ſhould be granted to or for the Benefit of the ſaid Lord and his Heirs; and that all proper Methods ſhould be us'd for veſting the ſame for his Benefit, as of his Majeſty's *free Gift*: And that the ſaid Acts having directed the ſaid Truſtees, on Sale to convey the ſame, purſuant to Contracts to be ſign'd by Lords of the Treaſury, for the Satisfaction of the ſaid Truſtees only, and according to the Method that had been us'd from the Time of making the ſaid Acts, in paſſing Grants of any of the ſaid Rents, even ſuch as were merely of the Bounty of his Majeſty's Predeceſſors, and of *his Majeſty*; ſuch Warrants were made by his Majeſty to the ſaid Commiſſioners, to contract, or warrant the ſaid Truſtees to contract, for the ſaid Rents; perſuant whereunto ſuch Contracts were made, and ſuch Grants paſs'd, as in the ſaid Article were mentioned: And that the Money alſo mention'd therein, was for the perfecting his Majeſty's ſaid intended free Gift, diſcharged by Tallies ſtruck for that Purpoſe; as alſo, that the ſaid Contracts were not intended or deſign'd to make the Grantees of the ſaid Rents appear to be Purchaſers; the ſaid Lord always acknowledging, he receiv'd the ſaid Grants as his Majeſty's Bounty; and humbly conceiving, it was lawful for him to accept the ſame. To the ninth and tenth, That after his Majeſty had given his ſaid Directions for the ſaid Grants for the Benefit of the ſaid Lord, it appearing, that his Purpoſe could not be carry'd into Execution, becauſe neither the Lords of the Treaſury, nor the ſaid Truſtees were ſufficiently inform'd what Rents were undiſpos'd of; as alſo that the proper Information could not be had, unleſs by the Means of the ſaid *Marriot* and *Digby*, Application was made to them for that Purpoſe (after his Majeſty's Warrant as above had been obtain'd) and They refuſing to give any Account of the ſame, unleſs they might have one fourth Part of the whole as a Conſideration, the ſaid Lord agreed to their Terms, as he ſuppos'd he lawfully might, it being to his own Loſs and Prejudice, not for any ſuch End as was ſpecify'd in the Article: To all which his Lordſhip added, That no Sum of Money was paid as a Conſideration for the ſaid Grants; that the Payments were diſcharg'd in the Manner and for the Reaſons before ſet forth, and were not colourably or fraudulently contriv'd, in Deceit of his Majeſty and in Eluſion of the ſaid Acts of Parliament. To the eleventh, That the ſaid Lord did believe ſeveral of the Rents mention'd to be granted in Truſt for him had been granted before; and that Others were not in the Power of the ſaid Truſtees to grant, (which was very much to his Prejudice) but that he believed the ſame were inſerted by Miſtake, not of Deſign, the like Miſtakes having been frequently committed in the like Grants; and that he deny'd any of the ſaid Rents ſo granted, to his Knowledge or Belief, belong'd to the Caſtle at *Windſor*, for any Purpoſe whatſoever; or that any Oppreſſion or Vexation had happen'd to any of his Majeſty's Subjects by Reaſon of the ſaid Grants, and, as he believes, little or no new Charge to the Crown. To the twelfth, That the ſubſequent Grant of 391 *l.* 0 3$\frac{1}{2}$, in lieu of the 347 *l.* 11*s.* 3*d.*$\frac{1}{2}$, was not granted as if the ſaid yearly Rent had been *bona fide* purchaſed, but in lieu and Reprize of the ſame, in order to make good the Intention of the Grant for the ſaid Lord's Benefit, and agreable to uſual Covenants made with the Truſtees in the like Caſes. To the thirteenth, That the Commiſſion granted to *Kidd*, for the taking and bringing Pirates to a legal Trial, was apprehended to

A. D. 1701. to be neceſſary for the Preſervation of Trade and Navigation; That the Perſons concern'd in the Undertaking fitted out *Kidd*'s Ship at their own Charge: That the Grant of all the Ships, Goods, &c. belonging to the ſaid Pirates, made to the ſaid Undertakers was not without Account: That the ſaid Grant, which was meant as a Recompence to the ſaid Undertakers, was not injudicial to the Subject, or diſhonourable to the King, nor was the paſſing the ſame any Breach of the ſaid Lord's Duty: And that if *Kidd* had faithfully diſcharged his Truſt, it might have been of great Benefit to the Public, whereas the contrary having prov'd the Caſe, the Owners had loſt all their Expences, &c. And to the thirteenth, his Lordſhip's Reply conſiſted of a full and circumſtantial Denial of every Particular contain'd in it.

The Difference between the Charge and the Reply, little, but in the Colouring.

Thus it appears, that in moſt of the Facts alledg'd the Accus'd and the Accuſers agree; and all the Difference between them conſiſts in the Colours They ſeverally lay upon them: And, putting no Streſs on the extraordinary Attention ſhewn by the King, in the Article of the Grants, to the Merits and Services of a profitable Servant; or on the Knowledge of his own Affairs, ſo unuſual in Princes, manifeſted by his Majeſty, in ſo nice a Diſquiſition into the State of the *Fee-Farms*, that his Royal Purpoſe might be fully and completely anſwer'd; or on a Conſideration not altogether unnatural, that a Donation ſo vaſt, ſo timed, and circumſtanced, was rather to beſpeak new Services, than to recompence the paſs'd, ſurely, it muſt be admitted, That ſo full and complete a *Reſignation* of all the *Powers* of the *Seal* to the King, while abroad, negotiating a Treaty of the utmoſt Importance, which all his Miniſters condemn'd, unaſſiſted and unadvis'd by any of his *Engliſh* Council, whoſe Advice alone can authenticate the Sovereign's Command and render Obedience lawful, on a bare Letter from his Majeſty, counterſign'd by no Miniſter, and authoriſ'd by none of the common Forms of Buſineſs, was a Matter highly worthy of the Cogniſance and Reprehenſion of Parliament, tho' Biſhop *Burnet*, P. 278, ſo dictatoreally pronounces, *They had nothing to charge thoſe Lords with*: Such however was the Fact! Let Poſterity judge of it!

The Lords inform the Commons that Lord Orford had deſir'd the Day of his Trial might be fix'd.

In this Interval, on the 21*ſt* of *May*, that is to ſay, the Lords had appris'd the Commons by Meſſage, That the Earl of *Orford* had deſir'd a Day might be appointed for his ſpeedy Trial, and that their Lordſhips, finding no Iſſue join'd by Application from them, had thought fit to give them Notice thereof: As alſo, That no particular Articles having as yet been exhibited againſt the Earl of *Portland* and Lord *Halifax*, They thought themſelves oblig'd to put the Commons in Mind thereof; as what, after Impeachments had been ſo long depending, was a *Hardſhip* to the Perſons concern'd; and not agreeable to the uſual Methods and Proceedings of Parliament in ſuch Caſes.

To this the Commons reply'd in Subſtance on the 31ſt, That they had prepar'd a Replication to Lord *Orford*, but choſe to defer the carrying it up, becauſe, from the Nature of the Evidence, they choſe to proceed with the Trial of Lord *Somers* firſt; adding, That they took their Lordſhips other Meſſage to be unparliamentary and without Precedent; They, as Proſecutors, being the proper Judges of the *Time*, of conducting their own Proſecution; and that what their Lordſhips had aſſerted concerning the *Hardſhip* put on the Lords *Portland* and *Halifax*, &c. did, as they conceiv'd, tend to the Breach of that good Correſpondence between the two Houſes which ought to be mutually preſerv'd. A. D. 1701. *The Commons ſignify their Deſign to proceed againſt Lord Somers firſt.*

The ſame Day the Replication of this Committee to the Anſwer of Lord *Somers*, was reported and order'd to be engroſs'd to this Effect. "That the Commons having conſider'd the ſaid Anſwer, did aver their Charge, againſt the ſaid Lord to be true, and did ſay, he was guilty in the Manner, as he ſtood accus'd; and that the Commons would be ready to prove the ſame, at ſuch convenient Time, as ſhould be appointed for that Purpoſe."

The Lords inform the Commons they had appointed the 9th of June for the Trial of Lord Orford.

The ſame Day alſo, the Lords, on the other Hand, by Meſſage, inform'd the Commons, that they had appointed the 9th of *June* for the Trial of Lord *Orford*, to which the ſaid Houſe might reply, if they thought fit: And this was accompany'd with a Repetition of their former Meſſage, concerning the *Hardſhip* reſting on the Lords *Portland* and *Halifax*.

This Meſſage was refer'd to the Conſideration of a Committee; and, before they were ready with their Report, the Lords ſent down another Meſſage, ſignifying, That Lord *Somers* had alſo deſir'd a ſpeedy Trial: That they would procede to the Trial of any of the impeach'd Lords, that the Commons ſhould be firſt ready to begin with, ſo as no Occaſion was taken from thence, for any unreaſonable Delay; That, having ſearch'd their own Journals, They did not find, that after a general Impeachment, the ſending up particular Articles had ever been ſo long delay'd, ſitting the Parliament: That, therefore, they had reaſon to aſſert, it was a *Hardſhip* on the Lords concern'd; eſpecially after the Remindings the Commons had receiv'd: And that as the Lords did not controvert what Right the Commons might have of Impeaching; ſo, the Judicature being entirely in them, they thought themſelves obliged to aſſert, That the Right of *limiting* a *convenient* Time for bringing the particular Charge before them, for the avoiding a Delay in Juſtice was lodg'd in them, &c." *But allow the Commons to begin with Trial they pleas'd.*

Lord's Trial

Theſe laſt Words, *Limiting*, &c. had been ſubſtituted by the Majority of their Lordſhips, in lieu of Theſe, *Determining what is a due Time, in which the particular Articles of Impeachment ought to be exhibited*; Contents, 43, not Contents, 27; and had occaſion'd a Proteſt, ſign'd by Twenty-one Lords, for this Reaſon: *Becauſe the Aſſertion was new*: And the laſt

A.D. 1701. laſt Paragraph of this Meſſage, (which contain'd a Sort of Caution to both Houſes, not to exceed the Limits which the Laws and Cuſtoms of Parliaments had already eſtabliſh'd) occaſion'd alſo another Proteſt, ſign'd by Twenty-two Lords, "Becauſe they knew not, that the Laws and Cuſtoms of Parliaments had eſtabliſh'd any certain Limits."

Thus their Lordſhips had ſo far the Start of the Commons: But in a few Hours afterwards, Mr. *Harcourt* made his Report; *The Anſwer of the Commons.* which was to this Effect: "That the Commons thought it their undoubted Right, when ſeveral Perſons ſtood impeach'd before their Lordſhips, to bring to Trial ſuch of them in the firſt Place, as they thought ought to be proceeded againſt firſt, to the Intent, that *All* ſuch Offenders might, in due Time, be brought to Juſtice: That no Day ought to be appointed by their Lordſhips, without ſome previous Signification from the Commons, that they were ready to procede therein: That the Commons could not receive this Meſſage without the greateſt Surpriſe, their Lordſhips Proceedings in this Caſe, being neither warranted by Precedent, nor, as they conceiv'd, conſiſtent with Reaſon or Juſtice; conſequently the Commons could not agree to the Day appointed for the Trial of Lord *Orford*: That the Commons took their Lordſhips Meſſage in relation to the Lords *Portland* and *Halliſax*, to be without Precedent and Unparliamentary: And that they conceiv'd their Lordſhips frequent Repetition thereof in ſo ſhort a Time, manifeſtly tended to the Delay of Juſtice, in obſtructing the Trials of the Impeach'd Lords, by introducing Diſputes, in Breach of the good Correſpondence between the Two Houſes, which ought to be inviolably preſerv'd." And This had no ſooner been order'd up to the Lords, than a Motion was made, for a preſent reading of the engroſs'd Replication to Lord *Somers*'s Anſwer, apparently for the Sake of countenancing the Procedings of the Lords; but overrul'd, on a Diviſion of the Houſe, by 140 Voices againſt 90: On which Occaſion Mr. *Monckton* and Mr. *Robert Walpole*, were Tellers for the Yeas.

The Commons, at a Conference, deſire a joint Committee of both Houſes may be appointed. Theſe laſt were the Tranſactions of *June* 4, and the next Day the Commons reſolv'd to demand a Conference, the Purport of which was, to deſire, That a Committee of both Houſes might be nominated to conſider of the moſt proper Methods of proceding on Impeachments, according to the Uſage of Parliaments.

This Conference was held on the 6th; but without the deſir'd Effect: For the Lords at firſt contented themſelves with appointing a Committee, To inſpect their Journals, and conſider of the Manner of proceding upon Impeachments: And on the 9th, a Motion being made, For a Conference with the Commons, to let them know, That the Lords did not agree to the ſaid Committee, a warm Debate enſued; upon the Iſſue of which, the Queſtion was put, Whether a Committee of that Houſe ſhould not be appointed, to meet a Committee of the Commons, in relation to the Procedings upon Impeachments, and it was reſolv'd in the Negative: Upon which, Twenty-one Lords enter'd their Diſſents, Becauſe, in the Year 1679, the Lords had conſented to a like Propoſal, and therefore a Refuſal now, would be a great Obſtacle to the Lords impeach'd. A.D. 1701.

The ſame Day, that the Commons might keep Pace with the Lords, Mr. *Bruges*, from the Impeaching Committee, reported the Articles they had prepar'd againſt Lord *Halliſax*, which were Six in all, to the following Amount, tho' ſo verboſely drawn, as to take up ſeveral Folio Pages.

"That he had obtain'd, and got paſs'd, a Grant to *Thomas Railton*, Eſq; in Truſt for himſelf, amounting to 13,000*l.* out of the forfeited Eſtates in *Ireland*, accruing to his Majeſty from Attainders, Outlawries, *&c:* That he had not repaid into the Exchequer in *Ireland*, the Sum of 1000*l.* which he had actually receiv'd out of the Profits of the above-mention'd Grant, contrary to a late Act of Parliament: That in the Time of an expenſive War, he not only advis'd the paſſing other Grants, but obtain'd and accepted ſeveral beneficial ones for himſelf, which was a moſt notorious Abuſe of his Majeſty's Goodneſs: That on or about the 6th of *May*, 1697, he procur'd a Grant from his Majeſty to *Henry Seager*, Gent. in Truſt for himſelf, of ſo much Beech, Birch, Holly, *&c.* to be fallen in the Foreſt of *Deane*, within the Space of ſeven Years, as ſhould be worth or produce 14,000*l.* under Colour of which, Beech to a much greater Value, a great Number of Sapling-Oaks, and many Tons of well-grown Timber, was fell'd and diſpos'd of. That he procur'd a Grant to his Brother *Chriſtopher Montagu*, of the Place and Office of the Auditor of the Receipt and Writer of the Tallies, in Truſt for himſelf; ſo that the ſaid Lord was, in effect, at the ſame Time, one of the Commiſſioners of the Treaſury, Chancellor of the Exchequer, and Auditor of the Receipts; which Offices were manifeſtly inconſiſtent, and ought to have been a Check to each other: And that he adviſ'd his Majeſty to the Treaty of *Partition* of the *Spaniſh* Monarchy."

Theſe being on the Queſtion agreed to by the Houſe, were order'd to be engroſs'd: And Sir *William St. Quintin*, in the Debate which enſued on that Occaſion, having with more Zeal than Diſcretion, ſuffer'd the following Expreſſions to eſcape him; to wit: "I do not oppoſe the carrying up theſe Ar-"ticles: For, I think, they are to thoſe "Lords eternal Honour and Reputation." He was call'd upon to explane himſelf; and he was glad to eſcape the Diſpleaſure of the Houſe by a lame Apology, and a Prayer for Pardon.

And ſcarce was the little Ruffle occaſion'd by this Incident over, before another Meſſage was brought down from the Lords, not in Anſwer to the Deſire of the Commons expreſs'd at the Conference of the 6th, for a joint Committee of both Houſes, which deſerves very particular Notice, but to their Meſſage of the 4th. In This their Lordſhips ſignify'd, That, in declaring themſelves ready to procede to the Trial of any of *Lords Anſwer to the Commons Meſſage of June 4.*

A.D. 1701. of the *Impeach'd* Lords, whom the Commons ſhould be firſt ready to begin with, they had given a full Proof of their Willingneſs to comply with the Commons in whatever was reaſonable: Whence it follow'd, That as the Commons had no Occaſion to begin any Diſpute on that Head, ſo their Lordſhips had been careful to avoid the entering into a Controverſy which ſeem'd at that Time to be of no Uſe. That they thought themſelves oblig'd to aſſert their undoubted Right to appoint a Day for the Trial of any Impeachment, if they ſaw good Cauſe for it, without any previous Signification from the Commons of their being ready to procede: Which Right was warranted by many Precedents, and was conſonant to Reaſon and Juſtice; and their Lordſhips according to the Example of *their Anceſtors*, would always uſe that Right, with a Regard to the equal and impartial Adminiſtration of Juſtice, and with a due Care to prevent all unreaſonable Delays. That This being the Caſe, their Lordſhips could not but wonder, That the Commons ſhould make uſe of Expreſſions never us'd before by one Houſe of Parliament to another, and which, if the like were return'd, would neceſſarily deſtroy all good Correſpondence between the two Houſes: That they could not apprehend, how the calling upon the Houſe of Commons, to ſend up Articles againſt two Lords, ſo long impeach'd by them in general Terms, could be ſaid to tend to the Delay of Juſtice: And that, therefore, as the Lords thought the Commons might have forborne that Reflection, ſo they alſo thought, in ſaying no more, *their Lordſhips* gave a convincing Proof of their Moderation, and of their ſincere Deſire of preſerving a good Correſpondence between the two Houſes, which was ſo neceſſary for the public Security, as well as the doing Right upon Impeachments."

They appoint the 13th for the Trial of Lord Somers.

And this Meſſage had been ſcarce referr'd to the Impeaching Committee, in order to be anſwer'd, before their Lordſhips, by a new Meſſage, not more ingenuous than the Former, caus'd the Commons to be inform'd, That they had appointed the next *Friday* (the 13th) for the Trial of Lord *Somers*; to which the Commons the next Day return'd the following Anſwer.

"The Commons, in hopes of avoiding all Interruptions and Delays in proceding againſt the Impeach'd Lords, and the many Inconveniencies which might ariſe thereby, having propos'd to your Lordſhips at a Conference, That a Committee of both Houſes might be nominated to conſider of the moſt proper Ways and Methods of proceding on Impeachments, think, they might juſtly have expected your Lordſhips Compliance with their ſaid Propoſition, inſtead of your Lordſhips Anſwer to their Meſſage of the 4th Inſtant, which they Yeſterday receiv'd: In which Anſwer of your Lordſhips, tho' many Matters of great Exception are contain'd, a ſuitable Reply whereunto would inevitably deſtroy all good Correſpondence between the two Houſes: Yet the Commons, from an earneſt Deſire to preſerve the ſame, as well as to give the moſt convincing Proof of *their* Moderation, and to ſhew *their* Readineſs to bring the Impeach'd Lords to ſpeedy Juſtice, at preſent inſiſt only on their Propoſition for a Committee of both Houſes, to ſettle and adjuſt the neceſſary Preliminaries to the Trials; particularly, Whether the Impeach'd Lords ſhall appear on their Trials at your Lordſhips Bar as Criminals: Whether, being under Accuſations of the ſame Crimes, they are to ſit as Judges on each others Trials for thoſe Crimes, or can vote in their own Caſes, as we find by your Lordſhips Journals, ſince their being Impeach'd, they have been admitted to do: Which Matters, and ſome Others, being neceſſary to be adjuſted, the Commons cannot but *inſiſt* on a Committee of both Houſes to be appointed for that Purpoſe: Their departing from which, would be giving up the Rights of the Commons of *England*, known by unqueſtionable Precedents and the Uſage of Parliament, and making all Impeachment (the greateſt Bulwark of the Laws and Liberties of *England*) impracticable for the future."

A.D. 1701.

The Lords demand a preſent Conference.

The Lords, on the other Hand, overlooking this Anſwer for the preſent, thought fit to demand a preſent Conference, upon Occaſion of the laſt Conference, and in order to preſerve a good Correſpondence with the Houſe of Commons, which was comply'd with: And, thereat, the Duke of *Devonſhire*, as Manager for their Lordſhips, ſignify'd, That their Lordſhips could not agree to the Propoſal of the Commons for a joint Committee, 1. "Becauſe they do not find, that ever ſuch a Committee was appointed on Occaſion of Impeachments for *Miſdemeanors*: And their Lordſhips think themſelves oblig'd to be extremely cautious in admitting any Thing new in Matters relating to Judicature. 2. That altho' a Committee of this Nature was agreed to upon the Impeachments of the Earl of *Danby*, and the five Popiſh Lords for High Treaſon, yet it was upon Occaſion of ſeveral conſiderable Queſtions and Difficulties which did then ariſe: And their Lordſhips do not find, that the Succeſs in that Inſtance was ſuch, as ſhould encourage the perſuing the ſame Methods again, tho' in the like Caſe: The Lords obſerving, that after much Time ſpent at that Committee, the Diſputes were ſo far from being there adjuſted, that they occaſion'd an abrupt Concluſion of a Seſſion of Parliament."

Their Lordſhips then maintain'd, The Methods of proceding on Impeachments were ſo well ſettled, that they did not foreſee any Likelihood of any Difficulties: Cited the Caſe of *Gaudette* and other *French* Smugglers, impeach'd for Miſdemeanors, in which all the Preliminaries were eaſily ſettled: Obſerv'd the Propoſal came ſo late, that it could produce nothing but the Prevention of the Trials during this Seſſion: And aſſur'd the Commons, That, in caſe any Difficulties ſhould ariſe, their Lordſhips would comply with the Commons in removing them, as

A. D. 1701. far as Juſtice and the Uſage of Parliaments would admit.

The Commons again took the Report of this Matter into Conſideration; and having the next Day made an Order, That a free Conference ſhould be deſir'd with the Lords on the Subject-Matter of the Laſt, ſent up the following Anſwer to the Lords.

The Commons Reply to the Lords Notice of Lord Somers's Trial.

"The Commons, on *Monday* laſt, receiv'd a Meſſage from your Lordſhips, That your Lordſhips had appointed the Trial of *John* Lord *Somers* upon *Friday* next, on their Impeachment againſt him: In which they obſerve your Lordſhips have not nominated any *Place* for his Trial, tho' your Lordſhips thought fit to make that Matter on the laſt Impeachment for Miſdemeanor, the Subject of a long Debate.

And they cannot but take Notice, That your Lordſhips have taken as long a Time to give your Anſwer to the Commons Deſire of a Committee of both Houſes, deliver'd at a Conference on *Friday* laſt, as you are pleas'd to allow the Commons to have, of the Day appointed by your Lordſhips for the ſaid Trial.

Your Lordſhips appointing ſo ſhort a Day, eſpecially whilſt the Propoſition made to your Lordſhips for a Committee of both Houſes was undertermin'd, the Commons take to be ſuch a *Hardſhip* to them, and ſuch an *Indulgence* to the Perſon accus'd, as is not to be parallel'd in any parliamentary Proceding.

The Commons muſt likewiſe acquaint your Lordſhips, That their Experience of the Interruption of a former Trial on an Impeachment for Miſdemeanors, for want of ſettling the Preliminaries between the two Houſes, obliges them to *inſiſt* on a Committee of both Houſes, for preventing the like Interruption.

And they conceive it would be very prepoſterous for them to enter upon the Trial of any of thoſe Lords, till your Lordſhips diſcover ſome Inclination to make the Proceding thereupon practicable; and therefore they think they have Reaſon to inſiſt upon another Day to be appointed for the Trial of Lord *Somers*: And the Commons doubt not but to ſatisfy your Lordſhips at a free Conference, of the Neceſſity of having a Committee of both Houſes, before they can procede upon the ſaid Trial."

Mr. *Harcourt*, who reported this Anſwer from the Committee, was the Perſon appointed to carry it up; and at his Heels, Colonel *Granville* was order'd to deſire a free Conference.

The Lords, in the mean Time, taking into Conſideration the Commons Meſſage of the Day before, fell as uſual into great Debates on the Manner of anſwering it: The Majority inclining to preſcribe ſuch a Method of proceding to the Commons, as they were not likely to ſubmit to, and the Minority contending, tho' in vain, for Mitigations: And the Queſtion being at laſt put, Whether the Houſe ſhould *inſiſt* on their Reſolution of not calling a joint Committee of both Houſes, it was reſolv'd in the Affirmative, tho' not without a Proteſt of Ten Lords: Becauſe it appear'd to them improper and unparliamentary, to paſs a Vote for *inſiſting*, before the firſt free Conference was determin'd: or if determin'd, which they did not conceive it was, becauſe, The Vote for *inſiſting* ſhould have preceded the Meſſage for a ſecond Conference, which their Lordſhips had already reſolv'd to demand, as we ſhall ſee in its Place.

The next Day the Commons order'd Mr. *Bruges* to carry up the Articles againſt Lord *Hallifax*; and ſoon after the Courſe of the Diſpute was for a little while interrupted by the King's coming to the Houſe of Lords, to give the Royal Aſſent to the Succeſſion-Bill; as alſo to another Bill for preventing the Inconveniencies that might happen by the (*m*) Privilege of Parliament, *&c.* On which Occation, his Majeſty made the following artful Speech to both Houſes.

Royal Aſſent given to the Succeſſion-Bill, &c.

"*My Lords and Gentlemen,*

King's Speech on that Occaſion.

I return you my hearty Thanks for the Care you have taken to eſtabliſh the Succeſſion to the Crown in the Proteſtant Line: *And I muſt not loſe this Occaſion of acquainting you, that I am likewiſe* extremely ſenſible of your repeated Aſſurances of ſupporting me in ſuch Alliances, as ſhall be moſt proper for the Preſervation of the Liberty of *Europe*, and for the Security of *England* and *Holland*. Your ready Compliance with my Deſires, as to the Succours for the *States-General*, is alſo a great Satisfaction to me, as well as a great Advantage to the common Cauſe: And as I have nothing ſo much at Heart, as the Preſervation of the *Liberty* of *Europe*, and the Honour and Intereſt of *England*, ſo I make no Doubt of attaining thoſe great Ends, by the Bleſſing of *God*, and the Continuance of your chearful Concurrence.

My Lords and Gentlemen,

The Seaſon of the Year makes it neceſſary to have a ſpeedy Receſs; and the Poſture of Affairs Abroad, does abſolutely require my

(*m*) Concerning which, B. *Burnet* bears Witneſs as follows. "Another very good Act paſs'd this Seſſion, concerning the Privilege of Parliament: Peers had, by Law or Cuſtom, a Privilege for themſelves and their Servants, during the Seſſion, and at leaſt twenty Days before and after: Of late they have reckon'd forty Days before and after, in which neither they nor their Servants could be ſued in any Court, unleſs for Treaſon, Felony, or Breach of the Peace: The Houſe of Commons had alſo poſſeſs'd themſelves of the ſame Privileges but with this Difference, That the Lords pretended theirs was a Right, not ſubject to the Order of the Houſe of Lords; whereas the Commons held, that their Privilege was ſubject to the Authority of their Houſe: Of late Years, Seſſions were long and continu'd by intermediate Prorogations, ſo that the whole Year round was a Time of Privilege: This made a great Obſtruction in the Courſe of Juſtice; and none, who were to proſecute, could be ſu'd for Debt: The Abuſe was carry'd further, by the Protections which ſome Lords gave, or rather ſold, to Perſons, who were no way concern'd in their Affairs; but when they needed this Shelter, they had a pretended Office given them, that was a Bar to all Actions. After many fruitleſs Attempts to regulate their Abuſes, a Bill was brought in the Houſe of Commons, that took away all Privilege againſt legal Proſecutions, in intermediate Prorogations, and did ſo regulate it, during the Sitting of Parliament, that an effectual Remedy was provided for a Grievance, that had been long and much complain'd of."

A. D. 1701. my Presence, for the Encouragement of our Allies, and for the perfecting of such Alliances as may be most effectual for the common Interest: And therefore I must recommend a Dispatch of the public Business, especially of those Matters which are of the greatest Importance."

And now it appear'd, that the Shocks which the House of Commons had receiv'd from without Doors, join'd to the Advantages which the Lords were obtaining over them in the Affair of the Impeachments, (not so much thro' Defect of Matter, as from the Narrowness of their Plan, and the Partialities before complain'd of) had abated their Firmness, and induc'd them to bid for some additional Strength and Credit, not only by arrogating to themselves the civil Things contain'd in this Speech, but also by sweetening his Majesty in return, and yielding to the Current of the Times: For the House was no sooner return'd, than the Speech was reported from the Chair; and it was resolv'd, *Nemine Contradicente*, "That an humble Address be presented to his Majesty, giving his Majesty the humble Thanks of the House for his most gracious Speech from the Throne, and the Satisfaction he had been pleas'd to express with the Proceedings of the House; and to assure him, That, upon all Occasions, the House would be ready to assist his Majesty, in supporting those Alliances his Majesty should think fit to make, in Conjunction with the *Emperor* and the States-General, for the Preservation of the Liberties of *Europe*, the Prosperity and Peace of *England*, and for reducing the exorbitant Power of *France*." *In the Manuscript cited by Mr. Tindal*, it is however acknowledg'd, That some of the Managers were honest enough to oppose these Temporisings to the last, even to the forfeiting their own Credit with most of their Party.

Unanimous Address of the Commons thereon.

[Tindal. F. 474.]

Nor was this unanimous Resolution the only Instance of Court-Complaisance which the Crisis gave rise to: For the Day before, Mr. Secretary *Hedges* had acquainted the House in his Majesty's Name, "That, when his Majesty was pleas'd to communicate to the House the Letter of the States-General, the extraordinary Occasions they had for immediate Succours so fully appear'd, that the House thought fit to order, That 10,000 Men should be forthwith sent to their Assistance: That the Methods agreed upon and resolv'd by this House were, by taking twelve Battalions from *Ireland*, and by Recruits here, to make them up 10,000 Men. That his Majesty has thought it more proper and fit for his Service, to take a Battalion of his Guards, consisting of 833 Men, which are to be supply'd by the like Number out of those Troops which come from *Ireland*: That, altho' there may be no great Reason, considering the true Intention of the Act of Parliament for disbanding the Army, to trouble the House in this Particular, yet, since it has been freely talk'd abroad, as if something were intended that was derogatory to that Act and the Resolutions of this House, his Majesty has been graciously pleas'd to command him to lay this Matter before them, to the End, that if there be any Scruple or Doubt relating thereto, such other Measures may be taken as shall be thought meet." And, immediately after the Entry of the said Message in the Journals, we find the following Minute; to wit: "In which the House acquiesc'd; and express'd their Satisfaction, in his Majesty's Tenderness, not to violate the Act of Parliament, by keeping up more Forces than 7000 Men, which the Law allows." Besides; as if this solemn Acknowledgment of his Majesty's gracious Condescention was not sufficient, the Committee appointed to prepare the Address to his Majesty on the Resolution of the House, thought fit to add the following Clause: "And we likewise crave Leave, upon this Occasion, most humbly to thank your Majesty, for your Majesty's great Care and Tenderness lately signify'd to us, in keeping up such Forces only within this Kingdom, as are allow'd by Law." But on the Report, the House nevertheless thought fit to adhere to their Resolution, and to drop the Clause, which had apparently nothing to do with it.

A Message from the King in relation to a Battalion of his Guards sent to the States-General.

A. D. 1701.

Minute entered in the Journals thereon.

Clause added to the Address by the Committee, rejected by the House.

The said Address was presented to his Majesty by the whole House next Day; and his Majesty's Answer to it was as follows.

King's Answer.

"*Gentlemen*,

I thank you heartily for the unanimous Assurances you have given me of your Readiness to assist me, in supporting such Alliances as I shall make in Conjunction with the *Emperor* and the *States-General*: It will be a good Encouragement to them, to find the Sense of this Kingdom so *fully* express'd on this Occasion, and will likewise contribute most effectually to the obtaining those great Ends you have now mention'd, on which the Happiness of *Europe* does so much depend."

State of the Negotiation at the Hague.

For some Time before this, it must be observ'd, the *French* had abated of their Stiffness at the *Hague*: The first Concession [Cole, p. 389.] they had made was, That Mr. *Stanhope* might be present at the Conferences, provided he presented no Memorial: The next was, That M. *d'Avaux* might receive his [Ibid. p. 391.] Memorials, provided, That nothing should be discours'd of in the Conferences, but what regarded the Interests of *England* and the States-General: And This, it was said, the Most *Christian* King agreed to, in order to demonstrate the Sincerity of his Intentions for Peace. M. *Poussion*, who was now the acknowledg'd Agent of *France* in *London*, with the Character of Secretary to the Embassy, however, qualify'd the Last, by intimating to Mr. *Vernon*, It was also to be understood, That the Memorials to be given, were not to make any Mention of *Nieuport* and *Ostend*: But Lord *Manchester* is express, [P. 395.] That M. *d'Avaux* had Orders to enter into Treaty with M. *Stanhope* and the States Deputies without any Restriction: And on the 9th of *June*, which was the Day before his Lordship's Letter was dated, Mr. *Vernon* writ to him as follows: "As you shall have Occasion to discourse farther of that Matter, (the

A.D 1701. (the Negotiation that is to say) his Majesty thinks fit, you should make it understood, That it is not the Intention of his Majesty or the States to seperate themselves from the *Emperor*: But they are still of the same Opinion they had when their Demands were made by Mr. *Stanhope* and the Deputies of the States: That the giving the Emperor reasonable Satisfaction, would very much contribute towards securing the public Peace: Sir *Charles Hedges* will have Directions to signify the same by To-morrow's Post to Mr. *Stanhope*, that he may govern himself accordingly, in what he may have to transact with M. *d'Avaux*. His Majesty does not think it necessary, that you should deliver This to them in writing, nor speak of it, as if you had positive Orders to declare it, but rather insinuate it, as the most probable Means of procuring a lasting Tranquility, and such as may be depended on."

And now what Reason soever we have to be sick of the Controversy between the two Houses, and to loathe the Artifices practis'd on both Sides, the Laws of History will oblige us to follow the Course of it to the Issue.

No sooner, therefore, was the Resolution taken concerning the Address on the 12th, than the Messengers of the Lords brought down their Lordships Answers to the Messages of the 10th and 11th. To the *Former* of These they said, That, altho' they took it to be unparliamentary in many Particulars, yet, to shew their real Desire of avoiding Disputes and all Pretence of Delays, they should only take Notice of that Part of it, wherein they propose some Things as Difficulties; which Matters relating wholly to their Judicature, and to their Rights and Privileges as Peers, they think fit to acquaint the Commons with the following Resolutions of the House of Lords:

Forms of the Trials, as prescribed by the Lords.

"(*n*) 1. That no Lord of Parliament, impeach'd of High Crimes and Misdemeanors, and coming to his Trial, shall, upon his Trial, be without the Bar. 2. That no Lord of Parliament, impeach'd of High Crimes and Misdemeanors, can be precluded from voting on any Occasion, except in his own Trial. After which their Lordships farther took Notice of a Mistake in point of Fact alledg'd in the Message of the Commons, it no way appearing upon their Journals, that the Lords impeach'd have voted in their own Case: And add, The Lords, being well assur'd, that all the Steps that have been taken by them in relation to these Impeachments are warranted by the Practice of *their Ancestors* and the Usage of Parliament, have Reason to expect the Trials shall procede without Delay."

Then proceding to the *Latter*, their Lordships thought fit to say, That they could not give a greater *Evidence* of their *sincere* and *hearty Desire* of avoiding all Difference with the House of Commons, than by not taking Notice of the several just Exceptions to which that Message was liable: That they had nothing farther from their Thoughts, than to do any Thing which might have the *least Appearance* of *Hardship* with Relation to the Commons: But that the Answer of Lord *Somers* having been sent down to them on the 24th of *May*, and they having signify'd their Intention of beginning with his Trial in the first Place, their Lordships had thought it reasonable, considering the Advance of the Session, to appoint the 13th Instant for the said Trial, and had found several Precedents of Trials appointed on Impeachments within shorter Time: That their Lordships thought it incumbent on them to dispatch all the Trials before the Rising of the Parliament, as a Point of *Justice*, not of *Indulgence*: But that the Commons might nevertheless see how desirous their Lordships were to comply with them as far as was consistent with Justice, they had appointed the Trial of Lord *Somers* on the 17th in *Westminster-Hall*, where the House of Lords would then be sitting." To all which was added, That they agreed to the free Conference, at One o'Clock the next Day, in the *Painted-Chamber*.

A.D 1701.

They agree to a free Conference.

The Commons, notwithstanding, resolv'd to send back a Reply; and a Reply was accordingly reported by Mr. *St. John*, and agreed to the next Day; in Substance as follows: "That the Commons had greater Reason to insist on a joint Committee; because the Ambiguity and Uncertainty of their Lordships Messages, had shewn the Methods of former Parliaments to be the most proper Way for Dispatch of Business: That the Commons had been oblig'd to spend their Time in answering their Lordships Messages, which would have been otherwise spent in preparing for Lord *Somers*'s Trial; so that the Delay must be charg'd to Those which gave the Occasion to it: That the Commons having desir'd a Committee of both Houses in order to adjust the Preliminaries of the Trials, could not but think it strange, their Lordships should come to Resolutions on Two of those Points, while the Proposal of the Commons was yet under Debate between the Two Houses, and the Commons had other Difficulties to propose, which not only regarded them as Prosecutors, but all future Impeachments: That tho' the Commons left their Lordships Resolutions to be debated at a Committee of both Houses, yet they could not but observe, That the Second was no direct Answer to the Commons Proposal, which was, Whether Peers impeach'd of the same Crimes, should vote for each other upon their Trial for the same Crimes: And that the Commons could not believe any such Rule, could be laid down in plain Words, where

Objections of the Commons to the said Forms.

(*n*) When this Question was put, the Minority call'd for the previous Question, which being carry'd in the Affirmative, Nine Lords protested; urging, "That, how reasonable soever that Proposition might appear to their Hearts, yet they conceiv'd it very improper so to determine, before they had heard what the Commons had to say upon it."

A. D. 1701 where there was any Regard for Juſtice." The Whole concluding in the following Words.

" And as to what your Lordſhips obſerve, That there is a Miſtake in point of Fact alledg'd by the Commons: This Houſe may take Notice of the Caution uſed by your Lordſhips, in wording that Part of your Meſſage, for they know your Lordſhips are too well acquainted with the Truth of the Fact, to affirm, that the impeach'd Lords did not vote in their own Caſes; and tho' the appearing or not appearing upon your Lordſhips Journal does not make it more or leſs agreeable to the Rules of Juſtice, yet the Commons cannot but add this farther Obſervation from your Lordſhips Journal, that the impeach'd Lords Preſence is not only recorded when thoſe Votes paſs'd, but they alſo find ſome of them appointed of Committees, for preparing and drawing up the Meſſages and Anſwers to the Houſe of Commons; which they do not think has been the beſt Expedient for preſerving a good Correſpondence between the two Houſes, or adjuſting what will be neceſſary upon theſe Trials: And therefore the Commons cannot think it agreeable to the Rules of Parliament for them to appear at a Trial, till all neceſſary Preliminaries are firſt ſettled with your Lordſhip's."

Mr. *St. John* was then ordered to carry the ſame up to the Lords; and the Managers withdrew to the Conference which had an Iſſue altogether extraordinary: And what furniſhed both Parties with Pretences, to treat each other with more Bitterneſs than ever.——The Matter and Manner of which is thus cited in the *Journals*; as alſo in the Account printed by Order of the Houſe. To wit, " That the Managers appointed by this Houſe met the Lords at a free Conference, the Subject whereof was open'd by Mr. *Harcourt*, and immediately afterwards farther argu'd by Sir *Bartholomew Shower*.

Report of what paſs'd at the free Conference, and the Offence given to the Houſe by Lord Haverſham.

It was inſiſted on by each of them, That the Reaſons offer'd by their Lordſhips at the laſt Conference were not ſufficient for their Lordſhips diſagreeing to a Committee of both Houſes, deſir'd by the Commons at the firſt Conference.

That notwithſtanding thoſe Reaſons, the Commons ſtill thought a Committee of both Houſes abſolutely neceſſary for *(n)* adjuſting and preventing ſuch Differences as had happened or might ariſe previous to or upon the Trials; and therefore inſiſted that ſuch a Committee ſhould be appointed before the Commons could proceed on any Trial. A. D. 1701

'Twas urged as one Reaſon for ſuch a Committee, That many Difficulties might happen whereby the Trials might be obſtructed, if the Preliminaries ſhould not be firſt adjuſted; as one Inſtance, That Point of ſeveral Lords, being under Impeachments of the ſame Crimes, voting on each others Trials, was mentioned.

The Lord Steward firſt reply'd, and nothing was offer'd by his Grace but what was material and pertinent to the Matter in Queſtion, and agreeable to the Method of Parliament in free Conferences.

That *John* Lord *Haverſham* ſpoke immediately after, and in his Lordſhip's Diſcourſe uſed theſe or the *like* Expreſſions."

One Thing there is, tho' I can't ſpeak to it, becauſe I am bound up by the Orders of the Houſe; yet it muſt have ſome Anſwer: That is, as to the Lords voting in their own Caſe; it requires an Anſwer, tho' I can't go into the Debate of it. The *(o)* Commons themſelves have made this Precedent, for in theſe Impeachments they have allowed Men *guilty of the ſame Crimes* to vote in their own Houſe, and therefore we have not made any Diſtinction in our Houſe, that ſome ſhould vote, and ſome not. The Lords have ſo high an Opinion of the Juſtice of the Houſe of Commons, that they hope Juſtice ſhall never be made uſe of as a Maſk for any Deſign. And therefore give me Leave to ſay (though I am not to argue it) 'tis a plain Demonſtration, that the Commons think theſe Lords innocent; and I think the Propoſition is undeniable, for there are ſeveral Lords in *the ſame Crimes, in the ſame Fact*, there is no Diſtinction: And the Commons leave ſome of theſe Men at the Head of Affairs, near the King's Perſon, to do any Miſchief if their Perſons were inclin'd to it, and impeach others when they are both alike guilty, and concern'd in the ſame

(n) Sir *Bartholomew Shower* in particular ſaid among other Things, " I hope your Lordſhips will think it reaſonable that every Preliminary ſhould be ſettled before there be any farther Proceeding in this Matter: And the want of this was the Occaſion of Interrupting, or rather the preventing the Trial of the Lord *Mordaunt* (Temp. *Car.* II. An. 1666-7) which is a Caſe too well known to your Lordſhips to need any farther Remonſtrance: As to the Reaſon alledg'd by your Lordſhips for the diſagreeing with the Commons in their Deſire of having a Committee of both Houſes, ſurely, my Lords, there can be no Difference between Treaſon and Miſdemeanor: And no Caſe can be cited either in Parliament, or other Proceedings, that can warrant any Diſtinction, as to the Method deſir'd for ſettling Preliminaries, between the one and the other: For the Difference in the Nature of theſe Crimes can only be urg'd for the Accents incurring a different Puniſhment. But, certainly, a Committee to adjuſt ſuch Preliminaries may be as reaſonable in one Caſe as in the other: Your Lordſhips do agree this was practis'd in the Caſe of Lord *Stafford*: And that is a Precedent full and expreſs in the Point: and that was after a Conference and much Debate: And altho' the Seſſions broke up for want of it, yet the next Seſſions your Lordſhips did think fit to agree to it; and a Committee was had of both Houſes: And tho' your Lordſhips are pleas'd to ſay, it had no great Succeſs, I think, with Submiſſion, the Succeſs was ſuch as we hope for upon this Occaſion, if your Lordſhips will permit the ſame Method to be follow'd: And that was, Juſtice upon the Criminal."

(o) Lord *Haverſham* would not allow that his Words had been preciſely taken: Thus in his own Account, inſtead of theſe Words, *guilty of the ſame Crimes*, he ſays, *concern'd in the ſame Fact*: Inſtead of thoſe below, *in the ſame Crimes, in the ſame Facts*, he ſays, *in the ſame Circumſtances, in the ſame Facts*: And yet again, inſtead of the Words *if their Perſons were inclin'd to it, and impeach others, when they are both alike guilty, and concern'd in the ſame Facts*, he ſays, *if they were inclinable to it, it looks as if they thought them all innocent*. Which Concluſion of his Lordſhips is not altogether warrantable: For, allowing all the Perſons referr'd to, to be in the ſame Predicament, the Commons might poſſibly hold them all guilty, inſtead of all innocent: So that their Fault did not conſiſt in proſecuting *Theſe*; but in not proſecuting *all*.

A. D. 1701. same Facts. This is a Thing I was in hopes I should never have heard asserted, when the Beginning of it was from the House of Commons.

" These Expressions *(which, by the Way, were obnoxious only because of the Truths they contain'd; and because the Commons had no Fence on that Side)* were instantly objected to by Sir *Christopher Musgrave*; and the Managers took them to be so great an Aspersion on the Honour of this House, that they thought themselves obliged in Duty immediately to withdraw from the free Conference." As the Managers were withdrawing, his Grace my Lord Steward spoke to the Effect following; " That he hoped we would not think that Lord had any Authority from the House of Lords, to use any such Expressions towards the Commons.

What Debates this Report occasion'd, have not been specify'd: But the Resolutions of the House upon it were as follow. To wit, That *John* Lord *Haversham* hath at the free Conference this Day, utter'd most scandalous Reproaches and false Expressions, highly reflecting upon the Honour and Justice of the House of Commons, and tending to the making a Breach in the good Correspondence between the Lords and Commons, and to the interrupting the public Justice of the Nation, by delaying the Proceedings on the Impeachments.

Resolutions of the Commons.

That *John* Lord *Haversham* be charg'd before the Lords, for the Words spoken by the said Lord this Day at the free Conference: And that the Lords be desir'd to procede in Justice against the said Lord *Haversham*, and to inflict such Punishment upon the said Lord, as so high an Offence against the House of Commons does deserve.

Then Sir *Christopher Musgrave* was order'd to carry the said Charge and Resolution to the Lords, and soon after their Lordships sent down the following Message.

" Mr. *Speaker*,

and two Messages from the Lords thereon.

The Lords having been inform'd by their Managers, that some Interruption happen'd at the free Conference, which their Lordships are concern'd at, because they wish that nothing should interrupt the public Business, do desire the Commons would come again presently to the said free Conference, which they do not doubt will prove the best Expedient to prevent the Inconvenience of a Misunderstanding upon what has past."

The next Day also their Lordships sent another plausible Message in the following Terms.

" Mr. *Speaker*,

The Lords have commanded us to acquaint this House, That upon the Occasion of their last Message Yesterday, in order to continue a good Correspondence between the two Houses, their Lordships did immediately appoint a Committee to state the Matter of the free Conference, and also to inspect Precedents of what has happen'd of the like Nature; and that the public Business may receive no Interruption, the Time desir'd by their Lordships for renewing the free Conference being elapsed, their Lordships desired a present free Conference in the Painted-Chamber upon the Subject-Matter of the last free Conference."

A. D. 1701.

But the Commons were now become too stiff to bend, and return'd for Answer. " That the Commons were extremely desirous to preserve a good Correspondence between the two Houses, and to expedite the Trials of the impeach'd Lords, but do conceive 'tis not consistent with the Honour of the Commons to renew the free Conference, until they have receiv'd Reparation by their Lordships doing Justice upon *John* Lord *Haversham*, for the Indignity he Yesterday offer'd to the House of Commons."

The Lords, however, the same Day took Care to convince the Commons, That they persever'd in their Purpose of bringing on the Trial of Lord *Somers* on the 17th, by two other Messages, one of which was to signify that Sir *Stephen Fox*, Mr. *Smith*, Mr. *Lowndes*, Mr. *Hervey*, and Mr. *Gulston*, all of them Members, being material Witnesses on his Lordship's Behalf, their Lordships desir'd they might have Leave to attend, in order to give their Testimonies: And the second was to communicate the Rules, which their Lordships had laid down, to be observ'd at the Trial, which were as follow.

Rules laid down by the Lords to be observ'd at the Trials.

" That the whole Impeachment is to be read, and then the Answer; which being done, the Lord-Keeper is to tell the Commons, That now they may go on with their Evidence.

Then the Lord Keeper is to declare, That *now the Court is proceding to hear* the Evidence, and desire the Peers to give Attention.

If any of the Peers, or the Members of the House of Commons that manage the Evidence, or the Lord impeach'd, do desire to have any Question ask'd, they must desire the Lord-Keeper to ask the same.

If any Doubt doth arise at the Trial, no Debate is to be in the Court, but the Question suspended to be debated in this House.

The Members of the House of Commons to be there before the Peers come.

None to be cover'd at the Trial but the Peers.

That such Peers at the Trial of the impeach'd Lords, who, at the Instance of the said Lord, or of the Commons, shall be admitted Witnesses, are to be sworn at the Clerk's Table, and the Lord Keeper to administer the Oath, and to deliver their Evidence in their own Places.

Those Witnesses that are Commoners are to be sworn at the Bar by the Clerk, and are to deliver their Evidence there.

The Oath to be

The Evidence which you shall give upon the Impeachment of shall be the Truth, the whole Truth, and nothing but the Truth; so help you *God*, and the Contents of this Book.

The impeach'd Lord may cross-examine Witnesses *viva voce*."

Their

A. D. 1701. The Lordſhips alſo by two other Meſſages, the ſame Day ſent down Lord *Halifax*'s Anſwer, reminded the Commons that no Particulars had, as yet, been exhibited againſt the Earl of *Portland*; and that, in order to keep up a good Correſpondence between the two Houſes, and to put the Charge againſt Lord *Haverſham* in a Courſe of Juſtice, They had order'd his Lordſhip a Copy of that Charge; as alſo that he ſhould put in his Charge thereto, in order to bring that Matter to a ſpeedy Judgment.

The next Day, being the Day appointed for the Trial, Mr. *Harcourt*, from the impeaching Committee, reported the Reaſons they had prepar'd, by Order of the Houſe, why they could not procede to the ſaid Trial, which were agreed to, and which, in order to complete this memorable Controverſy, muſt be inſerted entire, together with theſe ſubſequent Orders, Reſolutions, *&c.* of both Houſes. To wit, "The Commons, in this whole Proceeding againſt the impeach'd Lords, have acted with all imaginable Zeal to bring them to a ſpeedy Trial; and they doubt not but 'twill appear, by comparing their Procedings with all others upon the like Occaſion, that the Houſe of Commons have nothing to blame themſelves for, but that they have not expreſſed the *Reſentment their Anceſtors* have juſtly ſhew'd upon much leſs Attempts, which have been made upon the Power of Impeachments.

Reaſons why the Commons cannot procede to the Trial.

The Commons on the 31ſt of *May*, acquainted your Lordſhips that they thought it proper from the Nature of the Evidence, to procede in the firſt Place upon the Trial of the Lord *Somers*, *upon the firſt Intimation* from your Lordſhips ſome Days afterwards, that you would proceed to the Trial of any of the impeach'd Lords, whom the Commons ſhould be firſt ready to begin with; notwithſtanding your Lordſhips had before thought fit to appoint which Impeachment ſhould be firſt tried, and affix a Day for ſuch Trial without conſulting the Commons, who are the Proſecutors.

The Commons, determining to expedite the Trials to the utmoſt of their Power, in hopes of attaining that End, and for the more ſpeedy and eaſy adjuſting and preventing any Differences which had happen'd, or might ariſe previous to or upon theſe Trials, propos'd to your Lordſhips, at a Conference the moſt parliamentary and effectual Method for that Purpoſe, and that which in no Manner intrench'd upon your Lordſhips Judicature, That a Committee of both Houſes ſhould be nominated to conſider of the moſt proper Ways and Methods of Proceedings upon Impeachments according to the Uſage of Parliament.

In the next Meſſage to the Commons upon *Monday* the 9th of *June*, your Lordſhips thought fit, without taking the leaſt Notice of this Propoſition, to appoint the *Friday* then following, for the Trial of the ſaid Lord *Somers*; whereunto, as well as to many other Meſſages and Proceedings of your Lordſhips upon this Occaſion, the

A. D. 1701. Houſe of Commons might have juſtly taken very great Exceptions; yet, as an Evidence of their *Moderation*, and to ſhew their Readineſs to bring the impeach'd Lords to ſpeedy Juſtice, the Commons inſiſted only on their Propoſition, for a Committee of both Houſes to ſettle and adjuſt the neceſſary Preliminaries to the Trial: Particularly, whether the impeach'd Lords ſhould appear on their Trials at your Lordſhips Bar as Criminals: Whether being under Accuſations of the ſame Crimes, they ſhould ſit as Judges on each others Trial for thoſe Crimes, or ſhould vote in their own Caſes, as 'tis notorious they have been permitted by your Lordſhips to do in many Inſtances which might be given: To which Particulars your Lordſhips have not yet given a *direct* Anſwer, tho' put in Mind thereof by the Commons.

Your Lordſhips, at a Conference, having offer'd ſome Reaſons why you could not agree to a Committee of both Houſes, to adjuſt the neceſſary Preliminaries, the Commons thereupon deſir'd a free Conference, and your Lordſhips agreed thereunto; at which 'tis well known to many of your Lordſhips who were then preſent, what moſt ſcandalous Reproaches and falſe Expreſſions, highly reflecting upon the Honour and Juſtice of the Houſe of Commons, were utter'd by *John* Lord *Haverſham*, whereby the Commons were under a Neceſſity of withdrawing from the ſaid free Conference; for which Offence the Commons have, with all due Regard to your Lordſhips, pray'd your Lordſhips Juſtice againſt the Lord *Haverſham*, but have as yet receiv'd no Manner of Satisfaction.

The Commons reſtrain themſelves from enumerating your Lordſhips very many irregular and unparliamentary Proceedings upon this Occaſion, but think it is what they owe to public Juſtice and all the Commons of *England* whom they repreſent, to declare ſome few of thoſe Reaſons why they peremptorily refuſe to procede to the Trial of the Lord *Somers* on the 17th of *June*.

Firſt, Becauſe your Lordſhips have not yet agreed, That a Committee of both Houſes ſhould be appointed for ſettling the neceſſary Preliminaries; a Method never until this Time deny'd by the Houſe of Lords, whenſoever the Commons have thought it neceſſary to deſire the ſame.

Secondly, Should the Commons (which they never will do) be contented to give up thoſe Rights which have been tranſmitted to them from *their Anceſtors*, and are of abſolute Neceſſity to their Proceedings on Impeachments, yet, whilſt they have any regard to public Juſtice, they never can appear as Proſecutors before your Lordſhips, till your Lordſhips have firſt given them Satisfaction, That Lords impeach'd of the ſame Crimes ſhall not ſit as Judges on each others Trials for thoſe Crimes.

Thirdly, Becauſe the Commons have, as yet, receiv'd no Reparation for the great Indignity offered to them at the free Confe-

rence

A. D. 1701. rence by the Lord *Haverſham:* The Commons are far from any Inclination, and cannot be ſuppoſed to be under any Neceſſity of delaying the Trial of the Lord *Somers:* There is not *any* Article exhibited by them in Maintenance of their Impeachment againſt the Lord *Somers*, for the Proof whereof they have not *full* and *undeniable Evidence*, which they will be ready to produce as ſoon as your Lordſhips ſhall have done Juſtice upon the Lord *Haverſham*, and the neceſſary Preliminaries, in order to the ſaid Trial, ſhall be ſettled by a Committee of both Houſes.

The Commons think it unneceſſary to obſerve to your Lordſhips, That *moſt* of the Articles whereof the Lord *Somers* ſtands impeach'd, will appear to your Lordſhips to be undoubtedly true from Matters of *Record*, as well as by the *Confeſſion* of the ſaid Lord *Somers* in his Anſwer to the ſaid Articles, to which the Commons doubt not but your Lordſhips will have a due Regard when his Trial ſhall regularly procede."

Theſe Reaſons the Earl of *Dyſert* was then order'd to carry up to the Lords, and having carry'd them up accordingly, Mr. Secretary *Hedges* acquainted the Houſe in his Majeſty's Name, "That his Majeſty being like to have Occaſion to draw ſome more Troops out of *Ireland* for the *Plantations*, it was thought beſt for the Service, That the Men ſo drawn off as Occaſion ſhould require, ſhould be recruited here in *England*, rather than in *Scotland*, or in *Ireland:* That there was no Occaſion for troubling the Houſe with this: But that his Majeſty had nevertheleſs commanded him to lay it before them: His Majeſty being inclin'd to communicate all Matter of this Nature to them." But ſuch was the Ferment of the Houſe, that, except by an imperfect Entry of the Meſſage in the Journals, no Notice was taken of it, and we can only infer, That the Houſe acquieſced; becauſe nothing appears to the contrary: The Lords were, at this Inſtant, proceeding to what they call'd the Trial of Lord *Somers:* And the great Object of the Commons was to order (and ſuch an Order was made accordingly)

A Meſſage from the King concerning the Manner of replacing certain Troops drawn from Ireland.

Order, that no Member preſume to attend the Trial of Lord Somers.

"That no Member of this Houſe do preſume to appear at the Place erected for the pretended Trial of the Lord *Somers*, under the Penalty of incurring the utmoſt Diſpleaſure of this Houſe."

Proceedings of the Lords in relation to the ſaid Trial.

The firſt Queſtion which appears to have been ſtated by the Lords was, "Whether this Houſe ſhall go this Day into *Weſtminſter-Hall*, in order to procede upon the Trial of the Lord *Somers*, according to the Order of the Day," which having been long and warmly debated, was carry'd in the Affirmative: Whereupon thirty two Lords deſir'd Leave to enter their Diſſents: But the Reaſons they aſſign'd were ſo injurious to the Houſe, as we are given to underſtand by Biſhop *Burnet*, that they were expung'd by an Order of the next Day—But they were, nevertheleſs, preſerv'd, it ſeems, and were expreſs'd as follows: To

Tindal, P. 469 wit. "We do conceive it very improper to procede to this Trial before the Preliminaries are adjuſted; eſpecially ſince ſome of thoſe Preliminaries are ſuch as, in our Opinions, are eſſentially neceſſary to the Adminiſtration of Juſtice: And, after ſuch a Proteſtation of the Commons, as they have ſent us againſt the Proceedings to a Trial, and which, we conceive is founded upon Juſtice, and the reaſonable Method of Parliament, we apprehend our Proceeding now to that Trial, may tend to the Diſappointment of all future Trials upon Impeachments."

A Meſſage was then ſent to the Commons to acquaint them, That the Lords intended preſently to procede to the Trial of the Lord *Somers:* But this Meſſage is not acknowledg'd in the Journals of the Commons.

A new Debate follow'd next on the Queſtion, and previous Queſtions, Whether the Earl of *Orford* and Lord *Halliſax* ſhould have *Leave* to withdraw, which were carry'd in the Affirmative, and that without being proteſted againſt, tho' Biſhop *Burnet* affirms the contrary: After which the Lord-Keeper deſir'd ſome farther Directions might be given to him, in order to the Trial; and, in particular, propos'd, That the following Proclamation might be made in the Hall, *viz.* "Whereas a Charge of high Crimes and Miſdemeanors has been exhibited by the Houſe of Commons, in the Name of themſelves, and of the Commons of *England*, againſt *John* Lord *Somers*, all Perſons concern'd are to take Notice, that he now ſtands upon his Trial: And they may now come forth, in order to make good the ſaid Charge." This, alſo, occaſion'd a Debate: *But on the Queſtion*, Whether this Proclamation ſhould be made? It was reſolv'd in the Affirmative.

The Houſe was then adjourn'd to *Weſtminſter-Hall*, and there reſum'd; the Proclamation was made, the Articles againſt Lord *Somers* were read, as alſo his Reply: After which the ſame Proclamation having been again read, the Lord-Keeper declar'd, the Houſe was ready to hear Evidence againſt his Lordſhip: And his Lordſhip mov'd to have his Council heard. And theſe Formalities being over, the Houſe was adjourn'd to the Houſe above, where it being mov'd, to acquit the Lord *Somers*, a long Debate enſu'd, ſeveral Points were put to the Judges and argu'd by them. And at laſt this Queſtion was propos'd, "That *John* Lord *Somers* be acquitted of the Articles againſt him, exhibited by the Houſe of Commons, and all Things therein contain'd, and that the ſaid Impeachment be diſmiſs'd." Which Queſtion, was not only carried, but it was alſo reſolv'd, It ſhould be put in the Court below, Contents fifty ſix, Not-Contents thirty one, The ſaid thirty one then enter'd their Diſſents for ſuch Reaſons as the Houſe thought fit, to order to be expung'd, as they had done the former: And Biſhop *Burnet* is free enough to ſay, The *new* Miniſtry, and the *Jacobites join'd* to ſupport the Pretenſions of the Commons, as if theſe *Diſſenters* had been compos'd of *none* but ſuch.

Burnet.

But

A.D. 1701. But among them we find, nevertheleſs, the Names of the Duke of *Somerſet*, the Earls of *Warrington* and *Peterborough*, the Lords *Lexington* and *Cholmondeley*, all *Whigs*; not to forget Thoſe of the Earl of *Marlborough* and Lord *Godolphin*; ſo dear to the *Whigs* afterwards, tho' ſo odious to them now: And it may not be amiſs to add upon this Topic, That, tho' in the two Liſts of diſſenting Peers ſtanding in the Journal of this Day, the Difference in point of Number conſiſts but of one, the Names of the Duke of *Northumberland*, and the Lords *Weſton* and *Cholmondeley*, are to be found in the Firſt, and not in the Laſt: And Thoſe of the Earls of *Lindſey* and *Jerſey*, in the Laſt and not in the Firſt.

The next Point diſcuſs'd, was the Manner of proceding in the Hall, on putting this Queſtion, and in declaring the Deciſion: Which having been adjuſted, Candles were order'd, and the Houſe again adjourn'd to *Weſtminſter-Hall*; where the *Lord-Keeper* having put the ſaid Queſtion, and collected the Votes upon it, agreable to the Orders he had receiv'd above, declar'd the Majority was for acquitting: As alſo, That *John* Lord *Somers* was acquitted of the Articles of Impeachment againſt him exhibited by the Houſe of Commons, and all Things therein contain'd; that the ſaid Impeachment was diſmiſs'd; and, by particular Addreſs to Lord *Somers*, That he was acquitted.

Lord Somers acquitted by his Peers.

Laſtly: The Lords returning to the Houſe above, ratify'd the ſaid Acquittal, by a ſolemn Vote, and order'd their Proceedings upon the Impeachments to be printed.

The next Day the Commons order'd the Impeaching Committee to inſpect the Lords Journals, and report what they found therein: As alſo, That no Members preſume to go out of Town: And That all Members attend the Service of the Houſe on *Friday* next the 20th: On which Day they were no ſooner met, than they receiv'd a Meſſage from the Lords, ſignifying, That their Lordſhips had appointed the 23d for the Trial of the Earl of *Orford*: And that they had ſent down a Copy of the Lord *Haverſham*'s Anſwer to the Charge againſt them; after which the Meſſengers proceded in theſe Terms.

The Lords acquaint the Commons that they had appointed the 23d for the Trial of Lord Orford, &c.

"Alſo, That the Lords, in Anſwer to the Meſſage of the Commons of the 17th Inſtant, ſay, The only true Way of determining which of the two Houſes has acted with the greateſt Sincerity, in order to bring the Impeach'd Lords to their Trials, is to look back upon the reſpective Proceedings.

The Lords do not well underſtand what the Commons mean by that *Reſentment* which they ſpeak of in their Meſſage. Their Lordſhips own the Houſe of Commons have a Right of Impeaching: And the Lords have the undoubted Power of doing Juſtice upon thoſe Impeachments, by bringing them to Trial, and condemning or acquitting the Parties in a reaſonable Time. This Power is deriv'd to them from *their Anceſtors*, which they will not ſuffer to be wreſted from them by any Pretences whatſoever.

Their Lordſhips cannot but wonder, that A.D. 1701. the Commons ſhould not have propos'd a Committee of both Houſes much ſooner, if they thought it ſo neceſſary for the bringing on the Trials; no Mention being made of ſuch a Committee from the 1ſt of *April* to the 6th of *June*, altho', during that Interval, their Delays were frequently complain'd of by the Houſe of Lords.

The Manner in which the Commons demanded this Committee, the Lords look upon as a direct invading of their Judicature: And, therefore, as there never was a Committee of both Houſes yielded to by the Lords in caſe of any Impeachment for High Crimes and Miſdemeanours; ſo their Lordſhips do inſiſt, that they will make no new Precedent upon this Occaſion. Many Impeachments for Miſdemeanour have, in all Times, been determin'd without ſuch a Committee: And if now the Commons think fit, by an unprecedented Demand, to form an Excuſe for not proſecuting their Impeachments, it is demonſtrable where the Obſtruction lies.

As to the Preliminaries which the Commons mention in particular as proper to be ſettled at ſuch a Committee, they have receiv'd the Reſolutions of the Houſe of Lords therein, by their Meſſage of the 12th Inſtant; from which, being Matters relating intirely to their Judicature, their Lordſhips cannot depart.

As to the laſt Pretence the Commons would make to ſhelter the delaying the Trials, from ſome Expreſſions which fell from the Lord *Haverſham* at the free Conference, at which Offence was taken, their Lordſhips will only obſerve, 1ſt, That they have omitted nothing which might give the Commons all reaſonable Satisfaction of their Purpoſe to do them Juſtice in that Matter, ſo far as is conſiſtent with doing Juſtice to that Lord; and alſo to preſerve a good Correſpondence with them, as appears by the ſeveral Steps they have taken. 2dly, That this Buſineſs has no Relation to the Trial of the impeach'd Lords; and therefore their Lordſhips cannot imagine, why the Commons ſhould make Satisfaction and Reparation againſt the Lord *Haverſham*, a neceſſary Condition for the going on with the Trials, and at the ſame Time find no Difficulty in proceding on other Buſineſs."

In Anſwer to which, the Commons return'd by the Lord *Mordaunt* the following Reſolution: "That the Lords have been acquainted, that the Commons would proceed in the firſt Place againſt the Lord *Somers*: And that they are ready to go to that Lord's Trial, as ſoon as they have receiv'd Satisfaction for the Affront offer'd to the Houſe of Commons by the Lord *Haverſham* at the free Conference; and that the neceſſary Preliminaries are adjuſted by a Committee of both Houſes."

The Reply of the Commons.

Mr. *Bruges* then reported the Particulars already recounted in relation to the Acquital of Lord *Somers* from the Lords Journal: And the Serjeant having, by Order, gone his Rounds with the Mace, to ſummon the im-

A. D. 1701

mediate Attendance of all the Members he could find, the Houſe proceeded to take the ſaid Report into Conſideration: What follow'd, was Debate as uſual; in the Courſe of which, it may be very well ſuppos'd, that ſome ſuch Things were ſaid, as B. *Burnet* glances at: Where he ſays, "The Commons ſaid, They were the only Judges, when they were ready with their Evidence: And that is was a *Mockery* to go to a Trial, when they were not ready to appear at it:" And it is well if they did not add, That it was alſo a *Mockery* to call That a Trial, wherein one Party only was preſent.

[B. 279.]

But however this may be, the Houſe at length Reſolv'd,

The Reſolutions of the Commons with regard to the Acquittal of Lord Somers.

"1. That the Lords have refus'd Juſtice to the Commons upon the Impeachment againſt the Lord *Somers*, by denying them a Committee of both Houſes, which was deſir'd by the Commons, as the proper and only Method of ſettling the neceſſary Preliminaries in order to the proceding to the Trial of the ſaid Lord *Somers* with Effect: And afterwards, by proceding to a *pretended Trial* of the ſaid Lord, which could tend only to *protect* him from Juſtice, by colour of an *illegal* Acquittal; againſt which Proceedings of the Lords, the Commons do ſolemnly *proteſt*, as being repugnant to the Rules of Juſtice, and therefore *Null* and *Void*.

2. That the Houſe of Lords, by the *pretended Trial* of *John* Lord *Somers*, have endeavour'd to overturn the *Right* of *Impeachments*, lodg'd in the Houſe of Commons by the antient Conſtitution of this Kingdom, for the Safety and Protection of the Commons againſt the Power of Great Men; and have made an Invaſion upon the Liberties of the Subject, by laying a Foundation of *Impunity* for the *greateſt Offenders*.

3. That all the ill Conſequences which may, at this Time, attend the Delay of the Supplies given by the Commons for the preſerving the public Peace, and maintaining the Balance of *Europe*, by ſupporting our Allies againſt the Power of *France*, are to be imputed to thoſe who, to procure an Indemnity for their own enormous Crimes, have us'd their utmoſt Endeavours to make a Breach between the two Houſes."

A. D. 1701

The Two firſt of theſe Reſolutions paſs'd without a Diviſion: But on the Laſt, the Houſe divided, and it was carry'd by 145 Voices againſt 88. The Impeaching Committee was then order'd to conſider of the Procedings between the two Houſes relating to the Impeach'd Lords, and to ſtate to the Houſe the Matter of Fact, in order to the Juſtification of the Houſe in their Procedings.

Immediately after which, came down the following Meſſage from the Lords; to wit.

"Mr. *Speaker*,

In Anſwer to the Meſſage of the Houſe of Commons this Day, the Lords do acquaint the Commons, That they might have known by the Records of the Houſe of Lords, that the Lords have proceded to the Trial of the Lord *Somers* on *Tueſday* laſt, being the Day appointed: And the Commons not appearing to maintain their Articles againſt the ſaid Lord, the Lords have, by the Judgment of their Houſe, acquitted him of the Articles of Impeachment againſt him, exhibited by the Houſe of Commons, and all Things therein contain'd; and have diſmiſs'd the ſaid Impeachment.

And the Lords have appointed *Monday* next for the Trial of the Earl of *Orford*, on which Day they will procede on the ſaid Trial.

The Commons ſtill preſſing for a Committee of both Houſes, (which the Lords never can conſent to) for the Reaſons already given, their Lordſhips can infer nothing from their perſiſting in that Demand, than that they never deſign'd to bring any of their Impeachments to Trial.

As to the Lord *Haverſham*, his Anſwer is now before the Houſe of Commons; and the Lords reſolve to do Juſtice in that Matter."

After which an Order, "That no Member of this Houſe do preſume to appear on *Monday* next at the pretended Trial of the Earl of *Orford*, upon pain of incurring the utmoſt Diſpleaſure of this Houſe," put an End to the Buſineſs of the Day, and to the Controverſy on their Side: For as to the (*q*) Reply

---

(*q*) The Abſtract of it given by B *Burnet*, is in theſe Words. "He ſaid, his Grant in *Ireland* was of ſome Debts and Sums of Money, and ſo was not thought to be within the Act, concerning the confiſcated Eſtates: All he had ever receiv'd of it, was 400*l*. If he was bound to repay it, he was liable to an Action for it; but every Man was not to be impeach'd, who did not pay his Debts at the Day of Payment. His Grant in the Foreſt of *Dean*, was only of the Weedings: ſo it could be no Waſte of Timber, nor a Prejudice to the Navy: The Auditor's Place was held by another, till he obtain'd the King's Leave to withdraw from the Treaſury: As for the firſt *Partition-Treaty*, he never once ſaw it, nor was he ever adviſ'd with in it: As for the Second, he gave his Advice very freely about it, at the ſingle Time, in which he had ever heard any Thing concerning it." But an Abſtract more to be depended upon follows; to wit.

To the Firſt Article, That he did accept the ſaid Grant, as it was lawful for him to do, without Breach of his Duty, as the Truſt repos'd in him; which Grant hath ſince been taken away by Act of Parliament, and he hath not made clear thereof, as yet, above 400*l*.

To the Second, That he gave Direction, after the ſaid Act paſs'd, to his Agents in *Ireland*, to do, in relation to the Money receiv'd, as ſhould be adviſ'd by Council there; by whom his Agents were adviſ'd, that the ſaid Monies being receiv'd out of the mean Profits, which were remitted by that Act, were not within the firſt mention'd Clauſe in the ſaid Act.

To the Third, That he ſerved his Majeſty faithfully in his Stations, and his Majeſty graciouſly accepted of his Service; and as a Mark of his Royal Favour, did make, for his Benefit, ſuch Grants as are mention'd in the precedent and ſubſequent Articles, and none other: And as to other Perſons, he only, in conjunction with the other Commiſſioners, did ſign ſeveral Warrants and Dockets for ſuch Grants, as his Majeſty was pleas'd to direct.

To the Fourth, That his Majeſty, out of his Grace and Favour, did grant, in Truſt for him, the Sum of 2000*l*. per Ann. to be raiſed by the Poll of Scots-Peers, Burghs, for the Space of ſeven Years; which Grant was not perfected till to any Timber growing on the ſaid Eſtates: And if any Abuſes were made in cutting the Woods, he was never he is not anſwerable for the ſame, it being done by the Direction of his Majeſty's Surveyor-General, and other his Majeſty's Officers.

To the Fifth, That the Grant of the ſaid Office was done at his Deſire and Requeſt, becauſe he deſired, in three Years Space, to leave his own Employment and Place in the Exchequer, to leave his own Employment and Place in the Exchequer, and to obtain a Surrender from the ſaid Bearers of the ſaid Office, and procure a Grant thereof to himſelf, which has been ſince done, and he conceives was lawful for him to do.

And to the Sixth, That he never did adviſe his Majeſty to enter into or make the ſaid Treaty, or was ever conſulted upon any Clauſe in Article thereof: But when the ſaid Matter was diſcours'd at *Twickenham Park*, he made ſeveral Objections to the ſame.

A. D. 1701. Reply of Lord *Halifax* to the Articles of Impeachment, and That of Lord *Haverſham*, they gave neither of them a Reading; conſequently neither of them could be enter'd in their Journals, nor in the *State* of their *Proceedings*, printed by order of the Houſe, as by ſpecial Advertiſement is ſignify'd at the End of the ſaid *State*.

And in order to ſhew how much their Prudence exceded their Candour, in the laſt of theſe Suppreſſions at leaſt, it will be expedient to inſert the moſt material Part of Lord *Haverſham*'s Paper, as follows.

Lord Haverſham's Anſwer to the Charge of the Commons.

"That the Nature of that Conference was, that it ſhould be free; the Occaſion of it, becauſe either Houſe apprehended the other to be in an Error; and the End of it, that each Side might urge ſuch Facts as are true, and ſuch Reaſons as are forcible to convince. That one Article of the Impeachment againſt *John* Lord *Somers*, was, That the Treaty of *Partition* 1699, was ratify'd under the Great-Seal, which then was in the Cuſtody of the ſame Lord, then Lord-Chancellor of *England*: That the Commons, on the 1ſt of *April*, 1701, Reſolv'd, That the Earl of *Portland*, by negotiating and concluding the Treaty of *Partition*, was guilty of a High Crime and Miſdemeanour; and, perſuant thereto, lodg'd an Impeachment againſt him in the Houſe of Peers; which Vote and Impeachment could not have Reference to any Treaty, other than the Treaty of *Partition* of 1699, the Treaty of 1698 not being before the Houſe of Commons, till after the Time of that Vote and Impeachment: And yet the Earl of *Jerſey*, who then was Secretary of State and a Privy-Counſellor, and actually ſign'd the ſaid Treaty of 1699, as a Plenipotentiary with the Lord *Portland*, ſtands unimpeach'd, and continues at the Head of Affairs, being Lord-Chamberlain, near his Majeſty's Perſon, and in his Preſence and Councils, (without Complaint): That the Earl of *Orford*, and the Lords *Somers* and *Halifax*, are ſeverally impeach'd for adviſing the Treaty of *Partition* of 1698, and yet Mr. Secretary *Vernon*, who then was Secretary of State, and a Privy-Counſellor, and acted in the promoting of the Treaty of *Partition* of 1698, ſtands unimpeach'd, and ſtill continues one of the principal Secretaries of State; and Sir *Joſeph Williamſon*, who then was a Privy-Counſellor, and tranſacted and ſign'd the Treaty of *Partition* of 1698, as a Plenipotentiary, ſtands unimpeach'd. That the Lord *Halifax* is impeach'd, for that he being a Commiſſioner of the Treaſury, aſſented to the paſſing of divers Grants from the Crown to ſeveral Perſons, of Lands in *Ireland*; and yet Sir *Edward Seymour*, Sir *Stephen Fox*, and Mr. *Pelham*, who being ſeverally Lords Commiſſioners of the Treaſury, did ſeverally aſſent to the paſſing of divers like Grants from his Majeſty, of Lands in *Ireland*, ſtand unimpeach'd. That in the Impeachments againſt the Earl of *Orford* and Lord *Somers*, one of the Articles againſt them is, for procuring a Commiſſion to Captain *Kidd*, and likewiſe a Grant under the Great-Seal, of the Ships and Goods of certain Perſons therein nam'd, to certain Perſons in Truſt for them; and yet other Lords, equally concern'd in procuring the ſaid Commiſſion and Grant, ſtand unimpeach'd: That the ſaid Mr. Secretary *Vernon*, Sir *Edward Seymour*, Sir *Stephen Fox*, and Mr. *Pelham*, notwithſtanding their being Parties in the ſame Facts, charg'd in the ſaid reſpective Impeachments, have been permitted to ſit and vote in the Houſe of Commons, touching the Impeachments and the Matters thereof: That theſe Facts being true, and publicly known, the Conſequences reſulting therefrom (as the ſaid Lord *Haverſham* apprehended) are undeniable, *viz.* That the doing of the ſame Thing, by two Perſons in equal Circumſtances, cannot be a Crime in one, and not in another."

A. D. 1701.

The Commons, on the 20th, adjourn'd to the 24th: But the Lords continued to ſit, as well for the Sake of making Repriſals on the Commons, as of completing the Proceſs they had begun. Thus on *Saturday* the 21ſt, the Houſe being mov'd to conſider what was fit to be done in the Caſe of Lord *Haverſham*, and the ſaid Lord deſiring to be proſecuted, it was Reſolv'd, "That the Anſwer of the ſaid Lord to the Charge of the Commons, having been ſent down to the Commons, unleſs the ſaid Charge ſhould be proſecuted with Effect before the End of the Seſſion, the Lords would declare and adjudge him wholly innocent thereof."

Vote of the Lords in relation to Lord Haverſham.

On the 23d alſo, reſuming the adjourn'd Debate on the printed Votes of the Houſe of Commons on the 20th, their Lordſhips were pleas'd to Reſolve, "That the Reſolution of the Commons therein, contain'd moſt unjuſt Reflections on the Honour and Juſtice of the Houſe of Peers, and were contriv'd to cover their affected and unreaſonable Delays in proſecuting the impeach'd Lords; and manifeſtly tended to the Deſtruction of the Judicature of the Lords, to the rendering Trials on Impeachments impracticable for the Future, and to the ſubverting the Conſtitution of the *Engliſh* Government: And that, *therefore*, whatever ill Conſequences might ariſe from the ſo long deferring the Supplies for this Year's Service, were to be attributed to the *fatal Council*, of the putting off the Meeting of a Parliament ſo long, and to the unneceſſary Delays of the Houſe of Commons." After which adjourning to *Weſtminſter-Hall*, they acquitted the Earl of *Orford* with the ſame Formalities, as they had before obſerv'd in acquitting Lord *Somers*: Only in this Caſe, the Votes were unanimous; for the Minority now thought it adviſable, not to countenance with their Preſence a Procedure which they could not prevail on themſelves to approve.

and in Anſwer to the Votes of the Commons.

Laſtly: On the 24th they diſmiſs'd the Charge againſt Lord *Haverſham*, as alſo the Impeachments againſt the Earl of *Portland* and Lord *Halifax*: And then recollecting the Impeachment which in the Year 1695, had been laid by the *Whigs* againſt the Duke of *Leeds*, and which, notwithſtanding the *Hardſhip* it was upon him, had never been proſecuted

A. D. 1701.

prosecuted or discharg'd, they thought it but reasonable on this Occasion, to extend the Grace of the House to him: And the said Impeachment was dismiss'd accordingly.

That the Supply had been all this while in a sort of Suspence, or at least, that the Commons, during this obstinate Contest, had not thought fit, or could not find Time, to give the last Hand to the Money-Bills, may be collected from the Reference to that Matter in the Votes of both Houses: And the Truth is, That the Bill for granting an Aid to his Majesty, (by a Tax of 3*s.* in the Pound on Land) for defraying the Expence of his Majesty's Guards and Garisons for one Year, and other necessary Occasions, was not sent up to the Lords till the 9th of *June*: That the Bill for granting to his Majesty several Duties upon Low Wines and Spirits of the first Extraction: Also several additional Duties upon Coffee, Tea, Chocolate, Spices, and Pictures: Also certain Impositions on Hawkers and Pedlars, and 15 *per Cent.* upon Muslins: Also for improving the Duties upon japann'd and lacquer'd Goods, and for continuing the Coinage Duty, was not sent up to the Lords till the 16th of *June*: Nor the Bill for appropriating 3,700*l.* a Week out of certain Branches of Excise for public Uses, till the next Day.

A. D. 1701.

And that Posterity may have the Advantage of having the Grants, Appropriations, and State of the actual Charge of the Year, before them at one View, the following authentic Paper is added.

State of the Grants, Appropriations, &c.

GRANTS.

	l.	*s.*	*d.*
Land Tax, 3*s.*	1,400,000	00	0
Grants by a Credit on several small Articles from different Dates in 1700 and 1701, to different Dates in 1706, at 6 *per Cent.* Interest for one Half, and 7 for the other.	300,000	00	0
Loan of 820,000*l.* on 3,700*l.* a Week out of the Hered. and Temp. Excise for five Years, at 6 *per Cent.* for 400,000*l.* and 7 *per Cent.* for the remaining 420,000*l.*	820,000	00	0
The Hered. Excise charg'd by this Act from *December* 26, 1705, to pay 3 *per Cent.* for ever on the Bankers Debt, redeemable on paying a Moiety of the Principal.			
Surplusses of several former Grants	135,342	16	4
	£ 2,655,342	16	4

Note, The Treasury had Power to charge any of the foregoing Revenues, with the Tallies at 6 *per Cent.* Interest.

APPROPRIATIONS.

	l.	*s.*	*d.*	*l.*	*s.*	*d.*
Arrears of Pay and Recalls	200,000	00	0			
Bounty Money and the Ordinary	190,000	00	0	1,380,000	00	0
Extra Repairs	90,000	00	0			
30,000 Men	900,000	00	0			
20,000 allow'd out of this Sum for sick and wounded.						
Ordnance Land-Service	25,000	00	0			
Guards and Garisons	300,000	00	0			
Debts to Clothiers, *&c.* on Account of the Army	40,000	00	0			
For 12 *Dutch* Battalions for the States, a Year's Pay and Contingencies (6000*l.*) and Levy-money, at 20*s.* a Man, for 5000 Recruits	181,033	02	6	587,033	02	6
Half-Pay	41,000	00	0			
Interest of Deficiencies				154,085	04	7½
Premiums, and other Charges of circulating Exchequer-Bills	19,000	00	0	466,666	13	4
Cancelling ditto	447,666	13	4			
				2,587,785	00	5½
Out of the Coinage Duties				66,500	00	0
Sundry small Articles out of former Grants				55,228	01	3½
				2,709,513	1	9
Besides which, wanting to complete the Credit on the Land-Tax				12,329	14	7
				(r) £ 2,721,842	16	4

A Reduction of Seamen in the Midst of the Session, occasions an Increase of the Supply.

The Reader will observe, That by the first Appropriation, 1,380,000*l.* was allotted, and actually paid for the Service of the Navy: But a remarkable Incident, notwithstanding, makes it necessary to add, That tho' 30,000 Men were voted for the Sea-Service, the Provision in Prospect for them, for some Weeks, did not exceed 780,000*l.* which it was computed would not be sufficient for above half that Number thro' the Year: This, by a Memorial dated *April* 26, the Lords of the Admiralty remonstrated to the King; and Orders were, thereupon, issued to reduce all the Ships Companies at once to their lowest Compliment: As this occasion'd Clamours without Doors, (for as Those dismiss'd at the several Ports, were dismiss'd without Pay, because the Treasurer of the Navy had nothing but Exchequer-Bills to issue, which could not be divided into such small Sums as were requisite for that Purpose) these Complaints occasion'd an Enquiry within, which produc'd such Informations concerning the Expediency of the Measure, as induc'd the House to enlarge the Grants as above.

King James's Grants call'd for, and a Bill order'd for the Resumption of the same.

Nor ought it to be forgot, That the *Whigs* this Session made a new Effort to resume the Grants of King *James*, by way of Reprisal on the *Tories*: They call'd for an Account of those Grants, which could not be refus'd; and by which it appear'd, That the Lordship and Manor of *Chessington*, in the County of *Northumberland*, and Bishopric of *Durham*, late the Possession of *Ford* Lord *Grey*, had been given by that unfortunate Prince to the Earl of *Rochester*, together with 4000*l. per Annum*, out of the Post-Office for Ninety-nine Years, in case the said Earl, or his Eldest Son, should so long live; as also,

(r) B. *Burnet* is pleas'd to reduce the Grants of this Year to a Million and a Half.

A.D. 1701. also, of the Rangerſhip of *Richmond-Park* for his own Life, and That of his Son: That the real and perſonal Eſtate of *John Tucker*, late of *Taunton*, forfeited for Treaſon, had been given to *John* Lord *Churchill*, at 6*s.* and 8*d. per Annum.* That a Moiety of the Manor of *Moiles Court*, and all other the Eſtates real and perſonal of *Alice Liſle*, or *John Liſle* her Huſband, both attainted of High Treaſon, had been given to *Lewis* Earl of *Feverſham*: That the real and perſonal Eſtate of *Reginald Tucker*, forfeited for Treaſon, had been given in fee to Sir *Theophilus Oglethorpe*: As alſo the Manor of *Henton Magna*, with its Appurtenances, another Forfeiture, for Twenty-one Years at 200*l. per Annum* Rent: And that various other Forfeitures, *&c. &c.* had been diſtributed among Others of the ſame Party.

A Bill was alſo brought in and receiv'd, for reſuming the ſaid Grants; but apparently, without any Purpoſe of ſuffering it to paſs thro' the Forms of the Houſe: For after it had been read once or twice, we hear no more of it.

Controverſy between the two Houſes in relation to the Bill of Accounts.

It remaines yet farther to be ſpecify'd, That on the 25th of *March*, the Commons order'd a Bill, to take and ſtate the public Accounts, to be brought in: That on the 17th of *April*, the ſaid Bill was brought in accordingly; and that in the Courſe of the Seſſion it was gradually completed: But in ſuch a Form, with ſuch Circumſtances, and lodging the Powers of it in ſuch Hands, as render'd it wholly unpalatable to the Houſe of Lords.

For, in the firſt Place, it not only continued the Former Commiſſion to ſtate the Army, Ordnance, Tranſport and Prize-Accounts, but alſo ſuperinduc'd another general Commiſſion for taking, ſtating, and examining the Accounts of all Money of the public Revenue of the Crown, and all other Accounts which were by all the Former Acts of the Reign, or any of them, to be ſo taken, ſtated and examind: The Perſons ſo to be employ'd by this Bill, were Sir *Godfrey Copley*, *John How*, Eſq; *William Bromley*, Eſq; Sir *Humphry Mackworth*, Sir *Bartholomew Shower*, *Anthony Hammond*, Eſq; and Dr. *Davenant*: All of them inexpreſſibly obnoxious to the whole *Whig* Party; and, conſequently, ſuch as could not expect the leaſt Favour, at ſuch a Time, from the Houſe of Lords.

Heavy Clauſe therein againſt the Commiſſioners of Prizes.

Into this Bill a heavy Clauſe was introduc'd againſt *Parkhurſt* and *Peſchal*, Commiſſioners of Prizes, before-mention'd, who were ſtill Priſoners in the *Tower*: They had enclos'd in a Letter to the Speaker, what They call'd a true Account of the whole Receipts and Diſburſements of the Prize-Office, from the Time of the firſt Inſtitution thereof: Together with a Liſt of all the Prizes taken in the *Mediterranean*, and by the Packet-Boats, as alſo with the Warrants and Grants thereupon, and by whom counterſign'd; and deſiring the Houſe might be inform'd, That their utmoſt Endeavours having been us'd to comply with their Orders, it had, for ſome Time, interrupted their Compliance with the Scheme of Accounting, preſcrib'd to them by the Commiſſioners. This was accordingly ſignify'd to the Houſe by the Speaker on the 21ſt of *March*: And on the 11th of *April* following, They ſet forth in a Petition to the Houſe, That, having deliver'd their general Account to the ſaid Commiſſioners, according to the Precept and Scheme preſcrib'd, and being full of Sorrow for their great Misfortune, in being under the Diſpleaſure of the Houſe, They humbly begg'd Pardon for any Offence they had committed, and pray'd to be enlarg'd: But the ſaid Commiſſioners attending the Houſe, on the Morrow, according to Order, produc'd the ſaid general Account, and gave ſuch a Recital of what had paſs'd, as ſatisfy'd the Houſe, That the ſaid Commiſſioners of Prizes had not ſufficiently conform'd to the ſaid Precepts: For together with ſeveral Letters on both Sides, they preſented to the Houſe a Copy of the Minutes taken from their own Books of *April* 8, which ſerving to give a general Idea of the Caſe, and not being as yet in print, deſerves to be here inſerted: As follows.

Caſe of the ſaid Commiſſioners as ſtated by the Commiſſioners of Accounts.

" Mr. *Proudfoot* and Mr. *Portman* from the Commiſſioners of Prizes, came to the Board, and were acquainted, That tho' the Commiſſioners had had but very few Hours to look into the Books brought on *Saturday*, yet they had made ſome Obſervations, which led them to aſk ſeveral Queſtions, and deſire to receive Information therein from them. Firſt, they obſerv'd, That in the Letter from the Commiſſioners for Prizes of Yeſterday, they were pleas'd to ſay, That the Books they had ſent, contain'd all that the Precepts requir'd; Whereas, it did appear by the Returns from the High Court of Admiralty, That there had been condemn'd there, about 1295 Ships; whereas in theſe Books, there is an Account of no more than 483 Ships; and the Ladings of 200 and odd more, which is not much more than half. To which they anſwer'd, That ſeveral foreign Ships condemn'd in the Court, were afterwards diſcharg'd; and, therefore, no Notice was taken of them in theſe Grants. They were told, That This did not appear in the Books: And tho' it were ſo, the Names of the ſaid Ships ſhould have been inſerted, and an Account given of them accordingly. They were farther acquainted, That, in one of their Books, they acknowledg'd to have receiv'd 297,686*l.* 14*s.* 0*d.* for the Ladings; and 124,181*l.* 9*s.* 2*d.* for the Hulls, Furniture, *&c.* of the Ships condemn'd as Prizes, making in all 421,867*l.* 10*s.* 6*d.* Whereas it does not appear from theſe Books, that they have paid more than 323,591*l.* 18*s.* 8*d.* So that there ſhould remain in the Commiſſioners Hands, the Sum of 98,275*l.* 11*s.* 10*d.* To which they anſwer'd, That the Payments of their Agents in the Out-ports, would ſupply That, which they did not apprehend was requir'd by the Precept: And that no Balance was remaning in their Hands. They were told, That what they ſaid, did not appear from theſe Books; and the Board conceiv'd, the Commiſſioners were anſwera-

A.D. 1701. ble for their Agents: And that the Payments made by them, ſhould have been brought into this Account, as well as any other. And here it was obſerv'd to them, That had the Inſtructions, which appear in one of their Books to be given by the Principal Commiſſioners to the Sub-Commiſſioners, and other Officers in the Out-ports, been comply'd with, and a proper Regiſter of them made in their Offices, they would have been able, with much leſs Difficulty, than it now appears they have, to have anſwer'd the Schemes in the Precept. They ſaid, in Anſwer, That the ſaid Officers had been often preſs'd to do it; but could never be brought to comply. Then they were acquainted, That Copies were wanting of the Warrants and Orders from the King's Treaſury, *&c.* for the diſpoſing of any Ships or Goods which were requir'd in the Body of the Precept: And they anſwer'd, That the Originals were with Mr. *Jodrell*, from whom they would get Copies. Then the ſaid Commiſſioners for Prizes deſir'd the Board would acquaint the honourable Houſe of Commons, That the Books brought in, were perſuant to the Precept and Schemes; and were told, That it was true, the Books did appear to be drawn in that Form: But that, beſides what is before-mention'd, and what might farther appear upon better Examination than it was poſſible for the Board to make in ſo ſhort a Time, and when ſo many other Matters were depending, ſome of the Columns were left wholly blank, and reference made for the filling them to the Accounts of the Receiver-General, who being always under *their Direction*, and order'd by a Vote of the Houſe to aſſiſt them, they ought to have oblig'd him to do it: And in other Places Blanks were left, the filling up of which was of Conſequence: Particularly, it is not mention'd when, or to whom, ſeveral Ships and Ladings were diſpos'd: And, upon the Whole, they were acquainted, That the Houſe of Commons not having requir'd the Commiſſioners to ſend them any Account of what Return had been made to the Precept, and theſe Defects appearing, they conceiv'd, That what they had, hitherto, enabled them to ſay, could not be of much Service: And, therefore, deſir'd, They would make their Application as they ſaw fit."

With ſo ſtrong a Charge, therefore, of Neglect and Omiſſion at leaſt againſt the ſaid Commiſſioners of Prizes, which reman'd unanſwer'd, the Houſe of Commons thought themſelves authoris'd to introduce the Clauſe above glanc'd at in the Bill of Accounts, by which they were enjoin'd to make up their Accounts in the Manner preſcrib'd: And in caſe of Non-compliance, the Chief-Juſtice of the *King's-Bench*, on receiving a proper Certificate thereof, ſign'd by any Three of the Commiſſioners of Accounts, was authoris'd and requir'd, to cauſe the ſaid *Parkhurſt* and *Paſchal* to be apprehended and committed to the *Tower*.

And, laſtly, by another Clauſe in the ſaid Bill, the ſaid Commiſſioners of Accounts were authoris'd and requir'd particularly to A.D. 1701. examine the Accounts of *Edward Whitacre*, Solicitor for the Affairs of the Admiralty, during his being in the ſaid Employment; great Sums of Money having been paid to him, whereby, as it was alledg'd in the Bill, his Majeſty had ſuffer'd great Abuſes and Deceits in the exorbitant Expence of his Majeſty's Treaſure.

This Mr. *Whitacre* had fallen under the Diſpleaſure of the Houſe, and was order'd into the Cuſtody of the Serjeant, for taking inſufficient Bail for one *Bolton*, committed for Confederacy with *Kidd*; it appearing when the Houſe ſent for the ſaid *Bolton* to confront *Kidd*, that he had made his Eſcape: And, not content with ſetting this Mark upon him, they order'd a Committee to inſpect the Behaviour of the ſaid *Whitacre*, and report the ſame to the Houſe.

This was done the 28th of *March*: And on the 11th of *June* following, the ſaid Committee made their Report, in which was contain'd the following Preſentment of the Grand Jury, High Sheriff, and Juſtices of the Peace for the County of *Southampton*, againſt the ſaid *Whitacre*, dated *July* 26, 1700, *viz.*

"At the preſent and late Aſſizes held here for the ſaid County, there have been ſeveral Proſecutions againſt Offenders for notorious Theſts and Embezzlement of his Majeſty's naval Stores; and finding the Proſecutions generally laid, have prov'd very irregular, to his Majeſty's great Diſſervice, and to the Diſſatisfaction of the whole County, We, the under-written attending the ſaid Aſſize, (to diſcharge our Duty) are of Opinion, *That the Proſecution and Management* of the Trials upon the barbarous Murder of one *Harris*, and the Theſts that attended that Matter, the laſt Aſſizes, and the Indictments now brought before us for ſeveral Abuſes farther diſcover'd, relating to the notorious Practices of purloining and robbing of his Majeſty's Stores at *Portſmouth*, and Timber in the *New Foreſt*, in a Succeſſion of Years laſt paſs'd, are, by the Solicitor, Mr. *Whitacre*, either manag'd corruptly or ignorantly; whereby Opportunity hath been given for the Guilty to evade Juſtice, and bar the farther Diſcovery of thoſe pernicious Practices, the Conſequences of which, we humbly deſire may be conſider'd; and that the Reflections laid on our County, of want of Vigilance to detect ſuch Crimes, may be remov'd and fix'd in the right Place.

Sign'd by the Grand Jury, High Sheriff, and Seven Juſtices of Peace."

This Preſentment was alſo accompany'd with the Reaſons on which it was founded: After which follow'd the Examination of the ſaid *Whitacre*, to all the ſeveral Points alledg'd by the ſaid Grand Jury againſt him: And the Report was clos'd with an Abſtract of his Diſburſements for Law-Charges, amounting to upwards of 2,000*l.*

Upon all which, it was reſolv'd by the Houſe, That the ſaid *Whitacre* had been guilty of diverſ ill Practices, Corruptions, and Breaches of Truſt; and order'd, That Mr. Attorney-

A. D. 1701. Attorney-General do profecute him for the ſaid Offence; taking Care, That he gave ſufficient Security to anſwer the ſaid Proſecution: And that the Office of Solicitor, was a new and unneceſſary Office, which ought to be ſuppreſs'd.

On the 18th of *June*, the ſaid Bill of Accounts was ſent up to the Lords; and on the 24th following, their Lordſhips ſent it back, with a Meſſage importing, They had given their Conſent to it with ſome Amendments.

Lords Amendments. But theſe Amendments conſiſting, in the total Omiſſion of all that Part of the Bill, which re-eſtabliſh'd a *general* Commiſſion, to take, ſtate, and examine *all* the Accounts of all Money of the public Revenue of the Crown; as alſo the two Clauſes in relation to *Parkhurſt* and *Paſchal*, and *Whitacre*, and of an *Addition* in favour of a Clame made by Colonel *Baldwin Leighton*, the Commons refuſ'd to agree to them; and aſſign'd the following Reaſons for ſo doing.

Reaſons of the Commons for rejecting them. "Becauſe it is notorious, that many Millions of Money have been given to his Majeſty by the Commons for the Service of the Public, which remane yet unaccounted for, to the great Diſſatisfaction of the good People of *England*, who cheerfully contributed to thoſe Supplies; and their Lordſhips firſt Amendment, prevents any Account being taken of thoſe Monies by the Commiſſioners appointed by the Commons for that Purpoſe.

Becauſe *John Parkhurſt* and *John Paſchal*, Eſquires, have for ſeveral Years been Commiſſioners of the Prizes taken during the late War, and are accountable for great Sums of Money ariſing thereby, which ought to be apply'd to the public Uſe: That the ſaid *John Parkhurſt* and *John Paſchal* were frequently preſſed to account for the ſame, by the late Commiſſioners appointed by Act of Parliament, but by many Artifices and Evaſions delay'd and avoided giving any ſuch Account as was requir'd by the ſaid Commiſſioners: That the Clauſe to which their Lordſhips have diſagreed by their ſecond Amendment, requires them to account before the firſt of *September* next, but by their Lordſhips Amendment, the ſaid *John Parkhurſt* and *John Paſchal* are exempted from giving any *ſuch* Account, which is highly unreaſonable.

Becauſe their Lordſhips have therein directed the Commiſſioners to allow and certify a pretended Debt to Colonel *Baldwin Leighton*, whereas the Diſpoſition as well as granting of Money by Act of Parliament, hath ever been in the Houſe of Commons, and this Amendment relating to the Diſpoſal of Money, doth intrench upon that Right.

A. D. 1701. Becauſe 'tis notorious that *Edward Whitacre* mention'd in the Rider, left out by their Lordſhips, hath by Colour of his Employment (as Solicitor to the Admiralty) receiv'd the Sum of five and twenty thouſand Pounds and upwards, of public Money, without producing any juſt or reaſonable Vouchers for the Expence thereof, and therefore ought to be accountable for the ſame.

And that by Reaſon of their Lordſhips diſagreeing to the ſeveral Parts of this Bill, the Supplies provided by the Commons for paying the Arrears due to the Army, muſt of Neceſſity be ineffectual till another Seſſion of Parliament."

To theſe Reaſons a plauſible Reply was ſoon after ſet forth in a Pamphlet call'd *Some Remarks on the Bill for taking the public Accounts*, the great Drift of which, by the Way, was to draw all ſuch *Bills* into *(r)* Diſeſteem and Diſuſe) But then this Reply is to the full as diſingenuous, as it is plauſible: For the Author of it charges the Commons with affirming, That, by the Lords diſagreeing to the Clauſe of *Parkhurſt* and *Paſchal*, thoſe Perſons were exempted from *accounting*; whereas the Commons only affirm, thoſe Perſons were exempted from giving in *ſuch Accounts* by the 1ſt of *September* as was requir'd by the Bill; and the Truth of the Matter is, That the ſaid *Parkhurſt* and *Paſchal* never did account to the Public, even in the ordinary Way of accounting from that Hour to This; as is manifeſt by the Certificates annually return'd to the King's Remembrancer: And which is more, the ſaid *Parkhurſt* was notwithſtanding This, appointed afterwards to receive the Arrears of Prizes; and of thoſe Receipts he deliver'd in an Account of no more than 618 *l.* 18 *s.* 8 *d.* ½, accompany'd with ſuch imperfect Vouchers that the ſaid Account could never be proſecuted.

[*State Tracts, Temp. Guil. III. Vol. III. p. 308. A printed Argument thereto.*]

The Author of the ſaid Pamphlet alſo, in Anſwer to the very laſt Period of the Reaſons aſſign'd by the Commons for diſagreeing with the Commons, ſays, It could not poſſibly be for that Reaſon; firſt, becauſe the Lords agreed to every Word in the Bill, relating to the taking the Accounts of the Army: And ſecondly, becauſe the Commons in Favour, or perhaps in Compaſſion to the forfeiting Perſons, had thought fit to inſert a Clauſe in the Land-Tax-Bill: That none of the forfeited Lands in *Ireland* (out of the Product of which, theſe Arrears were to be paid) ſhould be expos'd to Sale till after the 28th of *December* 1701: And a ſecond in the Bill of low Wine, "That none of the Lands of thoſe that had petition'd the Houſe of Commons ſhould be ſold till after the next Seſſion of Parliament."

But

(r) It is, nevertheleſs, admitted by the Author of this Treatiſe, That the five laſt Commiſſioners had made a good Progreſs in ſtating the Debt of the Army; and that they had alſo perform'd one Thing which has not been done before; namely, the making a State of the whole Expence of the War, which amounted to forty one Millions: But then the latter Part of this Acknowledgment is made purpoſely to expoſe Dr. *Davenant*, who had ſomewhere pretended, that, upon a nice Calculation, the Expence amounted to upwards of fifty Millions: And the *Words* of the Report are, *near forty-two Millions*.

A. D. 1701.

Remarks thereon.

But the Insertion of the Clause added by the Lords in favour of Colonel *Leighton*, render'd it impossible for the Commons to pass the Bill, as it was return'd to them by their Lordships, for the Reason above assign'd, and because it was not return'd 'till the last Hour of the Session: So that the Commons had no other Choice, than either to acquiesce in the gross, or to lose their Bill: And it follow'd from thence, That if the Army Debt was not stated, the Arrears could not be paid, whether the forfeited Lands were sold or not.

Something, however, ought also to be said of the Procedings in Parliament concerning these Forfeitures: For the House, finding themselves pester'd from Day to Day with Petitions in relation thereto, call'd on the *Trustees* for such Informations, as might enable them to form some reasonable and equitable Decision concerning them: To which Call the said *Trustees* presented the following Answer, *May* 31.

Answer of the Irish Trustees to an Order of the Commons in relation to the Petition before them concerning the Irish Forfeitures.

"May it please your Honours,

In Obedience to your Orders of the 19th of this Instant *May*, requiring us to state Matters of Fact only on the several Petitioners relating to the *Irish* Forfeitures, And to report the same to your Honours; and that we should, with all Expedition from Time to Time, transmit our Reports on the said Petitions respectively to the Clerk of this honourable House, we have with the utmost Diligence and Duty, persuant to the said Order, examin'd the several Facts in such of the said Petitions as were deliver'd us, in such Manner as we were capable of examining the same, and where the Facts were within our own Knowledge, and whereof we had certain Proof, we have reported the same accordingly. As to other Matters whereof the Proof lies in *Ireland*, and we could only hear *ex parte*, without administering the Oath, we have laid before your Honours such Proofs thereof, as have been offer'd us, and have annex'd thereto such Affidavits, and other Papers, as the Petitioners produc'd before us, and affirm'd to be true, which we have made Part of the Report, to the End your Honours may be duly appriz'd of the Evidence, whereon we have grounded our respective Reports We farther crave Leave to acquaint your Honours, that we have given Copies of our Reports to such of the Petitioners as demanded them, that they might have an Opportunity of making farther Proof of the Allegations of their Petitions, and to prevent your Honours receiving any Complaints, That we kept them in Ignorance of the Contents thereof."

This Paper was sign'd by *Annesley*, *Trencher* and *Sheers*: And the Report which accompany'd it having been examin'd and discuss'd by the House, the same Day, it was upon the Issue resolv'd, That all the Petitions presented to this House relating to the *Irish Forfeitures* (except such Cases as are certify'd under the Hands of all the Trustees and *(s)* except such of the said Petitions, as the *Irish* Trustees in *England* have certify'd the Matter of Fact to be true) be referr'd to the Trustees in *Ireland* to examine upon Oath, the Matter of Fact, and represent the same to the House, at the Beginning of the next Sessions of Parliament." And it was order'd, That all the said Petitions and Reports should be referr'd to a Committee to separate the same according to the said Resolution.

On the 13th of *June* the said Committee made their Report, but no Resolution was taken upon it. And the next Day when the Clause inserted in the Bill of *low Wines*, &c. For respiting the Sales of the said *Forfeitures* was offer'd, it appears by Circumstance, That it was carry'd by the Court against the declar'd Sense of the *Tory*-Managers; for the Tellers for the Yeas were Mr. *Bridges*, and Mr. *Walch*, and the Tellers for the Noes, Mr. *St. John* and Mr. *Harcourt*: The Numbers being 145 against 65.

It is certain, That from the Time of the *Kentish Petition* and the *Legion Letter*, the Party were at least more cautious in their Procedings, if they were not less powerful: And of This we have a new Proof in the Affair of the old *East-India* Company: Which, as we have seen, ow'd its Existence by Authority of Parliament, to their Efforts in its Favor: What this Affair was will be explan'd immediately: But first we are to recollect, That, according to Mr. *Prior's Letter to Lord Manchester*, on the Change of the Ministry, Endeavours were to be us'd, to unite the two Companies: But if such Endeavours were actually us'd, they were us'd in vain: And instead of making reciprocal Advances towards a Compromise, they seem'd as yet only solicitous to procure each others Destruction.

The Commons had appointed a Committee to receive Proposals for paying off the public Debts and advancing the Credit of the Nation: And to this Committee did the said Company on the 28th of *April* propose, by the Interposition of their old Factor Sir *Thomas Cooke*, to pay off the Principal and Interest of so much of the two Millions as had been advanc'd by the *new Company* and *separate Traders*, at an Interest of 8 *per Cent.* Being the Consideration of their Establishment, and amounting in the whole to 1,688,000 *l.* for the remaning 315,000 *l.* had been advanc'd by the *old* Company, with what Views, and for what Ends at this Distance of Time, can scarce be discover'd at an Interest of 5 *per Cent.* payable out of the Fund already settled by Act of Parliament: The principal Money so paid (which was to be at ten Payments, in twenty Months) to be redeemable in a certain

Application of the old East India Company to pay off the new.

(s) The House divided on this second Exception, and it was carry'd in the Affirmative by 128 against 65.

A.D. 1701. certain Number of Years to be fix'd by the Houſe, and ſubject to ſuch Regulations and Reſtrictions as might be neceſſary for the Good of the Public, and the Preſervation of the Trade: And with an Opening for any Perſons whatſoever to ſubſcribe a certain Sum to be fix'd by the Houſe, and thereby to become Proprietors.

This, if accepted, was laying the Ax to the Root of the *new Company*, who were ſufficiently aware of their Danger, and anxious to prevent the Conſequence. While, therefore, their Rivals were drawing up their Propoſal in Form, as they were requir'd by the Committee to do, and the Committee deliberated on the Report they were to make to the Houſe, They talk'd and writ in the ſame Strain, as the *old Company* had formerly done; of the Importance of preſerving the public Faith, and the Impolicy of ſaving 60,000*l.* a Year, by a Meaſure which would diſoblige a thouſand Families, which were concern'd in the *new Company*, &c. and without any Reſerve expos'd the Perfidy, of reſuming, under any Pretence whatſoever, the Right (the excluſive Right, as they at firſt underſtood it to be) veſted in them till the 20th of *September* 1711, becauſe the Fund was not redeemable till then, merely for an Omiſſion of three Words in the Act, To Wit, AND NOT SOONER.

With ſuch Succeſs did they alſo talk, write and inſiſt on theſe and the like Arguments, That when the Committee made that Report, which was done *May* 17. *the Houſe did not think fit to take any Reſolution upon it.*

General View of the Conduct of this Houſe of Commons.

And now, that we may take our Leave properly of this memorable Seſſion, we ought, in Juſtice to the Majority of this Houſe of Commons, to acknowledge, That, notwithſtanding the Party-Biaſs which on many Occaſions gave a ſiniſter Turn to their Proceedings, they diſcharg'd their Duty to their Country on many more, in a Manner that cannot be too highly extoll'd, or too cloſely imitated: For, over and above that meritorious Reluctance, which they manifeſted to every Meaſure which had a Tendency to engage the Nation as a *Principal* in a new Continent War, and for which they have been ſo infamouſly abus'd, they made ſuch Enquiries into every Province of public Buſineſs, kept ſo ſtrict a Hand over every Accountant, and took ſuch Precautions in every Grant, as became the Grand Inqueſt of the Nation.

In particular, They call'd for a State of the Navy and naval Stores; for all the Orders and Directions given by the Treaſury, to the Pay-Maſter of the Forces and the Treaſurer of the Navy, as alſo a State of their ſeveral Accounts: For an Account of the Fees paid to the Auditors of the Impreſts, Auditors of the Land Revenue, *&c.* For an Account of the Expenditure and Debt of the Ordnance for Land and Sea-Service: For a Liſt of all his Majeſty's Embaſſadors, Envoys, and Miniſters in Foreign Courts: For an Account of the groſs and nett Receipts of the Civil-Liſt: For an Account of all the Revenues of the Duchies of *Lancaſter* and *Cornwall*, together with the Iſſues and Application thereof: For an Account of the Lands, Rents, and Eſtates belonging to the Crown undiſpos'd of, with the preſent Value of the Reverſions, and of the Improv'd Rents; in which the reſpective Surveyors were to be aſſiſted by the Auditors of *England*, *Wales*, and the ſaid two Duchies: For an Account of the Vacancies in the Army, and how they had been fill'd: For an Account of the Proceedings of the Board of Trade, and of what Complaints had been laid before them in relation to the Trade, or Courts of Juſtice in the ſeveral Colonies of *America*: For the Half-Pay Liſt: For an Account of the Arrears of Taxes: For an Account of the Queen Dowager's Jointure, of the additional Grants thereunto by King *James* II. and of the Reverſionary Grants made thereon, *&c. &c.* All which Calls or Orders were punctually comply'd with: And, laſtly, they made ſome Progreſs in a Bill to prevent the tranſlating of Biſhops from one See to another.....But this was ſo many Ways oppos'd, that it could not be brought to Perfection; and if it had ſucceded in one Houſe, would in all Probability have miſcarry'd in the Other.

A.D. 1701.

It has been ſaid, That the Reaſons of the Commons for diſagreeing to the Lords Amendments, were drawn up and approv'd in the laſt Hour of the Seſſion; and ſcarce had the Houſe made an Order, That they ſhould be inſerted in the Votes of the Day, before the King commanded their Attendance in the Houſe of Peers; where, on preſenting the Money-Bill, the Speaker addreſs'd himſelf to the Throne as follows.

The Speaker's Speech to the King.

"*SIR*,

It is with great Joy and Satisfaction that I attend your Majeſty at this Time, ſince your Commons have comply'd with *all* your Majeſty was pleas'd to deſire at their Meeting: They have paſs'd the Bill of *Succeſſion*, which hath ſettled the Crown in a *Proteſtant* Line, and continued the Liberty of *England*, which your Majeſty hath reſtor'd and preſerv'd: They have paſs'd a Bill for taking away thoſe Privileges, which might have prov'd burthenſome and oppreſſive to your Subjects: They have given your Majeſty thoſe Supplies, which are *more* than ever were given in a Time of *Peace*, to enable your Majeſty when you are abroad, to ſupport your Allies, procure either a laſting Peace, or to preſerve the Liberties of *Europe* by a neceſſary War."

After which, the King having given the Royal Aſſent to the ſeveral Bills preſented him, his Majeſty was pleas'd to put an End to the Seſſion with the following Speech.

King's Speech.

"*My Lords and Gentlemen*,

The Seſſion being now come to a Concluſion, I muſt return you my *hearty Thanks* for the *great Zeal* you have expreſs'd for the public Service, and your *ready Compliance* with thoſe Things which I recommended to you at the opening of this Parliament: And I muſt thank you, Gentlemen

A. D. 1701. men of the House of Commons, in *particular*, both for your Dispatch of those necessary Supplies, which you have granted for the public Occasions, and for the Encouragements you have given me, to enter into Alliances for the Preservation of the *Liberty of Europe*, and the Support of the *Confederacy*; in which, as it shall be my Care, not to put the Nation to any unnecessary Expence, so I make no Doubt, that whatsoever shall be done during your Recess, for the Advantage of the common Cause in this Matter, will have *your Approbation* at *our Meeting* AGAIN in the Winter.

My Lords and Gentlemen,

I shall conclude with recommending to you All, the Discharge of your Duties in your respective Counties; that the Peace of the Kingdom may be secur'd, by your Vigilance and Care in your several Stations."

Thus, according to the Outside of Things, we are to understand, That the King and his Parliament parted on the most cordial Terms imaginable: And that his Majesty had bound himself not only to give them another Meeting, but also to communicate to them, as in the Last, the Course of his Negotiations during the Recess.

The bare Mention, That the Convocation was suffer'd to sit as long as the Parliament sat, is all that is necessary in this Work: The Efforts of the lower House, to re-establish the Power of the *Church*; and the Disappointments they met with, belonging more properly to the Writer of Ecclesiastical History.

It is not to be imagin'd, That, during so obstinate a Struggle in Parliament, and such a corresponding Ferment among the People, where both Parties had their Representatives, and where the Springs were first put in Motion, that the Cabinet was wholly at Peace: B. *Burnet* is free enough to charge the *New* Ministers with pressing the King to turn out some of the *Whigs* that were in Employments, and particularly Lord *Haversham*, who was one of the Lords of the Admiralty: But then he makes no Mention of the Efforts of the *Whigs* to expel the *Tories*, and once more engross the King to themselves.

It is true, he adds, That as the King could not be prevail'd upon to gratify the *Tories*, so neither did he make any Advances towards the *Whigs*: The Reason of which is obvious: His Heart was set on his Voyage to *Holland*; and the Projects to be discuss'd there, engross'd the Whole of his Attention: Besides; by the Turn which Things had taken, he saw himself in such a State of Superiority to both Factions, that he could make his own Use of either: And having the whole Summer before him, he resolv'd to commit no Overt-Act of Preference, till the Necessity of his Affairs requir'd it; that the One might have no Cause to complane, nor the Other to presume.

The King tries between the two Factions. Thus when he came to appoint the Lords Justices, Three were of one Faction; to wit, The Archbishop of *Canterbury*, the Lord President and first Commissioner of the Admiralty *Pembroke*, and the Lord-Steward *Devonshire*: Three were of the other; to wit, The Lord-Keeper, the Lord-Chamberlain *Jersey*, and the first Commissioner of the Treasury *Godolphin*; and the Seventh was the Duke of *Somerset*, (now for the first Time call'd to the Council-Board) who could scarce be pronounc'd *Whig* or *Tory*; not having as yet been employ'd in any Business, nor having listed himself absolutely under any Standard whatsoever. A. D. 1701.

Indeed, in the Case of the Impeached Lords, he had sided occasionally with the *Impeachers*: But Connections with them, he had none; at least, we ought to conclude so, because in the next Change that happen'd at Court, we find him number'd among the *Whigs*. If, on the other Hand, his Majesty appointed the Earl of *Carlisle* to officiate as Earl-Marshal of *England*, during the Minority of the Duke of *Norfolk*, he had before given the Command of the Troops sent to the Assistance of the States, to the Earl of *Marlborough*, together with a Commission to act as Embassador Extraordinary and Plenipotentiary to their High Mightinesses: And as to the Office of Privy-Seal, his Majesty left it to be executed by Commissioners; namely, *Edward Southwell*, *Christopher Musgrave*, and *James Vernon*, jun. Esqrs.

Lastly: His Majesty appointed his Attorney-General *Trevor*, to be Lord-Chief-Justice of the Common-Pleas; and *Edward Northey*, Esq; to be Attorney-General.

His Majesty goes to Holland. On the last Day of *June*, his Majesty left *Hampton-Court*, accompany'd by the Earls of *Carlisle*, *Romney*, *Albemarle*, M. *d'Overkerque*, &c. and on the 3d of *July* he landed in *Holland*: The Battalions from *Ireland*, arriv'd there about the same Time; as also the new Levies from *England*: The *Scots* Regiments had been there some Time: And if *Lamberty* is to be depended upon, his Majesty was accompany'd by two Battalions of his Guards, (instead of one) consisting of 1800 Men.

His Speech to the States-General. The next Day after his Arrival, he took his Place in the Assembly of the States-General as usual, and express'd himself on that Occasion in Terms of Zeal, Affection, Concern, and Devotion to the Weal of the State, very different from those he had been accustom'd to deliver from the Throne of *England*: Having, at last, express'd an Overflow of Joy, in finding them still in a State of Tranquility, and ascrib'd it to their early Care to put themselves in a Posture of Defence, he proceeded to assure them, not only of his *own* Affection, but of That of the whole *English* Nation, which, they might depend upon it, was ready to contribute strongly to their Defence, and to whatever else might tend to the common Safety, *&c.*"

Their Answer. The Reply of their High and Mighty Lordships was full of Respect, Acknowledgment, and Gratitude, intermix'd with very strong Declarations, That they would leave nothing undone, for the Preservation of their Country: As also, that they had a proper Sense

of

A. D. 1701. of the Aſſurances his Majeſty had given them, in his own Name, and that of his People: Adding, "That laudable Diſpoſition of the *Engliſh* Nation in our Favour, and in Favour of the common Cauſe, deſerves the moſt ſincere Acknowledgments: Convinc'd as we are, how much we may rely on their Courage and Valour, which have attain'd ſo high a Character in the World: And we are in debt to your Majeſty for a new Obligation, in exciting this favorable Diſpoſition in your Subjects, more eſpecially as it is accompany'd with ſuch Proofs, as the promis'd Succours, *&c.*"

Iſſue of the Conferences at the Hague.

Before this Time, it muſt be obſerv'd, Mr. *Stanhope* had prepar'd the Way for the Declaration to M. *d'Avaux*, before ſpecify'd in one of Mr. *Vernon*'s Letters to Lord *Manchester*, in the following artificial Manner; to wit: "That a Proviſion having been made in the *Partition-Treaty* for the Satisfaction of the Emperor, it was reaſonable, tho' the ſaid Treaty was no longer in force, to procede on the ſame Footing: And that as nobody was ſo well inform'd of his *Imperial* Majeſty's Pretenſions as the Count de *Goes*, his Miniſter at the *Hague*, nothing was more reaſonable or more neceſſary than to admit him to the Conferences." And had, afterwards, taken his Opportunity, when M. *d'Avaux* was making a Viſit to Don *B. de Quiros*, the *Spaniſh* Miniſter, to follow him thither; and in the Preſence of both Miniſters, to communicate the Orders he had receiv'd from his Maſter, Not to procede in the Conferences, unleſs Satisfaction was given to the Emperor: M. *d'Avaux*, ſurpriz'd and a little diſconcerted, ſaid, That was not the Place for ſuch a Declaration: And Mr. *Stanhope* briſkly reply'd, That his Orders were, To make it, wherever he ſhould find him; and having found him there, he had made uſe of the Opportunity. All This M. *d'Avaux* reported to his Court, "which appears to be extremely incens'd, (ſays the ſame Lord *(Manchester)* in a Letter to Mr. *Blathwayte*, who attended the King as uſual to *Holland)* both at the *Matter* and *Manner*:" And in another Letter to Mr. *Vernon*, his Lordſhip enlarges on the ſame Subject, as follows.

"I had Yeſterday, *(July* 28, N. S.) a Conference with M. de *Torcy*, and I found him not ſatisfy'd with the Procedings at the *Hague*: And upon my taking Notice, That M. *d'Avaux* had Orders to return, he did in a Manner own it, and ſaid, That he was ſent only to treat with *England* and *Holland*, in relation to their Securities; and that he had nothing to do with the Pretenſions of the Emperor. I enlarg'd on that Subject, as I have often done, ſhewing him the Neceſſity there was of putting an End to the War in *Italy*, and that I could not ſee elſe how the Peace of *Europe* could be preſerv'd. His Anſwer was, That he did not doubt but they were able to maintain the Rights of the King of *Spain*: That as M. *d'Avaux* had been there near ſix Months, and ſince there was no Appearance that the Conferences could be continu'd, he had nothing to do but to come away. I then took Notice to him, That then there would be no Miniſter of theirs either in *England* or *Holland*. He ſaid, They ſhould leave a Secretary; and if we were diſpos'd afterwards to renew a Treaty, Means might eaſily be found out to treat: It is certain, that this Court will not conſent to any Thing concerning the Emperor, ſince that muſt tend to the diſmembring the *Spaniſh* Monarchy: And I am fully ſatisfy'd, that whatever the Emperor is to have, he muſt gain it by main Force, which they take here to be more honourable for them than the yielding any Thing by Treaty: Beſides, they judge that it is always in their Power, after the worſt that can happen, to have a Peace on ſuch Terms."

A. D. 1701.

And the Event was anſwerable: For ten Days before this Conference, the Moſt *Chriſtian* King had ſign'd the Letter of Revocation, which M. *d'Avaux* was to deliver to the States: In which his Majeſty aſſigns the hopeleſs State of the Conferences which their Lordſhips had deſir'd, and yet had ſo frequently interrupted, as the Reaſon of that Revocation: And, nevertheleſs, aſſures them, it is ſtill in their own Power to eſtabliſh the Peace if they pleaſe; his Intentions and Inclinations on that Head, being the ſame as ever.

M. d'Avaux's parting Memorial.

When M. *d'Avaux* preſented this Letter to the States, he alſo accompany'd it with a long Memorial, importing in Subſtance, "That he was at firſt in hopes, That their Lordſhips Confidence in his Maſter's Affection, and their Conviction of his Sincerity, would have diſſipated the vain Terrors which the Advancement of his Grandſon to the Throne of *Spain* had inſpir'd them with; and induc'd them to improve the Conferences they had importun'd his Majeſty to admit, for their own Security, and for the Prevention of a new War: That he was confirm'd in theſe Hopes, when their Lordſhips, acknowledging the lawful Rights of the King of *Spain*, congratulated him on his Acceſſion to the Throne; and by a Meaſure ſo worthy of their Prudence ſeem'd to indicate, That they would for ever avoid the dangerous Embaraſſments they expos'd themſelves to, in intermixing *foreign Intereſts* with their own: That the Moſt *Chriſtian* King, upon this, forgetting the long Silence they had kept in relation to his Grandſon's Elevation, all Things appear'd to have a Tendency to Peace, when the Propoſitions made by their Lordſhips, and the Envoy of the King of *England*, gave Occaſion to conclude, That *War*, rather than *Peace*, would be the Fruit of that ſtrict Union, which the Conformity of thoſe Propoſitions manifeſted between that Prince and their Lordſhips: That, if the ſubſequent Proteſtations they made, That their *exceſſive Demands* aroſe from their juſt Fears of the Power of the King, and not from the Confidence they plac'd in their own Strength, were ſincere; if the Fear, which they ſo ſtrongly expreſs'd in their Letter to the King of *England*, during the Sitting of Parliament, was real, and

if

A.D. 1701.

if they had nothing in View but to prevent the Dangers they would have it underſtood they were ſurrounded with, the Means of doing it were in their own Hands: And they were under no Neceſſity to raiſe ſuch a Number of Troops, to purchaſe foreign Alliances at ſo *high* a *Price*, to lay their Country under Water, and to make all the Preparations uſual in the greateſt Wars. That as their Lordſhips had demanded the Conferences themſelves, ſo it depended on themſelves to render them effectual: That his Majeſty had no Thought of prolonging the Conferences by ſtarting vain Difficulties, nor of improving thoſe Delays, by preparing for a War under the Maſk of Peace: That his Majeſty, united as he was with the King his Grandſon, had, nevertheleſs, found no Pretext to procure the Admiſſion of the Embaſſador of *Spain* to the Conferences, nor to retard the Iſſue: That they had been open'd to treat of their Lordſhips Intereſts ſolely; and if They had ſo pleas'd, had been ſoon terminated, to the Security of the Provinces, the Advantage of their Commerce, and with an Aſſurance of eternal Amity from the Moſt *Chriſtian* King: That, on the contrary, inſtead of making this Uſe of them, they had interrupted the Progreſs of them, by demanding the Admiſſion of the King of *England*'s Envoy: That it was not to be ſuppos'd, the Motive of that Demand had eſcap'd the Penetration of his Moſt *Chriſtian* Majeſty; it being obvious, that the Intervention of a Power who had no Pretext of demanding Security for himſelf, had not been inſiſted on for the Sake of bringing the Conferences to a happy Iſſue: That if his Majeſty had given Way to that Demand at firſt, the ſame Ingenuity would have furniſh'd ſome other Incident of a more embarraſſing Kind: That, indeed, his Majeſty was not aware, that their Lordſhips could have been ſo eaſily induc'd, to inſiſt on a pretended Satisfaction to the Emperor, to undertake the ſupporting that Prince in it, to confound his Intereſts with thoſe of the Republic, and to erect themſelves into Arbiters between the Houſes of *France* and *Auſtria*, &c. That, in ſhort, it was ſcarce credible, That a Republic ſo wiſe, ſhould reſolve, in favour of the Houſe of *Auſtria*, and againſt *France*, to break thoſe Treaties, which ſhe has hitherto regarded as the Confirmation or rather the *Seal* of her *Sovereignty*: That at the Expence of her Provinces, at her Commerce, and her Riches, ſhe ſhould encumber herſelf with the Weight of a foreign Intereſt: That the under-written Embaſſador would abuſe the Confidence of the King his Maſter, if he ſhould, after this, give him any Hope of Succeſs from the Continuance of the Conferences: That his Majeſty was too clear ſighted to be ſo impos'd upon, after the Declaration the Envoy of *England* had made in the Name of the King his Maſter: That their Lordſhips were inform'd of the Manner in which that Declaration had been made: That the Engagements of their Lordſhips with the King of *England*, were too cloſe; that it was too well known they ſubmitted themſelves blindly to his Sentiments; and that they took what Meaſures were moſt agreable to him, to leave any Doubt, That they had not already reſolv'd to make the ſame Declaration: That, indeed, they had, in effect, made it already, in declaring as they had done, Their Deputies could not continue the Conferences, without the Intervention of the Envoy of *England*: That he having withdrawn himſelf, they were already in fact ſuſpended: That, therefore, his (M. *d'Avaux*) Reſidence at the *Hague* was no longer of any Conſequence: That if he had not had the Satisfaction of accompliſhing the Intentions of his Majeſty, in leaving the Peace eſtabliſh'd between him and the *United-Provinces*, he had had the Satisfaction at leaſt of having made it appear, That it was not his Majeſty's Fault if a Rupture follow'd: As, alſo, That his Majeſty was arm'd only for the Defence of the King his Grandſon: And that if it had been his Purpoſe to make Conqueſts, it had been an eaſy Taſk for him, when his Forces came firſt upon their Frontiers, and they were not in a Condition to defend themſelves: That this would excite no Apprehenſions in their Lordſhips now, becauſe it was what they had made public themſelves; and the Truth of the Fact ſo warranted by their own Teſtimony, ought to have convinc'd, That it was always in their own Power, to obtain that Security from his Majeſty, which they believ'd they had loſt when the King's Grandſon ſucceded to the Crown of *Spain*: That if theſe Reflections, which it was ſtill in their Power to make, could not prevent a Rupture, the Moſt *Chriſtian* King had reaſon to hope, that *God*, in recompence of his Majeſty's Solicitude to maintain the Repoſe of *Chriſtendom*, would continue to beſtow the ſame Bleſſings on the Juſtice of his Cauſe, which he had accumulated on him during the Courſe of his glorious Reign: That Thoſe who dar'd to attack him, might poſſibly learn from the Event, That it was neither Weakneſs nor a Diſtruſt of his Strength, which had till then reſtrain'd his Arms: That they would ſee it was in his Power to avenge the (*t*) Inſults offer'd to his Flag, protect his Subjects from being ſeis'd and treated as Enemies by the *Engliſh* and *Dutch* Ships, and prevent the ſame Ships from ſounding

(*t*) Several Complaints of this Kind had been made on both Sides: The *French* had taken the St. *La* Yacht in *Camaret* Bay, and had thrown the Commander and Crew into Priſon: And when Lord *Mancheſter*, by Order, made ſuitable Remonſtrances to M. de *Torcy*, he urg'd, They were ſounding the Port: That ſeveral Ships had lately done the ſame; and withal deliver'd a Paper to his Lordſhip, containing the Grievances on their Side, which Mr. Secretary *Vernon*, in return, promis'd ſhould be redreſs'd, as ſoon as the Admiralty could find out by whom they were committed: Adding, That a *French* Officer who had attempted to take a View of the Dock-Yards at *Chatham*, had found much better Treatment than the Commander of the St. *La*, *Yac* tho' he had not been allow'd to ſatisfy his Curioſity, he had nevertheleſs been diſmiſs'd with Civility. *Coll.* p. 370.

A. D. 1701. founding his Ports and firing on his Veſſels: That, in ſhort, it was ſtill in his Power to poſſeſs himſelf of Places, that remain'd without Defence, and to obtain very conſiderable Advantages towards the Support of a War, which the Conduct of his Neighbours made him foreſee: And that if he had hitherto diſſembled theſe Inſults, neglected the Advantages which he might have deriv'd from the acknowledg'd Superiority of his Forces, he had done ſo but to remove all Poſſibility of charging him, with having departed in the ſmalleſt Article, from the exact Obſervation of the Treaties of *Ryſwick*."

It is to be obſerv'd, That it was on the 3d of *July*, Mr. *Stanhope* made his Declaration to the two Miniſters of the two Crowns: And that it was not till the 26th following, that M. *d'Avaux* (who had the Day before receiv'd two Couriers from his Court) preſented this Memorial, together with his Letter of Revocation, to the Preſident of the Week.

On the other Hand, tho' the States-General immediately took this Memorial into debate, they did not deliver the Reſolution they had taken upon it, till they had firſt communicated it to their *Stadtholder*, who had been for ſome Time employ'd in (*u*) reviewing the Troops of the State, and ſurveying their Fortifications.

The ſaid Reſolution, like all other Replies, was much longer than the Memorial: For M. *d'Avaux* having caus'd the ſame to be printed, their Lordſhips thought it incumbent on them to follow his Example, and, for that Reaſon, to be as full and circumſtantial as poſſible in their Endeavours to do themſelves Juſtice: In order to which they ſet forth,

Anſwer of the States. "That they were oblig'd to the Moſt *Chriſtian* King, for ſending thither the Count *d'Avaux* as his Embaſſador Extraordinary: That they wiſh'd the Conferences might have been conducted by ſuch Means as would have produc'd a general Peace, and reaſonable Security for themſelves; and that M. *d'Avaux* had ſtay'd till that had been done: That they were troubled he ſhould be recall'd before their Wiſhes had taken effect; and ſo much the more, that the Cauſe of it ſhould be imputed to their Conduct: That, upon his Moſt *Chriſtian* Majeſty's ſignifying to them, That he had accepted the Will of the late King of *Spain* inſtead of the Treaty of *Partition*, they gave him their Reaſons why they could not come to a ſpeedier Reſolution in that Affair: And, that, as ſoon as their Conſtitution would allow it, they offer'd to enter into a Conference with any that his Majeſty ſhould think fit to appoint: That they appointed Deputies accordingly to treat with the Count *d'Avaux*; and, in Compliance with his Majeſty, own'd the new King of *Spain*, that they might remove all Occaſions of Delays, and give a convincing Proof of their Deſire to preſerve the general Peace: That they could not apprehend, how the Intervention of the King of *Great-Britain*, who was one of thoſe concern'd in the Treaty of *Partition*, could obſtruct the ſame; or the Intervention of any other Potentate, that had an Intereſt in preſerving the General Peace: That they had not thereby own'd the Juſtice or Injuſtice of the Pretenſions of a Third Party, nor ſeperated their Intereſts from any who are concern'd in the General Peace: That, ſince his Majeſty's Miniſters had repreſented to them, that the End of the Treaty of *Partition* might be as well obtain'd by the Acceptance of the Will, they deſir'd the Count *d'Avaux* might make Propoſals for the General Peace, and their particular Security; and he excuſing himſelf, and deſiring Propoſals from them, they had, in Concert with his Majeſty of *Great-Britain*, deliver'd him Propoſals: That they could not comprehend, why the Effect of that Union betwixt them and the ſaid King, ſhould be rather War than Peace; ſince his Majeſty of *Great-Britain* had, on all Occaſions, given ſufficient Proofs of his Inclinations to Peace: That they had been ſtrictly united with him by Alliances many Years ago, for their mutual Security: That he was one of the chiefeſt Parties in the Treaty of *Partition*; and that they declar'd, before their Propoſals were communicated, they thought his Conſent neceſſary, as well for theſe Reaſons, as for his private Relation to their Republic; and no Objection was then rais'd againſt it: That they were ſorry the King of *France* had return'd no Anſwer to their Propoſals; which, tho' they had been call'd *Exceſſive*, no body had undertaken to prove ſuch: That the General Peace could not be preſerv'd, without Satisfaction to the Emperor, whoſe Pretenſions were ſo far own'd by the King of *France* himſelf in the Treaty of *Partition*, that it was agreed how the ſame ſhould be ſatisfy'd: That, therefore, there was nothing in this Article of their Propoſal, that could be call'd *Exceſſive*; and what they had demanded for their own Security, was not equal to what they had before the Death of the late King of *Spain*, or to what they had acquir'd by the Treaty of *Partition*: That their Forces had not been rais'd on their own private Sentiments only, but on the opinion of their Allies, who had not ſcrupled to ſend them the Aſſiſtance they were oblig'd to by their Alliances: That had it been in their Power to relieve themſelves out of their Difficulties, without arming, ſeeking new Alliances, or drowning their Country, they would certainly have done it: That the Difficulties rais'd about admitting the *Engliſh* Envoy, were not from them, but from the Count *d'Avaux*; conſequently were not chargeable upon them, for the Reaſons before-mention'd: That the King of *France* had Reaſon to think, they would inſiſt on Satisfaction

A. D. 1701.

(*u*) His Majeſty having been oblig'd to diſmiſs Lord *Galway* from his Service in *Ireland*, had aſſign'd him a Penſion of 1500*l.* a Year, by way of Conſolation, during Pleaſure; and on his Arrival in *Holland*, gave him the Regiment of *Dutch* Horſe Guards, formerly commanded by the Earl of *Portland*.

A. D. 1701. tion to the Emperor, seeing that was the first of their Propofals, which the King of *France* himself then thought just and neceſſary: That they had given no Cauſe to think that they preſum'd to ſet up as Umpires betwixt *France* and *Auſtria*, or to determine which of the two laſt Kings of *Spain* had a Right to alter the Laws of the Succeſſion to that Crown; but deſir'd his Majeſty to remember, That he himſelf, as well as the King of *Great-Britain* and the States, thought a War would be unavoidable, if, upon the Death of the late King of *Spain*, either He or the Emperor ſhould inſiſt upon the Pretenſions of their Families to the Succeſſion; and therefore they enter'd into the Treaty of *Partition*: That their owning the King of *Spain*, could not be judg'd to be a Step contrary to this, ſince it did not hinder giving reaſonable Satisfaction to the Emperor: And that the King of *France* ought to be convinc'd, that they would do nothing to the Detriment of their Provinces, Commerce or Riches, but what was abſolutely neceſſary to their Preſervation: That They had done nothing that could be conſtru'd a Breach of the Treaties which *confirm'd* and *ſeal'd* their Sovereignty, and did not well apprehend the Meaning of that Aſſertion: That their Provinces were always Free and Sovereign: That their Anceſtors had ſpent their Lives and Fortunes to aſſert their Freedom, and they were reſolv'd to do the like: That they were ſorry to hear the Count *d'Avaux* expected no Succeſs from the Conferences, becauſe of the *Engliſh* Envoy's declaring, that Satisfaction muſt be given to the Emperor: That they own'd, with the King of *Great-Britain*, they thought it reaſonable to treat of Satisfaction to that Prince; and that the Emperor ſhould, in order thereunto, be invited into the Negotiation: That the States did not blindly follow the King of *Great-Britain*'s Sentiments, but had a great Deference for his Advice, becauſe they were perſuaded, he was wholly inclin'd to preſerve the Peace, and convinc'd he ſought *nothing* but the *Welfare* of *their Republic*: That if the Conferences were ſuſpended upon that Account, they ſhould look upon it as a great Misfortune: But that if the King of *France* had thought fit to let them continue, and to allow Satisfaction to the Emperor, they had Hopes of a good Concluſion: That they had been oblig'd, indeed, to arm, but did not begin to do it, till they ſaw their Barrier in the *Spaniſh Netherlands*, which had coſt them ſo much Blood and Treaſure, poſſeſs'd by *French* Troops, their own Forces detain'd, and great Preparations of War made there: That their Jealouſy was beſides conſiderably increas'd by the ſtrict Union which appear'd every Day between *France* and *Spain*; tho' the Treaty of *Partition* was made for this, among other Reaſons, to prevent Jealouſies from the Union of too many States: That they had endeavour'd, by all poſſible Means, to preſerve his Majeſty's Friendſhip; but if they muſt, contrary to their own Inclination, enter into a War, they ſhould have no Cauſe to blame themſelves for it, and therefore hop'd that A. D. 1701. the Almighty would protect them."

This was the Effect of their Lordſhips Reſolution ſo far: And for the reſt, they proceeded to declare their Ignorance of any Inſult offer'd to the *French* Flag, or any Violence to the Ships or Subjects of *France*, either by their own Subjects, or thoſe of *England*; as alſo, to expreſs their Concern at being ſo accus'd: And they concluded with profeſſing, "It would be a ſingular Pleaſure to them, if the ſaid Count would poſtpone his Departure for ſome Time, in hope ſome Occaſion would offer to reſume the Conferences, and conduct them to a happy Iſſue, for the Eſtabliſhment of the general Peace, and their own particular Security: In Confirmation of which, they had caus'd this Reſolution to be deliver'd to him as an Anſwer to his Memorial, before he had his Audience of Leave, and receiv'd his recredential Letters upon it."

M. *d'Avaux*, on the other Hand, having firſt communicated the ſaid Reſolution to Don *B. de Quires*, immediately diſpatch'd it by a Courier to his Court: And the *Dutch* Secretary ſoon after waiting on M. de *Torcy* to enquire the Sentiments of his Court concerning it, the ſaid Miniſter told him, It was well underſtood: That a due Reſpect was obſerv'd in it to the King: But that for the reſt, it was conſider'd only as an Expedient to gain Time, in order to prepare for a War: That the inſiſting on Satisfaction for the Emperor, render'd it impoſſible for the King to enter into any Negotiation: And that, upon the whole, there was a Neceſſity to recal M. *d'Avaux*, his Majeſty's Honour having been already too far engag'd, by the long and fruitleſs Reſidence of that Miniſter in a Country, which had neglected the Offer of his Majeſty's Friendſhip. *Sentiments of the French Court thereon.*

And, agreeable to this Anſwer, M. *d'Avaux*, on the 8th of *Auguſt*, receiv'd his final Orders to return; which he did not, however, communicate to the States till the next Day at Noon; having ſo long kept the Secret, for the Sake of certain Merchants of *Amſterdam* in his Intereſt, who dealt largely in Actions or Stocks; and whom he warn'd in the Night to make their Market as ſoon as they could on the Morrow, that the Loſs to be expected on ſuch Occaſions, might fall on Others. *M. d'Avaux takes his final Leave.*

What follow'd, was the Ceremonial of Leave-taking on both Sides, which paſs'd in the uſual Forms, and with the uſual Civilities; and Three, together with the cuſtomary Viſits to the foreign Miniſters, being over, he departed on the 13th, leaving his Secretary behind him; and having paid no Compliment either to King *William* or any of his Court.

All this while the *French*, *Milaneſe*, and *Savoyard* Troops, under the Command of M. *Catinat* and the Prince *Vaudemont*, (for the Duke of Savoy, Generaliſſimo, did not leave *Turin* till the 24th of *July*, N. S.) having taken Poſſeſſion of the *Mantuan*, and poſted themſelves along the *Adige* to advantageouſly, according to their own Account, *Travelling of Prince Eugene to Italy.*

to

A.D. 1701. to cover both the *Veroneſe* and *Ferrareſe*, that they had nothing to apprehend from the Approach of the *Imperialiſts*: And by their Orders, they were reſtrain'd to act on the Defenſive only.

The Latter, however, commanded by Prince *Eugene* of *Savoy*, and amounting to upwards of 30,000, began to move towards the End of *May*; and, the *French* having ſeiz'd all the Boats on the *Adige*, made it a Pretence for Hoſtilities; which they ſoon after commenc'd with ſo much Bravery, directed by ſo much Prudence, that they gain'd the Paſſage of the *Adige*, under the Cover of a Feint which they made to paſs the *Po*: After which they forc'd the *French* Entrenchments at *Carpi*, and oblig'd the Enemy to cover themſelves behind the *Mincio* with conſiderable Loſs.

Nor is it unworthy Obſervation, that every Advance they made, was ſet forth as advantageouſly as poſſible in the *London Gazette*: And that the Action at *Carpi* was thought of ſuch Conſequence, as to deſerve a *Gazette Extraordinary*.

The Duke of Savoy joins the Confederates. And this was in general the Poſture of the two Armies, when the Duke of *Savoy* took upon him the Command of the Confederates, if that could be call'd a Command, which he could not exerciſe without the Concurrence of his Sub-ordinates.

But finds himſelf a Generaliſſimo without Authority. In the Councils of War that were held upon his Arrival, he gave it as his Opinion, it ſeems, That they ought to paſs the *Mincio*, and offer Battle to the *Imperialiſts*: But tho' the *French* had courted him ſo much, they plac'd ſo little Confidence in him, that his Opinion had not the Weight which perhaps it deſerv'd: It is true, the *French* preſuming on the Superiority of their Numbers, and the ſuppos'd Impoſſibility of Prince *Eugene*'s being able to paſs their Lines, had behav'd in ſo tyrannical a Manner, that the whole Country was their Enemies: Whence it was rightly concluded, That, in caſe they loſt a Battle, their broken Troops would find it a very hard Matter to make good their Retreat: Whereas, on the other Hand, the *Imperialiſts*, having, in the general, obſerv'd an exact Diſcipline, having paid for the Proviſions they conſum'd, and behav'd with a due Deference to the Republic of *Venice* on the one Hand, and his Holineſs on the other, in marching thro' the Territories of Both, had the good Wiſhes and good Offices of every Diſtrict They paſs'd through.

Thus the Latter being Maſters of all the Poſts of *Ricoli*, and of the *Ferrareſe*, had an open Communication, by the Means of the *Adige*, with *Tyrol*, from whence, in this Interval, they receiv'd a conſiderable Reinforcement: Soon after which, to the great Aſtoniſhment of M. *Catinat*, who expected no ſuch Thing, they paſs'd the *Mincio* at St. *Leone*, and continued their March to *Deſenzano*: Upon which the Confederates held a Council of War on Horſeback, on the Expediency of advancing in order to give them Battle, which M. *Catinat* was now in a Diſpoſition to think advisable: But before they came to any Reſolution, they were inform'd the *Imperialiſts* were no longer within their Reach; having directed their Courſe towards *Breſcia*: And this they perform'd with ſo much Expedition, that they gain'd two Days March upon the Confederates. A.D. 1701.

And now all that Variety of Expedient which in ſo ſhort a Time Prince *Eugene* made uſe of, with ſuch almoſt uninterrupted Succeſs, began to excite Conſternation as well as Surprize. As it was believ'd the *Milaneſe* was his Object; and it began to be apprehended, that every Thing was poſſible to him, the Prince de *Vaudemont* and the Count de *Teſſe* were order'd to march with the utmoſt Precipitation into the *Cremoneſe*; and were follow'd by the reſt of the Army in ſo much Diſorder, that the Country-People took it for a Flight rather than a March.

The Confederates retire to the Cremoneſe.

The next Stand they made, was on the River *Oglio*: But, inſtead of advancing to diſpute that Paſs with them in the next Place, as they expected, Prince *Eugene* made an Incurſion into the *Mantuan*, reduc'd the Fortreſs of *Caſtiglione*, and laid the Country under Contribution: After which he advanc'd to *Ponte d'Oglio*, and having taken Poſſeſſion of *Chiari*, a ſmall, unfortify'd Place belonging to the *Venetians*, took the neceſſary Precautions to fortify his Lines, and make good the Poſt, till two Regiments of Foot, of 2500 Men each, which were upon their March to join him, came up.

But, in the mean Time, the Marſhal de *Villeroy*, who had been diſpatch'd with fighting Orders, and a Commiſſion ſuperior to M. *Catinat*'s, (whoſe Credit had faded with his Fortune) being arriv'd at the Confederate-Camp, accompany'd with four Lieutenant-Generals, and four Camp-Marſhals, as alſo a large Reinforcement, conſiſting of ſeveral of their beſt Regiments, the ſaid Confederates quitted their Lines, and attack'd the Prince in his Camp, with a great deal of Bravery and ſome Succeſs: For the *Imperialiſts* were ſeveral Times forc'd from their Poſts, tho' they rally'd and recover'd them again, and at laſt repuls'd the Enemy with conſiderable Loſs. The Ground, which was encumber'd with Trees, and interſected with Rivulets, Hedges and Ditches, would not ſuffer the Combatants to make uſe of their Horſe on either Side: So that the Action was as far from being general as deciſive.

M. de Villeroy ſent with fighting Orders.

He attacks the Imperialiſts in their Lines.

But is repuls'd.

The reſt of the Campaign was ſpent by the two Armies in little Enterpriſes to harraſs and circumvent each other: As neither would venture to make any conſiderable Motion, ſo neither could ſnatch any conſiderable Advantage; and when Both were in a Manner worn out with Fatigues, Wants, Diſeaſes, and the Inclemencies of the Seaſon, the Confederates decamp'd firſt, in the Night, without Beat of Drum, and made the beſt of their Way to the Quarters aſſign'd them between the *Oglio* and the *Adda*; which they effected without any material Diſturbance, tho' Prince *Eugene* in Perſon, with a conſiderable Detachment of his beſt Troops, and

The French break up their Camp firſt.

A. D. 1701. and ten Field-Pieces, made an Attempt to fall upon their Rear.

The Emperor's Affairs greatly countenanc'd by the Stand made in Italy.

But, inefficient as, upon the whole, the Campaign really was, the Advantages obtain'd over the Confederates in the Beginning of it, and the Stand made againſt their whole Force afterwards, had a marvellous Operation to the Advantage of the Emperor's Affairs: For, over and above the Countenance it gave him in *Italy*, and the Diſturbances it help'd to excite in *Naples* and *Milan*, where a very extraordinary Averſion to the *French* occaſionally appear'd, and as violent an Inclination to prefer the *German* Yoke, it contributed greatly to keep the *Swiſs* Cantons from cloſing with the tempting Offers of the two Crowns, and alſo greatly diminiſh'd the Confidence of the *German* Princes in the Superiority of *France*, and that general Coldneſs which ſeem'd at firſt to have taken Poſſeſſion of the Empire, in relation to a Quarrel, which they affected to conſider as a Family-Point, which concern'd the two Houſes of *Auſtria* and *Bourbon* only: Thus the aſſociated Circles, which had been induc'd by the Inſtances of *France* to declare for a Neutrality, by Degrees recover'd Spirit enough to put their own Interpretation on their own Act: For, tho' the *French* Miniſter inſiſted, that in conſequence thereof, the March of any Troops to the *Rhine*, belonging either to the Emperor or Empire, or even to reinforce the Garriſon of *Philipſburg*, would be underſtood by his Maſter as a Rupture, in which Caſe his Majeſty would ſeize on the ſaid Place, as alſo on Fort de *Kehl* and *Briſac*, They conniv'd at the March of the ſaid Troops notwithſtanding; and otherwiſe diſcover'd ſuch an Alteration of Sentiment, as caus'd a Suſpicion, that the ſaid Neutrality was not much to be depended on: And perhaps, the Invitation of the *Engliſh* Houſe of Commons to their Sovereign, to form Alliances in concert with the States-General for the Reduction of the exorbitant Power of *France* was a more intereſting Conſideration to thoſe Princes than any other Tranſaction.

A. D. 1701.

A Subſidy to them, and in general to all the hungry Princes of the North, is the firſt and laſt Object of Attention: And when *France* and the *Maritime* Powers bid againſt each other, they ſeldom fail of a good one from one of the Parties; nor to exact a thouſand Douceurs under ſome *Jewiſh* Pretence or other, into the Bargain.

In M. *d'Avaux*'s laſt Memorial we may remember the States were keenly reproach'd with the *Alliances* they had ſo *dearly bought*: And it is now to be explan'd, That this did not ſo much refer to the Contracts they had made with the Elector-Palatine, the Houſe of *Lunenburgh*, and the Landgrave of *Heſſe*, as to the Treaty of Subſidy the *Maritime* Powers conjointly had juſt made with *Denmark*.

Subſidiary Treaty of the maritime Powers with Denmark.

The Troops of that Country, as it was obſerv'd by one of our own Miniſters, had been upon Sale, for ſome Time, by Inch of Candle: *France* was one of the Bidders; and, as Lord *Mancheſter* aſſures Mr. *Vernon*, would have had them, in caſe they had bid but 150,000 Livres more: Thus by giving more for them than they were worth, they were knock'd down to *England* and *Holland*: And almoſt the ſame Thing happen'd in the former Treaty with *Denmark* of 1689 for 7000 Men, then negotiated by Mr. *Molesworth*. For in a *(w)* Letter to Sir *William Dutton Colt*, his Majeſty's Envoy to the Courts of *Lunenburgh*, he makes the following Acknowledgment, "'Tis true, we do give a great Sum of Money for them; and I wiſh our Maſter does not think ſo." And again, "They were juſt upon the very Point here of renewing their Alliance with *France*, and I was too quick for the *French* Ambaſſador but by two Hours."

The ſaid Treaty was ſign'd *June* 15 (Mr. *Lamberty* erroneouſly ſays *January* 20;) and, as it was laid before the Houſe of Commons, conſiſted of *(x)* ſixteen Articles, together with ten

---

(w) Preſerv'd in a large Collection of Originals, to Sir *William Dutton Colt*, communicated to the Author by the Favour of *Francis Stratford*, Eſq; of *Merevale* in *Warwickſhire*; thro' the Interpoſition of the ingenious and learned Dr. *Jones*.

(x) An Abſtract of both, for the Reader's better Information, is added as follows.

1. "The defenſive Alliances made between the ſaid Kings and the States General the 3d of *November* 1690. and the 3d of *December* 1696, ſhall be confirm'd.

2. The King and the States promiſe to pay the Sums ſtipulated by the Alliance in 1696, (which by the Way were grievouſly enſlam'd on one Side, and yet were allow'd on the other) one half as ſoon as the Troops begin to march, and the other half ſix Months after.

3. The King of *Denmark* will, in caſe of a War, ſhut all his Ports againſt Privateers and Men of War, unleſs they convoy a Fleet of Merchant-Ships, to the Number of forty or more.

4. The King of *Denmark* ſhall not longer oppoſe the ninth Electorate.

5. He ſhall not enter into any Treaties that may diſturb the Peace of the North, but prevent them.

6. He ſtipulates Liberty of Commerce for his Subjects, and for the better preventing of Frauds, the Convention of 1691 ſhall be examin'd and alter'd: and 'till that is done, the ſaid Convention ſhall be in force.

7. The King of *Great Britain* and the States-General promiſe to pay to the King of *Denmark* 300,000 Crowns a Year during the War: But in Caſe no War happens, and that the Forces are on their March, then to pay three Months of the Subſidy, beſides Levy-Money: and if an Accommodation be made, after the Ratification of this Treaty, but before the Troops are marching, to pay a Year's Subſidy, and a fourth Part of the Levy-Money.

8. The King of *Great-Britain* promiſes to pay the Arrears due on the Convention in 1689, for the 7000 *Danes*.

9. The King of *Denmark* waves all Pretenſions upon the States, they paying to his Majeſty the Sums that the Province of *Holland* and the Town of *Amſterdam* claim from him, and returning the Obligation of the late King *Frederick* the Third.

10. The King of *Denmark* ſhall ſend 5000 Horſe, 1000 Dragoons, and 8000 Foot to the Aſſiſtance of the King of *Great-Britain* and the States General, immediately after the Treaty is ſign'd, and they ſhall take the ſame Oath to the King and the States, as the 7000 did to the King, and the ſtanding of vacant Offices, and the Adminiſtration of Juſtice, ſhall alſo be in the ſame Manner. The King and the States ſhall pay Levy-Money, for a Horſeman eighty Crowns of Denmark, and a Footman thirty: one half as ſoon as they are marching, and the other when they are arrived on the Frontiers. Their Pay ſhall be the ſame as that of the States, and be diſtributed by the *Danish* Commiſſaries, to commence from the Day of their March. If the ſaid Troops are to be tranſported, ſuch Tranſports are to be made at the Charge of the King of *Great Britain* and the States, who muſt retain them as long as they ſhall ſee it and if to be ſent Home

A.D. 1701. their ſecret Articles: By the former his *Daniſh* Majeſty was to furniſh 3000 Horſe, 1000 Dragoons, and 8000 Foot to the Aſſiſtance of the King and the States, immediately after the ſigning of the Treaty; and the latter in caſe of Need, 4000 more three Months after Demand, in Conſideration of a 100000 Crowns a Year, for ten Years, on the Suppoſition of a War, Levy-Money, *&c. &c.*

M. *Lamberty* does not give the ſecret Articles; but then he adds another Article to the firſt ſixteen, which he ſays was ſign'd by Mr. *Greg* the *Engliſh* Miniſter, tho' not by the *Dutch*: To wit,

[Tome I. p 521]

"For the better underſtanding of all the Clauſes of the preſent Treaty which concern the Expence of the Levies, the Quarters, the March, the Recruits, and the Return of the ſaid Troops, it is expreſly ſtipulated, "That his *Britannick* Majeſty ſhall defray all the ſaid Expences, when they ſhall be in his Service, and the States General when they ſhall be in the Service of their Lordſhips."

Treaty of the two Crowns with Portugal.

And, ſoon after, as if to balance this Meaſure, Advice came from Mr. *Methuen*, that the Treaty ſo long talk'd of between the two Crowns and *Portugal*, had (notwithſtanding all the advantageous Offers he had been empower'd to make, and all the Oppoſition his own Zeal, Activity, and Sagacity had been able to raiſe againſt it) been ſign'd at *Liſbon* upon the 18th of *June*: And from M. *Schonenberg*, That the Ratifications were exchang'd the next following Month.

On the *Portugueſe* Side, this Treaty and every Thing that regarded it, was conceal'd with all the Caution imaginable; as well becauſe they had great Reaſon to think, it would be extreamly odious to the People, as becauſe they were under ſome Apprehenſions of the Reſentments of the *Maritime Powers*, which had a conſiderable Fleet then ready to put to Sea, under the Command of *Rooke*; and what the Deſtination of it was to be, contrary to what was uſual in the like Caſes, remain'd as yet a profound Secret: And, on the other Hand, how ſolicitous thoſe Powers were to be preciſely inform'd, how far theſe Engagements extended, may be collected from the following Letter from Mr. *Methuen* to Lord *Manchester*, dated *September* 27, To wit, A. D. 1701.

"The 19th Inſtant arrived here in *Caſcaes* Road his Majeſty's Ship the *Lyn*, diſpatch'd to me by Sir *George Rooke*, with Inſtructions from his Majeſty; upon the Receipt of which, I preſently demanded an Audience of the King of *Portugal*, and it was appointed me the next Morning at ten of the Clock. I was almoſt two Hours with the King, during which Time having ſaid every Thing to him that I thought likely to make him ſenſible of his paſt Errors, and true Intereſt; I concluded with acquainting him, that it being abſolutely neceſſary for the King my Maſter to be fully inform'd concerning the Contents of the late Treaties he had made with *France* and *Spain*; I deſir'd that a true Copy of them ſhould be communicated to me, together with a Declaration of his final Reſolution, how he intended to act in caſe a War ſhould break out between *England* and *France*, adding, that I expected an immediate and poſitive Anſwer, being reſolved not to detain the King's Ship above four and twenty Hours. The Arrival of the Frigate, her remaining at the *Caſcaes*, my Demands, and the little Time I gave them, put

---

they are to give three Months Notice. If the King of *Denmark* be attack'd in his own Kingdoms, he may recal them as ſoon as he finds it neceſſary.

11. If a Regiment or Company happen to be ruin'd, the King and the States are to recruit them, and to reſtore them to the ſame Condition they were in before, and the Recruit-Money is to be paid to the *Daniſh* Officers at the End of the Campaign.

12. If the King of *Denmark* ſhould be in any wiſe attack'd, the King of *England* and the States-General ſhall ſend his Forces back with Speed, giving them one Month's Pay, and the like Sum when they ſhall be ſent Home after the Peace; and they ſhall ſend the King of *Denmark* the Succours agreed on by the ſecret Article of the Treaty in 1690.

13. Succours may be demanded by any of the Parties, if he is attack'd by Force of Arms, without his having firſt uſed Force againſt the Aſſailant: But this is to be applicable only to future Occaſions. For the preſent, the 12,000 Men ſhall march, as ſoon as the Treaty is ſign'd.

14. This Alliance ſhall continue ten Years from the ſigning thereof, and the Alliances of 1690 and 1696, are renew'd by this.

15. The Emperor ſhall be invited into this Alliance; and if *Pruſſia*, *Luxenburg*, and *Heſſe-Caſſel* ſhall deſire to be comprin'd in it, the principal Contractants are at Liberty to conſent to it.

16. The Ratification ſhall be exchang'd at *Copenhagen* in ſix Weeks by *England*, and in four Weeks by *Holland*.

Abſtract of the ſecret Articles of the foregoing Treaty.

1. If the Succour, which *Denmark* is to ſend to the King of *England* and the States, ſhould not be ſufficient, that King promiſes to ſend 4000 Men more, three Months after Demand. The King and the States may act with theſe 4000 Men, as alſo with the 12000 mention'd in the Treaty, as they ſhall think fit.

2. If *Denmark* ſhould be attack'd, and the Succour mention'd in the ſecret Articles of the Treaty of 1690 ſhould not be ſufficient, the King of *England* and the States promiſe to aſſiſt him with all their Forces, as *Denmark* will in the like Caſe aſſiſt them.

3. His Majeſty and the States will uſe their utmoſt Endeavours that *Denmark* may loſe nothing of its Pretenſions of Money from the Crown of *Spain*.

4. The King and the States will uſe their good Offices, that the Emperor may pay the King of *Denmark* a Debt of a Million of Crowns; and after he has receiv'd it, he will aſſiſt the Emperor with 3000 Foot, if Need be.

5. His Majeſty and the States will endeavour that the Duke of *Holſtein* may conform himſelf to the Treaty of *Travendale*, and maintain a good Friendſhip with *Denmark*, while he ſends ſo many Troops out of his own Dominions.

6. The Allies ſhall endeavour, that the Peace in the Empire ſhall be entirely preſerv'd.

7. His Majeſty and the States are content, that the Emperor ſhall have 2000 out of the mention'd 12000 Men, mention'd in the 10th Article of this Treaty, which *Denmark* will make good to them, in ſix Months, after the ſigning of this Treaty.

8. The King of *Denmark* declares, that the Kings and the States Ships of War ſhall at all Times enter his Ports, when they convoy ſuch a Number of Ships, as they ſhall think fit.

9. His Majeſty and the States promiſe, that they will, before the Ratification of this Treaty, agree with the King of *Denmark* about ſuch a Security for the Payments, as he may be ſatisfy'd with.

10. In caſe of a War, his *Daniſh* Majeſty ſhall not be oblig'd to enter into it, but be reputed to have made good his Alliance, by ſending the Succours of 16000 Men, and ſo putting this Treaty in Execution." Cont. P. 392, *&c.*

A. D. 1701. put this King and his Miniſters into a great Conſternation, for they ſuppoſed that our Fleet lay ſomewhere near the Coaſt, expecting the Return of the Frigate with my Anſwer; and this Conſideration made them very uneaſy, which made me hope that they would at laſt take ſome vigorous Reſolution in our Favour. But my Hopes were ſoon defeated by the News I receiv'd by an Expreſs from *Caſcaes*, the ſame Night, that Monſ. *Chateau-Renault* appear'd off with his Squadron, which proved too true, for he came into this River the next Day; and the *Portugueſe* having plucked up their Spirits, the Secretary of State ſent me an Anſwer in Writing, That the King of *Portugal* lay under no other Obligations by his Treaties with *France* and *Spain*, than thoſe which he communicated to me already, as alſo to Mr. Secretary *Vernon* by his Envoy in *England*; and that the King had no Reaſon to change any Thing that had been ſtipulated with the Moſt *Chriſtian* King, who had always been his good Friend and Ally."

And theſe Communications which had alſo been made to the States-General, as well as to the King, were in Subſtance little more than this, That his *Portugueſe* Majeſty was ſincerely diſpos'd to contribute all that was in his Power to the Continuance of the Peace: But that if a Rupture ſhould, notwithſtanding, happen, his Intereſts would oblige him to take Part with the two Crowns.

But if the Court of *Portugal* found it convenient not to diſcover the Bottom of their Engagements, the two Crowns had no ſuch Managements to keep; and therefore made no Difficulty to ſuffer the Contents of the *Portugueſe* Treaty to (*y*) ſteal into the World; by which it appeared, A. D. 1701. that if the Vaunts of M. *d'Avaux* at the *Hague* concerning it were not wholly true, they had too much Truth for their Foundation.

And here it may be expedient to ſhew, in a Word or two concerning the *Engliſh* and *Dutch* Fleet, which ſtruck ſuch a Terror into the Court of *Liſbon*: It conſiſted of forty ſeven Ships of the Line and fifteen *Dutch*, beſides Frigates, Tenders, *&c.* ſet ſail firſt about the Middle of *Auguſt*, but being oblig'd by contrary Winds to put back again, could not get to Sea till the End of that Month: The Advice ſent by an extraordinary Courier from the Court of *Verſailles* to that of *Madrid* was, That it was provided and victuall'd for ſix Months, and was bound to the *Mediterranean*: Upon which the Council of State was aſſembled to deliberate upon what was fit to be done, in caſe they ſhould occupy the *Spaniſh* Ports with the ſame Freedom as formerly: And the Reſolution taken upon it was, That circular Orders ſhould be ſecretly ſent to all the Governors and Commanders of the ſame, to fire with Ball upon any *Engliſh* or *Dutch* Men of War, tho' a ſingle Ship ſerving only for Convoy, that ſhould come within Reach of their Guns. *Orders to forbid their Admittance into the Ports of Spain.*

But this Fleet, ſtrong as it was, ſerved only to cover a Squadron that was to be detach'd, when out of Soundings, to the *Weſt-Indies*, with Land-Forces, Ammunition and whatever elſe was neceſſary for the Security of the Colonies in caſe of a Rupture, which now ſeem'd to be unavoidable; and, in coaſting *Spain* and *Portugal* could only ſerve to cover our Trade, and to act as a Fleet of Obſervation: For our Merchants

---

(*y*) In fifteen Articles, to the following Effect, To wit.

1. The Peace concluded between *Caſtile* and *Portugal* in 1668, is renew'd and confirm'd.

2. *Caſtile* renounces for ever all Pretenſions to *Portugal*.

3. The King of *Portugal* ſhall remain abſolute Maſter of the Iſlands of *S. Gabriel* and *Nueva Colonia* in the ſame Form as he claim'd them in 1681.

4. *France* relinquiſhes to him all her Pretenſions to *Maranon*.

5. Satisfaction is promis'd to be given to the King of *Portugal*, touching the Affairs of the Company of Negroes which are ſent from *Cachco* to the *Spaniſh Indies*.

6. The King of *Portugal* promiſes to acknowledge King *Philip* V. for lawful and univerſal Heir of the *Spaniſh* Monarchy, in Conformity to the Will of *Charles* II. and to maintain the ſaid Will.

7. That if *England* and *Holland* ſhall proceed to a Rupture with *France* or *Caſtile*, the King of *Portugal* ſhall allow them no Relief or Shelter in his Havens. He ſhall only receive into them ſix of their Men of War, in caſe they have no more in the Seas or upon the Coaſts of *Portugal*; but in caſe they have a greater Number, his *Portugueſe* Majeſty ſhall admit none at all.

8. That his *Portugueſe* Majeſty ſhall not admit into his Ports, any Prize of any Nation whatſoever; and much leſs the Landing of any Men.

9. That in caſe, that by reaſon of this Treaty, *Portugal* ſhall be diſturb'd either by *England* or *Holland*, then *Caſtile* and *France* ſhall ſuccour her with thirty Men of War, and ſhall moreover furniſh her with a Million at one Payment, and 300,000 Crowns a Year, in lieu of which the King of *Portugal* obliges himſelf to keep twelve Men of War at Sea.

10. And in caſe, that upon a War happening, the *Engliſh* ſhall refuſe the Queen-Dowager the Payment of her Dowry, *France* and *Caſtile* ſhall make it good, and ſhall indemnify his *Portugueſe* Majeſty from all Abatements that may happen in his Cuſtoms by reaſon of the War.

11. That in Caſe the Enemies of *Portugal* ſhall in the mean Time make any Attempts upon his Conqueſts, all neceſſary Succour ſhall be given him.

12. His *Portugueſe* Majeſty ſhall be allow'd ſuch military Officers as he ſhall ſtand in need of.

13. That in Caſe the *Hollanders* ſhall refuſe to reſtore the Iſland of *Ceilon* to his *Portugueſe* Majeſty, the Crowns of *France* and *Caſtile* ſhall aſſiſt him to recover it.

14. That in Conſideration of the Peace of *Europe*, his *Portugueſe* Majeſty ſhall by no means moleſt King *Philip* V. in the Succeſſion of *Caſtile*, for or by reaſon of any Demeans which he is at this Day poſſeſt of.

15. That if any Prince will diſpute with him this Poſſeſſion, and that upon this Occaſion there happens a War, his *Portugueſe* Majeſty ſhall forbid him all the Havens of his Kingdoms and Dominions where he may come and ride; and the Landing of all Manner of Merchandize as well as warlike Ammunition: And all that ſhall come in the Name of ſuch a Prince ſhall be treated as Enemies."

There was alſo another Treaty between *Spain* and *Portugal*: And the Stipulations in relation to the Aſſiento for Negroes was to the following Effect:

"That the King of *Spain* ſhall pay out of the firſt Money that comes with the Fleet, 300,000 Ducats, Money of *Portugal*, to the Company in lieu of their Loſſes: That the Company ſhall renounce their Contract of Negroes, notwithſtanding it was to remain two Years longer: and the King of *Spain* is to do as much making Reſtitution of 200,000 Crowns, with the Rents which the Company were obliged to pay at the Signature of the ſaid Contract. This Money is to be ſecur'd to the Return of the ſecond Fleet of the *Indies*, which is to come from the *Havana* to the Bay of Paymeo. That all Negroes and Slaves of the *Portugueſe* Company's Goods in the Ports and Straights ſhall be taken off: And all the Money Parts of *Spaniſh* ſhall be paid for the Sale of Negroes, together with, which ought to be paid for the Sale of Negroes, together with, which ought to be paid in two Months Time, and ſhall have Liberty to carry off their Effects in a Term convenient, either to *Lisbon* or otherwiſe."

A.D.1701. Merchants had not as yet *(z)* receiv'd Notice to withdraw their Effects; Affairs were not as yet ripe for an Appeal to the Sword; and, consequently it would have been Rashness inexcusable to have begun the Quarrel, before it could be either maintain'd or excus'd: So that all the Censures, which the ignorant have pass'd on the Inactivity of this Fleet, recoil upon themselves.

We must now return to the *Hague* again, as to the Center of Negotiation; where a new *Grand Alliance* had all this while been forming: And which was expedited more and more on both Sides, as they were respectively impell'd by their respective Interests.

The Affirmations receiv'd by every Dispatch of the dictatorial Power of *France* exercis'd in the *Spanish* Councils; and, consequently in their Distributions, Dispositions and Regulations of every Kind; and, above all the Alterations making in the Channels of Commerce, in consequence of the Union, had their full Effect on the *maritime* Powers.

[Cole, p. 399.] *A French Company established to open a Trade to* Mexico *and* Peru.

"They have here (at *Paris*, says Lord *Manchester* to Mr. *Vernon*) established a Company for the Trade to *Mexico* and *Peru*. Their Stock consists of six Millions *French*. The King of *Spain* has a fourth Part; the *French* King two Millions, and the Company the rest. They are to have the whole Trade exclusive from all others; and without doubt little but the Produce of *France* will be sent on board the Galleons. There is also another Project for engrossing all the *Spanish* Wool. The first Year or two, it will require a Stock of forty Millions *French*. They *say*, that in *Languedoc* sixteen Millions are subscrib'd; the Merchants in the other Sea-Ports, hope to do the like, and those of *Paris* twenty. The King is to be concern'd also, and this Company is to have great Privileges granted them".

[P. 408.] "The *French* (says *Schonenberg*, *August* 11) work Night and Day to make themselves absolute Masters of the Trade of the *Spanish* Islands, in order to ruin entirely that of *England* and *Holland*." And again, in another subsequent Dispatch. "M. *du Casse*, Governor of the Island of St. *Domingo*, has concluded a new Treaty about the Assiento for Negroes with this Court, in the Name of the *Guinea* Company, established at St. *Malo*; which goes into it for an entire half, the other half is for the Account of the two Kings, Grandfather and Grandson, each an equal Portion. The *French* Vessels design'd for the Transport of the said Negroes, will have free Access to all the Ports of *America*, without any Exception, not even of that of the famous Port of *Buenos Ayres*: And this is in effect making *France* Mistress of all the Trade to the *Indies*."

[P. 416.] *Another French Company obtain the Assiento for Negroes.*

A.D. 1701.

Lastly, The *French* had a strong Squadron of twenty four Men of War, five Fire-Ships, and two Bomb-Vessels in the Port of *Cadiz*; besides the Squadrons which they kept on the Cruise, as well in the Ocean as the *Mediterranean*: And as if to demonstrate, that the two Nations were from thence forward to be Two only in Name, the *French* Fashions of Dress, *&c.* become the Fashion of the *Spanish* Court; the Life-Guards were put into the *French* Uniform, and the Footmen into *French* Liveries: And by a formal Edict, the Grandees of *Spain* and the Peers of *France* were put on the same Footing in each Kingdom.

[P. 450.] *French Squadron at Cadiz.*

and the French Fashions follow'd at Court.

But then to qualify all these flagrant Proofs of the *French* Ascendancy in *Spain*; and the Advantages resulting to *France* from it, the same *Schonenberg*, in one of his Dispatches, writes thus, "His most Christian Majesty has demanded to be furnish'd from hence, as soon as possible, with, at least, two Millions of Crowns, for the most urgent Necessities of *Italy* and the *Spanish Netherlands*; which Demand has astonish'd the Ministry, as if they were struck with a Flash of Lightning, knowing, that it is absolutely impossible to furnish even a fifth Part of that Sum, tho' they should have a good Space of Time to find it in; for, in effect, and without Exaggeration, the Finances of *Spain* are at so deplorably low an Ebb, that, if the Court of *France* were well inform'd of it, they would perhaps, not engage to support a Monarchy, which has not any Vigour left to contribute towards it: It being certain, that, in case of a Rupture, all the Weight of the War, as well by Land as by Sea, will fall wholly upon *France*, and will swallow up, at least, a Third of its Revenues. All that *Spain* will be able to do this Year, will be, to equip two Men of War; and to send into *Andalusia*, for the Security of that Province, about 2500 Men, as well Horse as Foot."

[P. 365.] *The miserable Poverty of* Spain.

Again afterwards, "There is so general a Want of Money, that they find it very difficult to furnish what is necessary, even for the most common Necessaries: This makes their

---

(z) And how necessary such Notice was, may be discover'd from the following Letter to Lord *Manchester* from M. *Schonenberg*.

"*My Lord*,

I thank your Excellency for the Letter you have honour'd me with of the 10th Instant: and, as it seems that Affairs are at a Crisis, the Event of which gives no less a Subject of Apprehension than of Hope, I have reflected how much it concerns the Subjects of H. M. the King our Master, trading and residing in these Kingdoms, to be advertis'd before hand, in case a Rupture be inevitable and near at Hand: They have also instantly desir'd it of me, and they frequently renew their Instances: and I believ'd, that I ought no longer to defer to give your Excellency Advice of it, as to the Minister, who is most capable to communicate to me good and certain Lights in a Point of so great Consequence. It is therefore, my Lord, that I beg of you to have the Goodness, as soon as you shall observe, that we must no more expect an Accommodation, to give me presently Advice of it by an extraordinary Way, the quickest and securest you can find, that so I may, immediately after receiving it, dispatch secretly extraordinary Messengers to all the Ports in these Kingdoms, that thus the *English* Merchants may stand upon their Guard, as in Effect they have began to do it, and that they may finish their necessary Precautions for the Security of their Effects: I promise myself this from the Zeal of your Excellency, for the Service of H. M. as also from your Attachment to the Interests of the Nation." *Cole*, P. 104.

A.D. 1701. them fear, That they ſhall not find enough for the Expence of the King's Journey towards *Arragon* and *Catalonia*, (to hold an Aſſembly of the States, and meet his Conſort in her Way from *Turin*): They have aſk'd the Clergy for a free Gift, and for an Advance from the Farmers and Controllers of the Revenue: But both the one and the other cry out Mercy: In a Word, Scarcity and Miſery reign univerſally, and the Will of the late King *Charles* II. will coſt *France* dear: For, unleſs they open their Coffers to ſupply the horrible Emptineſs of thoſe of *Spain*, this Court cannot ſupport itſelf; and the leaſt War will over-whelm it."

[P 375] And yet again Lord *Manchester*, "I have inclos'd M. *Schonenberg*'s of the 21ſt paſt: Other Letters do confirm the ſame; and I can aſſure you, They begin to be very uneaſy at this Court, to find themſelves oblig'd to bear the whole Burden, with the Mortification that ours and the States Demands were not there (in *Spain*) thought ſo unreaſonable, as the *French* expected they would: And 'twas thought, That it would have made them act with the greateſt Vigour towards the Support of their own Monarchy. Moſt People *here* alſo murmur, as much as they dare, at the *Capitation*, &c. &c. and at ſupporting a People that will do nothing for themſelves. It is certain, that Money was never more ſcarce than it is now here; and it muſt infallibly grow worſe, the King being oblig'd to ſend ſuch conſiderable Sums in Specie into *Italy*, *Flanders*, and *Germany*: Beſides, People make a manifeſt Profit, by ſending the Specie out of the Kingdom into other Countries, which is daily done, and which is owing to the Uncertainty they are under, by the King's raiſing and falling of the Money, and their having no Trade to ſpeak of to make it return."

France not in a Condition to ſupport her.

Thus both the preſent ill State of the Two Kingdoms, and the Apprehenſions entertain'd of the Acquiſitions in Proſpect to the *French* Trade, had an equal Tendency to quicken the Negotiations: To both which Conſiderations ought alſo to be added, the perpetual Encroachments of the *French* on the *Dutch* Frontiers, and the Preparations they hourly made, to be every where in a Condition to act either offenſively or Defenſively.

A new Grand-Alliance negotiated.

But then theſe Conſiderations which had ſo much Weight with them, only ſerv'd as ſo many Hints to the Emperor, to inſiſt on higher Terms: He was impatient to drive the *French* and *Spaniards* out of *Italy*; in order to which, and by way of Diverſion, He wanted to have the War kindled in *Flanders*, and on the *Rhine*: His Finances were ſo low, that he was forc'd to negotiate a Loan in *Holland* of 500,000 Crowns on his Quick-ſilver Mines; which nevertheleſs he could not obtain, till the States alſo became Security for the Debt: And yet his Miniſters talk'd and acted, as if the Grifin authoris'd him to inſiſt on his own Terms.

The Emperor forc'd to borrow 500,000 Crowns on his Quick-ſilver Mines.

A. Dorp. London. Treaty.

Thus nothing would ſerve him at firſt, but the Reduction of the whole *Spaniſh* Monarchy: And for that Reaſon, when *England* and *Holland* (For tho' the Latter was to be preſerv'd at the Expence of the Former, both, it ſeems, were to be ſet upon an equal Footing in point of Acquiſition) inſiſted on *holding* whatever they ſhould take from the *Spaniards* in the *Weſt-Indies*, his *Imperial* Majeſty affected to be as averſe to any Project of *Diſmembering*, as the Monarch in Poſſeſſion.

The Emperor refuſes to hearken to any Diſmembering of Spain.

The *Maritime*-Powers, on the other Hand, appear'd reſolute to undertake for no more, than the Recovery of *Flanders*, to ſerve as a Barrier for the Republic, and alſo the Duchy of *Milan*.

After many Conferences, however, they at laſt engag'd for *Naples* and *Sicily*, as well as *Flanders* and *Milan*: And the *Imperial* Miniſters, finding no more was to be obtain'd, were not only glad to agree on thoſe Terms, but alſo to the Article concerning the *Weſt-Indies*, under a Proviſo, That no Alteration ſhould be made there in the Point of Religion; which was admitted, tho' not expreſs'd in the Treaty.

England and Holland compound for Flanders, Naples, Sicily, and Milan.

When all was ſettled at the *Hague*, M. de *Goes* ſent his Secretary with the Plan to *Vienna*, who return'd on the 29th of *Auguſt* with his *Imperial* Majeſty's Approbation: So that all Difficulties being now remov'd, it was ſign'd on the 7th of *September* following; being in abſtract, as follows.

An Abſtract of the Treaty.

"1. There ſhall be a perpetual and inviolable Friendſhip between the Emperor, the King, and the States-General.

2. The Allies think nothing more effectual for eſtabliſhing the general Peace, than the procuring Satisfaction to the Emperor in the *Spaniſh* Succeſſion, and ſufficient Security for the Dominions and Commerce of the Allies.

3. The Allies ſhall employ two Months Time, from the Day of exchanging the Ratifications, to obtain, by amicable Means, the ſaid Satisfaction and Security.

4. But if that cannot be obtain'd within the Time limited, they engage to aſſiſt one the other with all their Forces, according to the Specification to be agreed on, in a particular Convention.

5. The Confederates ſhall, among other Things, endeavour to recover the *Spaniſh Netherlands*, to be a Barrier between *Holland* and *France*; as likewiſe the Duchy of *Milan*, &c. for the Emperor's Security; as alſo the Kingdoms of *Naples* and *Sicily*, and the Lands and Iſlands upon the Coaſt of *Tuſcany*, belonging to the *Spaniſh* Dominions.

6. His Majeſty and the States may (*a*) ſeize what Lands and Cities they can, belonging

(*a*) Concerning this Article, Mr. *Tindal* writes as follows: "This laſt Article to *advantageous* to *England*, was owing to the Advice which Lord *Somers* had formerly given to the King, when the *Partition-Treaty* was in agitation." But Mr. *Tindal* might have diſcover'd, if he pleas'd, That the Importance of ſuch an Eſtabliſhment in the *Spaniſh Weſt-Indies*, as might give us a *Share* in the Commerce of thoſe Parts, is the firſt Hand, which is the Point recommended to the King in his Lordſhip's Letter, was extremely well underſtood, and as warmly ſolicited, by the Miniſters of King *Charles* II. And

A.D. 1701. longing to the *Spaniards* in the *Indies*, and keep them.

7. In a War, the Confederates ſhall faithfully communicate their Deſigns to one another.

8. No Party ſhall treat of Peace, Truce, *&c.* but jointly with the reſt: They ſhall prevent the Union of *France* and *Spain* under the ſame Government, or the *French* poſſeſſing the *Spaniſh Indies*: The Subjects of his Majeſty and the States ſhall enjoy all the Privileges of Trade, which they had before the Death of the late King of *Spain*.

9. At the making of Peace, the Confederates ſhall provide for the maintaining the Trade of the *Engliſh* and the *Dutch* to the Dominions taken from the *Spaniards*, and likewiſe ſecure the States by a Barrier.

10. They ſhall at the ſame Time agree about the Exerciſe of Religion in the Places acquir'd.

11. They ſhall aſſiſt one the other with all their Forces, if the *French* King, or any one elſe, ſhould invade any one, on Account of this Alliance.

12. After a Peace, there ſhall remane a Defenſive Alliance, between theſe Allies, for maintaining of the ſaid Peace.

13. All Kings, Princes, and States that pleaſe, may enter into this Alliance: The Emperor to be particularly invited.

14. The Treaty to be ratify'd within Six Weeks."

It is not to be conceiv'd, that *France* had not an Eye conſtantly fix'd on the Progreſs of this Negotiation, nor that ſhe did not take her Meaſures accordingly: But whether the Incident now to be mention'd, is to be number'd among thoſe Meaſures, let the Reader decide for himſelf.

Remarkable Caſe of Count Boſelli, confin'd in the Baſtile for a Deſign upon the Life of K. William.

While Lord *Jerſey* was Embaſſador in *France*, Count *Boſelli*, an *Italian* Gentleman, infamous for many Ruffian-like Exploits, together with his Son, had been thrown into the *Baſtile*, for what Crime, was not then underſtood: But after Lord *Mancheſter* had been ſome Time at *Paris*, he was inform'd, it was for being concern'd in a Deſign againſt the Life of King *William*: And *Lamberty* affirms, That the Court of *France* made his Majeſty acquainted with it: Notwithſtanding which, his Lordſhip was, in the next Place, inform'd, That a Perſon was upon his Way to *England*, with a Letter to his Majeſty from the Duke of *Mantua*, to ſolicit his Enlargement; which Perſon was alſo to be furniſh'd with a like Letter from the Elector of *Bavaria* in his Way: And ſoon after M. de *Torcy* acquainted that Miniſter,

[Cole, p. 83.]

[Ibid. p. 99.]

That M. de *Tallard* having apply'd to Lord *Portland* in favour of the Son, his Lordſhip had reply'd, It was an Affair not worth the troubling the King with; He (the Son) being but a Youth; and there being nothing againſt him: And that, thereupon, he was to be ſet at Liberty; tho' not till Lord *Mancheſter* had been firſt appris'd of it. A.D. 1701.

This paſs'd in *January*, while the laſt *Partition-Treaty* was at the Point of ſigning: young *Boſelli* was ſet at Liberty accordingly; and the firſt Uſe he propos'd to make of it, was to repair to *England*, in order to ſolicit for his Father: But this was prevented for that Time, tho' not without a good deal of Trouble, by Lord *Mancheſter*: And thus Matters ſtood till the *January* following, (before which Time the King of *Spain*'s Will had been accepted, and the *Partition-Treaty* was become Waſte-paper). But his Lordſhip then writes to Mr. *Vernon* as follows: "I have little to add, only, that the Son of Signor *Boſelli* reſolves to go for *England*: I have done all I can to prevent him, and I have had a great deal of Trouble with him and Others who have ſolicited me in his Favour: This Court tells him, That they can do nothing in relation to his Father, but he muſt apply to the King of *England*: If you are not acquainted with this Affair, the Lord *Jerſey* can inform you: I ſuppoſe *Boſelli* will apply himſelf to him or you: I have had Orders not to concern myſelf in it, which I have punctually obſerv'd." To which Mr. *Vernon*, in his very next Diſpatch, replies, "The King would be very glad, that young *Boſelli*'s coming over hither ſhould be prevented, ſince there is nobody will have any Thing to do with him here: If his Journey is not to be ſtopp'd, it will be fit to have an Account when he deſigns to come away, and where he is to embark: One would likewiſe know what Company he brings with him, and what his and their *Deſcriptions* are." And ſome Time afterwards his Lordſhip once more informs the Secretary, That he had prevented this ungrateful Viſit. [287.] [P. 290.]

Boſelli's Mother and Wife are afterwards mention'd as other importunate Suitors for him; but with no better Succeſs than the Former: King *William* would ſay nothing: King *Lewis*, without a Word from him, would do nothing: And, after repeated Remonſtrances concerning him, Lord *Mancheſter* writes to Mr. *Blathwayte*, *Auguſt* 26, as follows: "You have often heard of Count *Boſelli*, who is in the *Baſtile*, as they ſay, on his Majeſty's Account: He preſſes me

---

as to this particular Stipulation, in a Memorial ſaid to have been preſented to one of Queen *Anne*'s Miniſters, we are told, that the Writer of it having obtain'd Acceſs to King *William* in the laſt Months of his Life, among other important Matters which he was encourag'd to lay before him, recommended the following to his Royal Conſideration, which makes one of the Clauſes in the ſaid Memorial; to wit: "The ſeiſing upon the principal Ports in the *Weſt-Indies*, by which he might be enabled not only to carry on the War at the Expence of his Enemies, but open a ſecure and direct Trade for ever, between thoſe rich and vaſt Continents of *Mexico* and *Peru*, and this Kingdom: I added, That to ſecure the *Spaniſh* Monarchy from *France*, the true Way was to begin with the *Weſt-Indies*: Since it was more practicable to make *Spain* and the other Dominions in *Europe* follow the Fate of the *Weſt-Indies*, than to make the *Weſt-Indies*, (if once in the Power of *France*) follow the Fate of *Spain*: Beſides; that *France* would thereby be enabled to carry on the War by the Bullion and other Wealth of the *Weſt-Indies*."

This is to be found in a Book call'd, *An Enquiry into the State of the Union of* Great-Britain, P. 87. And as to any *Advantage* ariſing to this Kingdom from the ſaid *Stipulation*, the War was ſo conducted, that there is not the leaſt Trace of any ſuch Thing to be found in our Story: So that the Inſertion of it in the Treaty, may be juſtly reckon'd, Matter of *Amuſement* only.

A. D. 1701. me every Day to intercede for him, proteſting his Innocence, and offering to go where I ſhall order him, &c. I deſire to know what Anſwer I ſhall make."

As this Application appears to be merely the Effect of Importunity, ſo it may be ſuppos'd, it was long before his Excellency could be prevail'd upon to make it: And before it could be receiv'd, (on the 28th that is to ſay) the Priſoner made his Eſcape: By the Connivance of the *French* Court ſay ſome, who ground their Opinion on a Sally made by ſome Perſon at *Venice* to this Effect, *That in caſe of a War*, Boſelli *would have his Liberty.*

He makes his Eſcape.

But in contradiction to this Surmiſe, Lord *Manchester* informs Mr. *Blathwayt*, *September* 2, That a Gentleman had been with him from M. de *Torcy*, to appriſe him of the Fact; as alſo, That the King had taken all imaginable Meaſures to have him ſtopp'd; Couriers having been diſpatch'd to *Calais*, *Valenciennes*, *Bruſſels*, *Straſburg*, *Lions*, &c. for that Purpoſe: And that his Excellency was deſir'd to aſſure his Majeſty, That nothing ſhould be wanting to ſeize him if poſſible.

[P. 417.] And, laſtly, *September* 10, the ſame Miniſter writes to Mr. *Vernon* as follows: "As to *Boſelli*, I muſt do this Court that Juſtice to ſay, They had no Hand in his Eſcape; and the Manner of it does plainly ſhew it, and the Machine he left, which many are curious to go and ſee: His Mother, Wife and Son, are in the *Baſtille*: His Man attempted to follow him on the ſame (*b*) Rope; but he was taken, and is in Priſon; as alſo a Poſt-maſter, for giving him Horſes without an Order: He is gone to *Italy*; and M. de *Torcy* believes, They ſhall take him."

But neither this frank Opinion of the *Engliſh* Miniſter, nor the Aſſurances of the Court of *France*, had Power to diſſipate the Apprehenſions entertain'd at *Leo*: The Guards there were doubled upon it, and no Stranger was ſuffer'd to have Admittance, till he had firſt undergone a thorough Examination: In Confirmation of which extraordinary Procedure, or rather to ſet a Gloſs on the Suſpicions which occaſion'd it, M. *Lamberty* [Tom. I. P. 688.] intimates, That an *Italian* and his Landlord coming from *Amſterdam*, out of Curioſity, as they ſaid, to viſit the Court, and the Former not returning ſatisfactory Anſwers to the Queſtions put to him, he was put under Arreſt; the Opinion at firſt entertain'd of him being, That he was *Boſelli* himſelf: But a *French* Officer in the *Dutch* Service, who knew *Boſelli* perfectly well, being brought to confront him, that Impreſſion was remov'd. Notwithſtanding which, the Priſoner was ſent to the *Hague*, where he was re-examin'd by Lord *Rumney* and others; and Signor *Mocenigo*, Embaſſador from the State of *Venice* to the Court of *England*, to whom he had appeal'd for a Character, unfortunately for him, declaring, That he was a Banditti and a Bravo, it was concluded, without Remorſe, That he was at leaſt an Accomplice with *Boſelli*'s, and his Errand was, *To learn the Ground.*

Precautions thereon taken at Leo.

A. D. 1701.

But whether this Incident is to be plac'd to the *French* Account or not, it is certain, That, about the Time the new *Grand-Alliance* was perfected at the *Hague*, *France* began to take ſuch Meaſures with regard to *England*, as ſhew'd plainly enough, the two Courts were likely to be more and more eſtrang'd from each other every Day: For in a Diſpatch of Lord *Manchester* to Mr. *Blathwayte*, dated *September* 16, his Lordſhip writes thus: "There is now in the (*c*) Preſs an Edict to prohibit all Trade with *England*: But that this may not look like a Declaration of War, they do permit the bringing in of Beer, Syder, Glaſs-Bottles and Wool: Notice is already ſent to all the Sea-Ports: And after the 1ſt of *November* next, no Perſon is to wear any of the Manufacture of *England*, under ſevere Penalties."

The Commodities and Manufactures of England prohibited by France.

But this Meaſure, tho' apparently wearing an hoſtile Face, was neither of ſo alarming nor provoking a Nature, as That which was under Deliberation at the ſame Time.

The late unfortunate King *(James)* had been dying all this Summer; and about this Time, was apparently breathing his Laſt: His Moſt *Chriſtian* Majeſty had made him ſeveral conſolatory Viſits, while he lay thus languiſhing on the Confines of Life and Death, and had diſcharg'd all the Duties of Conſanguinity, Piety, Hoſpitality, and Generoſity, with regard to him: In which he certainly behav'd moſt meritoriouſly and magnanimouſly. —*But on the 13th of September, when* he made him his laſt Viſit, he went a Step farther than Policy could warrant; not to inſiſt on the Nature of his Engagements to King *William* by the Fourth Article of the Treaty of *Ryſwick*, which had not as yet been formably renoune'd on either Side: For at this Viſit, he aſſur'd the Queen and the P. Prince, That he would own him as ſoon as the King was dead: And at the Inſtance of the Former, he alſo gave the ſame Aſſurances to the King himſelf.

The late King James lying on his Death-Bed, K. Lewis engages to acknowledge his Son.

Theſe are nearly Lord *Manchester*'s Expreſſions: And the ſame Miniſter adds, That before he made this Declaration, he held a Council at *Marly*, where ſome Time was ſpent in debating, Whether his Majeſty ſhould own him or not? Or if he did, Whether it ſhould not be deferr'd for ſome Time? That M. de *Torcy* and the reſt of the Miniſters were againſt it, and only the *Dauphin* and Madam de *Maintenon* (who had been gain'd by the Queen) for it: And that the ſaid Council was only held for Form-ſake; the Reſolution having been taken before.

[Cole. p. 420, 422.]

On the 16th, King *James* dy'd at St. *Germains*, in the 67th Year of his Age; having, almoſt with his laſt Breath, adviſ'd his Son

(*b*) In his Letter to Mr. *Blathwayt*, he calls it, A Ladder of a new Invention, which was ſuppoſ'd to come from *Italy*.
(*c*) It was publiſh'd the next Day.

A. D. 1701 Son to perſevere in the Faith, as a Point of infinitely more Conſequence to him, than the Acquiſition of a Crown; and in the ſame mortify'd Strain, told the Curate of St. *Germains*, That he would be bury'd in *his* Church: And that the Inſcription on his Coffin ſhould be only This J. K. of *England*.

According to Lord *Mancheſter*, he was not much regretted at St. *Germains*: And if not there, how can we ſuppoſe he was regretted any where elſe? The Princeſs *Sophia* of *Hanover*, does, indeed, take occaſion to ſay, in a Letter to Sir *William Dutton Colt*, when a Proſpect of the Throne of *England* was firſt open'd to that Family, (*d*) "I wiſh King *James* was at *Rome* at any Rate, on the ſame Footing that Queen *Chriſtina* was: For I have always been greatly concern'd for his Misfortunes." But where Ambition has taken Root, Pity is ſeldom known to thrive: And as he had no Bowels for his Subjects, when they ſtood in the Way of his Paſſions or his Prejudices, ſo Thoſe of his Blood had little or none for him.....And how ſignally ſoever his own Frailties, Prejudices, Abſurdities, and Violences contributed to his Misfortunes, it ought to be acknowledg'd, That the Meaſure would never have overflown in ſo aſtoniſhing a Manner, if it had not been for thoſe fatal Concurrents, treacherous Counſellors, ungrateful Servants, *&c.* All of whom, inſtead of warning him of the Rocks that lay before him, according to the Obligations which lay upon them, either ſordidly conniv'd at the ruinous Courſe he held, or wickedly flatter'd the Phrenſy which impell'd him, for the Sake of their Share in the Wreck: And whether the Viſitations that befel him and his, will operate moſt, to the deterring other Kings from abuſing their Power, by invading or undermining the Liberties of their Subjects, or to the putting them on ſuch Meaſures as ſhall imperceptibly diſable Thoſe they injure from making the like Effort to work out their own Deliverance, muſt be left to the Obſervation and Experience of Poſterity.

The P. Prince of Wales proclaim'd at St. Germains.

[Cole, p. 419, 420]

What follow'd upon his Death, is thus recounted to Mr. *Vernon* by Lord *Mancheſter*: "The P. Prince was immediately proclaim'd King of *England*, by the Title of *James* the Third: I do not hear there was any other Ceremony, than, that, after he had taken the Title of King, thoſe of St. *Germains* kiſs'd his Hand, and treated him with Majeſty: After that the *French* complimented him, and did the like: What was done in the Town, was in a tumultuous Manner, by crying, Long live *James* the Third, *&c.*" In his Letter on the ſame Occaſion to Mr. *Blathwayt*, he adds, "Some ſay there was a Herald an *Iriſhman*: Lord *Middleton*, &c. did not appear, becauſe they could not tell, how the Title of *France* would have been taken there, had they done it in form." In another Letter to Mr. *Blathwayt*, dated *September* 23, he alſo makes uſe of theſe Expreſſions: "The *French* King made the P. Prince the firſt Viſit on *Tueſday* laſt: He ſtay'd but little with him, but was a conſiderable Time with the Queen: The next Day the P. Prince return'd the Viſit at *Verſailles*: All the Ceremonies paſs to the entire Satisfaction of thoſe at St. *Germains*, and in the ſame Manner as it was obſerv'd with the late King:" Again, on the 26th, he procedes with his Intelligence thus.

A. D. 1701. [Ibid. p. 422.] *He is viſited by the* French *King.*

"The Will of the late King *James* is open'd, but not yet publiſh'd; but I hear it is to be printed: What I have learn'd of it is, That the Queen is made Regent, the *French* King is deſir'd to take care of the Education of the P. Prince: That in caſe he be reſtord, the Queen is to be repay'd all that ſhe has laid out of her own: That all other Debts, which they have contracted ſince they left *England*, and what can be made out, ſhall be paid: That the new King ſhall not take any Revenge againſt his Father's Enemies, nor his own: That he ſhall not uſe any Force in Matters of Religion, nor in relation to the Eſtates of any Perſons whatſoever."

Having alſo inform'd the ſame Miniſter, That ſince this Event, he had not thought it proper to appear at *Verſailles*, That his abſenting himſelf, had put the Court on conſidering, whether they ought not to have taken Notice of their intended Declaration to him, before they made it, And that M. de *Torcy* not only ſeem'd concern'd, but had ſent him a complimental Meſſage, deſiring to wait on him; In another Diſpatch to Mr. *Vernon*, dated the next following Day, he farther intimates, That they had met: That M. de *Torcy*'s principal Endeavour was to ſhew, There was nothing in what they had done, contrary to the Treaty of *Ryſwick*: That in his Reply, he ſpoke his Mind ſo freely, and had ſo much to ſay on the Subject, that M. de *Torcy* could not anſwer: Adding, in a Stile and Manner which ſeems to indicate not a little Perturbation, "It is not neceſſary to repeat all that paſs'd: But when I take myſelf to be in the Right, I am apt enough to ſpeak plain: I found him very calm, and even concern'd; without doubt they expect I ſhall be recall'd, and they will be ſorry if it ſhould happen ſo at laſt: I told him, I would wait his Majeſty's Orders, and till then I could ſay *nothing* to this Matter: That I ſuppos'd I ſhould have them ſoon, and then I would acquaint him with them. He ſaid, he hoped to ſee me at *Fontainbleau*: He enter'd on the Subject of the Negotiation, and how the Peace would ſet all right. I told him, that it was viſible what Difficulties there have been in relation to the Emperor, and that there was no Occaſion for creating new ones, which might oblige us to take ſuch Meaſures, as poſſibly

Behaviour of M. de Torcy *to Lord* Manchester *there.*

(*d*) The Words of the Original (which lies before me, together with ſeveral Others, all in her Highneſſes own Handwriting to the ſame Miniſter) are identically theſe which follow; to wit: "Je ſouhaite le Roy *Jaques* en toute Sorte a *Rome*, dans la Place de la Reyne *Chriſtine*: Car les Malheurs me ſont toujours grand Pitie."

A. D. 1701. possibly we might otherwise not take: I know that this King order'd M. de *Torcy* to soften this Matter to me, as much as he could: I have Thoughts of laying this whole Conference, which lasted an Hour, before his Majesty, tho' there is no relying on what this Court says or does, after what we have seen: I am afraid of even giving my Opinion, and it would be better if I could have the Honour to relate this to his Majesty by Discourse; tho' I fear there never will be any treating with this Court without great Vigour and Resolution, and with Sword in Hand."

Farther Evidence of the present ill State of France.

Thus Rashness in one Instance, produc'd Meanness in another: And as female Persuasion occasion'd the first, so the apparent Prospect of Consequences *France* was not as yet prepar'd for, occasion'd the last, which one Citation more from Lord *Manchester*'s Letters will sufficiently explane.

[P. 421.] "The Scarcity of Money here is such, that you can hardly believe me; and I cannot compare it to any Thing so like, as the Want there was in *England*, when all the Money was call'd in: There is none in the King's Treasury; and there is scarce a Banker here that can pay 200*l.* We hear daily of Bankrupts, and Letters of Exchange protested: They give 20 *per Cent.* for Money, and can scarce get it: You must imagine, that it is extreme bad when it comes to be the whole Discourse of *Paris*: I would have drawn some Bills for *England*, and the greatest Bankers here could not let me have the Money; and when I desir'd to know, whether they could pay me when I had Bills on any from *England*, they said, They believ'd they could not: This is what you may rely upon. In short, no body pays, and I am told, That the Law for the arresting People for Debt, is suspended for some Time: The more Appearance there is of War, the worse their Condition will be: I know they are endeavouring to find out some Remedy, but they confess that the Specie is gone out of the Kingdom. A new Edict was publish'd To-day, for the new stamping the Money, which I send you: They talk also of obliging all Persons to carry in their Plate to be coin'd. All this may supply their present Necessities; but I cannot see how the Specie will return, and more must go out, if they pretend to pay their Armies."

But over and above the Apologies made for this hasty Acknowledgment of another King of *England*, by M. de *Torcy* to Lord *Manchester*, M. *Lamberty* asserts, That the States-General having complain'd of it by their Embassador, as an Infraction of the Treaty of *Utrecht*, his Most *Christian* Majesty gave for Answer the Substance of a Memorial which he caus'd to be dispers'd in all the Courts of *Europe*, to the Effect following.

[Tom. I. P. 689.]

A. D. 1701. *Public Apology of the French Court for a Prince dying under King.*

"The King of *England* dying at St. *Germains* on the 16th of *September*, 1701, and the Prince of *Wales* immediately assuming the Title of King, which belong'd to him as Son and Heir of the late King his Father, his Most *Christian* Majesty made no Difficulty of owning him under that Title; and, even some Time before, had assur'd him he would do so: For having always treated him as Prince of *Wales*, it was but natural for him to stile him King of *England*, as soon as the King his Father dy'd. Nor was this contrary to Reason, seeing it was contrary to no Engagement; and it is (*e*) certain there is no such Engagement in the Treaty of *Ryswick*: The Fourth Article of which only declares, That his Most *Christian* Majesty shall not disturb the King of *England* in the peaceable Possession of his Dominions, nor assist with any Sort of Succours, those who should attempt to disturb him; and this Article his Most *Christian* Majesty will punctually observe: For as to the Title of King of *England*, which the Prince of *Wales* could not avoid taking upon himself, it will procure him no other Assistance from his Most *Christian* Majesty, than what the late King his Father receiv'd since the Treaty of *Ryswick*, which was merely for his Subsistance, and the Alleviation of his Misfortunes. The Generosity of his Most *Christian* Majesty, would not allow him to abandon either that Prince or his Family. He is no Judge between the King of *Great-Britain* and the Prince of *Wales*: He cannot determine against the Latter, by refusing him a Title which his Birth allots him: In a Word, if his Most *Christian* Majesty adheres strictly to the Treaty of *Ryswick*, at a Time when the Conduct of the King of *Great-Britain* and the *States-General*, in sending such great Fleets to Sea, in giving secret Assistance to the Emperor, in declaring so strongly in favour of that Prince, and in procuring Troops from all Parts, might be regarded with great Reason, as a real Contravention of Treaties, it is all that can be requir'd of him. Upon the Whole, it is no new Thing for Princes to give to the Children the Titles of Kingdoms which the Kings their Fathers have lost, tho' at Peace with the Possessors of them. History furnishes many such Examples among the Kings of *Naples* and those of *Navarre*: And the Kings of *Poland*, of the House of *Vasa*, having lost the Kingdom of *Sweden*, were treated by *France* as Kings of *Sweden* till the Peace of *Oliva*, tho' *France* was, all the while, in the strictest Alliance with King *Gustavus* and Queen *Christina*."

What is farther observable concerning this Memorial is, That tho' it procedes thus far in the Stile and Manner of Courts, it concludes in the first Person singular, as if it was the Performance of some private Individual,

(*e*) The same Thing is asserted in a Pamphlet printed at *London* in this Interval, under the Title of, *Reasons against a War with* France; *or an Argument shewing, That the* French *King's owning the P. of* Wales *as King of* England, *is no sufficient Ground of a War*: And the Author of it also recommends a War with *Spain*, directed against her Galleons on their Return to *Europe*, and her Possessions in the *West Indies*, as the only serviceable Measure we could persue.

A. D. 1701. vidual, in the Manner following: "I do not believe it neceſſary to cite theſe Exemples. The Juſtice of his Majeſty's Conduct being inconteſtible, worthy of his Generoſity, conformable to Treaties, and to that which he had obſerv'd to the late King of *England* from the Time he had ſought an Aſylum in *France*".

It is, beſides, to be doubted very much whether the *Dutch* Embaſſador at *Paris* (who, contrary to Expectation, was ſtill living) ever preſented any Complaint upon this Head, to the *French* Court, as *Lamberty* ſpecifies: Firſt, becauſe it was no immediate Concern of the States; 2dly, becauſe Lord *Manchester* makes no Mention of any ſuch Incident; and 3dly, becauſe a Memorial of the ſaid *Dutch* Embaſſadors, dated *September* 27, is publiſh'd among that Lord's Papers by Mr. *Cole*; which Memorial turns upon quite another Subject; namely, the Poſſeſſion which the *French* Troops had taken of the Village of *Hernacel*, and the Fortifications they had begun to raiſe there, which had a Tendency to interrupt the Paſſage of the *Maeſe*, &c.

The States complain that the French Troops were taking Meaſures to interrupt the Paſſage of the Maeſe.

An Aſſertion of Lamberty's concerning an expreſs Stipulation not to acknowledge the P. Prince of Wales.

Lamberty (having admitted, there is no expreſs Engagement in the Treaty of *Ryſwick*, That *France* ſhould not acknowledge the P. Prince of *Wales*) alſo maintains, it was expreſsly ſtipulated, notwithſtanding: Adding, That as M. *Lillieroot* ought to have made a Minute of this Stipulation in his *Protocol*, ſo the Parties concern'd, call'd upon him for an Explanation; which he evaded, by ſaying; He had ſent it to the Chancery of *Sweden*; and at the ſame Time, by way of Palliation, ſignify'd That the ſaid Acknowledgment was a real Infraction of the ſaid Treaty. But ſurely if ſuch a Stipulation had been actually made, the *Britiſh* Miniſters would never have been guilty of ſo unpardonable a Neglect, as the Omiſſion of it in the Treaty would have been pronounc'd by the whole World.

not to be depended upon.

The ſame Author yet farther ſuggeſts, That M. *Pouſſin* would have preſented a Copy of the *French* Memorial juſt recited, to Mr. Secretary *Vernon*: But he refus'd to accept it: And that the *Jacobites* having caus'd it to be printed and publiſh'd, both Printer and Publiſher were taken into Cuſtody, which is alſo verify'd by our own Writers.

Lord Manchester recall'd as alſo the Dutch Miniſter, and M. Pouſſin directed to withdraw from London.

Certain it is, That Lord *Manchester* receiv'd Letters of Revocation the 30th of *September*; That he communicated the Orders he had receiv'd to M. de *Torcy*, *October* 2. That M. *Hemeſkerk* left *Paris* *November* 25, and that Mr. *Pouſſin* was directed to leave *England* by a Notice in Form ſignify'd to him, ſays *Lamberty*, by the Maſter of the Ceremonies, in the Names of the Lords Juſtices.

As to M. *Zinzendorff*, he turn'd his Back on the *French* Court, juſt before the *Grand Alliance* was ſign'd; And thus it is obvious, That the Proviſion made therein of two Months, after the Exchange of the Ratifications, to accommodate the Matter in diſpute by amicable Means, was Matter of Amuſement only. A. D. 1701

The P. Prince of Wales acknowledg'd by Spain.

Laſtly, about the Middle of *November* *Spain* follow'd the Exemple of *France* in acknowledging the pretended Prince of *Wales* to be King of *England*: But the other Allies of *France* could not be brought to do the ſame; and the Court of *Portugal* in particular expreſs'd ſome Surpriſe and Diſſatisfaction, That ſuch a Propoſal ſhould be made to them. [Lamberty, p. 691, *State of Europe for* 1701.]

And while Matters were thus gradually proceeding to Extremities the general Drift of every Meaſure concerted at *Loo*, and adopted at the *Hague*, was by the Dint of Subſidy to encreaſe the Number of the Confederates, and of the Confederate Forces.

Venality how prevalent among the Princes taken into the Pay of the Confederates.

It is in a Variety of Places manifeſted by *Lamberty*, That Venality was the only Principle which prevail'd amongſt them, whatever Profeſſions they made, of Zeal for the *Liberties* of *Europe*, Concern for the *Ballance* of *Power*, or *Attachment* to a *Common Cauſe*.

After Bargains had been actually drove, Treaties had been ſign'd and ratify'd, and great Advances had been made on the Head of Conſiderations for them, They ſtarted ſo many new Demands, and they had recourſe to ſo many mean Artifices to delay the March of their Troops till thoſe Demands, exorbitant as they were, had been comply'd with, as, at any other Criſis, or under any other Direction, might in the very Birth, have ſtrangled any Confederacy that was ever projected, if any Door had been open for an Accommodation on the other Side, as in this Caſe there always was.

Conduct of the Elector-Palatine, King of Denmark, Sweden and Holſtein.

The Elector *Palatine*, and the King of *Denmark* were particularly obnoxious for theſe and the like dirty Proceedings.

Under the Pretence of being ſufficiently ſecur'd againſt the Practices of the Duke of *Holſtein*, according to the Proviſion made in the fifth ſecret Article of the Treaty, he would not ſuffer his Troops to move till toward the Cloſe of the Year; and on this Head it muſt be allow'd he had ſomething plauſible to urge: For the Duke of *Holſtein* was eager to ſnatch all Advantages: And tho' Mr. *Creſſet* was employ'd, by particular Commiſſion, to keep him within Bounds, he found it the moſt difficult Taſk imaginable to bring him to any Temperament: For tho' inwardly glad to ſee *Denmark* incapacitated to undertake any Thing againſt him, by ſuch a Diminution of her Forces, he could not bear to think, ſhe ſhould have the Benefit of ſo valuable a Conſideration for them: Hence both he and the King of *Sweden* made uſe of a thouſand Refinements, firſt to prevent the Treaty, and afterwards the Execution of it: And as to any Trace of Gratitude left on the Mind of either, for the Aſſiſtance they had ſo recently receiv'd from the *Engliſh* and *Dutch* Fleets againſt the *Danes*, not the leaſt was to be found. On the contrary, the Language they us'd when that String was touch'd, was to this Effect, That the *Maritime* Powers, in ſending thoſe Succours

A. D. 1701. had only fulfill'd their Engagements as Guaranties of the Treaty of *Altena*. At length however, they were induc'd to give explicite Aſſurances, That they would take *no* Advantage of *Denmark*, or give that Court any Diſturbance: But nevertheleſs not without a Proſpect of ſome Conſideration for it. *Holſtein* had 6000 Men to ſend to Market: Theſe *England* open'd a Treaty for; tho' it hung long in Suſpence, becauſe *Holland* could not be brought to place any Confidence in the Duke: And the *Swedes* were for the preſent gratify'd with 20,000 Pounds worth of *Engliſh* Cloth for their Soldiers, and 7000 Pounds worth of Salt-Peter; which their Agents in *England* had contracted for, and the Nation paid for; *Holland* excuſing herſelf from contributing to that Article, for fear of giving Offence to the Czar.

[Lamberty, Tome 3. p. 522. Com. Journ.]

But this was not all: For, under the Pretence of the War which the *Swedes* were ſtill proſecuting in *Livonia*, againſt the Elector of *Saxony* King of *Poland* and his Auxiliaries the *Muſcovites*; and in the Courſe of which they had already obtain'd great and ſignal (*f*) Succeſſes. They demanded of the *Maritime* Powers the Succours ſtipulated by the laſt Treaty, knowing they had none to ſpare; and that the Neceſſity of the Times would oblige them to make ſome pecuniary Compoſition for Non-Performance: Accordingly, This was ſo evident to Lord *Marlborough*, who had the Conduct of the Negotiation with *Lillieroot*, that the Latter having taken Occaſion to ſay, *There was an eaſy Way to ſolve all Difficulties*; the Former could not help replying, *Yes, nothing was more eaſy than to ſign a Receipt*: And this Severity ſo enflam'd the *Swede*, that he offer'd to cancel at once all Obligations, to convince *England* and *Holland*, in effect, ſaid he, That they ſtand as much in need of *Sweden*, as *Sweden* of them: Theſe Sharpneſſes did not, however, occaſion an abſolute Breach: For the States took up the Negotiation at the Rebound, and treated for the King of *Great Britain* as well as themſelves: But what is ſomewhat particular, tho' the Convention they made, is call'd, A *Convention between the King of* Sweden *and the* States-General, it was ſign'd by the Earl of *Marlborough*. As to the Contents, it conſiſted of ſix Articles. By the firſt, all former Treaties were confirm'd: By the ſecond, *Great Britain* and *Holland* were to pay immediately to *Sweden* 200,000 imperial Dollars, to be accounted as Part of the Succours which *Sweden* might demand on the Faith of thoſe Treaties. By the third, the States were to be reſponſible for 300,000 Crowns, which *Sweden* was to borrow on ſufficient Security (the Cuſtoms of *Riga*, that is to ſay.) By the fourth, Commiſſioners were to be appointed on both Sides, to conſider in what Manner the ſaid Confederates might be farther aſſiſtant to each other, in caſe of a new War, and in caſe the War in *Livonia* ſhould continue, as alſo to adjuſt the Terms of ſuch farther (*g*) Union. By the fifth, none of the ſaid Confederates were to make any Treaty with any Power whatſoever, contrary to the Treaties already ſubſiſting between them; or that might be prejudicial to any of the Allies. And by the ſixth, the Ratifications were to be exchang'd in ſix Weeks on both Sides.

A ſharp Expreſſion of Lord Marlborough's as ſtrongly reported by M. Lillieroot.

A ſecretary Compoſition with Sweden in lieu of Succours demanded by that Crown.

And now to return to the *Danes*. If they were really aw'd by *Sweden* and *Holſtein*, they took ſufficient Care to find their Account in it: For tho' the Sums they were entitled to by way of advance, had been punctually paid, they had ſtill other *Points* to inſiſt on, for the Tranſport of their Troops, for the ſupplying them with Cloathing, &c. Impoſt free, and for defraying the Incidents of their March, thro' the Territories of *Hanover* and *Munſter*; and all were comply'd with, accordingly, tho' the Corps they ſent were ſhamefully deficient: Their Horſe and Dragoons being no more than 3300 inſtead of 4000, and their Foot but 5490 inſtead of 8000.

By Denm.

As to the King of *Poland*, diſtreſs'd as he was by the *Swedes* in *Livonia*, and embarraſs'd as he alſo was by the Diſſentions and Averſions of the *Poles*, both the *Confederates* and *France* bid for him notwithſtanding; and he gave equal Hopes to Both; but was ſo wild in his Demands, that neither as yet thought it adviſable to come up to his Price: And, it appears, that, notwithſtanding the Part which the Elector of *Bavaria* had acted, and was ſtill acting, his Majeſty of *Great Britain* ſtill flatter'd himſelf with Hopes of attaching him once more to his Party: To which Purpoſe he ſent a *Swiſs* Colonel in the *Dutch* Service, named *Montmollin*, to offer him, among other valuable Conſiderations, the Reſtitution of his Jewels, which he had pawn'd at *Amſterdam* for 500,000 Crowns: But his electoral Highneſs being otherwiſe engag'd excus'd himſelf; and thereby confirm'd all that was before ſuſpected of him. The Confederates alſo, again and again, beſet his Brother, the Elector of *Cologne*: His Towns on the Lower *Rhine* were of the utmoſt Importance, and therefore, it was of equal Neceſſity, either to bring him over, or drive him to an Explanation: Accordingly, the King of *Great Britain* return'd to the Charge firſt, by the Interpoſition of the Lord *Galloway*; the Emperor next by Count *Stirum*; and then the King of *Great Britain*, at two ſeveral Repriſes more, by one of his *Dutch* Emiſſaries: Neither Promiſes nor Threats were ſpar'd; but neither had any Effect: What remain'd therefore, was to take all poſſible Precau-

Impoſitic Behaviour of the K. of Poland.

[Lamberty.]

tions

(*f*) See the *Military Hiſtory of Charles* XII. of *Sweden*, in which his forcing the Paſſage of the *Dunes* againſt the *Saxons* and *Muſcovites*, poſted there to defend it, and which was the great Exploit of this Year, is fully recounted.

(*g*) What *England* and *Holland* meant by this, was to procure a Body of *Swedes* to ſerve in their Pay: But *Lillieroot*, no doubt in order, always found ſome Pretence or other to evade any effectual Proceſs on that Head

A. D. 1701. tions against a Prince so apparently dispos'd, to make Use of the Sovereignty which he deriv'd from the Benevolence of the first Confederacy, to the Detriment of the second, tho' form'd nearly of the same Powers, and for the Sake of obtaining the same Purposes. The Methods they took were to spirit up his Chapters both of *Cologne* and *Leige* against him, the former of which made no Difficulty to admit a mix'd Body of Troops, Part belonging to the King of *Prussia*, Part to the Elector-*Palatine*, and Part to the Bishop of *Munster*, in order to reinforce their Garrison against him: His Electoral Highness upon this endeavour'd to seize the Town of *Zons* which belong'd to the said Chapter (who in return made their Appeal to the Emperor and the Pope) and also re-enforc'd the Garrisons of *Nuys*, *Rhineberg*, and *Keyserwaert*, with his new Levies. But finding what he had done only serv'd to render him more and more odious, he try'd to cajole, and even to corrupt the Chapter into a Compliance with his Measures: And this not obtaining, he resolv'd to lay aside the Mask at once, and to give the *French* Possession of his Towns. At least, it is so said, and that the Troops of *France*, did actually make their Advances towards the Province of *Juliers* accordingly: It is also said, That the States having receiv'd Advice of this Motion in a Letter from the Elector-Palatine, caus'd a Body of their Troops to enter the said Province first, by way of Precaution: Upon which the *French*, in Quality of *Auxiliaries* belonging to the *Circle* of *Burgundy*, not only took Possession of *Nuys*, *Zons*, *Keyserwaert*, *Rhineberg*, *Leim*, *Ardingen*, and the City and Citadel of *Leige*, (where the Dean and Chapter had been induc'd to behave, as Those of *Cologne* had done) but also carry'd off the said Dean in a Manner more outragious than if he had been a Prisoner of War; and in public Manifestos justify'd all, by the Exemple of the *Dutch* in *Juliers*.

The Confederates joyn the Chapter of Cologne against the Elector.

The Dutch Troops advance into Juliers.

and the French take Possession of the Towns on the Rhine.

It is farther to be remember'd, That, some Time before these critical Movements were made, his Majesty of *Great Britain*, in his Capacity of Stadtholder, had, in concert with the States Deputies, settled the State of the War for the ensuing Year; which State the said Deputies in a Body presented on the 4th of *November* to the States-General: And that upon this Occasion his Majesty thought fit to introduce it, with a short Speech to their Lordships to the following Effect, "That they would perceive, in the Reading of the said State or Estimate, That it was form'd on the Presumption of an approaching War: That it was conformable to the Resolutions taken by their Lordships from Time to Time for the Defence of the Republic: That his Majesty could not help lamenting the Necessity, which, in Time of Peace, impos'd so great a Burden on the Subject: That however it could scarce be call'd a Time of Peace, considering all Prospect of an amicable Accommodation was at an End; considering all the Measures us'd in Time of War were indispensible now; their Frontiers being surrounded with numerous Forces; their Allies being tempted to desert them, and their Commerce either invaded or render'd unprofitable: That the State was in a Manner besieg'd: That in his Opinion an actual War was preferable to a precarious Peace: That, in short, they had no Resource but in Arms, and that both their Religion and their Liberty requir'd them to act with the utmost Vigour and Resolution: That his Majesty did not doubt but they would consider the said Estimate seriously, That they would adopt it expeditiously, and that they would provide for it fully. That his Majesty was on the Point of taking his Leave of them, his Presence being requisite in *England*: That, however, he should not lose Sight of their Interest, by neglecting, any Thing which depended on him for its Advancement: That his Subjects were dispos'd, to enable him, at his Return, to act vigorously for the common Interest, and the Liberty of all *Europe*: And that his Majesty hop'd to return early in the Spring, in order to resume his Function, &c."

[Lamberty.]

His Majesty's Speech to the States in presenting the State of the War.

There is no need to recite the Answer of their high and mighty Lordships, which was as courtly as if their Stadtholder had always been a King, and they had been always us'd to take his Measures upon Content. But we must not omit, That, about this Time, Count *Wratislaw* having obtain'd an Audience of his Majesty, (which it seems, was become no very easy Matter) produc'd a Letter from Prince *Eugene*, importing, That *France* pour'd in such Numbers of *Troops* into *Italy*, that it would be impossible for him to winter there; and took the Hint, to press his Majesty to come to an immediate Rupture with *France*, urging, That a Diversion of such Consequence was not to be thrown away: That it could not be maintain'd on any other Terms: That several of the Princes and States of *Germany*, might in such Case be induc'd to declare for the Confederacy, who now demurr'd, merely, on Account of the present doubtful State of Things, &c. His Majesty could not, however, be induc'd to go such Lengths to gratify the Court of *Vienna*, till he had settled all the necessary Preparatives in *England*: And till then their High Mightinesses (whom the same Minister also press'd in the same Manner) were as little to be mov'd as he.

Count Wratislaw presses his Majesty and the States to declare against France.

A. D. 1701.

A great Part of this Time, his Majesty was thought to be dangerously indispos'd; and as the *French* had formerly disgrac'd themselves by making public Rejoicings on the false Intelligence they had receiv'd, That he was kill'd at the Passage of the *Boyne*; so the *Spaniards* upon this Occasion fell into an Indecency, which, in like Manner, serv'd to shew the high Opinion they had of his Importance: For Don *B. de Quiros* having feed certain Physicians to sit in Judgment on his Case; and they having given it as their Opinion, that he could not

Indecent Behaviour of Spain to his Majesty on being inform'd that he was near his End.

A.D. 1701. not live above three or four Weeks, he sent a Copy of it to *Spain*, where it was left open on the Secretary of States Table, for all Persons to read, who had any Business to transact with that Minister.

Lamberty, however, will not allow, That his Disorder was so dangerous as it was generally apprehended to be: The King, he insinuates, was not over temperate in his Diet; and his Digestion not corresponding with his Appetite, Flatulencies, &c. were frequently the Consequence. But then he also insinuates, That his Majesty was oftener politically sick than really so. *Lillieroot*, and in general the Ministers of all those Powers that discover'd a Reluctance to enter into his Measures, or who had Points to urge which he was not dispos'd to comply with, he took all Advantages to exclude from an Audience: And it is added, That he hop'd, by suffering a Notion to prevail, That he was really in danger, to obtain a Settlement of the *Stadtholderate* of *Holland* in favour of the Prince de *Nassau*, already perpetual *Stadtholder* of *Frizeland*; not so much, perhaps, for his Sake, as that his old Enemies, the *Louvestein* Faction, or *Dutch Whigs*, might no more have a Chance to recover their former Superiority.... But of This there is little Probability: For tho' it is true, That he had such a Design at Heart, and that he did make some Advances in it, he could not be insensible, That the nearer he drew to his End, the weaker his Influence would be found, and the more sanguine the Hopes of his Opponents, to be for ever free from the like Controul for the Time to come.

His Majesty's Endeavours to settle the Stadtholderate on the Prince of Nassau, ineffectual.

And the Issue of this Intrigue, in some Sort verify'd this Manner of Reasoning: For his Majesty, being made sensible that his Endeavours would be fruitless, gave them over; saying, When he was dead, and the Importance of the Thing to the Republic was thoroughly understood, they would think better of it.

He embarks for England.

But, however this may be, his Majesty's Presence in *England* growing every Hour more and more indispensable, on the 14th of *November*, N. S. he embark'd on his Return, and landed the next Day at *Margate*.

At the Time of his Departure, a Treaty of Alliance, or rather (as far as Words could make it so) of indissoluble Union, between *England* and the States, was in great Forwardness: And the same being soon after brought to Perfection by Lord *Marlborough*, it is expedient to give an Abstract of it in this Place; as also to subjoin a Sketch of such other Continent-Engagements, as were the Growth of this busy Year, for the Sake of viewing the whole Ground of our foreign Affairs at once.

A perpetual Alliance between England and Holland for the Recovery and Security of Flanders.

The said Treaty, then, consisted of Fourteen Articles; together with a Preamble of some considerable Length, signifying, in substance, That the Most *Christian* King having made himself Master of the whole Succession of *Spain*, was thereby, according to the Opinion of the whole World, in a Condition to establish an universal Monarchy, and impose the Yoke thereof upon all his Neighbours, unless by an extraordinary Confederacy of other Princes and Powers prevented: That the King of *Great-Britain*, and the Lords the States-General, having nothing at Heart but the forming such a Confederacy, for the Sake of such a Prevention, by the Means of a safe, general, and permanent Peace, had, in order thereunto, already contracted a firm and solid Alliance with his *Imperial* Majesty: That, nevertheless, being persuaded that all imaginable Endeavours would be us'd to render the said Alliance ineffectual, either before or after a Peace, and in particular, either by seperating the said King from the said States, or else by putting one of them into such a Condition, as might prevent the giving any Assistance to the Other, the said contracting Parties found themselves under a Necessity to unite as firmly as possible, and to agree upon the Means of putting themselves in a Posture, of having *always* an Eye on the common Liberty of *Europe*, of being *always* in a Condition to protect their Commerce and provide for their Safety; and of depriving their Neighbours of all Hopes of being ever able to seperate them, and thereby render them useless to the Public; in order to which, they had given full Powers, &c. —Such, in effect, was the Preamble: And as to the Articles, the First renew'd and confirm'd the perpetual defensive Alliance between King *Charles* and the States of 1677-8: By the Second, all Treaties already made by the said Powers, (especially the Treaty of *Ryswick*) and all they should hereafter make in concert, were to be reciprocally guaranty'd by each other: By the Third, That in order to avoid all Possibility of *Disputes*, whatever regarded the Preservation or Defence of either Party, should be interpreted according to the Spirit of the Treaty, not the Form. The Fourth is explanatory of This: For it is therein provided, That Preparations to attack either, shall be consider'd in the same Light as a positive Attack, and lay the same Obligation on the other to arm. By the Fifth it is agreed, the last Treaty of Alliance with the Emperor, for the Recovery of the *Spanish Low-Countries* out of the Hands of *France*, shall be truly and faithfully executed: Both Parties to be Guaranties of the same; and to use their Endeavours to have it confirm'd and strengthen'd from Time to Time. In the Sixth it is first asserted, That it is not consistent with the Safety of the said Parties, That the said *Low-Countries* should so remane in the Hands of *France*; after which, they engage themselves in a special Manner to assist each other with all their Forces to accomplish the said Recovery: And not only so, but after they should be recover'd, it was *always* to be consider'd as a Case within the said Treaty, whenever the Most *Christian* King should endeavour, directly or indirectly, to lay his Hands upon them, or make Preparations to do so, or to invade, or make Preparations to invade, any of the Territories belonging to the King of *Great-Britain*. According to the Seventh, If the said Allies were to fall jointly into a War, they

A. D. 1701. they were to assist each other with all their Forces, as well by Sea as Land, and to act jointly or seperately, as on such Occasion should be agreed. By the Eighth, a Specification of their said Forces, was to be made also by a like seperate Agreement. By the Ninth, They were to act on all such Occasions in concert, according to the Seventh and Eighth Articles of the Treaty of 1677-8, and to enter into no Negotiation, nor agree to any Peace, Truce, or Suspension of Arms, but according to the Ninth and Tenth Articles of the said Treaty. By the Tenth, particular Attention was to be shewn to the Commerce and Safety of the Two Nations, as well in regard to the *Netherlands*, as the neighbouring Countries. The Eleventh, Twelfth, and Thirteenth are in these Words: To wit, The Eleventh: "As to the Sea-Affairs, they shall govern themselves, in case of a War, provisionally: And, until some other Disposition is agreed on, according to the Treaty made at *Whitehall*, *April* 29, 1689, which shall be look'd upon to that Purpose, as renew'd and inserted in this Alliance, as far as it shall be applicable to the present Constitution of Affairs; and, particularly, in relation to Prizes, the Proportion of Ships of War, the Council of War, and what else depends thereon." The Twelfth: "As to what concerns Ships retaken, the Treaty that was made between the said High Allies, *October* 22, 1689, shall be in force as much as if it was newly made." The Thirteenth: "This Alliance shall be perpetual, as That of the Year 1677-8 above-mention'd is; and shall be look'd upon as a Part of it, so far as it may be apply'd to future Occasions." And, lastly, the Ratifications were to be exchang'd in three Weeks from the Day of signing, which was the 11th of *November*.

Thus, notwithstanding the Provision made in this Treaty for the faithful and punctual Execution of the Grand-Alliance of *September* 7, it is observable the immediate Object of it, was, The *Recovery* and *Security* of *Flanders*: And it is yet farther to be observ'd, that tho' *England* is thereby engag'd in *Perpetuity*, in the same double Task of rescuing and defending *Flanders*, for no other Consideration than what is contain'd in the Supposition, That her own Security, as well as the Security of the *United-Provinces*, depended upon it, yet none of our Historians take the least Notice of a Measure so every way extraordinary.

The several Quotas to be furnish'd by the Confederates.

As to the other Particulars still remaining to be specify'd, the first regards the Quotas to be furnish'd by the several Confederates; which (for a Reason that will be explan'd in the Sequel of our History) it will be proper to give in the very Words of the Paper laid before Parliament by Mr. Secretary *Vernon*; to wit,

"In relation to the Quotas that are to be furnish'd by his Majesty, the Emperor and the States-General, for making good their Alliances, it was *agreed*, That the Emperor should furnish 90000 Men to act against *France*, consisting of 66000 Foot, and 24000 Horse and Dragoons; not reckoning the rest of his Troops that will remain in *Hungary* or other Parts of the Emperor's hereditary Dominions. The States are to furnish 102,000 Men, consisting of 82,000 Foot, and 20,000 Horse and Dragoons. The Quota *promis'd* for *England* is 40,000 Men, (consisting of 33,600 Foot, and 7200 Horse and Dragoons) which are to act in Conjunction with the Troops of the Allies."

A. D. 1701.

And, lastly, tho' the said Allies, or rather *England* and *Holland*, had other subsidiary Treaties in agitation at this Crisis, the only one which need be mention'd in this Place (because the only one that was brought to Perfection, tho' not ratify'd, before the Meeting of Parliament) is, a Treaty with the King of *Prussia* for two Regiments of Horse, consisting of 874 Men, and five Regiments of Foot, consisting of 4255 Men, Half to be paid by *Great-Britain*, and Half by the States: The said Troops to begin their March in fifteen Days after the signing of the Treaty, or sooner if possible; and to enter into Pay, the Day they enter'd into the Dominions of the States.

And a subsidiary Treaty with the K. of Prussia.

His Majesty of *Prussia* had stood aloof for some Time, rather with a View of being courted, and from an Apprehension of *Sweden*, than with any View of making a better Market with *France*: At length, however, he thought fit to send M. *Schmettau* with an Offer to his Majesty, of entering into the Grand-Alliance, as also of the said Troops, and of 20,000 more, when his Majesty of *Sweden* could be induc'd to explane himself satisfactorily on that Head: Notwithstanding which Advance, the Negotiation proceed so slowly, that the Treaty was not sign'd till the 30th of *December*.

And now it is incumbent on us to change the Scene from *Holland* to *England*, where the whole Kingdom had serv'd through the whole Summer, as a Stage for the two rival Factions to play the same detestable Parts, tho' under different Disguises. The two Houses hade made their Appeal to the People, by a Publication of their respective Proceedings: These Appeals had been taken at the Rebound, by the Advocates Venal and Volunteer, conceal'd and avow'd, which had enroll'd themselves on both Sides. Dr. *Davenant*, as it is said, tho' he never own'd the Piece, set forth a remarkable Half-sheet in Folio, call'd, *Parliamentary Authorities, justifying the Proceedings of the Commons against the Four impeach'd Lords; submitted to the Commons in Parliament*: Which was answer'd (apparently by Lord *Somers* himself) in a Folio-Sheet of *Observations*, in which he charges the Doctor, with having falsify'd and perverted every Record he has cited, and loses no Opportunity of exhibiting him to the Public, as a Profligate that was capable of asserting any Thing for the Service of his Party. Sir *Humphry Mackworth* publish'd *A Vindication of the Rights of the Commons of* England, with three several Dedications in the Front of it, to the King, Lords and Commons. A nameless Author set forth, *A Vindication of the Rights and Prerogatives of the House of Lords*, in Answer to him.....Besides which, the Press produc'd

Account of the Paper-War in England.

A. D. 1701.

several other general Accounts and Justifications, Apologies and Invectives; all equally enflam'd with the Violence of the Times, and visibly calculated to encrease it. Among these the celebrated Tract, call'd, *Jura populi Anglicani*: Or, *The Subjects Right of Petitioning*, deserves particular Mention, because the main Drift of it is, to weaken the Authority of the House of Commons, by maintaining, They are not the WHOLE *People of* England's *Representatives*, as also to render them as odious as possible, for presuming to commit the *Kentish* Petitioners, *&c.* which, according to him, they had not the least Right to do: As also, because of the Countenance it gave to the *Legion-Letter*, and the Doctrines it contain'd. And de *Foe*, or *Foe*, (for it seems he set out with the last of those Names) had the Modesty to address a Performance of his to the King, under the following Title, *The original Power of the collective Body of the People of* England *examin'd and asserted*: At the Entrance of which he tells his Majesty, "'Tis not the least of the Extraordinaries of your Majesty's Character, That as you are King of your People, so you are the Peoples King." And having, in the general, maintain'd, That this *original Power* was the *Origin* of *all Powers*; as also, That, notwithstanding all the Powers they voluntarily cede to King, Lords and Commons, they have still a Reserve in their own Hands, which they may and ought to make use of, as a Preservative against any Encroachment from any of their Delegates, he proceeds to inculcate, That *parliamentary Power* may be *abus'd* as well as Kingly: And infers, That, in such Case, People have a Right to seek their own Redress their own Way.....The same Author also practis'd on the Passions of the Public in more Shapes than one, as will presently be made appear.

But these Paper-Batteries were not rais'd merely to maintain speculative Points, or to defend or explode the Measures of either Side: On the contrary, as the Dispute grew warm it grew personal too, and that to a Degree of Asperity and Scurrility, never practis'd before. In the *Jura populi Anglicani*, almost every Man of Eminence in the House of Commons, who had been active against the *Impeach'd* Lords, or who had demurr'd to an immediate War, were expos'd by *Name*, or by *Initials*, which was nearly the same Thing, with as little Mercy as *Jack How* had been expos'd in the *Legion-Letter*: Nor were their Adversaries at all backward in making suitable Reprisals: So that if the Evidence on each Side was admitted against the other, it would follow, That there was not a spotless Character of any Significancy left in the whole Country.

Knowing, however, That unless they could write their Adversaries *out* of the House of Commons, the Blackening of them *there* would signify but little; the *Whigs* resolv'd to manage, if possible, the Popularity they had so wonderfully and causlessly recover'd, that it might produce a *Dissolution*, how premature and how inconsistent with the King's Speech at the Prorogation, soever.

Following, therefore, the Way [illegible] had open'd by the *Kentish* Petition, they took Advantage of the enflammatory Humour which the Court of *France* had [illegible] them with, by acknowledging the [illegible] of *Wales* to inspire the People, with the same turbulent Spirit which had [illegible] the former Case infatuated the County [illegible] which, if the Train had took, was to have been communicated thro' the whole Kingdom: For tho' they had recourse to Addresses instead of Petitions, and it was thought more advisable to struggle for a Parliament, than to carry on the Contest with That in *being*, they worked on the same Model, and they had the same Purposes to serve.

Addresses from all Parts of England.

The City of *London*, which led the Way, contented themselves, however, with declaring their *Resentment* of the *Affront* offer'd to his Majesty by the *French* King, and with asserting, it was the *apparent Purpose* of the said King to *destroy* his Majesty, *extirpate* the *Protestant Religion*, &c. And as soon as the other Party became sensible of the Practice on foot, they not only set forth a Recital of, *The several Proceedings and Resolutions of the House of Commons in relation to the Dangers threatning* England *and the Liberties of* Europe, *from the late Succession to the Crown of* Spain, in order to blast the Intrigue, but also added a remarkable Postcript in the following Words.

" Since these Sheets were prepar'd for the Press, three Addresses from the Grand Juries at the late Assizes have been printed, full of the like Insinuations as the *Kentish* Petition, and besides are *prescribing* to the King, and *bespeaking* a *Dissolution* of the Parliament: These are farther Efforts of a restless and malicious Party of Men, who are busy, and calling about always to restore themselves and their Friends to that Power and Authority which they have for several Years exercis'd most partially, corruptly, and arbitrarily, almost to the utter Ruin and Destruction of this Nation; by procuring to themselves vast and exorbitant Grants of Monies, Lands and Pensions; by unpotentable and expensive Projects; by diverting and misapplying public Monies, and, as a necessary Consequence from such Practices, by contracting immense Debts, which the most regular, wise, and virtuous Administration cannot soon clear. This is the Case, whatever popular Turn they give it; and such weak, seditious Endeavours must have their due (that is, little) Weight, with all that consider what Artifices have been used for compassing them, by packing Juries, (and they not unanimous), and by a Multitude of Falsehoods and Calumnies that have been rais'd, and with the utmost Confidence and Assurance spread abroad, and reported to mislead and deceive honest and well-meaning Persons: And yet, after all, such is the good Sense of our Gentry and Freeholders, they are not easily to be impos'd on, and therefore these Men have not been able, by all their Artifices and Emissaries, to obtain more than these (Three) Addresses from the Fifty-two Counties of *England* and *Wales*, and

A. D. 1701. and them too not without the greateſt Difficulty, as well as Diſingenuity."

The *Whigs*, on the other Hand, having diſcover'd in the ſame Interval, That *Pouſſin*, the *French* Secretary, had been ſeen at a Tavern in Company with Dr. *Davenant*, Mr. *Hammond*, and Mr. *Tredenham*, took the Hint to (*b*) brand the whole *Tory*-Party with the Name of *Pouſſineers*, and to propagate a ſcandalous Inſinuation, That the Buſineſs of the Evening, was to ſettle a criminal Correſpondence between the *French* Court and its Factors in the *Engliſh* Parliament, which laid thoſe Gentlemen under a Neceſſity to juſtify themſelves in print, by proving, That the Meeting was merely accidental: That they were together but three Quarters of an Hour, and that the Doors were open all the while. So low will Faction ſtoop, for any dirty Card to forward its Game.

The Addreſſes, however, went on with ſo much Zeal and Rapidity, that every *Gazette* overflow'd with them; tho' ſuch as were moſt cool and moderate, were but juſt acknowledg'd, to make Room for the inſerting Others at large: For as the Rage of addreſſing had ſeiz'd the Nation, both Parties were at laſt oblig'd to give into it: And yet there being an apparent Difference both in the Matter and Manner of them, it furniſh'd the Handle for preferring ſome and rejecting others.

To particulariſe the Flatteries, Follies, Abſurdities and Extravagances contain'd in them, would be a Work without End..... But it ought not to be forgot, That while *France* was ſo outragiouſly treated for the impolitic Step ſhe had made in relation to the P. P. of *Wales*, *Vox*, the *Legion-Letter*-Writer, ſet forth a plauſible Pamphlet, under the Title of, *The preſent State of* Jacobitiſm *conſider'd, in Two Queries*: 1. *What Meaſures the* French *King will take with reſpect to the Perſon and Title of the P. P. of* Wales? 2. *What the* Jacobites *in* England *ought to do on the ſame Account?* And contains, according to the Words of the Preface, a *kind Invitation to the* Jacobites *to come into the Boſom and Protection of the Government*: But under an Inſinuation, That in caſe of Refuſal, the (*i*) *Nation would be blameleſs, if a Law ſhould ever be promoted, to* exclude *them* abſolutely *from either the Benefit or Protection, of the Government*. The Aim of this *Proteus* of an Author, is to convince the ſaid *Jacobites*, That their Condition is not at all mended, by the Conduct of the *French* Court in that Caſe: That the Obligation of their Oath to King *James*, expir'd with him; and that, therefore, Prudence requir'd, and Conſcience did notwithſtand, an immediate Tranſfer of their Allegiance to King *William*. But the moſt remarkable Sally which he makes in his Way, is the following notable Apology for the *French* Court; to wit: "If we muſt argue from *French* Conduct, we muſt bring *French* Arguments: 'Tis a ſmall Shift for a *Frenchman* to ſay, That they diſtinguiſh between a *King-Regent* and a *King-Titular*: That the Title, having been once legally the late King *James*'s, may as legally deſcend, as the Title of a Duke, tho' another may be poſſeſs'd of his Eſtate: And this may be no Bar to his Confederate King *William*, who is King-Regent: That this is a Conceſſion of Honour to the Son of a King, who cannot loſe the Title, tho' he may the Poſſeſſion: That 'tis not his Part to conſider King *William*'s Title, any farther than the Peace of *Ryſwick* requir'd: But for King *James*'s Title, 'twas not expected nor articled in that Treaty, That he ſhould *not* be call'd King of *England*: And it can no more be a Breach of the Peace to call his Son King of *England*, than it was to call his Father ſo: And, beſides, all this is but the Civility of a Court, and Matter of Honour to Families which no way concerns nor ought to diſturb the *Engliſh* Court: For while the Article of ſending Aſſiſtance is kept intire, this *Trifle* need give no Ground of Diſſatisfaction to any Body." A. D. 1701.

But to procede: While the Kingdom ſeem'd to reel with the Violence of theſe Party Convulſions, the Point ſo vehemently preſs'd by the *Whigs* without Doors, (namely, a Diſſolution of the Parliament) was agitated with equal Warmth in the Cabinet.—B. *Burnet* ſays, It was the *firſt* Thing that fell under Debate on the King's Return: And in the ſame Breath he alſo intimates, That ſome of the leading Members of the Houſe of Commons were *ſecretly aſk'd* (another Expreſſion for *Cloſetting* it muſt be ſuppos'd) *How They thought They would proceed, if They ſhould meet again?* Whence we are to infer, That if they would have comply'd with the Court-Terms, the King would have comply'd with the *Letter* of his Speech at the Cloſe of the laſt Seſſion, and ſuffer'd them to ſit again: But ſome anſwering *doubtfully*, according to the ſame Author, and others *poſitively*, That they would *begin* where they *left off*, (why, by the Way, is abſolutely deny'd in the (*k*) Writings of the Party) a Diſſolution was reſolv'd on, and the Parliament was diſſolv'd accordingly, by the ſame Proclamation of *November* 11, which declar'd, That Writs would be iſſued for the Meeting of another on the 30th of *December* following: No better Reaſons for this ſudden Turn being therein aſſign'd than the following, "That his Majeſty's loving Subjects having univerſally expreſs'd their Reſentments of the Injuſtice and Indignity offer'd to him and his People by the late Proceedings of the *French* King, in taking upon him to own and declare the pretended Prince of *Wales* to be King of *England*; and alſo their Affection to his Perſon and Government, to his great Satisfaction, his Majeſty, with the Advice *The Parliament diſſolv'd.*

(*b*) In a Paper which came to be call'd, *The Black Liſt*. It contain'd 167 Names of Members, 46 of whom loſt their Elections: It was obſerv'd, one of the *Whig* Lords was preſent in the ſame Houſe at the ſame Time: And it is alledged, That the Order for M. *Pouſſin* to leave the King's m. was ſerv'd upon him in that *very* Company.

(*i*) The *Jacobites* ſet forth an Anſwer to this Piece, under the ſame Title, with the Addition of theſe Words, *Part the Second*; in which they take great Advantage of this Paſſage, as if the Author, notwithſtanding the ſoft Language he makes uſe of, deſign'd to practiſe the ſame Rigors in *England*, by *Law*, which were practiſ'd in *France*, by *Deſpotiſm*.

(*k*) See a Pamphlet call'd, *Tom Double returned out of the Country*, (writ by *Dunton*, P. 57, 58.)

A. D 1701. Advice of his Privy-Council, had thought it reasonable, at this *extraordinary Juncture*, to give his Subjects the Opportunity of chusing such Persons to represent them in Parliament, as they might judge most likely to bring to effect their *just* and *pious* Purposes."

Remarks on that Measure

And thus a Measure of the same Kind with that of the Year before, which the Lords in a solemn Address had declar'd to be a *fatal one*, and to the Account of which they made no Difficulty to ascribe all the Dangers which threaten'd this Kingdom in particular, and *Europe* in general, was now to be esteem'd wise, seasonable, and salutary; tho' a Rupture was apparently at Hand; tho' it seem'd reasonable to think, that the same House of Commons, which had advis'd his Majesty to make Alliances, had, in a Manner bound themselves to make them good; and tho' it was reasonable to fear, that to abrupt a Dismission, would rather stimulate our national Animosities than help to compose them.

Our *Historian-Bishop*, however, takes Leave to say, "This convinc'd the *Nation*, That the King was not in a *double Game*, which had been confidently given out before, and was too easily believ'd by many." Now what *double Game* his Lordship particularly refers to, cannot be easily ascertain'd. His Majesty, when formerly baited by the *Whigs*, to employ none but them and their Creatures, and when admonish'd, to give it the softest Name, by the Duke of *Devonshire* in the Name of the Party, That a contrary Conduct might possibly bring back King *James*, had reply'd with more Warmth than was natural to him, That if King *James* was to be brought back, they might depend upon it, he should not be brought back by them: And whether, by way of Precaution against such indirect Menaces as these, he had ever trimm'd between the *two Families*, who is sufficiently authoris'd to say? But, if we recollect the Language he made use of in his Message to the last House of Commons, in his Answers to their Addresses, and in the Speech, more than once already referr'd to, we shall find it extremely hard to satisfy ourselves, That with *respect* to *them*, He did not play a *double Game*.

The same Author also says, "The *new Ministers* struggled hard against a Dissolution:" Which, no doubt, is true: And it is altogether as true, That the Friends of the *Impeach'd Lords* struggled as *hard* for it; urging, as we are told by another of our Writers, *That the present Parliament would neither do its Business, or the Nations*. But whether the King shew'd a *great Reluctance* to follow their Advice, because of the Intimations he had given in his Speech to the contrary, as the same Writer farther suggests, remains to be prov'd: For he subjoins in a Foot-Note, That, according to a Whisper which in those Times prevail'd, the Dissolution was *purchas'd* in *Holland* of the King's Favourite, to whom a considerable Sum was given as the Price of it: And the Partizans of the *Tories* also assert, That the *Whigs* carry'd their Point by their Emissaries in *Holland*: Besides which, we have Manuscript-Authority, importing, That the Earl of *Carlisle*, who attended the King to *Holland*, in quality of Gentleman of the Bed-Chamber, was the Chief of those Emissaries. And it was notorious, that nobody was more active than he, in spiriting up the People to clamour for a *Dissolution*: So that in either of these Cases it would follow, That the Resolution was taken *before* the Point was debated in Council; and, consequently, That if the King did make a *Show* of *Reluctance*, it was *Show only*.

[Life of King *William*, Vol. III. p. 303.]

The Nation put into a greater Ferment than ever.

But, whatever the true Secret of the Measure was, nothing could equal the Ferment it occasion'd: If the two Parties were incens'd against each other before, they became outragious now: According to the *Whig*, there was not a Man among the *Tories* that was not a Traitor both to the King and the Constitution: According to the *Tory*, there was not a *Whig* in Office who had not play'd the Vultur in it, and fatten'd on the very Vitals of his Country.

Every Press, both in Town and Country, was engross'd by one Side or the Other; and not only every County and every City, but almost every Corporation had its peculiar Libels and Counter-Libels; besides such as being of a more general Nature, were calculated for a general Use.

To give Abstracts of all of them, is a Task not to be thought of with Patience: But unless some *Exemples* are given, it will be impossible for such *temperate* Times as *Ours*, to have any tolerable Idea of the Rage and Fury of Thete.

Remarkable Influence of Party-Abuse.

The Sheet of Paper, call'd, *A plain Proof, That all the* Tories *are* Jacobites, has been already mention'd, as what was either an Original of (*l*) B. *Burnet's*, or what he thought worthy to copy into his History. In this Paper, the *Tories* are charg'd, with having been instrumental, in the *late Reign*, in all the *villanous Designs* then on foot for promoting Popery and Slavery at Home, and for depressing of *Holland* and exalting *France* Abroad: And in *This*, with having manifested notorious Disaffection to the Government, created the public Debts, and encreas'd the public Difficulties, by granting Aids on deficient Funds, such as the *Land-Bank*, &c. by opposing the Abdication and Recognition, refusing to sign the Association, opposing the Recoinage, endeavouring to save that notorious Traitor *Fenwick*, &c. This makes the first general Article against them. In the next they are charg'd with relinquishing their old Principles, and playing the *Commonwealthsmen*, only to ingra-

(*l*) It may not be improper on this Occasion to recollect, that this same Prelate writing to Sir *William Dutton Colt*, *February* 22, (1689-90) makes use of the following Expressions, "We have nothing amongst us now but Elections, which put the Nation into a high Fermentation: And it is not possible yet to know which Side will prevail: Those who are call'd the *Tories*, do now declare very high for the *present Government*; and have lent *Money very considerably*: So that it seems rather to be an Animosity of Parties among themselves, than any Thing in which the Government is concern'd: And the King's own Behaviour is so very equal, that it appears, He reckons himself *sure of both Hands*: For as he neither directly nor indirectly recommended any, so all that he says to those who ask his Directions in that Matter is, That he would have the moderate Men of the Church Party chosen." *From the* Bishop's *original Letter under his own Hand.*

A.D. 1701. tiate themſelves with the People; or to facilitate their own wicked Deſigns. Thus *their* Trial Act was only to ſecure Impunity to themſelves; *their* Place-Bills were only to throw their Adverſaries out of the Houſe of Commons; *their Triennial*, (which it is moreover ſaid, they would *repeal* the next Day, if the Power was in their Hands) was only to get rid of a Parliament which was not for their Turn, and which they could get rid of no *other* way: Falling then on Perſons, it procedes to affirm, That Party-Zeal paſs'd with them for Righteouſneſs: So that the Man in their Intereſt might cheat the Public as much as (*l*) *Rocheſter*, be as deep in the *Partition-Treaty* as *Jerſey* and *Vernon*, and yet be ſafe.

Paſſing ſoon after to their carrying the Power of the Houſe of Commons above its due Bounds in the late Seſſion, by impriſoning the *Kentiſh* Petitioners, *&c.* it is ſaid, "Such Proceedings were ſo far from being a real Service to the Commons, that it was a moſt effectual Way to make the People out of Love with Parliaments: Since nothing was more to be dreaded, than a popular Aſſembly taking upon itſelf an executive as well as a legiſlative Power, by puniſhing whom they pleaſe, and for what they pleaſe." The treating the *Succeſſion-Bill* with Contempt and Ridicule, by placing Sir *John Bolles* in the Committee-Chair, and conſtantly running out of the Houſe as ſoon as he had taken his Seat in it, makes another Article. The next, which regarded the Conduct of the laſt Seſſion with regard to foreign Affairs, ſet forth in the moſt ample and circumſtantial Manner, That the ſaid *Jacobite-Tories*, by their Prevalence in the Miniſtry and the Parliament, *England* had acted in ſuch a Manner, as had exceeded the Hopes of *France*: That the *Penſioner-Parliament*, tho' brib'd by their own as well as the *French* King, had never gone ſuch Lengths in his Service. The next Tranſition was, to the great Quantity of *French Louis d'Ors*, *more than to be accounted for in the Way of Trade*: And at the Tail of that Section, a particular Caveat was enter'd againſt the Members found with M. *Pouſſin*, when he was order'd to depart the Kingdom, if they ſhould be ſo *impudent as to ſtand*, or any *Place* could be found ſo *infamous as to chuſe them*.

The Conduct of *Portugal* and other States, in embracing the Party of the two Crowns, was in the next Place put to their Account. The Inactivity of our Fleet on the Coaſt of *Spain*, made another Item, which was moreover enflam'd with an Account of imaginary Feats which might have been perform'd, and Succeſſes which might have been obtain'd, in caſe we had fallen on the Enemy before we had any Pretence for ſo doing: Laſtly, to produce one of the ſtrongeſt Inſtances of Party-Diſingenuity that can be given, this Section is cloſ'd in the following Words: "And all of a Piece with This, was the firſt promiſing in the Spring great Encouragement to the Seamen to come on board; and then turning great Numbers on Shore, without allowing them any Money to carry them home: Could the adviſing this have been fix'd on the former Miniſtry, our Patriots would not have been ſo ſilent." And the But of all is, That all thoſe States which were for maintaining the Liberties of *Europe*, rejoic'd, that his Majeſty had given his People an Opportunity, by diſſolving his laſt Parliament, of chuſing ſuch Perſons as might bring to effect thoſe *juſt* and *pious* Purpoſes mention'd in their Addreſſes." A.D. 1701.

This is in ſubſtance the general Charge of the *Whigs* againſt the *Tories*; and we ſhall find the *Tories* were not at all backward to make ſuitable Reprifals upon the *Whigs*. —But in the *Queries* and Counter-*Queries* with which both Parties pelted each other from Day to Day, ſome particular Bolts were ſhot, which, on the Account of ſubſequent Tranſactions, deſerve a particular Mention. Thus in a *Whigiſh* Paper, call'd, *Queries which may deſerve Conſideration*, it is aſk'd, "Whether it be not obvious, that the E. of *M. (Marlborough* that is to ſay) may have a more decent Excuſe for delivering up his preſent Maſter, than the L. *C. (Churchill)* for betraying his old Maſter? And whether it be impoſſible, that the ſame Man ſhould take a Fancy to play the ſame Trick twice?" As alſo, "Whether my Lord *Sly* (for *Godolphin*) has not acted a very open Part of late? And whether he would have ſo far pluck'd off the Maſk, if his Expectations were not very near, as well as very ſure?" The *Tories*, on the other Hand, aſk'd in their Turn, "Whether if Lord *Marlborough* had led the Army in King *James*'s Defence againſt the Prince of *Orange*, Lord *Somers* or Mr. *Montagu* could have defeated it? Whether the Party who brought in the Bills againſt Sir *Charles Duncomb*, and to erect a new *Eaſt-India* Company, did not give as high Inſtances of invading Property, as any we can find in the *French* or *Turkiſh* Government? Whether it was not happy for *Knight* and *Burton*, that they had in the Treaſury a Partner in their falſe Endorſements; and whether the Hiſtory of *Exchequer*-Bills were not fitter for a Pillory than a Patent? Whether the Houſe of Commons were more to blame who did not expel Sir *John Thomſon* when he was convicted of drinking King *James*'s Health, and daily taken down for reviling King *William*, or thoſe who made him Commiſſioner of the Admiralty and Lord *Haverſham*, when he had no Pretence to either? Whether any Member who would accept of a Place under the late Adminiſtration, if he would come to their Terms, was ever diſappointed? Whether Sir *John Bolles* was not as fit to ſit in the Chair of the Committee for the *Succeſſion*-Bill, as the Lord *Spencer* to propoſe who ſhould be the next Succeſſor? Whether

(*l*) That Lord had been alſo moſt virulently abus'd in another Folio Sheet, under the following ironical Title: "The *true Patriot vindicated*; or a *Juſtification* of his Excellency the E. of *Rocheſter*, Lord Lieutenant of *Ireland*."

A. D. 1701. Whether a Houſe of Commons, compos'd of Gentlemen of Quality and Eſtates, guided by their Duty to their Country only, were to be prefer'd to a Band of Court-Slaves and Penſioners, under the abſolute Conduct of ſuch a Leader as *Montagu*? Whether they were not more dangerous Enemies to Liberty, who ſo often ſuſpended the *Habeas Corpus*-Bill, than thoſe who committed a few bribed and corrupted Electors? Whether it was not propos'd to the *Kentiſh Petitioners*, That in caſe they would declare, they were ſorry they had offended the Houſe, they might be immediately diſcharg'd, without the uſual Ceremony of *Kneeling*, and whether they did not reject the ſame with Scorn and Contempt to the Houſe? To what End have the Houſe of Commons a Power to raiſe Money for the Service of the Nation, if they have not alſo a Power to call thoſe to an Account who cheat the Nation? Who are moſt likely to be brib'd with *French Louis d'Ors*, They who thought it moſt prudent and ſafe to have treated with the Emperor, in order to have reſtrain'd the Pretenſions of *France*, or they who thought fit to treat with *France* to leſſen the Dominions of the Houſe of *Auſtria*? Why the ſame Perſons who contriv'd the *Partition Treaty*, and thereby enter'd into ſuch an intimate Friendſhip with *France*, did, at the very ſame Time, preſs hard for a great *ſtanding Army* in *England*, for fear of an Invaſion from that dear Friend, the ſaid King of *France*? Whether a Declaration of Performance of that Treaty, which oblig'd *England*, upon the firſt Aſſault made upon the *Dutch*, to furniſh them with 10,000 Men and twenty Ships; and if an honourable and ſafe Peace were not obtain'd in two Months after, then to aſſiſt the *Dutch* with all their Strength, were not in effect a Declaration of War, as ſoon as the *Dutch* were inſulted by the *French*? Whether there were any other Difference between a Declaration of Performance of that Treaty, and an actual Declaration of War, but only this, that in one Caſe *England* would engage as an Aſſiſtant, and in the other as Principal in the War? Whether then was moſt for the Intereſt of *England*, to engage as Principal, and bear almoſt all the Charges of the War (as they did in the laſt, which coſt above ſixty Millions) or to engage as Aſſiſtant upon the Foot of the ſaid Treaty, and bear their Proportion of Charge with the Emperor and the *Dutch*? Whether it does not now appear, That by the Prudence and Conduct of the Parliament, the *Dutch* have gain'd Time to put themſelves in a Poſture of Defence, and thereby been ſav'd from ſudden Deſtruction? And whether many Millions of Effects, belonging to the *Engliſh* and *Dutch* Merchants, have not been preſerv'd from Seizure: And conſequently, many honeſt Families from utter Ruin and Deſolation? Whether the King was not the beſt Judge of the Time of declaring War? And if a ſpeedy Declaration thereof had been neceſſary at the beginning of the Seſſions, or ſafe for *England*, in any other Manner than was done, whether his Majeſty would not have been graciouſly pleas'd to have ſignified his Pleaſure to the Houſe in That, as well as in other Matters relating thereunto? Whether the Houſe of Commons did not readily comply with his Majeſty in every Thing? And whether his Majeſty has not frequently acknowledg'd the ſame, and declar'd his Satisfaction with all their Proceedings? Who are moſt likely to be *Jacobites*, They who ſettle the Succeſſion of the Crown in the next Proteſtant Line, and lay aſide the late King *James* and his Iſſue, or they who openly curſe them for ſo doing? Whether thoſe who publickly own it to be a grateful Taſk to run down the Power of the Houſe of Commons, do not alſo think it a grateful Talk to preface the Way for arbitrary Government in a future Reign? Whether it will not be an eternal Scandal and Reproach to the *Engliſh* Nation, That a Houſe of Commons which has done ſo many great Things for *England* in one Seſſion, ſhould be horribly abus'd and traduc'd by a Set of branded Criminals, and they go off unpuniſh'd? Whether our Confederacies and Alliances abroad are more like to be maintain'd by a Parliament, who deſir'd them to be made, and promis'd to ſupport them, or by a Parliament deſperately provok'd, as far as their own Safety will admit, to diſpute and diſlike them? Whether the Money borrow'd, in order to thoſe Alliances, upon the Aſſurance of that Parliament, without any farther Security, is more like to be repaid by thoſe who are engag'd to do it, or thoſe who are at *Liberty to refuſe it*? Whether the Diſputes betwixt the two Houſes were more like to be reviv'd by Men who had ſome Time to cool and conſider calmly the Proceedings of the laſt Seſſions, or by Men who are juſtly exaſperated at the unexpected Charge and Trouble of going down into the Country, and will probably come up with an Animoſity, occaſion'd by new Elections? Whether thoſe who prevail'd with the King to diſſolve this Parliament, did it becauſe they were doubtful the Parliament wou'd not ſerve the King and Kingdom as they ought to do, or becauſe they were certain they would? If a Man at a Chocolate-Houſe, who had a ſure Game in his Hand, ſhou'd be adviſ'd to ſhuffle the Cards, and deal again, what ought he to think of the Adviſers?

Theſe, out of a Thouſand, will ſerve to ſhew where the Streſs of the Controverſy was principally laid: But *Davenant*'s Pamphlet call'd, *The true Picture of a* Modern Whig, *ſet forth in a Dialogue between Mr.* Whiglove *and Mr.* Double, *two under Spur-Leathers to the late Miniſtry*, was the Sheet-Anchor of the Party, and met with a Reception ſuitable to the extraordinary Matter it contain'd, and the lively Manner in which it was treated: For in the Courſe of the Dialogue, Variety of ſecret Ulcers are open'd, or pretended to be open'd, with as much Art as Malevolence, and

A.D. 1701. and no Artifice is left unpractis'd either to recommend the Tories to the Public, as worthy of their higheſt Confidence, or to expoſe the *Whigs* as the moſt abandon'd Plunderers and Betrayers of the Commonwealth, that ever had the Commonwealth in their keeping. "Under our Miniſtry, (ſays *Double*, P. 34) all the Officers that handled the King's Buſineſs or Revenue, liv'd in Clover: Every little Scoundrel got an Eſtate——In ſhort, all Men cheated to what Degree they pleas'd, which was wink'd at, in hopes to make and ſecure a Party." And again afterwards, P. 52, ſpeaking of the *Bill of Accounts*. "If the Bill had paſs'd moſt of the principal *Whigs* had been utterly ruin'd: Such groſs Cheats, Extortions, Frauds, Briberies and Corruptions would have been diſcover'd, and laid open, as would have expos'd our Party to the univerſal Contempt and Hatred of the Nation, *&c.*" As alſo, P. 34, to blaſt their moral as well as their political Characters. "There are ſtill lifted with us *Whig*-Pickpockets, *Whig*-Gameſters, *Whig*-Murderers, *Whig*-Outlaws, *Whig*-Libertines, *Whig*-Atheiſts; ſuch as in former Reigns have had ſome Note of Infamy, public or private, fix'd upon them, *&c.*" In order alſo to take off the Prejudice which had been artfully excited againſt the *Tories*, in relation to a Rupture with *France*, the ſame *Double* is made to acknowledge as follows. "For, put the Caſe now, That the Intentions of thoſe who govern at preſent be, to make War with the *French*, unleſs they remove their Troops out of all the *Spaniſh* Dominions whatſoever, and give the *Dutch* a ſufficient and ſafe Barrier, and unleſs they give the Emperor reaſonable Satisfaction, and ſuch a *Part* of the *Spaniſh Succeſſion*, as may make the Houſe of *Auſtria* more a Balance to the *French* Power; If that be the Scheme, let me tell you, the Country Gentlemen will unanimouſly come into it." And laſtly, in P. 35, ſtill in the ſame Character, he pronounces thoſe *pretended Neuters*, the *(m) flying Squadron* to be as *arrant Rogues* as themſelves; as longing only to play the ſame Game; as being equally clamorous againſt the late Houſe of Commons, and active to procure Hands to Petitions for the Diſſolution.

Such were in general the Lines and Features of this extraordinary Piece; and if it ſhould be urg'd, That both were grievouſly aggravated and diſtorted, no Outrage of that Side could be produc'd, which was not equall'd by ſome ſimilar Outrage on the other.

Thus the Proclamation was no ſooner out, than it was follow'd by a *new Paper* in the Name of *Legion*, addreſs'd to the Gentlemen of the late Houſe of Commons, A.D. 1701. in which, after a Courſe of Extravagancies, and *(n)* Inſolencies not to be parallell'd, the Author comes to the following Period.

"We are unanimouſly of Opinion, That the whole Nation ought to keep a Day of *Rejoicing* and ſolemn *Thankſgiving* to *God*, who has put it into the Heart of his Majeſty *once more to ſave this Nation from Deſtruction*, by diveſting you of that Power which you ſo viſibly exacted to the Ruin of your Country. That his Majeſty has liſten'd to the Voice of *Things* as well as to the *Voice* of *his* People; and having a diſcerning Judgment, has timely diſcover'd your wicked Deſigns, and timely prevented the Confuſion your Procedings would have brought upon us. That his Majeſty has once more put it into the Hearts of the *Engliſh Freeholders* to chuſe again, That they may, if poſſible, find honeſt Gentlemen enough in this degenerated Nation, who will ſtand up for Religion, and hold the Balance of the State with that Equality between every Branch of the Conſtitution, as that neither may oppreſs the other, *&c.*—If we are ſtill ſo infatuated and blind as not to ſet a *Mark* of *Infamy* on *every Man* of you: If ſome enſuing Parliament does not *diſfranchiſe* you as *Engliſhmen*, and make you for ever *incapable* of being choſen, or of ſitting in the Houſe; as Traitors in an Army are made incapable to ſerve; If every Borough, City, or Corporation be not depriv'd of its *Privilege* of *chuſing*, that ſhall ever ſend up *one of* you again; If every County be not *doubly tax'd* that ſhall *chuſe* any of you to repreſent them again, Then we deſerve to be betray'd to the End of the Chapter; and *England* will fall unpity'd by all the Nations of the World."

Remarks thereon.

To ſuch an incredible Pitch of Licentiouſneſs had the Rage of Party riſen: So daring and deſperate a Spirit had it kindled! And the Effects were ſuitable: All was Animoſity, Uproar, Rancour and Outrage: Order, Peace, and even Humanity itſelf ſeem'd to be driven out of the Country, and Anarchy ready to take Poſſeſſion.

Nor were theſe external Agitations and Convulſions, the moſt alarming of thoſe national Evils, which had for ſome Time ſpread like a Contagion over the Kingdom: The Wealth, the Power, and the Influence which Numbers of *new Men* had acquir'd by their Hold of the Government, had excited the Envy, the Ambition, and the Avarice of Others: The Neceſſity of annual Seſſions had diſcover'd the Importance of a Seat in Parliament: Thoſe who had not a natural Intereſt in the Soil, had therefore Recourſe to Bribery. And, in Proportion, as the Trade of a Parliament-Man, as the it

---

(m) And yet we ſhall find the ſaid *Squadron*, at the Beginning of the next Reign, not only giving a very different Account of them elves; but arrogating a large Share of Merit, for having been on almoſt every ſignal Occaſion the Auxiliaries of the *Tories*.

(n) Among which it may not be amiſs to remember that which follows. "The Paper does not come *intog*, as before, but you may ſee it at the Corner of every Street, every Bookſeller can tell it to you; every *Engliſhman* has it in his Hand, and your humble Servant the Author is to be ſpoken with at his Houſe as conſtantly as a *Quack-Doctor*, from Eight to Twelve in the Morning, and from Two till Nine at Night."

A.D. 1701. it came to be call'd, became more and more gainful, the Number of Adventurers increas'd. Hence Votes, Boroughs, and Corporations became Staple-Commodities, which were carry'd to Market, and there fold, by their ſeveral Factors, to the higheſt Bidder; at firſt cautiouſly and timidly, but by Degrees, openly and ſhamelefly: Inſomuch that Men of Sagacity and Foreſight ſaw, with Horror, the Approaches of a Time, when the Proviſions of our Anceſtors to render the Conſtitution immortal, would, in all Likelihood, prove its Bane: And a more affecting Repreſentation of the Change which had already taken Place, can ſcarce be given, than that which we are furniſh'd with in the Character of *Double*, already cited, as follows. "And truly tho' I miſs'd my Election; 'twas to me an infinite Conſolation to behold how the People were corrupted. I was known to be a Pickpocket, a Gameſter, a Fellow of no Sort of Principles: My Electors knew, I had been concern'd with the Clippers, when I was a Receiver of the Taxes; that I was grown rich out of the public Ruins; that my Deſign of coming into the Houſe was only to have an Opportunity of ſelling my Country: All which was made apparent to them; and yet I, an utter Stranger, came within two Votes of throwing out a Gentleman of an unblemiſh'd Reputation, a great Eſtate, and whoſe Anceſtors have maintain'd an honourable Poſt in the Country for upwards of 400 Years. Does not this give a moſt lovely Proſpect? Does not this ſhew, that we have made a Breach upon the Honeſty of the Middle Rank of Men? And that the Infection (begun higher) has ſpread itſelf into all the ſmaller Veins of the Body politic? I own it is to me an unſpeakable Comfort to obſerve ſuch a general Decay of Manners and Virtue in the vulgar Sort; it forebodes that Diſorder in public Affairs, which muſt make Room for ſuch as I am. 'Tis impoſſible to grow very rich in a virtuous Country; and you ſee our Party has increas'd in Wealth, in Proportion to our having corrupted the Morals of the People——If we can but have as good Succeſs in debauching the Freeholders, as we have had in corrupting ſmall Boroughs, the Game is our own."

Succeſs of the Elections.

As to the Succeſs of the Electors at *London*, *Weſtminſter* and the Borough of *Southwark*, it was ſo entirely in favour of the *Whigs*, that their Rivals were both *(o)* diſtanc'd and diſgrac'd: And agreeable to the Choice they had made, were the *Inſtructions* they gave their Members; which, in general, tended to enflame the People againſt *France*, to aſperſe the late Houſe of Commons, to diſculpate the impeach'd Lords, and to encourage an implicite Confidence in, and a thorough Compliance with, the Demands of the Government. The *Tories*, on the other hand, to ward this Blow, gave out, That the *money'd Intereſt* which had been form'd by the public Loans, having their Head-Quarters in the Capital, had form'd an Intereſt there, which was not only diſtinct from but irreconcileable to, that of the Kingdom: That it was not to be wonder'd they were for diſſipating on one hand, and mortgaging on the other, becauſe every new *Loan (p)* produc'd a new Intereſt to them: That if their Sentiments were to be follow'd, the preſent Debt would be increas'd to thirty or forty Millions, in which Caſe the ſaid *money'd Intereſt* would become an over-Balance for the Land: And, by Conſequence, that the Nation could never do worſe for itſelf, than in following the Meaſures they ſhould think fit to preſcribe.

A.D. 170

The *Whigs*, however, did not fail to make the moſt of this Advantage, and every other: Thus their throwing *Hammond* out of *Cambridge*, by ſetting up the great Philoſopher *Newton* againſt him; their excluding *Davenant*, *Shower*, &c. and above all their throwing *Hoo* out of *Glouceſterſhire*, furniſh'd them with ſo many ſeveral Triumphs: But then the other Party aſſerted, That they carry'd thoſe, and all the Points they did carry, by the Dint of Slander and Libels; no leſs than five Portmanteaus full, each of a different Sort, againſt the laſt of thoſe Gentlemen, having been diſtributed to every Freeholder in the County; and the whole *cloathing* Intereſt having been ſpirited up againſt him, by Suggeſtions to the following Effect, to wit, "That *England*, and particularly the Woollen Manufacture would be ruin'd if he was choſen."

Upon the Return, each of the two Parties affected to be confident, the Majority was on their Side: And ſo much was it apprehended, that, in the preſent enflam'd Diſpoſition of both, the Conteſt for a Speaker might occaſion ſome dangerous Fray, That on the 30th of *December*, being the Day of Meeting, the Deputy Earl-Marſhal *(Carliſle)* put forth an Order, forbidding all Footmen in the Service of the Nobility and Gentry, to wear any Sword, Hanger, Bayonet, or other ſuch like offenſive Weapon, during their Reſidence in the Cities of *London* and *Weſtminſter*, or the Liberties and Precincts of the ſame; many Miſchiefs, it being alledg'd and dangerous Accidents tending not only to the higheſt Breach of the

Earl Marſhal's Order that Footmen ſhould not wear Swords.

(o) The contrary of which is ſuggeſted by *B. Burnet*, and copy'd from him by Mr. *Tindal* (not indeed by Name, but as an *eminent Author*, for fear his Authority ſhould conclude too much, in theſe remarkable Words. "Moſt of the great Counties and the chief Cities choſe Men that were zealous for the King and Government; but the *richer Part of the Conſtitution*, the ſmall Boroughs were in *many* Places wrought on to chuſe *bad Men*".

(p) What perhaps might contribute to this, was the Treaty of Union, during this Interval, carrying on between the two *Eaſt-India* Companies by Lord *Godolphin* and Mr. *Hartley* for the *old*; and Lord *Halifax* and Mr. *Lowndes* for the *new*: Which was completed four Days before the Opening the Seſſion, tho' it did not operate in Form, ſo as to conſtitute a Joint Company, till ſome Years afterwards.

A. D. 1701. the Peace, but also to the Destruction of the Lives of his Majesty's Subjects, having happen'd by their wearing such Weapons.

Struggle for a Speaker. And now That which was esteem'd the decisive Day being come, and his Majesty having order'd the Commons to procede to the Choice of a Speaker, according to Form, never was the House known to be so full on the like Occasion; and never was it so equally divided: Lord *Spencer* nominated Sir *Thomas Littleton*, and the Earl of *Dysert* Mr. *Harley*; the Former was seconded by *John Smith*, Esq; and the Latter by *Henry St. John*, Esq; Both were floridly recommended, and no doubt at each others Expence: Order is at best but ill observ'd in popular Assemblies, and where Heat and Passion are predominant, as they were in This, it was scarce possible to prevent Confusion: Both Parties at last appeal'd to the Question; and the Clerk dividing the House, it appear'd that the Yeas for Sir *Thomas Littleton* were 212, and the Noes 216; so that the Number of Members present were *(q)* 428; and the Majority for Mr. *Harley* four.

Mr. Hutsey chosen.

It is allow'd by All the King inclin'd to *Littleton*, whom he had last Year set aside; and it is asserted by some, That his Majesty *closetted* Sir *George Rook*, Sir *Charles Hedges*, and Others of the *Tories* in his Service, in order to induce them, if possible, to throw their Votes and Interest into the same Scale; in which Case, it is clear, the Majority would have been in *Littleton*'s Favour.

[Boyer, Vol. III. p. 594.]

That a Breach should be the Result of these Counter-Proceedings, was not only natural but unavoidable: B. *Burnet* intimates, That *some* of the *new* Ministers *left* the Service, as soon as the King had resolv'd on the Dissolution: But the Truth is, That no Alterations were made till after the Meeting of the Parliament, when the Earl of *Manchester* was made Secretary of State, in the Room of Sir *Charles Hedges*; and the Earl of *Carlisle* was put at the Head of the Treasury in the Room of Lord *Godolphin*; soon after which the Earl of *Pembroke* was made Lord-high Admiral, and the Duke of *Somerset*, as a *Whig*, was made Lord-President.

Alterations in the Cabinet.

[Coke.]

There is an Author who also says, the King express'd a Desire to set Lord *Somers* at the Head of his Affairs, and that his Lordship hesitating, for fear of a new Relapse in favour of the *Tories*, his Majesty answer'd, *Never! Never! Never!*

But whether this particular Circumstance is true or not, the Facts already mention'd are sufficient to shew, that he had once more plac'd his Confidence in the Whigs: And whoever reflects on the State of his Majesty's Health at this Time, and the known Prejudices of the Princess against that Party, must conclude, either that he had something farther in view, or that He and They had taken their Measures by halves.

A. D. 1701.

Rumours concerning a Design to exclude the Princess of Denmark.

In the second Dialogue of *Davenant*'s, between *Whigbee* and *Double*, P. 89, are the following remarkable Passages.

"*Whigbee*. I find we have miscarried in one great Design; the Train would not take; we were very hot upon it just before the Parliament met, all the *Whig*-Coffee-Houses rung how necessary it was to break into the Acts of Settlement, and to exclude.——

Double. Mum, *Whigbee*, talk no more upon that Subject, I beseech you; fresh Orders are issu'd out, and since we are not strong enough to make it go, and that on the contrary, it has alarm'd and provok'd all Sorts of Men, we are now directed to say, that never any such Thing was intended by our Party, tho', *God* knows, it was the whole Discourse of all our Clubs. Under the *Rose*, this was one of those Embrios that prov'd abortive upon the 30th of *December* last; but tho' it be not seasonable to stir in it now, never fear our abandoning a wicked Design, we never quite lay aside any Mischief."

And what is here and elsewhere surmis'd to the same Effect, B. *Burnet* endeavours to explode as follows, "The *Tories pretended* great Zeal for her (the Princess) and gave it out, That there was a Design to set her aside, and to have the House of *Hanover* to succede the King immediately; tho' it could never be made *appear*, That any Motion of this Kind had ever been either made or debated, even in private Discourse, by any of the whole *Whig* Party; great Endeavours were made, and not altogether without Effect to infuse this Jealousy into the Princess, and into all about her, not without Insinuations, That the King himself was inclin'd to it".

Whether *Davenant* or *Burnet*, the *Party Historian*, or the *Party-Pamphleteer* deserves most Credit, it is yet too soon to decide: The same Topic will again recur: We shall find one Party acting, as if too many Precautions could not be taken against every Opening possible to be made by any Hand or Means whatsoever, in favour of the P. Prince of *Wales*; and the Other as if the Succession of the Princess could not be too many Ways secur'd: And the Author of this Work has been assur'd by a Gentleman of Understanding and Integrity, That he, the said, Gentleman had seen and read a Letter under B. *Burnet*'s own Hand, not over consistent with the Quotation before taken from his History.

But to procede, the *Speaker* having been presented to the Throne, and receiv'd the customary Sanction, his Majesty was pleas'd to open the Session with the following Speech to both

(q) According to *Kennet*, *Oldmixon*, and *Tindal*, the Majority for Mr. *Harley* was 14: And according to the Copy of the Journals, which tho' the Favour of a certain noble Earl, lye open before me, 104. But as it is manifest from the whole Course of the Session, that the two Parties very nearly balanc'd each other, I have chose to impute this last extravagant Difference to the Error of the Transcriber, who has set down 212 for 312, and to follow Boyer, who gives the same Account as that above.

A.D. 1701. both Houſes, which it has been the Faſhion to admire and extol, not only as a Maſterpiece of Royal Eloquence, but alſo as a Summary of all that was worthy the Regard of an *Engliſh* King or an *Engliſh* Parliament; to wit.

King's Speech. "*My Lords and Gentlemen,*

I promiſe myſelf you are met together full of the juſt Senſe of the common Danger of *Europe*, and that Reſentment of the late Proceding of the *French* King, which has been ſo fully and univerſally expreſs'd in the *loyal* and *ſeaſonable Addreſſes* of my People.

The owning and ſetting up the pretended Prince of *Wales* for King of *England*, is not only the higheſt Indignity offer'd to me and the whole Nation, but does ſo nearly concern every Man, who has a Regard for the Proteſtant Religion, or the preſent and future Quiet and Happineſs of your Country, that I need not preſs you to lay it ſeriouſly to Heart, and to conſider what *farther effectual Means* may be us'd for ſecuring the *Succeſſion* of the Crown in the *Proteſtant* Line, and extinguiſhing the Hopes of ALL *Pretenders*, and their open or ſecret Abettors.

By the *French* King's placing his Grandſon on the Throne of *Spain*, he is in a Condition to oppreſs the reſt of *Europe*, unleſs ſpeedy and effectual Meaſures be taken: Under this Pretence, he is become the real Maſter of the whole *Spaniſh* Monarchy; he has made it to be entirely depending on *France*, and diſpoſes of it as of his own Dominions, and by that Means he has ſurrounded his Neighbours in ſuch a Manner, that tho' the Name of Peace may be ſaid to continue, yet they are put to the Expence and Inconveniencies of War.

This muſt affect *England* in the neareſt and moſt ſenſible Manner, in reſpect to our *Trade*, which will ſoon become *precarious* in all the valuable Branches of it; in reſpect to our Peace and Safety at Home, which we cannot hope ſhould long continue; and in reſpect to that Part which *England* ought to take in the Preſervation of the Liberty of *Europe*.

In order to obviate the general Calamity with which the reſt of *Chriſtendom* is threatned by this exorbitant Power of *France*, I have concluded ſeveral Alliances, according to the Encouragement given me by both Houſes of Parliament; which I will direct ſhall be laid before you, and which I do not doubt you will enable me to make good.

There are ſome other Treaties ſtill depending, that ſhall be likewiſe communicated to you as ſoon as they are perfected.

It is fit I ſhould tell you, The Eyes of all *Europe* are upon this Parliament; all Matters are at a *Stand* till your Reſolutions are known, and therefore no *Time ought to be loſt*.

You have yet an Opportunity, by *God*'s Bleſſing, to ſecure to you and your Poſterity the quiet Enjoyment of your Religion and Liberties, if you are not wanting to yourſelves, but will exert the ancient Vigor of the *Engliſh* Nation: But I tell you plainly my Opinion is, If you do not lay hold on this Occaſion, you have no Reaſon to hope for another. A.D. 1701.

In order to do your Part, it will be neceſſary to have a great Strength at Sea, and to provide for the Security of our Ships in Harbour; and alſo, that there be ſuch a Force at Land, as is expected, in proportion to the Forces of our Allies.

Gentlemen of the Houſe of Commons,

I do recommend theſe Matters to you with that Concern and Earneſtneſs, which their Importance requires: At the ſame Time I cannot but preſs you to take Care of the public Credit, which cannot be preſerv'd, but by keeping ſacred that Maxim, That they ſhall never be Loſers, who truſt to a parliamentary Security.

It is always with Regret when I do aſk Aids of my People; but you will obſerve, that I deſire nothing which relates to any perſonal Expence of mine: I am only preſſing you to do all you can for your own Safety and Honour, at ſo critical and dangerous a Time; and am willing that what is given, ſhall be wholly appropriated to the Purpoſes for which it is intended,

And ſince I am ſpeaking on this Head, I think it proper to put you in Mind, That, *during the late War*, I order'd the Accounts to be laid yearly before the Parliament, and alſo gave my Aſſent to *ſeveral* Bills for *taking* the *public Accounts*, that my Subjects might have *Satisfaction* how the *Money* given for the *War* was *apply'd*: And I am willing that Matter may be put in any *farther* way of Examination, that it may appear, whether there were any *Miſapplications* and *Miſmanagements*; or whether the Debt that remains upon us, has really ariſen from the *Shortneſs* of the Supplies, or the *Deficiency* of the Funds.

I have already told you how neceſſary Diſpatch will be for carrying on that great public Buſineſs, whereon our *Safety* and all that is valuable to us depends: I hope, what Time can be ſpar'd, will be employ'd about thoſe other very deſirable Things, which I have ſo often recommended from the Throne; I mean, the forming ſome good Bills for employing the Poor, for encouraging Trade, and the farther ſuppreſſing of Vice.

My Lords and Gentlemen,

I hope you are come together, determin'd to avoid all Manner of Diſputes and Differences, and reſolv'd to act with a general and hearty Concurrence, for promoting the common Cauſe; which alone can make this a happy Seſſion.

I ſhould think it as great a Bleſſing as could befal *England*, if I could obſerve you as much inclin'd to lay aſide thoſe unhappy fatal Animoſities, which divide and weaken you, as I am diſpos'd to make all my Subjects ſafe and eaſy, as to *any*, even the *higheſt*, Offences committed againſt me.

Let me conjure you to diſappoint the only Hopes of our Enemies, by your Unanimity: I have ſhewn, and will always ſhew, how deſirous I am to be the common Father of *all* my People: Do you, in like Manner, lay

A. D. 1701. lay aſide Parties and Diviſions: Let there be no other Diſtinction heard of among us for the future, but of thoſe, who are for the *Proteſtant* Religion and the *preſent Eſtabliſhment*, and of thoſe who mean a *Popiſh* Prince and a *French* Government.

I will only add this, If you do, in good Earneſt, deſire to ſee *England* hold the *Balance* of *Europe*, and to be, indeed, at the *Head* of the *Proteſtant Intereſt*, it will appear by your right improving the preſent Opportunity."

In acknowledging this Speech, the Lords diſcover'd a Forwardneſs, which in thoſe Times was not very uſual: For they waited upon his Majeſty the very next Day, being the firſt of the New Year, with an Addreſs, in which, having premis'd, That the ſeveral Particulars recommended to them by his Majeſty were of the higheſt Importance, and they would loſe no Time in proceding to the Conſideration of them, they expreſs themſelves as follows.

Lords Addreſs. 1701-2.

"We cannot defer expreſſing our juſt Reſentments of the Proceedings of the *French* King, in owning and ſetting up the pretended Prince of *Wales* for King of *England*, and other your Majeſty's Realms and Dominions; which we take to be the higheſt Indignity that can be offer'd to your ſacred Majeſty and this Kingdom: And we do aſſure your Majeſty, we are ſo ſenſible thereof, that we are reſolv'd to aſſiſt your Majeſty to the utmoſt of our Power, in defending your ſacred Perſon and Government from all Attempts whatſoever, that ſhall be made either from your open or ſecret Enemies. AND that no Enemies to our Religion and Country may ever hope to proſper in their Attempts againſt us, when, to our great Unhappineſs, it ſhall pleaſe *God* to deprive us of your Majeſty's Protection, we do further declare our Reſolution to aſſiſt and defend, to the utmoſt of our Power, againſt the pretended Prince of *Wales*, and all other Pretenders whatſoever, *every Perſon* and *Perſons* who have Right to ſucceed to the Crown of theſe Realms by Virtue of two Acts of Parliament, entitled, *&c.*"

To which his Majeſty was pleas'd to Anſwer.

King's Anſwer.

"*My Lords*,

I heartily thank you for your very ſeaſonable Addreſs, and for all your kind Expreſſions of Duty to me in it: I recommend to you to take into your ſpeedy Conſideration the *other Matters* mention'd in my Speech, and doubt not but that your Reſolutions will be for the Honour and Safety of the Kingdom."

The next Day the Commons alſo took the Speech into Conſideration, and, upon the Iſſue, came to two Reſolutions, which, tho' carry'd in like Manner *Nemine Contradicente*, were nevertheleſs the Reſult of two ſeveral Motions, and had their Riſe from the two ſeveral Parties; as will be diſtinguiſhable enough in the Addreſs which was

The Commons Addreſs.

founded upon them: And, both by the Committee nominated to draw it up, (at the Head of which Sir *Charles Hedges* was plac'd) and by ſome particular Expreſſions inſerted therein, due Care was taken to appriſe his Majeſty, That the *Tories* whom he had rejected, were ſtill (*r*) uppermoſt: Notwithſtanding which, the ſaid Addreſs, when reported, was agreed to *Nemine Contradicente*, as the two Reſolutions had been before; to wit. A. D. 1701-2.

"*Moſt gracious Sovereign*,

We your Majeſty's moſt dutiful and loyal Subjects, the Commons of *England* in Parliament aſſembled, do return our moſt humble and hearty Thanks to your Majeſty for your moſt gracious Speech from the Throne; and humbly crave Leave to aſſure your Majeſty, That this Houſe will ſupport and defend your Majeſty's *lawful* and *rightful* Title to the Crown of theſe Realms, againſt the pretended Prince of *Wales*, and all his open and ſecret Abettors and Adherents, and all other your Majeſty's Enemies whatſoever: And we will enable your Majeſty to ſhew your juſt Reſentment of the Affront and Indignity offer'd to your Majeſty and this Nation by the *French* King, in taking upon him to declare the pretended Prince of *Wales* King of *England*, *Scotland* and *Ireland*: And we are firmly and unanimouſly reſolv'd to maintain and ſupport the Succeſſion to the Imperial Crown of this Realm, and the Dominions and Territories thereunto belonging, in the Proteſtant Line, as the ſame is ſettled by an Act *declaring* the Rights and Liberties of the *Subject*, and ſettling the Succeſſion of the Crown, and farther provided for by an Act of the laſt Parliament, entitled, *An Act for the farther Limitation of the Crown, and* better *ſecuring the Rights and Liberties of the Subject*. AND, for the better effecting the ſame, we will, to the utmoſt of our Power, enable your Majeſty to make good all *theſe Alliances* your Majeſty has made, or *ſhall make*, purſuant to the Addreſſes and Advice of your *moſt dutiful* and *loyal Commons* of the LAST PARLIAMENT, for the preſerving the Liberties of *Europe*, and reducing the *exorbitant Power* of *France*."

The ſaid Addreſs was preſented on the 5th by the whole Houſe, and his Majeſty's Anſwer was as follows.

King's Anſwer.

"*Gentlemen*,

I give you my hearty Thanks for this Addreſs, which I look upon as a good Omen for the Seſſion: The Unanimity with which it paſs'd, adds greatly to the Satisfaction I receive from it: So good a Step at your firſt Entrance upon Buſineſs, cannot but raiſe the Hopes of all who wiſh well to *England*, and to the Common Cauſe: I can deſire no more of you, than to procede as you have begun; and I depend upon it: For when I conſider how cheatfully and univerſally you concurr'd in this Addreſs, I cannot doubt but

(*r*) And This was farther confirm'd by the Choice of a Chairman for the general Committee, which was carry'd by the *Tories* in favour of *Mr. Conyers*.

A D. 1701-2. but every one of you will sincerely endeavour to make it effectual, in all the Parts of it."

A Second Address of the Lords.

Their Lordships also, (not to be out-done by the Commons in *Professions* and *Assurances*, or in *reminding* the King of *past Services*) in this Interval, resum'd the Consideration of these *other Matters* which they would not give themselves Time to consider before, and made them the Subject of another Address: In which having express'd their Hopes, that the great Work of reducing the exorbitant Power of *France*, and maintaining the Balance of *Europe*, was reserv'd for his Majesty, &c. they procede as follows.

"And we esteem it a farther *good Fortune*, in this Time of *public Danger*, That the *French* King has taken *those Measures*, which will make it impossible for him to impose any more upon the World, by Treaties so often violated: Neither can we hope any longer to cover his ambitious Designs, or justify his Usurpations, under the *specious Pretences of* PEACE.

Your Majesty hath so justly represented the Danger to which *Europe* is expos'd, by the *French* King's placing his Grandson on the Throne of *Spain*; your Majesty is so justly sensible, that, under that Pretence, he is become absolute Master of the whole *Spanish* Monarchy; and we are all so well appris'd of the dangerous Consequence of this bold Attempt, that we think it most proper to assure your Majesty in your *own Words*, That we are under the *highest Impatience*, that speedy and effectual Measures may be taken against the undoubted Ambition of the *French* King.

And as the placing his Grandson upon the Throne of *Spain* is visibly to the whole World, the Cause of all those Dangers mention'd in your Majesty's Speech, and of the Breach of the Balance of Power in *Europe*, which the People of *England* are so *deeply engag'd* to preserve; so we humbly conceive the Remedy is as apparent as the Disease; and that your Majesty, your Subjects and Allies, can never be safe and secure, till the House of *Austria* be *restor'd* to their RIGHTS, and the Invader of the *Spanish* Monarchy brought to Reason.

To conclude, Sir, as we humbly address'd to your Majesty LAST PARLIAMENT, to enter into Alliances with the Emperor, the States of *Holland*, and all other Princes and States, willing to unite against the Power of *France*; so we take the Liberty at this Time to assure you, we are all willing and zealous to lay hold of this Opportunity, which the Blessing of *God*, and your Majesty's Care, have put into our Hands; resolving to make our utmost Efforts for our own Security, and the Support of our Allies; desiring of your Majesty to rest assur'd, That no Time shall be lost, nor any Thing wanting on *our* Part, which may answer the reasonable Expectation of our Friends Abroad; not doubting but to support the Reputation of the *English* Name, when engag'd under so great a Prince, in the glorious Cause of maintaining the Liberty of *Europe*." A D. 1701-2.

King's Answer.

But tho' their Lordships were thus forward to arrogate the *largest Share* of the parliamentary Merit of *last* Session to themselves, the King, in his Answer, did not countenance those Pretensions: But, on the contrary, went a Step out of his Way to humour the House of Commons, tho' he did not mention them, by saying, "I hope your *joint* Endeavours will be successful for restoring the Balance of *Europe*, and establishing our common Security."

The two Parties vie with each other in forwarding the Purposes recommended in the Speech.

Thus both Houses, and both Parties, by the King's Management and the Disposition of the Times, were led to vie with each other in their Endeavours to facilitate the several Ends propos'd in his Majesty's Speech, tho' they had seperate Views, and their Resentments against each other were at the Bottom as fierce as ever.

Thus also the Vote of the Commons for the Supply was *Nemine Contradicente*; and the first Step taken upon it, was to authorise the Exchequer to borrow 600,000*l.* at 6 *per Cent.* for the Service of the Fleet, and 50,000*l.* for the Subsistance of the Guards and Garisons.

States, Estimates, and Accounts of all Sorts they call'd for next; and instead of raising any Objections to the several Treaties laid before them, they resolv'd unanimously, *January* 10, "That an humble Address be presented to his Majesty, that he would be graciously pleas'd to take Care, that it be an Article in the several Treaties of Alliance with his Majesty and other Potentates, That no Peace should be made with *France*, until his Majesty and the Nation have Reparation for the great Indignity offer'd by the *French* King, in owning and declaring the pretended Prince of *Wales* King of *England*, &c."

They also allow'd all the extravagant Demands of the Court of *Denmark*, on Account of Arrears, Levy-Money, Waggon-Money, and Contingencies of all Sorts for the *Danish* Troops in the *English* Pay; which Demands were laid specifically before them: Nor does it appear that they made any Objections to the several Sums paid to *Sweden*, by way of Commutation for the Succours which his *Swedish* Majesty had demanded of the *Maritime-Powers*: And, what farther demonstrated their Readiness to comply with all that could be reasonably demanded of them, tho' the subsidiary Treaty with the King of *Prussia*, nor another with the Landgrave of *Hesse* for 3014 Men, had not been communicated to them, they nevertheless adopted both these Measures as well as the Former, and made Provision for defraying the Expence of them.

Besides; having agreed to the Quota of 40,000 Men, (that is to say, 33,000 Foot, and 7000 Horse) which *England* was to furnish, the Mercenaries already hir'd amounting but to 21,672, and it being propos'd to make up the Residue, by hiring 10,000 more, and adding 8328 of his Majesty's natural-

A. D. 1701-2. natural-born Subjects to the 10,000 already sent to the Assistance of the States, they also agreed to the Method thus propos'd by the Pay-Master (Lord *Ranelagh*) of making it up.

Frugal Measures of the House of Commons.

But then, having gone thus far in Compliance with his Majesty, in all the rest of the Way they consider'd nothing but Frugality, for the Sake of the Subject: On which Considerations, they provided, That of the 18,328 natural-born Subjects, 15,000 should be Foot: That every Regiment of Foot should consist of thirteen Companies, and every Company of sixty private Men, including Servants: That every Troop of light Horse should consist of fifty-seven private Men, including Servants: That every Troop of Dragoons should consist of fifty-five private Men, Servants exclusive: That the Levy-Money for Dragoons to be recruited, should be 12*l.* a Man and Horse, exclusive of Servants: That Levy-Money for the Horse should be 20*l.* for a Man and Horse, exclusive of Servants: That 3*l.* a Man Levy-Money should be allow'd for the Foot: And that 700,000*l.* should be granted to his Majesty, for defraying the Charge of the said 40,000 Men till the 25th of *December* 1702, which was 264,919*l.* 12*s.* 2*d.* short of what was demanded by the Pay-Master's Estimate.

Address in favour of Half-pay Officers.

As Matter of Reason as well as of Oeconomy, they also apply'd by Address to his Majesty, That he would be graciously pleas'd to provide for the Officers upon Half-pay in the first Place, in the Recruits and Levies then to be made: As also, that their Commissions might be made out without any Fees or Charges to them: To both which Applications his Majesty was pleas'd to give favorable Answers.

That they might also be competent Judges of the Half-pay List, they call'd for an Account of the 41,000*l.* 5*s.* 9*d.* provided by Parliament for that Service; and had the Satisfaction to find, That the Difference between the Issue and the Grants, was but Five Pounds.

They also granted 350,000*l.* for the Maintenance of Guards and Garisons, including 5000 Men to serve on board the Fleet: And having voted 40,000 Seamen as well as 40,000 Landmen, they address'd his Majesty, "to interpose with his Allies, that they might increase their Quotas of Land-Forces to be put on board *the Fleet*, in proportion to the Number his Majesty should have on board *his Fleet*."

In providing for the Ordnance, it ought to be remember'd to their Honour, that they call'd for the most minute and circumstantial Estimates which could be fram'd of every Article, and the Expence of every Article, arising in that Province: And according to the said Estimates, the Expence of a Train of Artillery of Thirty-four Pieces of Ordnance, amounted to 34,886*l.* 0*s.* 3*d.*: A Years Pay for Officers of all Sorts, two Companies of Gunners, a Company of Pioneers, a Company of Pontoon Men, *&c. &c.* 10,630*l.* 12*s.* 6*d.* Horses for the said Train, Ammunition and Waggons, 16,000*l.* 0*s.* 0*d.* In all, 61,436*l.* 12*s.* 1*d.* To which adding 28,273*l.* 13*s.* 9*d.* for the ordinary Charge of the Ordnance, the Total amounted to 89,710*l.* 6*s.* 6*d.*—But, whether the said Estimates were reasonable or not, the House, it seems, could be brought to adopt none but the last: All the rest they contracted most unmercifully: On the first Head they granted but 13,000*l.* on the Second but 3000*l.* on the Third but 12,000*l.* and they threw in 1000*l.* for Contingencies: So that the Total granted, including the *Ordinary*, was but 57,273*l.* 12*s.* 9*d.*

Ordnance Estimates.

A. D. 1701-2.

Resolving, also, to inspect the State and Condition of the Navy, they call'd for a List of the Ships it was compos'd of, under the following Heads: Rates and Number: In present Pay: In condition to be refitted and put to Sea, or at Sea: Under Repair: Wanting much Repair or to be rebuilt, and where station'd: By which it appear'd, That the said Navy then consisted of Seven *First* Rates, Fourteen *Second* Rates, Forty-seven *Third*, (Twenty-four of which were in pay) Sixty-two *Fourth*, (Fifty-four in pay) Thirty *Fifth*, (Twenty-two in pay) Fifteen *Sixth*, (Fourteen in pay) Eleven Fire-ships, Thirteen Bombs, Fourteen Yachts, and Fifty-eight small Vessels.

List of the Navy Royal.

Ordinary of the Navy, &c.

By the Papers presented to the House at the same Time, the Ordinary of the Navy was stated at 129,314*l.* 10*s.* 3*d.* The extraordinary Repairs of Ships, Docks, Buildings, *&c.* 163,686*l.* And the Navy-Debt at 1,264,722*l.* 2*s.* 1*d.* ½.

Ways and Means.

Proceeding to Ways and Means, they resolv'd, That 4*s.* in the Pound should be laid on all Lands, Annuities, Pensions, and Stipends; as also on the Profits arising to all Persons of any Profession, from their said Profession; as Professors of Common and Civil Law, Doctors, Surgeons, Teachers of seperate Congregations, Brokers, Factors, *&c.* Also Two and a Half *per Cent.* on all Stock in Trade and Money at Interest; and 5*s.* in the Pound on all Salaries, Fees and Perquisites: That every Person, not receiving Alms, or exempted because of their Poverty from Parish-Dues, or being under Age, or Servants, or Day-Labourers, should pay 4*s.* in one Year to his Majesty: That 1 *per Cent.* should be laid on all Shares in the Capital Stock of any Corporation or Company, which should be bought, sold, or bargain'd for: As also, That a Duty of 6*d.* *per* Bushel should be laid on Malt, and that a farther Duty should be laid on Mum, Syder, and Perry: All which several Duties were to be continued till the 24th of *June*, 1703.

And, agreable to these Resolutions, which were the Result of various Debates and Discussions, a Land-Tax-Bill, and a Malt-Bill, were order'd to be prepar'd and presented.

Bill to the Land Tax and the Army Accounts rejected.

Nor was the House unattentive to that Part of his Majesty's Speech, which regarded the Reasonableness of satisfying the Public how the public Money was apply'd, and of enquiring whether the Debt was the Effect of *Mismanagement*, or the *Deficiency* of the

A.D. 1701-2. Funds: On the one Hand, they call'd for an Account of the ſaid Deficiencies, which amounted to 2,579,295*l.* 1*s.* 2*d.* ¼. And they reſolv'd Proviſion ſhould be made for making good the Principal and Intereſt due on all parliamentary Funds, granted ſince his Majeſty came to the Throne: On the other, they firſt proceeded to revive the Act for appointing Commiſſioners to take, examine, and determine the Debts due to the Army, Navy, and for Tranſport-Service; as alſo an Account of Prizes, and for making the Debentures touching the *Iriſh* Forfeitures: And afterwards they order'd in another Bill for taking the public (or general) Accounts of the Kingdom.

It is to be obſerv'd, however, That the Former of theſe Bills ſeems to have had its firſt Riſe from an Information given to the Houſe, That *Parkhurſt* and *Paſchal* having perfected their Account, according to the Scheme given them by the late Commiſſioners, except in ſome few Particulars, which they were prepar'd to explane, deſir'd Leave to lay the ſame before the Houſe, or otherwiſe to diſpoſe of them, as the Houſe ſhould think fit: For the Houſe having, hereupon, order'd, That the ſaid Commiſſioners ſhould lay their Accounts before the Houſe, the ſaid Order was immediately follow'd by another, for bringing in the ſaid Bill; and the ſaid Accounts were finally referr'd to the Commiſſioners appointed thereby, which were the ſame that had acted in the ſame Commiſſion before.

It is alſo to be obſerv'd, 1ſt, That the ſaid Bill had a ſmooth Paſſage thro' both Houſes, the Lords agreeing to it without Amendments; and the King coming purpoſely to the Houſe, *March* 10, to give it the Royal Aſſent.

And receives the Royal Aſſent.

And, 2dly, of the Latter Account-Bill, That upon the Reſolution of the Houſe, That it ſhould be committed to a Committee of the whole Houſe, the following Order was made; to wit: "That it be an Inſtruction to the ſaid Committee, That they have Power to receive a Clauſe, to oblige the ſeveral Accountants to make up their Accounts."

With the like laudable Vigilance in Behalf of the Public, they moreover call'd for an Account of the Receivers in Arrear, and under Proſecution in the Exchequer, together with the Names of their Securities, (which Arrears amounted to 80,383*l.* 13*s.* 5*d.* ½) An Account of the *Supers* upon Collectors, and the Deficiencies in the ſeveral Counties: And, laſtly, an Account of the Debts due from ſeveral Receivers and Collectors of the Cuſtoms: By which it appear'd, That in the Port of *London*, the Debt in Bonds was 1,080,897*l.* 5*s.* and in Money, 9110*l.* 16*s.* 1*d.* ¼. In the Out Ports, Bonds, 172,073*l.* 12*s.* 2*d.* ½. Money, 12,074*l.* 16*s.* 0*d.* ¼. (excluſive of ſeveral Sums omitted, becauſe the Abſtracts of *December* and *January* had not been ſent up): And eight ſeveral Collectors which had been diſplac'd, were, over and above all this, under Proſecution, for ſeveral Sums, amounting in the whole to 14,998*l.* 9*s.* 11*d.* ½. A.D. 1701-2.

Yet farther to their Honour it ought to be remember'd, That they order'd, as the laſt Parliament had alſo done, the Surveyor-General to lay before them, an Account of the Lands belonging to the Crown, both in Poſſeſſion and Reverſion, undiſpos'd of; and afterwards made Proviſion to prevent the farther Alienation of the ſame: That they call'd upon the Commiſſioners of the *Cuſtoms* for an Account of the groſs and net Product of the Cuſtoms for the Year 1700: As alſo of the Money actually paid in to the Exchequer, which in the ſaid Year amounted to 1,637,809*l.* 13*s.* 0*d.* And upon the Commiſſioners of Trade, for an Account of their Proceedings for the Improvement of Trade: So that every public Office being thus publicly call'd on every Year, found itſelf oblig'd to obſerve ſome ſort of Diſcipline, and uſe ſome of thoſe Precautions, which in more remiſs or proffligate Times, are ſuffer'd to fall into total Diſuſe, equally to the Diſgrace of Government and Detriment of the Commonwealth.

Product of the Cuſtoms.

Public Offices kept in Awe by parliamentary Enquiries.

Nor is it unworthy of Remembrance, That the ſaid Commiſſioners of Trade, under the Topic of *Trade in general*, (for in theſe *Times* few Topics were overlook'd) refer the *Houſe to their Report of January* 13, 1698, in which they gave it as their Opinion, That we were Loſers by our Trade with *Sweden* and the *Baltick*, about 200,000*l. per Annum.* and by That to *Denmark* and *Norway*, about 150,000*l. per Annum.* As alſo, That we had, for ſeveral Years, exported to the *Eaſt-Indies* above 400,000*l.* in Bullion, beſides what was carry'd out privately or ſhipp'd from *Spain*, which ſeveral Trades had occaſion'd the Exportation and Decreaſe of our Silver Coin: After which they procede to ſay, That they have ſince been confirm'd in that Opinion, by the Imports and Exports, an Abſtract of which for 1698 and 1699, they annex'd; and by which it appear'd, That the Loſs to *England* on the *Swediſh*, *Daniſh*, and *Eaſt*-Country-Trade in that Interval, was 563,992*l.* And that the Exportations to *Eaſt-India* during the laſt of thoſe Years, was 155,235*l.* in Goods, in Silver at 5*s. per* Ounce, 841,881*l.* and in Gold at 4*l. per* Ounce, 29,224*l.* Whereas the Importations from thence in Goods, had amounted to

Report of the Board of Trade.

(*s*) Several Clauſes offer'd in the Progreſs of it were, nevertheleſs, rejected; and among them one, To ſtate the Account of the Arrears of the *Dutch* Forces in the *Engliſh* Pay, and to iſſue Debentures in order to the Satisfaction of the ſame: And in the ſame Hour the following Clauſe was agreed to, *viz.* "That the Commiſſioners ſhould, in the *firſt Place*, ſtate and determine the Accounts of the Regiments, Troops, and Companies, under the Command of his Majeſty's natural-born Subjects: and alſo, what is due to them for Tranſport-Service, (a Clauſe in favour of the *Dutch* Tranſports had been receiv'd before) and on Account of Prizes."

Another Clauſe was alſo agreed to and inſerted in the Bill, to oblige *Whitaker* to account to the ſaid Commiſſioners: And yet another to oblige *Vanderaſt*, Pay-Maſter of the *Dutch* Forces in *Engliſh* Pay, to do the ſame.

(*t*) Which, at this Time, were the Earl of *Stamford*, Mr. *Blathwait*, Mr. *Prior*, Mr. *Meadows*, and Mr. *Pelleſon*.

A.D. 1701-2. to 717,695*l.* To which they ſubjoin'd, That the ſaid *Eaſt*-Country, *Daniſh* and *Swediſh* Trades being chiefly conducted in foreign Bottoms, the Freight, in many Inſtances, amounted to almoſt as much as the Goods: And that as the Exportation of Bullion for *India* had increas'd on one Hand, ſo the increaſing Conſumption of Wine (no leſs than 21,568 Tons having been imported between *Chriſtmas* 1698, and *Chriſtmas* 1699) had in a ſuitable Degree diminiſh'd the Importation of Bullion on the Other.

Proceedings with regard to the Iriſh Forfeitures.

But what the Commons, or rather the *Tory* Part of them, had principally in View, as one of the great Expedients, to cancel Debts, and replace Deficiencies, was the *Iriſh* Forfeitures: And yet thoſe Forfeitures had been ſo much over-rated; ſo many real Difficulties had aroſe in the Execution of the Act relating to them; ſo violent and yet ſo artful an Oppoſition had been made to it; ſo many conſiderable Perſons were intereſted in this Oppoſition; ſo repugnant the whole Proceſs was known to be, to the Humour of the Court, and ſo much Offence the imperious if not injurious Behaviour of the Truſtees had given, and ſo much Matter of Clamour to their Adverſaries, that it was become a very dubious Point, whether it would anſwer, in any conſiderable Degree, the Purpoſes of the Undertakers.

So early as *January* the 7th, the Houſe had order'd two of the ſaid Truſtees to attend them, with a Rent-Roll of all the Forfeitures, and Accounts of every other Particular which ſeem'd neceſſary for the Information of the Houſe: And upon the 3d of *February* following, Mr. *Anneſley* and Mr. *Hooper*, two of the ſaid Truſtees, gave their Attendance accordingly; bringing with them the ſaid Rent-Roll, together with an Abſtract of the ſame: A State of the Incumbrances reported, and not reported: An Eſtimate of ſuch Incumbrances as were not as yet determin'd: A Book of Receipts and Diſburſements, diſtinguiſhing Perſonal Eſtates from Real: An Account of the eſtabliſh'd Charge of the Truſt; and of the extraordinary Charge attending it from the Beginning to the 31ſt of *December*: A Table of Fees: A Liſt of Houſes forfeited in *Dublin*, with a Plan of each as to be exhibited for Sale: A Charge upon ſeveral Grantees ſo far as the Incumbrances had been ſtated: A Survey of the *private Eſtate*, (of the late K. *James*) with the Number of Acres, Value *per* Acre, and yearly Value, if to be ſet for a Number of Years: And a Liſt of Perſons outlaw'd in the County-Palatine of *Tipperary*.

The prompt Obedience ſhewn by the *Truſtees* to this Order, it is to be ſuſpected was not ſo much the Effect of Zeal for the Service of the Houſe, as to prevent the Purpoſes of their Enemies, who were altogether as active not only in ſpiriting up Clamours, and forming Combinations, but alſo in promoting an Appeal to one or both Houſes of Parliament againſt them: When, therefore, they came firſt before the Houſe, (where they were ſure of being properly countenanc'd by their Friends) they took care to prepoſſeſs the Majority in their own Favour, by complaining of indirect Practices, to defeat the Ends of their Commiſſion; mentioning, in particular, a circular Letter, and the Draught of an Addreſs which accompany'd it, as Proofs, That they did not complain without Cauſe. The Houſe then calling for thoſe Proofs, Both were produc'd and read: And Both are ſo much the more worthy of Inſertion here, becauſe this remarkable Vein has ſcarce been open'd by any Hiſtorian before. A.D. 1701-2.

Copy of a Circular Letter to ſpirit up the Grand Jury of Ireland againſt the Act.

"*Gentlemen*, *Dublin the 23d of December*, 1701. 'Tis the Opinion of *our Friends* in *England*, who have an Opportunity to make the beſt Judgment of Things, That if the King be rightly apply'd to, it may be in his Majeſty's Power to procure us a Relaxation of the Grievances which the Act of *Reſumption* has brought upon us: They, therefore, have taken Care to *meet frequently* to conſult of *proper Methods*, and have imparted their Thoughts to us: We have follow'd their Advice, and have made it our Buſineſs to have the Senſe of the Nobility and Gentry here concerning the ſame Affair: The Reſult of all the Conſultations both *there* and *here*, and our unanimous Opinion is, That the beſt, and, indeed, only way is, for all the Counties in this Kingdom to preſent our Grievances, and implore his Majeſty's Favour and Aſſiſtance. The Parchment that is incloſ'd, is the Tenor of all the Addreſſes that we have ſent to other Places: That which we entreat from you and our good Friends of your County (as we have from worthy Gentlemen and true Lovers of their Country in all the Counties of *Ireland*) is, That you will, with all your Intereſt, recommend this Addreſs at your next Quarter-Seſſion: The eaſieſt and moſt conciſe Method will be, to have it read publicly, and ſign'd by the Juſtices of the Peace, Grand-Jury, Clergy, Gentlemen and Freeholders of your County: When it is ſent up hither, (which pray do with all imaginable Expedition) due Care will be taken to have it ſent and preſented to his Majeſty by *acceptable Hands*. The Service you will do your Country, and the Obligations you will lay on the Proteſtants of this Kingdom, will be ſo great, that it will be needleſs to ſay by way of Incitement to you, that your Care in this Affair, will greatly oblige your affectionate Friends, *&c.*"

It was ſign'd by four Peers of *Ireland*; to wit: *Meath*, *Inchiquin*, *Abercorn* and *Bleſſington*, and Thirty-ſix Gentlemen.

And Draught of an Addreſs againſt the ſame, and alſo againſt the Truſtees.

And as to the Addreſs, the Preamble of it ſet forth, "That his Majeſty's Proteſtant Subjects of that Kingdom, did humbly fly to him, who had *once already* been the Reſtorer of their Religion, Rights and Liberties, in hopes he would be pleas'd to take their diſtreſs'd Condition into his princely Conſideration, and by ſuch Methods as ſhould ſeem to him moſt expedient, ſave them from the Ruin which they apprehended the Preſſures of the late Act of Reſumption

A. D. 1701-2. sumption, would otherwise unavoidably bring upon them". After which follow'd several Allegations tending to verify these Assertions, namely, "That the Papists were the Persons chiefly benefited by the said Act, who were thereby confirm'd in their Possessions, restor'd in Blood, &c. whereas most of the Grants made to Protestants were thereby resumm'd. That the Improvers were divested of all their Improvements; That those who had purchas'd of the Patentees, under the Sanction of known and establish'd Laws, were by a subsequent Law put into the Condition of forfeiting Persons. That the ill Consequences of the said Act, affected the Peace and Property of the whole Kingdom: Some of the Trustees having declar'd, They had Power to sell any Lands they thought fit, and the Sales so made, whether of Lands forfeited or otherwise, were so confirm'd by the said Act, that they could never be brought into Question——That the Power given to the Trustees was so unlimited, that every Person in the Kingdom was liable to their Summons, and oblig'd to obey it. That the said Act was to great a Discouragement to all Protestant Proprietors, that it had put a Stop to all Improvements: All Titles, tho' establish'd by Decrees, and Judgments both in Law and Equity, being subject to the Re-examination of the Trustees, consequently precarious; and One, tho' confirm'd by an Act of Parliament (the Parliament of *Ireland* that is to say) having been defeated by it. That the whole Scheme of the Act and Manner of executing it, depresses the Protestant Interest, and encourages the Papist, which at the present Crisis was so much the more to be apprehended, because the Insolence of their Behaviour throughout the whole Kingdom, shew'd, That either the *French* King's Acknowledgment of the P. P. of *Wales*, or some other Dependence had rais'd their Expectation to a great Heighth." What is next asserted is so very remarkable, that it deserves to be given in the very Words of the Draught, To wit, "We are persuaded, That the Parliament of *England* were in no Sort appris'd either of the Hardships or dangerous Consequence of this Act; and are sensible, That the whole Act is founded upon gross Mis-Informations given them concerning the Value of the Forfeitures which were represented by the Persons entrusted with that Enquiry to be, at least, four Times the Value of what they will be found to amount to: We will not affirm that this was done wilfully, or to serve private Ends; but we must say, and we can make it plain beyond Denial, That all Proofs offer'd to them in their Enquiries, tho' never so plain and evident, were by them disregarded and rejected, when they tended to lessen the Value of the Forfeitures, and deprive them of a Handle for making their exorbitant Report." What follow'd immediately after, was in Substance this, "That the Charges brought on the Kingdom by the Act has exceded the utmost which it could be made to produce, even according to the present Manner of carrying it into Execution: That if a Sum equal to the said Charge had been levy'd on the said Forfeitures, it would not have been thought a Grievance, it would not have occasion'd any Complaint, and might have prov'd some Benefit to the Public. And that something of this Kind might yet be done, tho' not near to such an Amount as might have been obtain'd, before the Country was so impoverish'd by the said Act." And in the last Place, his Majesty was assur'd, That whatever the Malice of their Enemies, might, for private Ends or ill Designs, suggest to the contrary, no Inducements whatever could prevail with them to endeavour to make, or to wish themselves independent of, or not subject to, the Crown of *England*: And that none of his Majesty's Subjects of any of his Dominions, would, upon all Occasions, shew a more forward and ready Zeal to maintain and defend, against all Persons whatsoever, his Majesty's sacred Person and Government, the Protestant Religion, the Laws, Liberties, and the Rights of the Crown of *England*, than his Majesty's Protestant Subjects of *Ireland*. A. D. 1701-2.

Fall into the Hands of the Trustees.

How the Trustees came by these Papers early enough to make this notable Use of them, is also a Matter of some Curiosity: For it is *(u)* affirm'd with the utmost Assurance, That the Copies of them having been given to a considerable Man in *Ireland*, who had undertaken to get them adopted by the Grand Jury of the County of *West-Meath*, where he had a large Estate, he betray'd the Confidence plac'd in him, and not only gave Copies of Both to the Trustees, but so intimidated the Jury, by saying, the Clutches of the House of Commons were so long, that they could reach all the Way from *London* to *West-Meath*, that they rejected the Address: In Acknowledgment of which Service, they allow'd six Clames, which he had depending before them, in one Day.

It is also added, That when the said two *Trustees* presented these Papers to the House. They made a brave Challenge, "That if any Man had any Thing to object to the Execution of the Act, They were ready *ex tempore* to give a satisfactory Answer. Well knowing, That the Gentlemen employ'd in that Affair, were not as yet got to *London*:" And again, "That the Day appointed for the Hearing, was a very short one".

who communicate them to the Commons.

But the Truth is, That the Day first appointed

(u) See a Pamphlet call'd, *The secret History of the* Trust: *with some Reflections upon the Letter from a Soldier*, written chiefly to expose Mr. *Trenchard*, who is therein accus'd of having compos'd and publish'd the said Letter, at the *critical Minute* when the two Trustees were to be heard: So as that the House might just have Time enough to read, but not to consider, it before the Merits of the Case came under Debate.

A. D. 1701-2. pointed was the 12th of *February*, That the two Truſtees were order'd to attend, in order to be examin'd, to any Thing the Houſe ſhould think fit: That the Earl of *Abercorn* and *James Topham*, Eſq; two of the Perſons who had ſign'd the Letter, and who were then in Town, were order'd to attend alſo on the ſaid 12th of *February*: That the Hearing was put off from the 12th to the 14th, and afterwards to the 16th: That on the 13th, Mr. Secretary *Vernon* acquainted the Houſe, "That his Majeſty had directed him to inform them, That his Majeſty had lately receiv'd from *Ireland* ſeveral Addreſſes, of the City of *Dublin* and divers Counties of that Kingdom, ſetting forth the Hardſhips they lye under by the late Reſumption, which they deſire may be conſider'd in order to their Relief; and that his Majeſty had given Directions that the ſaid Addreſſes ſhould be laid before the Houſe, when the Houſe ſhould think fit to require the ſame." That on the next Day, the ſaid Addreſſes were laid before the Houſe according to Order, by Mr. *Stamyan*, as Deputy to the Earl of *Manchester*, Secretary of State: That on the ſaid 16th, the Earl of *Abercorne*, and Mr. *Topham* attending, the Copy of the abovemention'd Letter was read to each of them ſeparately; which is all the Specification to be found in the Journals of what paſs'd on that Occaſion: That the ſeveral Addreſſes transferr'd to the Houſe from the Secretary of State's Office being then read, the Queſtion was put on each of them, and the Houſe without one Diviſion, reſolv'd, That they contain'd divers ſcandalous Expreſſions highly reflecting upon his Majeſty's Honour and both Houſes of Parliament: As alſo, that the Adviſers, Promoters and Procurers of the ſaid Petitions were guilty of a high Crime and Miſdemeanor: And that an Addreſs of Thanks ſhould be preſented to his Majeſty for his gracious communicating the ſaid Addreſſes to the Houſe, whereby the Houſe had had an Opportunity of vindicating his Majeſty's Honour, and the Honour of both Houſes of Parliament: That it was not till the 25th that the Conſideration of this Affair was reſum'd, at which Time the ſaid Truſtees preſented a Memorial to the Houſe, ſignifying, That, according to the Report, upon Oath, of the Surveyors and Receivers, they had appointed to make the *Meſt* of the forfeited Eſtates, the real Value of the ſaid Forfeitures, if to be let for a Term of Years, would amount to 137,496*l.* 5*s.* 0*d.*¼, whereas the preſent Rent amounted to no more than 105,372*l.* 15*s.* 7*d.*¼, and in the Name of the whole Truſt, ſuggeſting, That if they were empower'd to leaſe out ſuch of the Eſtates as were not already leaſed, for a Term of Years accordingly, all the Inconveniencies in the ſaid Memorial enumerated would be remov'd, the Alarms ariſing from falſe Suggeſtions would be quieted, ſuitable Improvements would be made, *&c.*: That, hereupon they were order'd to lay before the Houſe an Account of the Clames made by *Iriſh* Papiſts, diſtinguiſhing how many had been allow'd by them, to ſuch Papiſts as were not in Poſſeſſion before the Act took Place, or had been adjudg'd to them by any Court of Law or Equity, That the Houſe then came to a Reſolution. That, notwithſtanding the Complaints and Clamours againſt the Truſtees for the ſaid Eſtates, with relation to the ſaid Truſt, it did not *appear* to the Houſe, but thoſe Complaints were groundleſs: That after this, ſeveral Petitioners for Relief againſt the ſaid Act, were order'd Relief accordingly: And that on the 3d of *March*, Sir *Charles Hedges*, from the Committee, to whom the Conſideration of the Petition of the Officers, Clothiers of the Army, and the Proprietors of the Debt on the ſeveral Tranſport Services had been referr'd, deliver'd in Propoſals, for incorporating ſuch as ſhould purchaſe the ſaid Forfeitures, on certain Terms therein ſpecify'd, according to the Rent-Roll, when verify'd and made good to the Purchaſers.

Meſſage from the King in relation to certain Addreſſes againſt the ſaid Act.

The ſaid Addreſſes laid before the Houſe,

and voted to be ſcandalous, falſe, and groundleſs.

Memorial of the Truſtees concerning the ſaid Forfeitures.

Vote of the Houſe concerning the Conduct of the ſaid Truſtees.

Propoſal for making a Corporation to purchaſe the ſaid Forfeitures.

And here the Matter ſtuck during the ſhort Remaneder of this Reign: So that all which need be added in this Place is, That whereas in the ſaid Rent-Roll, the net Value of the Eſtates is eſtimated at 716,700*l.* 5*s.* 11*d.* it is aſſerted in the Name of the Citizens, *&c.* who undertook to make the ſaid Purchaſe, That they were not worth above 500,000*l.*

Having thus before us a comprehenſive View of the *political* and *oeconomical* Parts of the Seſſion, within the Period under Conſideration, our next Tranſition muſt be to That which was more peculiarly the *Contraverſial*, and which will comprehend all that farther belongs to the ſaid Period.

To procede then: *Fuller*, the famous Impoſtor, who had undertaken to prove all that had been alledg'd concerning the Spuriouſneſs of the P. P. of *Wales*'s Birth, who had otherwiſe made his Court to the Government in the Year 1691, by undertaking to diſcover a Plot of his own contriving, and who was at this Time a Priſoner in the *Fleet*, had ſet forth ſeveral Libels, in which he had ſtrain'd his Invention to countenance all that had been ſaid, concerning the Diſtribution of *French* Money among *Members* of *Parliament*; upon which Occaſion the Houſe firſt appointed a Committee, to conſider of Methods for preventing Libels and ſcandalous Papers, and then order'd the ſaid *Fuller* to be brought to the Bar, in order to be examin'd concerning the Libels he had written, and how he had been ſupported and maintain'd? But, inſtead of ſhrinking under this Examination, with an Impudence peculiar to himſelf, he took upon him to produce in ten Days Time (it was then the 22d of *January*) two Gentlemen of Fortune and Character (whom he was pleas'd to call *Thomas Jones*, Eſq; and *John Engkfield*, Gent.) and who, having the Protection of the Houſe, would make no Difficulty to manifeſt at the Bar of the ſame, That they had in ſuch Manner diſtributed, *&c.* more than 180,000*l.* by

Proceedings againſt Fuller for Reflecting the laſt Houſe of Commons.

He undertakes to juſtify himſelf by the Teſtimony of two Gentlemen.

A. D. 1701. Order of the *French* King, with their own Hands. All that he requir'd was granted, and more than all; for he was allow'd a Fortnight inſtead of ten Days: And in that Interval, he amus'd the Houſe with no leſs than four Letters; the laſt of which was to ſignify, That the ſaid two Gentlemen were come near the Town in order to attend the Houſe; and that he himſelf deſir'd to be heard on the Morrow, being the 5th of *February*: And the Reſult was, That he found himſelf entang'ed in his own Snare, without any Poſſibility of an Eſcape: For the Houſe order'd, that he ſhould, *at his own Deſire*, be brought up, and that he ſhould alſo bring the ſaid two Gentlemen along with him: But this was out of his Power; no ſuch Perſons were in being: All that he aim'd at was to lay ſuch a Story together as might corroborate the Suſpicions already entertain'd, and the Calumnies already propagated, and on the Merit thereof, to quarter himſelf for Life on the Party who had ſet them abroach: And in regard to that Merit, it muſt be preſum'd, all our Hiſtorians have either paſs'd over this Incident in Silence, or elſe have barely mention'd; That he fell under the Cenſure of the Houſe, without the leaſt Hint of his Offence.

But not being able to make that Undertaking good, falls under the Cenſure of the Houſe.

And yet the ſaid Cenſure is one of the moſt remarkable that is to be found in the Journals of Parliament. To wit, "Reſolv'd, *Nemine contradicente*, That *William Fuller*, taking no Warning by the juſt Cenſure he receiv'd from the Houſe of Commons the 24th of *February* 1691, and the Puniſhment he ſuffer'd by Judgment of Law, has, again, repeated his vile Practices, by ſeveral falſe Accuſations in divers ſcandalous Pamphlets by him publiſh'd, and having undertaken to produce *Thomas Jones*, Eſq; and *John Engleſield*, Gent. to make good the ſaid Accuſations, and not performing the ſame, this Houſe doth declare the ſaid *William Fuller* to be a Cheat, a falſe Accuſer, and an incorrigible Rogue."

The Attorney-General was moreover order'd to proſecute him: Even the brazen Dr. *Oates*, we are told, in Abhorrence of his Villainy, declar'd him to be a *lying Raſcal*; and *Dauenant* in his ſecond Dialogue between *Whiglove* and *Double*, takes Occaſion to comment on the whole Story, in the following artful Manner. "*Whiglove*. In ſhort, I could wiſh we had never brought this Matter on the Stage: It will will be a Clog upon other Lies, which we may have occaſion to diſperſe hereafter. *Double*. What you ſay would hold, if we had any Shame in us; but if this Iniquity ſhould be ever ſo much detected, if it ſhould be made apparent who were at the Bottom of this Contrivance, it ſhould not make us bluſh: For Things are come to that Paſs in *England*, that there is no Roguery whatſoever which has not its Patrons and Maintainers".

Some remarkable Proceedings in controverted Elections.

Under the Head of controverted Elections, it is further to be remember'd, That on the one Hand, Mr. Secretary *Vernon* (who ſat for *Weſtminſter*) and his Son, petition'd againſt Sir *Joſeph Tredenham* and his Nephew, who, according to the Allegations of the ſaid Petitioners, had been unduly, and illegally return'd for St. *Mawes*: And that on the other, ſeveral of the Burgeſſes and Inhabitants of *Malmſbury*, petition'd againſt Sir *Charles Hedges*, (who was alſo Secretary of State during the Election) and *Edward Pauncefoord*, Eſq; under Pretence, That one *Adey*, an Attorney, had corruptly treated and contracted with ſeveral Perſons, in order to their being elected Members for the ſaid Borough; and that by thoſe and other unlawful Practices, they had carry'd their Election accordingly. A. D. 1701

But on better Conſideration, the *Vernons* thought fit to apply to the Houſe for Leave to withdraw their Petition: And as to the other, it took a Turn upon the Hearing at the Bar of the Houſe, which was altogether extraordinary: For *Adey*, in Perſon, declar'd his Concern in that Affair had been in behalf of *Daniel Park*, Eſq; another Candidate for the ſaid Borough, and not for *Hedges* and *Pauncefoord*; in Verification of which, he produc'd, and deliver'd to the Clerk of the Houſe, a Bag of Gold, and a Bank Note of 200*l.* which he ſaid, he had receiv'd from the ſaid *Daniel Park*.

Upon which, and after the uſual Hearing of Council on both Sides, it was reſolv'd, without a Diviſion, that *Hedges* and *Pauncefoord* were duly elected: That the Petition of the ſaid Burgeſſes, was ſcandalous, falſe and vexatious: That the ſaid Burgeſſes ſhould be taken into the Cuſtody of the Serjeants: That *Park* had been guilty of notorious *Bribery and Corruption*, in endeavouring to procure himſelf elected; and that he alſo ſhould be taken into Cuſtody, and proſecuted by the Attorney-General.

Certain petitioning Burgeſſes of Malmſbury order'd into Cuſtody.

As alſo Counſel, Party, a Candidate for that Borough.

Nor did the Affair end here; for in the Courſe of the Hearing, it had been made appear, that the Earl of *Peterborough* had interfer'd on the Behalf of *Park*, which the Houſe being diſpos'd to reſent, as a Treſpaſs upon one of their Fundamentals, his Lordſhip deſir'd to be heard, and was heard with the uſual Ceremonies, accordingly: Notwithſtanding which, and after two ſeveral Motions, the one to adjourn the Houſe, and the other the Debate, had been ſeverally over-rul'd, it was reſolv'd, That it appear'd to the Houſe, That the ſaid Earl was guilty of many indirect Practices, in endeavouring to procure the ſaid *Park* to be elected a Burgeſs, *&c.* On every one of theſe Points the Houſe divided, and the Difference of the Numbers ſerves to ſhew in ſome Degree the Agitations of the Day. For the firſt Diviſion was 156 to 76, the ſecond 158 to 144; and the third, by which Time it was very late, 141 to 56.

And a Cenſure paſs'd in the Earl of Peterborough for indirect Practices in favour of the ſaid Park.

Beſides; ſo great the Indignation of the Houſe appear'd to be againſt the Burgeſſes in Cuſtody, that when they petition'd to be enlarg'd, without acknowledging their Fault, no Notice was taken of their Petition; and when they preſented a ſecond Petition, acknowledging that Fault, expreſſing their

Sorrow

A. D. 1701-2. Sorrow for it, and begging Pardon for the fame, the Motion made for their Diſcharge was over rul'd on a Diviſion of the Houſe, by 158 Voices againſt 152: Upon a farther Application, they were, however, enlarg'd; and laſtly, the Money and Bank-Bill depoſited in the Hands of the Clerk, were re-deliver'd by Order, to be made uſe of upon the Proſecution againſt the ſaid Colonel *Park*.

Caſe of Colepeper *the famous* Kentiſh *Petitioner.*

It was alſo the Misfortune of Mr. *Thomas Colepeper*, the famous Undertaker of the *Kentiſh* Petition, to be now a Petitioner in his own Caſe, againſt *Thomas Bliſs*, Eſq; return'd for *Maidſtone* by a Majority of only two Votes.

In the Hearings before the Committee of Privileges and Elections, the Cauſe has been ſo manag'd that it appear'd wrong on his Side and right on his Adverſaries; ſo that every Point was decided againſt him: *Bliſs* was declar'd duly elected; and it was reſolv'd, that he had been guilty of corrupt, ſcandalous, and indirect Practices.

Finding, therefore, the Current ſet ſo ſtrongly againſt him, he endeavour'd to beſpeak the Clemency of the Houſe, by a Letter, which was read from the Chair by the Speaker: But all the Effect it produc'd was, an angry Motion, That the Houſe would appoint a Day to take into Conſideration the Rights, Liberties and Privileges of the Houſe of Commons; and a violent Debate thereon; which was ſuſpended only for the ſake of deriving freſh Matter againſt him from the Report, then to be made by Sir *Rowland Gwinn*, Chairman of the ſaid Committee.

Accordingly, when the Houſe had confirm'd the firſt Reſolution in favour of *Bliſs*: An Amendment was offer'd to the ſecond concerning *Colepeper*, in theſe Words. "*Who was one of the* Inſtruments in promoting and preſenting the ſcandalous, inſolent and ſeditious Petition, commonly call'd the *Kentiſh* Petition to the laſt Houſe of Commons:" And tho' the ſaid Amendment was liable to many Objections (nothing tranſacted in a former Seſſion; or, at leaſt, in a former Parliament being properly cogniſable by a new one) it was agreed to without a Diviſion: As were alſo the two following Reſolutions, to wit. "That the aſperſing the laſt Houſe of Commons or any Member thereof with receiving *French* Money, or being in the Intereſt of *France*, was a ſcandalous, villainous, and groundleſs Reflection; tending to Sedition, and to create a Miſunderſtanding between the King and his People; that *Thomas Colepeper*, Eſq; is guilty of promoting the ſaid ſcandalous, villainous and groundleſs Reflection upon the ſaid Houſe of Commons." And the two following Orders, "That the ſaid *T. C*, Eſq; be for his ſaid Offence, committed to *Newgate*: And that his Majeſty's Attorney-General do proſecute the ſaid *T. C.* for the ſaid Crimes".

The Aſperſions call'd in the laſt Houſe of Commons votes ſcandalous, villainous, &c.

The ſaid Colepeper *committed to* Newgate.

A. D. 1701-2.

The adjourn'd Debate on the Motion above ſpecify'd, was then reſum'd; and after much Altercation, a Day was appointed for the Purpoſes therein mention'd. The Day came, to wit, the 16th of *February*: The Houſe reſolv'd itſelf into a Committee: Colonel *Granville* had the Chair: Many warm Speeches were made, which were as warmly anſwer'd: And upon the Iſſue, both the Committee and the Houſe broke up without coming to any Reſolution at all.

Proceedings of the Houſe in Committee on the Rights and Privileges of the Houſe of Commons.

On the 19th, however, in Conſequence of a new Motion, to the like Effect, the 26th was appointed for the *farther* Conſideration of the Rights, Liberties, and Privileges of the Houſe of Commons: And on the 24th, the Marquis of *Hartington*, by way of Counter-Meaſure, mov'd, for an Inſtruction to the Committee of the whole Houſe, appointed to ſit on that Occaſion; "That they ſhould alſo take into Conſideration, the Rights and Liberties of all the Commons of *England*; which was agreed to accordingly".

not favourable to the Purpoſes of the Tories.

Thus the two Parties were ſo far ſet upon even Ground; and it was apparent that in this Conteſt neither would be able to obtain any conſiderable Advantage over the other: And, indeed, unleſs a large Body of *Tories* withdrew before the Houſe was reſum'd, which for want of ſufficient Lights, cannot be aſcertain'd, we ought to conclude, perhaps, that the Party ſplit upon a Meaſure which ſome foreſaw would be unprofitable: For, according to the Journals, the Attendance on that Side, was, by no Means, ſuitable to the Streſs which ſeem'd to be laid upon it: For thoſe who did attend, tho, at firſt, ſo earneſt for having the Day appointed, were ſo ill ſatisfy'd with the Iſſue of it, that they were for poſtponing the Report; while their Antagoniſts, on the contrary, inſiſted on its being made immediately, and upon a Diviſion of the Houſe, carry'd their Point by 102 Voices againſt 62.

The ſaid Report conſiſted of five Reſolutions; (of which the three former belong'd to the *Tories*, and the two latter to the *Whigs*) to wit. Reſolv'd, 1. That it is the Opinion of this Committee, That to aſſert the Houſe of Commons is not the *only* Repreſentative of the Commons of *England* (alluding to the *Jura populi Anglicani*) tends to the Subverſion of the Rights and Privileges of the Houſe of Commons, and the fundamental Conſtitution of the Government of this Kingdom. 2. That to aſſert the Houſe of Commons have no Power of Commitment but of their own Members, tends to the Subverſion of the Conſtitution of the Houſe of Commons. 3. That to print or publiſh any Books or Libels,

(*a*) In a printed Paper, call'd, *A Letter to the Freeholders and Freemen of* England, which it was proved he had diſtributed great Numbers of, during the Time of the Election.

A. D. 1701-2. Libels, reflecting upon the Proceedings of the Houſe of Commons, or any Member thereof, for or relating to his Service therein, is a high Violation of the Rights and Privileges of the Houſe of Commons. 4. That it is the undoubted Right of the PEOPLE of *England*, to petition or addreſs to the King, for the calling, ſitting, and diſſolving of Parliaments, *and* for the redreſſing of Grievances. 5. That it is the undoubted Right of every Subject of *England*, under any Accuſation, either by Impeachment or otherwiſe, to be brought to a ſpeedy Trial, in order to be acquitted or condemn'd: And all theſe ſeveral Reſolutions were ſeverally confirm'd by the Houſe, without any Amendment, except the ſubſtituting the Disjunctive *or* in the Place of the Conjunctive *and*, in the Fourth.

And here it is incumbent on us to obſerve, That this particular Vein of Controverſy was here brought to a Period (at leaſt for the Reſidue of this Reign): Whence we muſt be oblig'd to conclude, That B. *Burnet* did not thoroughly underſtand his Subject, when, after glancing at this Day's Debate, he procedes to ſay, "Yet they (meaning the *Tories*) were not diſcourag'd by this, but *went on* to complain, That the Lords had deny'd *Juſtice* in the Matter of the Impeachments: This bore a long and hot Debate in a very full Houſe: But it was carry'd, tho' by a ſmall Majority, That Juſtice had not been deny'd them." For if any ſuch Debate, or any ſuch Diviſion did really occur, they occurr'd this very Day, and that in the Committee, not in the Houſe: No Queſtion of that Nature, within the Interval ſpecify'd, being to be found in the Journals.

Progreſs of the Bill to attaint the P. P. of Wales.

The ſame Hiſtorian, with his uſual Ingenuity, alſo ſays, "The Houſe of Commons began a Bill of Attainder of the pretended Prince of *Wales*: This could not be oppos'd, much leſs ſtopp'd; yet *many* ſhew'd a *Coldneſs* to it, and were abſent on the Days in which it was order'd to be read." Now the Motion for this Bill was made *January* the 2d, by Sir *Rowland Gwynn*, and, the Queſtion thereon, was carry'd *Nemine Contradicente*: On the 10th, it was brought in by the ſaid Sir *Rowland*, and read for the firſt Time: On the 12th it was committed to a Committee of the whole Houſe: On the 13th the ſaid Committee went thro' the Bill, and made ſeveral Amendments: On the 14th thoſe Amendments were reported, and it was order'd, *Nemine Contradicente*, That the Bill and Amendments ſhould be engroſs'd: And on the 15th, it was reſolv'd, *Nemine Contradicente*, That the Bill do paſs: And Sir *Rowland Gwynn* was order'd to carry it up to the Lords.

Thus if Expedition manifeſted Zeal, the whole Houſe manifeſted as much as could have been decently requir'd of them by the moſt zealous Courtier, tho' his Lordſhip does not care to allow them the Merit of it.

On the 23d, the Lords ſent down the Bill to the Commons, with a Graft of their own upon it, (to ſhew, it muſt be ſuppos'd, That the Commons could not go ſo far in that meritorious Walk, but they would go farther) for the Attainder of the (late) Queen, who acted as Regent for the P. P. her Son: To which the Commons demurr'd, in order to ſearch Precedents concerning Bills of Attainder: At leaſt this was the Pretence aſſign'd. On the 29th, however, the Committee to whom the Search was refer'd, made their Report: On the 2d of *February* this Report was taken into Conſideration; and on the ſame Day, the additional Clauſe for the ſaid Attainder was rejected without a Diviſion: On the 6th, the Reaſons to be offer'd in a Conference with the Lords for their ſo doing, were agreed to in the following Terms; to wit: "That the Commons cannot agree to the Amendments made by your Lordſhips to the Bill, entitled, An Act for the Attainder of the pretended Prince of *Wales* of High Treaſon, believing, it may be of dangerous Conſequence to attaint Perſons by an Amendment only, in which Caſe, ſuch due Conſiderations cannot be had as the Nature of an Attainder does require." The Lords, on the other Hand, demanded a Conference on the 10th, in which they *inſiſted* on their Amendments; urging, That ſuch Conſideration as the Nature of an Attainder did require, might be had by that Method; citing a Precedent in 31 *Henry* VIII. (which, as *Burnet* himſelf admits, *ſeem'd to be a hard one*) whereby it appear'd, the Commons themſelves had attainted ſeveral Perſons by way of Amendment: And concluding, upon the Whole, That they had never heard of any ill Conſequence ariſing from it: The Commons, nevertheleſs, adher'd to their Point, and having at a free Conference ſignify'd as much, *left the Bill with their Lordſhips*; who, thereupon, retracted their former Reſolution, and agreed to the Bill as drawn up by the Commons; but, nevertheleſs, return'd to their Charge againſt the ſaid nominal Queen-Regent, whom they attainted by a ſeperate Bill: And yet, in the Courſe of this Proceding, as much *Coldneſs* was ſhewn by the Majority of their Lordſhips, and as little Diſpoſition to attend, as is above imputed to the Commons: A ſignal Proof of which appears in the Diviſion on the Queſtion, Whether the ſaid Bill ſhould paſs? For the Contents were but 28; the Not-Contents were 18: And of theſe laſt, Fifteen enter'd their Diſſents, "Becauſe there was no *Proof* of the Allegations in the Bill ſo much as *offer'd* before the paſſing it; which is a Precedent that may be of dangerous Conſequence." And after all, the Bill was dropt by the Commons.

B. Burnet's Account of the Abjuration-Bill.

The Account given by the ſame *Hiſtorian* of the two *Abjuration*-Bills, which had ſeverally their Riſe in the two Houſes, is, indeed, much fuller than his Account of theſe Attainders: But whether it is fairer or not, will appear by the Sequel.

According to him, the Lords had the Merit of ſtarting the Meaſure firſt; and in point of Form they certainly had: But the Commons, in their Addreſs to the King, had declar'd as ſtrongly for ſome ſuch Meaſure as the Lords had done: And by attainting the

A. D. 1701-2. the P. P. of *Wales*, had given a ſufficient Proof they were in earneſt. Then as to the Difference between the Bills, That of the Lords, he tells us, was for a *voluntary Abjuration* of the P. P. of *Wales*, and a *voluntary* Oath to the King as *rightful* and *lawful* King, and to his Heirs, according to the Act of Settlement, which was to be tender'd to all Perſons, and their Subſcription or Refuſal to be *recorded*, without any other Penalty, and which he ſtates as a *Teſt* of *Diſcrimination* between *Party* and *Party*, not only reaſonable but neceſſary, when the Pretenſions of the ſaid *young Man* had been ſo openly eſpous'd by ſo great a Power Abroad, and were ſecretly favour'd by ſo *many* at Home: And he adds, That *when* the Houſe of Commons perceiv'd how the Lords were inclin'd, they reſolv'd to bring in a Bill, which ſhould *oblige* all Perſons to take the Abjuration.

Reflect'd from the Journals of the Commons.

Now thus it appears in the Journals: "On the 9th of *January*, exactly a Week after the Houſe had proceeded to Buſineſs, Sir *Charles Hedges* mov'd for Leave, "to bring in a Bill, for the farther Security of his Majeſty's Perſon, and the Succeſſion of the Crown in the Proteſtant Line, and extinguiſhing the Hopes of the pretended Prince of *Wales*, and all other Pretenders, and their open and ſecret Abettors." Which Motion having been ſeconded by Mr. St. *John*, was carry'd *Nemine Contradicente*: And the preparing and bringing in the ſaid Bill, was left to the ſaid two Gentlemen.

On the 13th the ſaid Bill was brought in accordingly, and read for the firſt Time: And the very ſame Day the Lords ſent down theirs; under the Title of, "An Act for the Security of his Majeſty's Perſon and Government, and for maintaining the Succeſſion of the Crown, according to the two late Acts of Settlement." Which having been twice read, on the next and the following Day, was order'd, without any Diviſion, or, as far as it appears, Oppoſition, to be laid on the Table; nor did their Lordſhips, by Meſſage or otherwiſe, put the Houſe in mind of it again: While, on the other Hand, the former Bill having alſo been read a ſecond Time the ſaid Day, was order'd to be committed to a Committee of the whole Houſe.

On the 20th this Committee was to have ſat, according to Order, for the firſt Time: But the *Whigs* had, by this Time, bethought themſelves of an Effort which might be previouſly made, to ſuper-induce upon this Bill, the *Party-Shibboleth*, intended to be eſtabliſh'd by the Lords: And this conſiſted in moving for an Inſtruction to the ſaid Committee, to take Care, That the Oath in the ſaid Bill mention'd ſhould be *voluntary*: And ſo much Time was ſpent in the Debate on this Refinement, that there was none left for the Purpoſes of the Committee: What was farther remarkable, the Houſe was ſo equally balanc'd on the Diviſion, that the Negative was carry'd but by one ſingle Voice: The Numbers being 187 and 188.

The 22d was appointed for the next Committee Day: And then the *Tories* came prepar'd to move for an Inſtruction on their Side; which was extremely well calculated to eſtabliſh an Intereſt of their own, at the Expence of their Adverſaries; namely, "That the ſaid Committee ſhould take Care, to make it equally penal to compaſs or imagine the Death of her Royal Highneſs the Princeſs *Anne*, as it is to compaſs and imagine the Death of the King's Eldeſt Son and Heir, by the Statute of 25 *Edward* III." But tho' this was carry'd, as B. *Burnet* ſays, without any Debate, or Shadow of Oppoſition, *Fuller's* Examination was ſuffer'd to intervene, and ſo another Day was loſt. A. D. 1701-2.

The next Committee-Day was the 24th, which produc'd yet other preparatory Inſtructions; to wit: 1. To empower the ſaid Committee to receive a Clauſe for the Amendment of the *Aſſociation*, with regard to the late King *James*, he being dead. 2. That the ſaid Committee do take Care, the Oath mention'd in the ſaid Bill ſhall extend to all eccleſiaſtical Perſons, and to all Members upon Foundations in the Univerſities, and all Schoolmaſters. 3. That they do take Care the ſaid Oath ſhall extend to all Teachers of ſeperate Congregations. And theſe Inſtructions again took up ſo much more Time, that the ſaid Committee, when ſuffer'd to ſit, could make no great Progreſs in the Bill: Nor was this all: For on the Reſumption of the Houſe, the 26th being propos'd for the Committee to ſit again, on which Day the Committee of the whole Houſe was alſo to ſit on the Supply, the *Whigs* preſent took Occaſion to offer the following Amendment, *after the Committee of the whole Houſe upon the* Supply *granted to his Majeſty*, which was over-rul'd on a Diviſion of the Houſe by 61 Voices againſt 46.

The ſaid Committee on the Supply, however, continued to ſit ſo long, that the Other had no Opportunity to ſit that Day: And when they did ſit on the 28th, ſuch was the Claſh of Opinions, and the Obſtinacy wherewith all were maintain'd, that the Diſcuſſion was far from being completed: Notwithſtanding which, the farther Conſideration of the Bill was poſtpon'd till the 5th of *February*: Upon which Day they went thro' with it; and the Report was order'd to be made on the 10th following.

And here we muſt recur to our *Hiſtorian*-Biſhop, who ſays, "*Finch* offer'd an Alteration to the Clauſe, abjuring the Prince of *Wales*, *&c.* that it imported only an Obligation, not to aſſiſt him: But tho' he preſs'd this with unuſual Vehemence, in a Debate that he reſum'd ſeventeen Times in one Seſſion, againſt all *Rules*, he had *few* to ſecond him in it." But if *Finch* did preſs this Alteration in ſo earneſt a Manner, he preſs'd it in the *Committee*; for in the *Houſe*, if the Journals are to be depended upon, no ſuch Alteration was offer'd: And if ſo, it is not againſt Rule, for any Member to ſpeak to the ſame Point as often as he pleaſes.

A. D. 1701-2. The ſame Author again ſuggeſts, That the Oath was extended as above, to all Clergymen, &c. by the *Tories*, to palliate their rejecting the Inſtruction for rendering the Oath voluntary: Or, as he expreſſes it, *to ſkip the* (w) *Matter with a Shew of Zeal*: But the two Inſtructions relating to Eccleſiaſtics, and the (x) *Aſſociation*, certainly aroſe from the *Whigs*: And it is as certain, That the Third, which relates to Preachers and Teachers of ſeperate Congregations, was a Reprifal of the *Tories*.

He alſo adds, remarkably enough, "The Clauſe [in the Act] of maintaining the Government in King, Lords and Commons, was rejected with great Indignation; for the Government was only in the King; the Lords and Commons being, indeed, a Part of the Conſtitution, and of the Legiſlative Body, but not of the Government. This was a bare-fac'd *Republican* Notion, and was wont to be condemn'd as ſuch by the ſame Perſons who now preſs'd it." Thus Men may not only outlive their Principles, but even the very Memory of their former Profeſſions: The Propoſition, That the Government of *England* was veſted in King, Lords and Commons, had ever been the Corner-Stone of *Whigiſm*; and never had been admitted by the *Engliſh Republicans*, who had form'd their Plan on the Suppreſſion of the Kingſhip both Office and Name.

But the Truth is, That the Biſhop has ſomewhat diſtorted and miſrepreſented this Clauſe, which was ſo far from being of the Republican Caſt, that very probably it was introduc'd either by way of Precaution again the Republican Spirit, which during the late unſettled State of the *Succeſſion*, had manifeſted itſelf in print, as we have ſeen, or againſt thoſe Practices which had been try'd of late upon the People, and which had an apparent Tendency to Anarchy on one Hand, or to abſolute Monarchy on the other: For it was clear the general Drift of it was to preſerve the Conſtitution in its preſent Form: And to evince this, all that is neceſſary is to give the very Words, which, by way of amending the Bill, were left out by the Committee; to wit: "I will, to the utmoſt of my Power, ſupport, maintain, and defend the *Conſtitution* and *Government* of this Realm in King, Lords and Commons, as it is by Law eſtabliſh'd."

Thus, in the firſt Inſtance, it appears, that the Legiſlative and the Executive were, in the ſtrongeſt and fulleſt Manner, contra-diſtinguiſh'd: And that even in the Latter, the like Contra-diſtinction is to be trac'd in the Words *Conſtitution* and *Government*: For to both theſe, the conſequent Words, *King, Lords* and *Commons*, equally relate.

Paſſing on to another Clauſe of the ſame laudable Kind, (becauſe it obſerv'd the ſame due Regard to thoſe particular Points, which Difference of Opinion had render'd eſſential A. D. 1701-2. to the Peace and Harmony of the Commonwealth) namely, For the Maintenance of the Church of *England* as by Law eſtabliſh'd, with Liberty of Conſcience, as tolerated by Law, our Author alſo gives us to underſtand, it was *laid aſide*, becauſe it was foreign to the Deſign of the Bill, which, in *this Place*, he tells us, "Was to diſcover to all, both at home and abroad, how unanimouſly the Nation concurr'd in abjuring the pretended Prince of *Wales*:" Whereas, in treating of the Lords Bill, he ſays, the Purpoſe of That, was to *diſcriminate* by ſuch *a Teſt*, between thoſe on whom the Government might *depend*, and thoſe whom it had *juſt Ground to ſuſpect*: Or, in other Words, to ſhew, There was *no Unanimity* amongſt us. Not ſatisfy'd, however, with this Conſideration, he throws in another of a ſtill more extraordinary Kind, conſidering the Perſon who uſes it, and the Party in whoſe Service it is urg'd; in theſe Terms: "But here was a Clauſe, to one Part of which (the maintaining the *Church*) the *Diſſenters* could not ſwear; and even the more moderate Men of the Church, who did well approve of the *Toleration*, yet might think it too much to ſwear to maintain it; ſince it was reaſonable to oblige the *Diſſenters* to uſe their Liberty moderately, by keeping them under the Apprehenſion of having it taken away, if it was abus'd by them." So that we have the Biſhop's Authority to infer, That the ſame *Apprehenſion* may be made to operate whatever Way a Government pleaſes.

But to return: When the *Bill* was reported, a *Motion* was made for a Recommitment; upon which the Houſe dividing, it was carry'd in the Negative, by 193 againſt 158: The Queſtion for agreeing with the Committee, in leaving out the Clauſe in the Oath, relating to the *Conſtitution* and *Government*, produc'd alſo another Diviſion; and was carry'd in the Affirmative, by 187 Voices againſt 166: And all the other Amendment having been agreed to, the Bill was order'd to be engroſs'd.

Laſtly: The Bill having been read for the third Time on the 19th, an engroſs'd Clauſe was offer'd as a Rider, to exempt the Quakers from the Oath, and rejected without a Diviſion: After which another Rider was offer'd, "That Perſons who took upon them Offices, ſhould not depart from the Communion of the Church of *England*." And this was the great Point of the Day, which having been ſufficiently labour'd on both Sides, was at length decided by the Queſtion; upon which, thoſe who had before rejected the two former Clauſes, for preſerving the Conſtitution in State and Church, were again victorious, by no leſs than 203 Voices againſt 139.

Such

(w) His Lordſhip charitably ſuggeſts, That the Party choſe to have that Oath impos'd rather than left free; becauſe they reckon'd the taking an Oath that was impos'd, was a Part of their Submiſſion to the Uſurpation: But that the taking any Oath that ſtrengthen'd the Government, of their own Accord, did not ſuit with their other Principles. P. 208.

(x) Which inſtead of the Words, *againſt the late K. James and all his Abettors*, was alter'd thus, Againſt all his *Majeſty's Enemies whatſoever*.

A. D. 1701-2. Such was the Progreſs of the Bill thro' the Houſe of Commons: And it muſt be allow'd, That the Riſe of it, and almoſt every Step taken in it, were equally problematical. The *Tories*, whom in a Body the *Whigs* had ſo confidently branded for *Jacobites*, bring in a Bill to *oblige* all Peers, Members of Parliament, Officers Civil and Military, Eccleſiaſtics, Lawyers, Tutors, Schoolmaſters, *&c.* to abjure the P. P. of *Wales*, and to take a *new* Oath of Allegiance to the *new Government* and the *new Settlement* of the Crown, in the ſtrongeſt Terms imaginable; that is to ſay, without any Equivocation, mental Evaſion, or ſecret Reſervation whatſoever, *heartily*, *willingly*, and *truly*, on the true Faith of a *Chriſtian*: The *Whigs*, on the other Hand, call this a *Shew of Zeal*, which had no better Source than *political Hypocriſy*: And tho' the *Tories* made it their own *Choice* to be thus *bound*, inſiſt on their being left *free*: The *Tories* make a hard Shift to carry that one Point, which *impos'd* the Oath: And, except in the Article of the Princeſs of *Denmark*, which could not be oppos'd with Decency, the *Whigs* gave the Law to all the reſt.

The Bill carry'd to the Lords.

For what remanes, the Bill was on the ſaid 19th, (after a *long Delay*, ſays *Burnet*) carry'd up to the Lords by Sir *Charles Hedges*; where, according to the ſame Author, *the* Tories *oppos'd it all that they poſſibly could*: They firſt mov'd for a Clauſe, excuſing the Peers from the Neceſſity laid upon them of taking the Oath; which having been rejected, not without a Mixture of Indignation, they try'd to have brought it back to be voluntary; which he calls a ſtrange Piece of Inconſiſtence in thoſe who had argued even againſt the Lawfulneſs of a voluntary Oath: Adding, "They next offer'd all thoſe Clauſes that had been rejected in the Houſe of Commons, with ſome very ſtrange Additions, by which they diſcover'd both great Weakneſs, and an inveterate Rancour againſt the Government: But all the Oppoſition ended in a Proteſtation of Nineteen or Twenty Peers againſt the Bill."

Now the Oppoſition thus ſet forth in ſuch forbidding Colours, was of ſuch a Nature, as ſeems to argue, the *Tories* were divided among themſelves with regard to the Meaſure: It laſted in the whole but three Days; for the Bill was read for the third Time on the 24th; was paſs'd the ſame Day and ſent back to the Commons, with certain Amendments: The Proteſtation he mentions was ſign'd by ten Peers only, not one of whom was a leading Man, except Lord *Nottingham*: And it was founded on ſuch Reaſons, as ſhew'd, they had Matter enough to keep their Oppoſition in countenance, (tho' the firſt of thoſe Reaſons was expung'd by Order of the Houſe) of which the ſaid Reaſons themſelves will be the beſt Proof.

Lords Proteſt.

"1ſt, We conceive, that no new Oath ſhould be impos'd upon the Subject; foraſmuch as thoſe eſtabliſh'd by an Act made in the Firſt Year of the Reign of his Majeſty and the late Queen *Mary*, were together with our Rights and Liberties, aſcertain'd in that Act, under the Terms of our Submiſſion to his Majeſty, and upon which his Majeſty was pleas'd to accept the Crown; and which were enacted to ſtand, remain, and be the Law of this Realm for ever; and which, we conceive, do comprehend and neceſſarily imply all the Duty and Allegiance of the Subject to their lawful King. A. D. 1701-2.

2dly, And much leſs ſhould any new Oath be impos'd upon the Lords, with ſuch a Penalty, as to loſe their Seats in Parliament upon their refuſing it; ſuch a Penalty being, in ſome Meaſure, an Intrenchment upon our Conſtitution, and expreſly contrary to the ſtanding Order of this Houſe, made the 30th Day of *April*, 1675.

3dly, And if ſuch an Infringement of the Rights of Peers might be admitted, yet in a Matter of ſo great Importance to all the Peers, we conceive, that in Juſtice they ſhould all have had Notice of this Matter, and been ſpecially ſummon'd to have attended the Houſe upon ſo great an Occaſion; which has not been done, tho' it was mov'd and humbly deſir'd on Behalf of the abſent Lords.

4thly, And if any farther Evidence of the Subjects Fidelity were, at this Time, neceſſary to be requir'd, we conceive a new Oath is no ſuch Evidence, nor any additional Security to the Government; becauſe thoſe who have kept the Oaths, which they have already taken, ought, in Juſtice, to be eſteem'd good Subjects; and thoſe who have broken them, will make no Scruple of taking or breaking any others that ſhall be requir'd of them: And conſequently this new Oath may be of dangerous and pernicious Conſequence to the Government, by admitting ſuch ill Men, who do not fear an Oath, into the greateſt Truſts, and who, under the ſpecious Pretence and Protection of this new Oath, which is to free them from Suſpicion, will have greater Opportunities of betraying their King and their Country.

5thly, If a new Oath were neceſſary, as we conceive it is not, yet the Words of this Oath are ſo very ambiguous, and have been ſo very differently conſtrued by ſeveral Lords who have declar'd their Senſe of them, that this may become a Snare to Mens Conſciences, or tend to overthrow the Obligation of an Oath, by allowing Men Liberty to take it in their own Senſe; whereas this, as all other Oaths, ought to be taken in the Senſe of the Impoſer, which hath not been declar'd in this Caſe, tho' we earneſtly preſs'd it, and tho' it has been done in other Caſes of the like Nature.

6thly, And, we conceive, that it neceſſarily follows from hence, that this Oath can be no Bond of Union among thoſe who do take it, nor any true Mark of Diſtinction between the Friends and the Enemies of this Government; and therefore repugnant to the very Nature of a Teſt."

Laſtly; on the 3d of *March*, and not before, theſe Amendments were taken into Conſideration by the Commons, and agreed to; which being all that was requiſite for the

A.D. 1701-2. the Completion of the Bill, it was the ſame Day ſent up to the Lords.

But in this Interval, from the 19th of *February* that is to ſay, when the Bill was firſt ſent up, to the 1ſt of *March*, the Face of the Court had undergone a remarkable Change. In the Courſe of the Winter, great Pains had been taken to eſtabliſh a general Belief, That the King was in a fair Way of obtaining a complete Re-eſtabliſhment of his Health: And this Belief had contributed not a little to the Advances which both Parties had made, to have the firſt Place in his Service; for neither had any great Reaſon to expect a Place in his Favour: But in his more familiar Converſations with Lord *Albemarle*, and, as ſome ſay, with Lord *Portland*, he had often intimated his own Apprehenſions, That he was near his End: And it is manifeſt enough, That his great Endeavour, from the Time theſe Apprehenſions ſeiz'd him, was, to provide ſuch collateral Securities for the great Projects he had form'd, as might prevent their coming to an End with him. Thus he had once more attach'd *England* to the *Continent* by the double Tye of a *new Confederacy* and a *new Settlement* of the Throne: The Former of theſe Meaſures was to operate in preſent, and the Latter in perpetuity: And as to the War, (which was to be his *Legacy* to *Europe*, and which nothing but the Steadineſs of *England* could bring to a favorable Iſſue) ſuch was the Cry of the Nation in its Favour, and ſuch the peculiar Circumſtances of the Times, that he found it no difficult Matter, to make the Proſecution of it, equally the Concern of both thoſe Parties, which had hitherto embroil'd and embaraſs'd every Meaſure of his Reign: The *Whigs*, comprehending alſo the *Money'd Intereſt*, by their own Clamours to ruſh into it as Principals, at any Hazard, and at any Expence; and by the ſiniſter Motives which gave Riſe to thoſe Clamours: And the *Tories*, together with the *landed Intereſt*, by leaving the Conduct of it to the Earl of *Marlborough*; who at that Time was not ſuſpected of having any Connections but with them; who, by the Means of his Lady, was like to have the ſupreme Direction of all Things in the next Reign; and who, as Captain-General, would be almoſt as much intereſted in the Continuance of the War, as if he had alſo been *Stadtholder* of the *United-Provinces*.

The King ſenſible he had not long to live.

The King, as well to confirm the Belief which had been obtain'd of his Recovery, as to gratify himſelf in his favorite Diverſion of Hunting, had made it his Cuſtom to go once a Week, or oftener, to *Hampton-Court*: On *Saturday*, *February* the 21ſt, he had done the ſame; and, tho' his Legs were feeble, his Body infirm, and he had been attack'd that very Morning with a Diſorder in his Head, nevertheleſs put his Horſe on the Gallop; which he had ſcarce done, before the Creature made a Plunge, and not being able to recover himſelf, fell on his Side; by which Accident his Majeſty was thrown ſo rudely out of his Saddle, that his Right Collar-Bone was broke by the Fall. —

He is thrown from his Horſe.

According to his own Obſervation, the Ground was remarkably ſmooth and level where he fell: And Tradition ſays, That He who had remov'd the Land-Marks of Kingdoms, was thrown by an Ant-Hill. But, however, this may be, he was carry'd to *Hampton-Court*, where the Bone was ſet by his own Surgeon; who, finding his Majeſty's Pulſe feveriſh, hinted the Expediency of Bleeding, which his Majeſty nevertheleſs evaded, by ſaying, He had had a feveriſh Diſpoſition upon him at Intervals for a Fortnight paſs'd: In the Afternoon, contrary to Advice, he return'd to *Kenſington*, where he was ſcarce arriv'd, before a ſort of Controverſy aroſe in his Preſence, between his Surgeon *Ronjat*, a *Frenchman*, and his Phyſician *Bidloo*, a *Dutchman*: *Bidloo* having, in the firſt Place, pronounc'd, There was no Neceſſity for Bleeding, proceeded in the next, to pronounce alſo, That the Bone was ill ſet: *Ronjat* maintain'd the contrary: This produc'd an Examination: And That diſcover'd the Fracture was again open, either by the Motion of the Coach, or in the Moment of taking off the Bandage: (For *Ronjat* inſiſted as before, That he had nothing to anſwer for) And the ſame being ſoon reduc'd, his Majeſty was put to Bed, and ſlept well the whole Night.

A.D. 1701-2.

This, in part, diſſipated the Pannic which the Miſfortune of the preceding Day had excited; and no Symptoms ariſing in the Courſe of ſeveral Days, which ſeem'd to indicate any Thing worſe to enſue, a Notion ſoon obtain'd, That his Majeſty was out of Danger: And in the *Monday's Gazette* of *March* 2, an Article dated from *Kenſington February* 28, was inſerted, declaring in expreſs Terms, That his Majeſty was *very well again*.

But on the ſaid 28th of *February*, his Majeſty, nevertheleſs, thought fit to ſend the following Meſſage to both Houſes; to wit.

" *WILLIAM R.*

His Majeſty's Meſſage concerning an Union with Scotland.

His Majeſty being at preſent hinder'd, by an unhappy Accident, from coming in Perſon to his Parliament, is pleas'd to ſignify to the Houſe of Commons by Meſſage, what he deſign'd to have ſpoken to both Houſes from the Throne. His Majeſty, in the firſt Year of his Reign, did acquaint the Parliament, That Commiſſioners were authoris'd in *Scotland*, to treat with ſuch Commiſſioners as ſhould be appointed in *England*, of proper Terms for uniting the two Kingdoms, and at the ſame Time expreſs'd his great Deſire of ſuch an Union: His Majeſty is fully ſatisfy'd, That nothing can more contribute to the preſent and future Security and Happineſs of *England* and *Scotland*, than a firm and entire Union between them; and he cannot but hope, that, upon a due Conſideration of our preſent Circumſtances, there will be found a general Diſpoſition to this Union. His Majeſty would eſteem it a peculiar Felicity, if, during his Reign, ſome happy Expedient for making both Kingdoms one, might take place; and is therefore extremely deſirous, that a Treaty for that Purpoſe might be ſet on Foot; and does,

A.D. 1701-2. does, in the moſt earneſt Manner, recommend this Affair to the Conſideration of the Houſe."

Whence, it is reaſonable to imagine, That his Majeſty himſelf was already convinc'd, the Hopes given to the Public of his Recovery, were wholly without Grounds. He had been long habituated to neglect *Scotland*; and he was now, at laſt, become ſenſible, That, unleſs the Succeſſion of that Kingdom was alſo ſecur'd, as well as the Succeſſion of This, the very Baſis of his Plan would be defective, and conſequently the whole Superſtructure might fall to the Ground.

"The Occaſion of this, (ſays B. *Burnet*) was a Motion that the Earl of *Nottingham* had made in the Houſe of Lords, when the Act of Abjuration was agreed to: He ſaid, tho' he had differ'd from the Majority of the Houſe, in many Particulars relating to it, yet he was ſuch a Friend to the Deſign of the Act, that, in order to the *ſecuring a Proteſtant Succeſſion*, he thought an *Union* of the *whole Iſland* was very neceſſary; and that, therefore, they ſhould conſider how both Kingdoms might be united: But in order to this, and previous to it, he mov'd, That an Addreſs ſhould be made to the King, That he would be pleas'd to diſſolve the Parliament now ſitting in *Scotland*, and to call a new one: Since the preſent Parliament was at firſt a Convention, and then turn'd to a Parliament, and was continued ever ſince; ſo that the Legality of it might be call'd in queſtion: And it was neceſſary, that ſo important a Thing as the Union of both Kingdoms, ſhould be treated in a Parliament, againſt the Conſtitution of which no Exception could lye. The Motion was warmly oppos'd; for that Nation was then in ſuch a Ferment, that the calling a new Parliament, would have been probably attended with bad Conſequences: So that Project was let fall."

The very next Day after this Meſſage was ſent, a Defluxion fell upon his Majeſty's Knee, which was look'd upon as a very unfavorable Symptom: And, thereupon, a Commiſſion was iſſued to certain Peers, to give the Royal Aſſent to ſuch Bills as were ready for it: According to which, the Bill to attaint the P. P. of *Wales*, the Bill to puniſh Officers and Soldiers who ſhould mutiny or deſert in *England* or *Ireland*, (which had been diſcontinued ever ſince the diſbanding the Army) and the Bill for continuing the Indulgence to *Quakers* in relation to Oaths, did receive the Royal Aſſent on the 2d of *March*.

Bills paſs'd by Commiſſion.

That whole Day his Majeſty was thought to be ſomewhat better, which reviv'd the flattering but deluſive Hopes of thoſe moſt particularly who were moſt particularly intereſted in his Recovery: On the 3d, he was ſeiz'd with a ſhort Ague-Fit, which, as uſual, was follow'd by a Fever; and, theſe Fits returning every Day with more and more Violence, on the 6th his Caſe was eſteem'd deſperate: And on the 7th, as if a Demiſe of the Crown was like to endanger every Meaſure which was ſtill depending in Parliament, the Lords were preſs'd to give immediate Diſpatch to the *Abjuration*-Bill, and the *Malt-Tax*-Bill, which were ſtill before them; another Commiſſion was order'd, to give the Royal Aſſent to them; and the King being no longer able to make uſe of his own Hand, a Stamp was made uſe of to ſupply the Defect. A.D. 1701-2.

The Lords preſs'd to paſs the Abjuration Bill, &c.

At five o'Clock this Morning, the 17th that is to ſay, his Majeſty's Favorite, Lord *Albemarle*, arriv'd from *Holland*; (whither he had been ſent with a ſpecial Commiſſion, to put Things in Readineſs for an early Campaign, ſays B. *Burnet*, to take Care of the *ſecret* Papers and Projects, ſays *Lamberty*, entruſted with the *Grand-Penſionary*, that in caſe of his, the *Penſioner's*, Death, which had been alſo apprehended, they might not fall into bad Hands, as alſo, to procure a fit Perſon to be nominated in his Room) and, after having taken ſome Hours Repoſe by his Majeſty's Direction, was alone with him, according to the laſt of thoſe Authors, for two Hours: But the News he brought, tho' of the cordial Kind, had not a ſuitable Effect: For his Majeſty knowing the Harveſt was not to be his, was no longer curious, what Grain was to be ſown. [Tom. II. P. 64.]

The two Houſes alſo, on the ſame Day, met as uſual; and the Lords, by Meſſage, deſir'd the Commons would continue ſitting, which the Latter readily comply'd with: For if any Thing was mutter'd to the contrary, it was in ſo irregular a Manner, that no Notice was taken of it in the Journals: Notwithſtanding which, B. *Burnet* ſays, "Some in the Houſe of Commons *mov'd* for an Adjournment, tho' the Lords had ſent to them, not to adjourn for ſome Time: By this they hop'd the Bill of Abjuration ſhould be loſt: But it was contrary to all Rules to adjourn, when ſuch a Meſſage was ſent them by the Lords: So they waited till the King had ſign'd the Commiſſion and the Bills."

It appears alſo by the Journals, That the Lords having, by another Meſſage, ſignify'd, They had paſs'd the ſaid Bills, the Commons proceeded with the Buſineſs of the Houſe as uſual: That they ſat a conſiderable Time, in Expectation of being call'd up to the Houſe of Lords, to attend the Ceremonial of giving the Royal Aſſent to them: And that, upon ſome private Intimation from Court, That the Commiſſion could not be ſign'd till the King was out of the Fit, which held him for ſome Hours, they adjourn'd till Six o'Clock in the Evening: At or about which Time they met again, and the ſaid Bills receiv'd the Royal Aſſent accordingly.

The ſaid Bills paſs'd by Commiſſion.

By this Time the Court was become ſuch a Scene, as, in the moſt lively Manner, ſhew'd the Vanity of thoſe Poſſeſſions which Men, with the utmoſt Anxiety aſpire to: The Anti-Chamber ſwarm'd with Phyſicians, Courtiers and Stateſmen; all in ſuch Maſks as ſuited beſt with the ſeveral Parts they were to act: The Council was alſo extraordinarily aſſembled, to receive the Reports of the King's Phyſicians from Time to Time, and to back their Opinions, as Neceſſity ſeem'd to require: The King was appa-

Aſpect of Things at Court.

A D 1701-2. rently at Extremity: Archbiſhop *Teniſon* and Biſhop *Burnet* continu'd in their Duty about him, from *Saturday* Morning to his laſt Gaſp: And ſome Authors aſſert, "That ſeveral of the Nobility and Gentry who waited in his Anti-chamber, were call'd in at Times, to whom he ſpoke a little, and then they withdrew": But, on the other hand, M. *Lamberty* is expreſs, That, except the Archbiſhop, not one *Engliſh* Lord had Admittance to him from the Time he took to his Chamber; and that M. *d'Auverquerque* and his Son, together with Dr. *Bidloo*, were the only Perſons who had the Care of him during that Interval: Adding, That Prince *George* made ſeveral Attempts to wait upon him, and met with as many Repulſes; as alſo, That the Princeſs ſending to know, whether ſhe might have Leave to ſee him, the Anſwer given was, *No*: And, that the *Engliſh*, naturally jealous of Strangers, complain'd of the Preference, to the laſt Moments of his Life, ſhewn by him to the *Dutch*. According to B. *Burnet*, there was one Exception to this Account of *Lamberty's*: His Words are theſe, "The Archbiſhop pray'd on *Saturday* ſome Time with him, but he was then ſo weak, that he could ſcarce ſpeak, but gave his Hand, as a *Sign*, That he firmly believ'd the Truth of the *Chriſtian Religion*, and ſaid, he intended to receive the Sacrament——About Five in the Morning *(Sunday March* 8) he deſir'd the Sacrament, and went thro' the Office with great Seriouſneſs, but could not *expreſs* himſelf: When this was done he call'd for the Earl of *Albemarle*, and gave him a *(y)* Charge, *To take Care of his Papers*. He thank'd M. *d'Auverquerque* for his long and faithful Service: He took Leave of the Duke of *Ormond*, and call'd for the Earl of *Portland*; but before he came, his Voice quite fail'd; ſo he took him by the Hand and carry'd it to his Heart with great Tenderneſs."

[Boyer, Kennet, Tindal]

The Duke of *Ormond* then was the one *Engliſh* Nobleman thus excepted: As to the Earl of *Sunderland* whom his Majeſty had formerly ſo much confided in; the Earl of *Romney*, ſaid to have had more of his perſonal Favour than any *Engliſhman*; the Earl of *Jerſey* ſtill in his Service as Lord-Chamberlain, and of late ſo deeply engag'd in his moſt ſecret Tranſactions; the Earl of *Marlborough*, on whom his military Mantle was to fall; not to mention the Lords *Somers*, *Orford*, *Halifax*, &c. who have been repreſented as the very *Supporters* of his *Throne*, not one of them appears to have had a Place in his Remembrance.

Death of the King.

But to expatiate no farther, when 'tis Time to drop the Curtain; the Struggle between Life and Death continu'd till about eight o'Clock in the Morning; when his Majeſty, who had been ſupported all Night in his Bed, expir'd in the Arms of one of his Pages. A. D. 1701-2.

It is generally ſuggeſted that he dy'd with great Reſignation: But, according to a Circumſtance mention'd by B. *Burnet*, on the Credit of Lord *Portland*, his Majeſty, ſeeing his Affairs had taken ſo favorable a Turn both Abroad and at Home, would have been glad to live a little longer.

This was but natural, and, therefore not to be wonder'd at: But if the Earl of *Jerſey* acted alſo a natural Part, in making his Court to the Princeſs of *Denmark*, by ſending perpetually to give an Account of his Majeſty's Breath growing ſhorter and ſhorter, Nature itſelf ſometimes wears an odious Face, and may then be regarded with Horror. [*Duch. of Marlborough's Account*, p. 120, 121.

Proceeding to the Diſſection of the royal Body, the ſame Hiſtorian ſays, "His Lungs ſtuck to his Side, and by the Fall from his Horſe, a Part of them was torn from it, which occaſion'd an Inflammation, that was believ'd to be the immediate Cauſe of his Death, which, probably, might have been prevented for ſome Time, if he had been let Blood." But the *(z)* Words of the Report ſign'd by the Phyſicians and Surgeons, do not authoriſe what he ſays, concerning the Violence done to his Lungs by the Fall: And if Bleeding was proper to relieve the Inflammation, the Faculty it muſt be preſum'd, are the beſt Judges whether a Body with ſo little Blood in it, (for in the ſaid Report it is ſaid, Few have ſo little) could have afforded ſuch an Evacuation as the Extremity requir'd.

And farther on he lets fall the following myſterious Expreſſions, "His Death would have been a great Stroke at any Time, but in OUR Circumſtances, as they ſtood at that Time, it was a *dreadful one*." And as this remarkable Sally is made in the ſame Breath with the Anecdote concerning the King's Deſire to live, becauſe of the *favorable Turn* his Affairs had taken, which occaſions a ſeeming Contradiction, it muſt be underſtood, The Writer here ſpeaks in the *Name of his Party*.

Laſtly: He cloſes his Account of this Reign in the following Words. "Upon his Death, ſome mov'd for a magnificent Funeral; but it ſeem'd *not decent* to run into unneceſſary Expence, when we were entering on a War, that muſt be maintain'd at a vaſt Charge: So a private Funeral was reſolv'd on. But for the Honour of his Memory, a noble Monument and an equeſtrian Statue were order'd. Some Years muſt ſhew, whether theſe Things were really intended, or if they were only ſpoke of, to excuſe the Privacy of his Funeral, which was *ſcarce decent*, ſo far was it from being magnificent." And it is true, it is call'd

(y) Kennet ſays, he gave him the Keys of his Scrutore; ſaying, *He knew what to do with them*; and the ſame Author alſo gives ſuch a Detail of a Dialogue between the King and Dr. *Bidloo*, as ſeems to argue, his Majeſty was under no ſuch Difficulty of Speaking, as is ſuggeſted by B. *Burnet*.

(z) Thoſe relating to the Lungs were as follow: To wit. "In the Thorax or Cheſt we obſerv'd, That the Right Side of the Lungs adher'd to the *Pleura*, and the Left much more: from which upon Seperation, there iſſu'd forth a Quantity of purulent or frothy Serum. The upper Lobe on the Left Side of the Lungs, and the Part of the *Pleura* next to it, were inflam'd to a Degree of Mortification, and this we look upon as the immediate Cauſe of his Death."

A. D. 1701-2. call'd *a private Interment* in the *Gazette*. But then the Proceding was from *Kenſington*: The royal Corpſe was carry'd in an open Chariot royally attended: The Pall was ſupported by ſix Dukes: Prince *George* of *Denmark* was chief Mourner, ſupported by two Dukes, and follow'd by ſixteen Earls, *&c. &c.* In the ſame Manner that King *Charles* II. had been *interr'd* by his *Brother*; except, that the Proceſſion in that Caſe was only from the *Painted Chamber*: And as to a noble Monument, equeſtrian Statue, *&c.* Time *has* ſhewn, That the Imputation here levell'd at Queen *Anne*, does not faſten upon her only.

As to a Character of this Prince, ſuch extravagant Things have been ſaid both of his good and ill Qualities, that 'tis ſcarce poſſible to give it in a ſummary Way, to the Satisfaction of Poſterity: And a proper Diſſertation upon it would open rather too wide a Field. Beſides; perhaps Impartiality would ſuggeſt many Particulars which the Prejudices ſtill ſubſiſting among us would ſcarce bear; and tho' Truth is to be preſented naked, ſome Modeſty ought to be obſerv'd in removing her Veil. Let then the *Profeſſions* he made, and the *Wonders* of every Kind aſcrib'd to him by his *Admirers*, be compar'd with the Facts that lie before us; and let the Tree be valu'd according to its Fruits: A *Tiberius* may talk in the Stile, and may be ſet forth in the Colours of a *Trajan*: But the Actions of a *Trajan* can alone juſtify that Stile, and render thoſe Colours laſting.

The State of the Kingdom, in conſequence of the arbitrary Proceedings of the *Stuart*-Family, and of the particular Phrenzies and Violences of King *James*, was certainly ſuch, as requir'd ſome extraordinary Aſſiſtance: And the extraordinary Aſſiſtance then vouchſaf'd by the Prince of *Orange* from what Motive ſoever, certainly deſerved the higheſt Acknowledgments, a Kingdom ſo happily reſcu'd, could make.

But, having admitted this, we may be allow'd to wiſh, perhaps, That the *Conſtitution*, like ſome Ships in like Manner, thus over-ſet, had been able to right itſelf; without being oblig'd to pay ſuch an extraordinary Price for Salvage.

If, by the Lapſe of the Crown, ſome *Cheque* was put to the Rage of the Prerogative, the Exerciſe of the diſpenſing Power, the immediate Danger of Popery, Slavery, *&c.* It is not eaſy to prove, that any effectual Proviſion was made againſt the like Exorbitancies for the Time to come. King *Charles* II. would have reſtrain'd his Succeſſor within any *Limits*, which the Parliament thought fit to preſcribe; the Prince of *Orange* would hear of none: And tho' a *Clame* of *Rights*, could not be deny'd at ſuch a Criſis, when ſo much Streſs had been laid on the *original Contract* between King and People, and when the *Regal* Government was to be renovated in Form, by the free Choice of the People, that *Clame* was either inſidiouſly contracted to the narroweſt Bounds poſſible, or alſo ſo looſely expreſs'd, that the Interpretation lay wholly againſt the Subject: Add to this, That the *Suſpenſion* of the *Habeas-Corpus*-Act, which follow'd ſoon after (and which K. *James* had never aſk'd of his Parliament, tho' they were ſitting, when the popular Duke of *Monmouth* was in Arms againſt him) afforded ſuch a Precedent as more than balanc'd, all that was gain'd to the Public by the ſaid *Clame*. A. D. 1701-2.

But the Meaſures of popular Aſſemblies are ſeldom perfect: So that in opening the Door for good, they, at the ſame Time, let in evil: And thus the Tranſfer of the Crown of *England* to the *Stadtholder* of the United Provinces, without any Proviſion firſt made, That he ſhould ceaſe to be a *Servant* there, the Moment he became *Sovereign* here, render'd the *Kingdom* in numberleſs Inſtances ſubſervient to the *Republic*: In War we had the Honour to fight for the *Dutch*; in Negotiations to treat for the *Dutch*; and, on the other Hand, the *Dutch* had all poſſible Encouragement given them to *trade* for us.

It, moreover, became a Fundamental of our Policy, That we were to be, on all Occaſions, the *Quixots* of *Europe*, and to be for ever in Queſt of Adventures, how intolerably ſoever we ſmarted, or dearly we paid for our Officiouſneſs.

And if this unnatural Biaſs render'd us ridiculous abroad, it had a very ſerious Effect at Home: What could not be juſtify'd by Reaſon, and maintain'd by Argument, was to be carry'd by Applications of another Kind. Hence, as before hinted, that Proviſion which had been made by our wiſe Anceſtors, as a Preſervative for the Conſtitution, began to operate in a quite contrary Manner. Men became ſhameleſs enough to ſolicite a Truſt, only to make their Market of it; to clamour only to be ſilenc'd, and to counterfeit public Zeal with a View only to their own private Profit.

Thus Profuſion on one Hand, neceſſitated Profuſion on the other, and ſo many various Iſſues requir'd a ſuitable Supply: But in thoſe early Times when Taxes, being Novelties, were look'd upon as Grievances, our cautious Repreſentatives, durſt not, within the Year, take out of the Pockets of the People, what the Expenditure of the Year conſum'd: And, by Way of Expedient, they had Recourſe to deficient Grants, and borrowing Clauſes upon remote Funds, *&c.* In Tenderneſs to themſelves, and for Fear a Notion ſhould obtain among their Fellow-Subjects, That the parliamentary Yoke was heavier than the regal, thus preferring the worſt Huſbandry that ever was put in Practice; and, thereby, furniſhing deſigning Miniſters with an Opportunity, to form Corporations of Extortioners and Uſurers; and, as a Præmium for the Sums anticipated by their Means, to tranſfer to them, the Product of Land and Sea, in Mortgage for ever and ever: As alſo to form ſuch a Coalition between the Servants of the Public, and the Managers for the public Creditors, as might

A. D. 1701-2. might in Money-Matters at leaſt, be able, to give the Law to the Public.

Again, Great and notorious as theſe Evils were, the Conſequences of them to a common Eye were ſcarce diſcernable: For the *intrinſic Wealth* waſted in *Continent-Meaſures* of all Sorts, was for the Time being replac'd, not only by ſo much *Paper* (which both Authority and Opinion had conſpir'd to give an equal Value to) but our nominal Stock increas'd, in exact Proportion to the Increaſe of the public Debt: So that the more we borrow'd the richer we ſeem'd to become, and the better in Condition to ſquander.

Nor was This even the worſt of theſe dangerous Innovations. For what impoveriſh'd and debauch'd the Subject aggrandiſ'd the Prince. The more Money he had annually to diſtribute, and the more Offices he had to diſpoſe of, the more his *Influence*, if not his *Power* increas'd: For no *(a)* Change was made in the Adminiſtration of the Revenue, tho' the Additions made to it by the free Gift of the People, render'd many additional Precautions both reaſonable and neceſſary: The Difference between *Vaſſal* and *Dependent* is but nominal: And in finding himſelf *Lord* of the *Caſh* of the Kingdom, he found himſelf altogether as conſiderable, as if he had been, as formerly He was, *Lord* of the *Soil*.

In proportion alſo, as all the great Ends and Purpoſes of Government were contracted to the narrow Views, of engroſſing Boroughs, managing Parties, purchaſing Majorities, and exploring Ways and Means to raiſe Contributions; or in fewer Words, as a Syſtem of Job-Work, made Way for a Syſtem of Corruption, all Regard to *diſtributive Juſtice* gradually diminiſh'd: So that a due Senſe of Conſcience and Honour came to be a Diſqualification for the public Service: The moſt pliant Tool was held the fitteſt Inſtrument of Government; and *That* the moſt meritorious Service, which operated moſt to the Detriment of the Commonwealth.

To enlarge, after this, on the Relaxation of Diſcipline which follow'd in the public Offices, or to ſuggeſt, that the making a ſeparate Proviſion; for the *Civil Liſt* contributed greatly to that Relaxation, might be thought equally unneceſſary: It being obvious enough: That the leſs the Crown was liable to the ill Conſequences of a negligent and corrupt Adminiſtration, the leſs anxious it would become for Juſtice to the Public: As alſo, that the leſs liable Accomptants were to *Government-Scrutinies*, the more daring and profligate they would be in the Abuſe of their Truſt. A. D. 1701-2.

It is true, the Suffering the *(b) Militia* to fall into Neglect and Contempt, was not originally the Growth of this Reign: But the ſuffering it to continue under that Neglect and Contempt, nay, to authoriſe it, by giving the Sanction of Law to a ſtanding Army, in Time of Peace, was: Till then the Parliament of *England* could never be induc'd, to allow their Sovereign to miſtruſt either the Loyalty or Bravery of his Subjects, or to give the Sword ſo abſolutely out of their own Power, that they could upon no Extremity whatſoever, recover it for their own Uſe. And, ſurely, no Abſurdity was ever more glaring, than to inſiſt on the Right of Reſiſtance in Caſe of Oppreſſion, to found a Government on that Right, and then to part with the Poſſibility of deriving any Benefit from it.

But to cloſe this melancholy Theme, the general Reſult of all theſe Infatuations, Perverſions and Corruptions, was, That the Authority and Dignity of Government itſelf ſeem'd to be in the Wane: That Virtue could no longer keep itſelf in Countenance: That Glory ceas'd to be the Object of Ambition: That public Spirit and Love of Country were in a Manner extinguiſh'd: That Wealth, Power and Titles were thought worth attaining upon any Terms; and the only reſpectable Things howſoever attain'd: That, the Great abandoning themſelves to Luxury and Venality, in Contempt of Opinion, Cenſure, and every moral, political and religious Conſideration, the Little grew corrupt, profligate and worthleſs, by their pernicious Exemples: And that the national Effort which had been made, in concert with the Prince of *Orange* for the glorious Purpoſe of rendering the Conſtitution immortal, ſeem'd to have worn out every Principle of Strength, Vigour and Virtue, which ſhould have given it the requiſite Solidity.

(a) "Your Lordſhip, I am ſure, ſees at once, how much a due Reflection on the Paſſages of former Times, as they ſtand recorded in the Hiſtory of our own, and of other, Countries, would have deterr'd a free People from truſting the ſole Management of ſo great a Revenue, and the ſole Nomination of thoſe Legions of Officers employ'd in it, to their chief Magiſtrate. There remain'd, indeed no Pretence for doing ſo, when once a Salary was ſettl'd on the Prince and the public Revenue was no longer in any Senſe, his Revenue, nor the public Expence, his Expence. Give me Leave to add, that it would have been, and would be ſtill, more decent with regard to the Prince, and leſs repugnant, if not more conformable, to the Principles and Practice of our Government, to take this Power and Influence from the Prince, or to ſhare it with him: than to exclude Men from the Privilege of repreſenting their Fellow-Subjects, who would chuſe them in Parliament, purely becauſe they are employ'd and truſted by the Prince." Lord *Bolingbroke*'s Letters on the Study and Uſe of Hiſtory. Vol. I. p. 47.

(b) See an excellent *Treatiſe* on this important Subject, lately publiſh'd in *four Letters*, by a noble and accompliſh'd Author.

The End of the SECOND VOLUME.

INDEX.

TO THE

SECOND VOLUME.

N. B. The letter n. refers to the notes at the bottom.

A.

ABSENTEES, in Scotland, to lose their seats in parliament 427
Abuses, in the victualling of the navy 177. of offices 313
Action, a brisk one at Steinkirk, where the Allies are repulsed 365. a brave one by a detachment of the Liegois 370. a brisk one between the Imperialists and Turks 676 and 757
Acton, Richard, Mr. examination of 554
Acts of toleration, n. 75, 76. of the estates of Scotland 106. of settlement in Ireland repealed 114. of attainder 115, n. 116. to remove papists, and take away hearth money 147. of grace, and for the queen to exercise the government during the king's absence 200. for reseinding the king's supremacy of the church in Scotland 212. of the lords and commons to the king and queen 246. for doubling the excise 249. to encourage shipbuilding 464. to establish a trading company in Scotland 579. to restrain the exportation of wool 780.
Address, of the lords to the prince of Orange, n. 4. of both houses to the prince 27. to call a convocation 74. of the commons against the French king 80. in favour of Irish protestants 127. of the lords for the arrears due, n. 140. of the bishops 170. on the state of the nation stifled 181. of the navy 217. from Cornish tinners, and the lieutenancy of Middlesex 227. from London 228. of the lords by way of advice 396. of both houses upon the Irish complaints 405. of the city of London 464. of condolence from the lords and commons 542. of the lords concerning the navy 565. of the Scotch parliament on the massacre of Glencoe 575. A joint one against the Scots African company 623. another concerning the plot 632. of the commons and lords, worthy notice, 680. a particular one 767. of the commons against the Irish woollen manufactory 780. of the Irish parliament to the lords justices, an artful one 792. of the commons relating to foreign envoys 809. of the lords concerning the Scotch settlement 842. of the Scotch parliament to the king 896. another, the contents of 898. of the commons on the memorial from the states 914. of the house of lords, upon a letter from France being intercepted 915. of the lords against the partition treaty 932. of the commons against it 934. a particular one of the commons 943, 944. from the grand juries, the contents thereof, 998. of the Irish protestants, against the act o reſumption 1011, 1012
Adey, Mr. his declaration 1014
Admirals, conduct of, screen'd, not justified 470
Aeth, furrenders to the French 734
Affair of Grants, a notable one 613
Aghrim, battle of 299, 300
Albemarle, earl of, the sole favourite, 793
Alehouses licenſed 182.
Alliance, a perpetual one 996, 997
Allies, their difference 753
Alterations in the liturgy inſiſted upon by the diſſenters, n. 168. in the cabinet 1005
Ambaſſador, French, ordered to depart 6
Anderton's remarkable caſe, petition, ſentence, and death 420 to 423
Anecdote, a particular one 863
Anjou, duke of, declar'd king of Spain 877. declar'd at Bruſſels in form 879. prepares to take poſſeſſion of his kingdoms 899. ſee Spain.
Ann, princeſs of Denmark, ſubmits to the prince of Orange 9. allowed a penſion for life 139. her penſion teſtified 180. difference between her and the queen 330. her anſwer to the queen concerning lady Marlborough, n. 331. under diſgrace 391. over-look'd in the regency 568. n. ibid. her amaſing compoſedneſs at the death of her ſon 885. accuſed of ill deſigns 886
——, a ſeventy gun ſhip burnt 226
Annandale, earl of, gives information againſt his party 215. accuſed by them of baſeneſs 216
Anſwers to king James's memorials preſented at the congreſs, n. 730, 731
Apology, remarkable one 758. for France by by the Dutch 760
Argyle, duke of, a friend to the eſtabliſhment 210. created a duke 899
Army, Engliſh, croſs the Boyne 219. agents of, ſeveral committed 545. a ſtanding one eſtabliſh'd 763. a ſupply voted for, and the number of the ſame 769. debt of 771. reaſons for a ſtanding one 804. and againſt it 805. a ſtanding one complain'd of, and the reaſons for ſuch complaint 804
Arran, earl of, his ſpeech 18. ſent to the Tower 63
Articles of grievance 76. between the French king and James, n. 83, 84. agreed upon by the confederates 265. of intelligence remarkable, over look'd by the miniſtry 457. againſt the duke of Leeds 557. between England and France on concluding the peace 754, 755. a ſecret one between England and France 858. a puzzling one 927. ten, againſt the earl of Orford 954. againſt lord Somers 955 to 957. againſt lord Halifax 960
Arnauld, his reaſons for not accepting the crown of Poland 893
Artifice, a court one 352
Aſhley, lord, his diſorder in the houſe of commons of ſervice to his cauſe, n. 613
Aſhton, Mr. ſeiz'd for a plot 254. his trial and defence 259. found guilty, and executed 260
Aſia, nations of, a ſtory concerning them 231
Aſſociation, an, propos'd and ſign'd 632. brought to the king 654
Athlone beſieg'd, and carried by ſtorm 297, 298
Attainders revers'd 142
Attempt, a treacherous one 278
Auguſtus, prince of Hanover, killed by the Turks 278
Avaux, the French ambaſſador of, his artful memorial to the States 911, 912. another 913. his anſwer to Mr. Stanhope's propoſals 927. and memorial to the States, n. 948 his parting memorial 979, 980. and final leave 982
Avignon, given to the church 164
Auxiliaries, Britiſh, ſent to Flanders 154

B.

BADEN, prince of, his juſt reſentment, and repulſe of the French, 436. comes to England 497
Ballymore, ſurrender'd to the Engliſh 297
Bank of England, ſubſcribers of, made a corporation 480. a deſign againſt it 566
Barcelona bombarded by the French 281. and afterwards ſurrender'd to them 951
Barret, captain, his invincible reſolution 437
Bart de, the famous adventurer, his expedition 504
Barton, captain, caſe of, n 117
Baſs in Scotland, ſurrender of, and the men pardon'd 496
Bates, Charles, examination of 554, 555
Bavaria, elector of, made governor of Flanders 337, 338. electoreſs of, miſcarries of a ſon 601. elector of, his conduct and courage 605. his caſe 871. defection of, aſcrib'd to the tories 879. his artful conduct 880
Baxter, the muſti of the preſbyterians, writes againſt the church of England 72
Bearcroft, caſe of, n. 184
Beeſton, governor of Jamaica, his remarkable letter to Nevil 743, 744. and proclamation againſt the Scots at Darien 817
Belcarres, earl of, his account of the convocation in Scotland 91 to 93. impriſon'd 99
Belgrade taken by ſtorm 237. beſieg'd by the Imperialiſts 453. relieved by the Turks 454
Bellomont, lord, impeaches lord Conlugby and Porter, and loſes his place 493
Benbow, commodore, made admiral 665
Bentinck, Mr. the greateſt favourite 21
Berkeley, lord, his fruitleſs attempts 590, 591
Berham, a plotter, depoſition of 635
Beveridge, Dr. refuſes the mitre 269
Bias, a French one to the kingdom of Spain 799
Bill, of toleration to the diſſenters, n. 75. for the ſecurity of his majeſty's perſon, &c. 654. two not carried through 667. to encourage the coinage 613. againſt Sir John Fenwick, committed 708. ſeveral remarkable ones loſt 717. a particular one for regulating elections 718. one relating to the army, particulars of 806. of the land-tax, and reſumption of the forfeited eſtates tack'd together 842. one to prevent the growth of popery 844. to prohibit the wear of India ſilk, and to punish plantation governors 850. of the ſucceſſion, the plan of 921, 922. diſpleaſing to France 924. to attaint the p. prince of Wales its progreſs 1016. abjuration, an account of 1017
Biſhops, eight, decline taking the oaths 67. ſix ſuſpended for refuſing the oaths 166. accuſed of being concerned in the jacobite plot 230. proved of 231, 232. refuſe to ſign the aſſociation 654
Blaire, a plotter, his depoſition 635
Board of trade, report of 1010
Bohim, licenſer, reprimanded by the parliament 400
Bolles, Sir John, made chairman of the committee to name a ſucceſſor to the crown, and why 911
Bonne, city of, beſieg'd 157. taken 161
Boſſu, count, his remarkable caſe 989. and eſcape out of the Baſtile 990
Bouflers, marſhal, arreſted 606
Bouillon, cardinal, refuſed admittance at Liege 498
Bourk, John, Eſq; his agreement 855
Box, Mr. grocer, knighted 165
Boyne, battle of, 219
Brady, ſeiz'd with letters from James 58
Braddom's relation concerning the murder of the earl of Eſſex, n. 14
Bradalbin, earl of, his ſcheme 332, 333. accuſed and pardoned 577
Brandebourg, elector of, his ambition, and character 867
Braſs-money forc'd upon the proteſtants in Ireland, n. 120
Breach, between the royal fiſters, a laſting one 181
Breſt, attempted by the Engliſh, but without ſucceſs, 501 to 504
Brewſter, Sir Francis, narrative of 403, 404
Brokers, and ſtock-jobbers, riſe of 483
Bruſſels, bombarded by the French 601
Burchill, Mr. his behaviour, and honeſt reply 425
Burnet, Dr. his arguments againſt the king 22 to 24. made biſhop of Saliſbury 59. impoſed upon 85. his cloſet-converſation with the king, going to Ireland; alſo, a ſtory relative thereto, 217, n. ibid. his paſtoral letter burnt 309. a ſtory of 536. his account of a council of trade animadverted upon 625.

ceaſeleſs

censur'd 688. complaint of 708. his account of Smith's remarkable case 709. and of lord Monmouth's practice on Sir John Fenwick 711. corrected 712. his reflections on the peace 762. an account of, as tutor to the duke of Gloucester 833. his account of the treaty between England, France and Holland, concerning the succession of the crown of Spain 858. his account exploded 859. a sketch of his character 889. the doctor confuted 901. his account of the new parliament 909. a partial one, and his acknowledgement of purchasing elections 910. his misrepresentation of the proceedings of parliament censur'd and greatly blam'd 914. his dates concerning debates of the commons examin'd and confuted 919, n. ibid. his remarks upon the times 1002. n. ibid. his account of the confuted 1017
Buying of men, the practice unavoidable 192

C.

CABINET, the general state of 767
Caermarthen, marquis of, a design against 252. his mistake 695
Calais bombarded without success 655
Calmet, Mr. his dying words, n. 220
Cambel, James, captain, his marriage made void, n. 253
Campbell, Sir Colin, administred the oaths to laird Glenco 571
———, captain, his perfidy and barbarity 334
Canalles, de marquis, the Spanish resident, his memorial against the Scotch company 817. his insolent remonstrance 830. ordered to depart the kingdom 821
Cannel and Dormer, apprehended, tried, and fined 419, 420
Capel, lord, his character and promotion 580. complimented by the parliament 582. his death 677
Carlisle, deputy earl marshal, his strange order, 1064
Carstairs, a chaplain, his power and character 579
Carter, admiral, amuses the French 349. kill'd 365
Carthagena, plunder'd by the French 741. and the fire-ships 742
Castlemain, earl of, sent to the tower by the Whigs 173
Catinat, the French general, his mysterious letter to the duke of Savoy 660
Cautions to the electors of members 608
Changes at court 192
Charlestoy taken by the French 446
Charnock, a plotter, tried and executed 640, 641
Chichester, bishop of, his death bed declaration 1066
Child, Sir Josiah, complain'd of 316. to be no longer governor of the East India company 317
Chittoghers, St. recovered from the French 244
Church, Scottish, without government 107
———, danger of, from a popish prince 532
———, history, account of, n. 7, 8. see Martyrs
———, Charles, a member, committed 177
Circumstance, a remarkable one 945
Civil list inquired 685
Claims in favour of the Spanish succession 794
Clarendon, earl of, seiz'd, and pardoned 602
Clergy, the Thomas, his objection 172
Clergy added 550
Clergy and nonconformists, rivals 72. pretensions limited their tythes 118. of England severely censur'd, n. 166
Clun, ill use of 564 to 566
Cologne, elector of, chosen prince bishop of Liege 699
Comercio, the prince, sends a challenge to the duke of Savoy 624
Commissioners of the navy, taken into custody 177
———, of hackney coaches accused of bribery 248
———, for the forfeited estates in Ireland, rewarded 840. of prizes, sent to the Tower 926. of prizes, the sale of 975
Committee of articles, rise of, and grievance, n. 100, 101
———, on trade, report of 715, 716. 887. permitted to state facts relating to the partition treaty, who, and their report 950
Common, house of, the grand resolve 35. thanks of to the clergy, &c. 38. not permitted to assist at the coronation 71. appoint a committee of grievances 76. their addresses concerning Ireland 176. unanimity and resolutions of 193. resolutions of, concerning the India company 322. pass'd a vote of thanks to admiral Russel, and other sea officers, with addresses to their majesties 392. representation of, concerning abuses in the army 545. resolutions and addresses of 680. their vigorous resolutions 681. in disgrace with the publick 717. resolution of, concerning the army 891. address of, relating to the foreign troops 899. proceedings of, vindicated 810. their address upon the navy accounts 812. remonstrance of, in the name of an address 830. proceedings of, relating to justices 843. refuse to concur in the address against the Scots 849. divided in their sentiments about peace and war 911. their form of thanks to sir Edward Seymour 926. advice of, to the king 936. affronted, and how 947. severity of, censured, ibid. address of, to remove the impeach'd lords 952. their conference with the house of lords, concerning lord Somers and others 959. answer of, to the message of the lords 960. another to the same 961. answer of, to the demand of the lords 962. the unanimous address of 965. objections of, to the proposal of the lords 964, 965. resolutions of, relating to lord Haversham 966. reasons of, why they can not proceed to the trial of lord Somers 967, 968. their particular order, ibid. the reply of, concerning the impeached lords 969. and resolutions of 970. reasons of, for rejecting the lord's amendments of the bill of accounts 975. conduct of, applauded 977. address of 1007. and compliance in raising supplies 1008. their frugal measures and address, in favour of half-pay officers 1009. laudable proceedings of 1010. proceedings of, on their rights and privileges 1015.
Common-wealth, comparison of 5
Company of trade in Scotland, proceedings of 780. and petitions 790, 791. conduct and defence of 816. relinquish their project and claims 824. their resentment, address and petition 825, n. ibid. their letters to the secretary of Scotland, and lord chancellor 847. also one to lord Basil Hamilton 848
Comprehension bill, the danger of, n. 72
Conditions offer'd Denmark 827
Confederacy against Sweden explain'd 862
Confederate princes, presumption of 276. dispute about the command 432. dilatory proceedings of 437. separate interests of 434. resent the French manifesto 447
Conference between the lords and commons 45, to 49. between the electors of Saxony and Brandenbourg 542
Conferences between Portland and Boufflers 735. the effects of 739. two between the English and French ministers concerning lord Melfort's letter 917, 918
Coningsby, lord chief justice, cruelty of 335
———, lord, and others accused of frauds in Ireland 404. pardoned 492. and impeached by lord Bellomont 493. his fetzures in Ireland 835
Consideration, a worthy one 4
Contests, between the whigs and tories 181 to 184. between Denmark and Holland about the seizing of ships 496. a strong one on the choice of a speaker 803, 804
Conti, prince of, proclaim'd king of Poland 737. refuted admittance into Dantzick 750
Controverfy concerning the succession 151. of the clergy 269
Convention, plan of 21. between Spain and Savoy, substance of 674
Converts, made by new courtiers 44
Cook, Sir Thomas, sent to the Tower 549. obtains a bill of indemnity 550
———, Mr. his trial 650 to 652. banished 653
Coronation-oath, what 97
Courtiers, new, two sorts of 61
Cranborn, a plotter, trial of 647
Crawford, lord, persecutes the presbyterian clergy, n. 107
Crosby, Mr. imprison'd 523
Crown of Scotland tender'd to king William and queen Mary 96
Cullford, Mr. accused and dismissed 406
Customs, the product of, 1010
Cutts, lord, his ruffnels and wound 604
Cyclut reduc'd by the Venetians 515
Czar Peter, his first taking arms 583. reduces Afoph 675. visits England 762. influence of 889.

D.

DALRYMPLE, lord Stairs, made president of the council 59, n. ibid. his false account of the Scottish customs and laws, n. 105. his letters and bloody orders concerning laird Glenco and others 572, 573. exceeded the king's orders 574
Danby, earl of, discontented 58 and 63. saying of 64
Darien, the history of, ordered to be burnt 846, n. ibid.
Dartmouth, lord, sent to the Tower 327
Dathwood, Sir Samuel, subscription of 9
Davenant, Dr. his character of the triumvirate 785, 786. and of a modern whig 704
Dauphin, of France, his remarkable saying 899
Dearth, a great one in France 436
Debates in parliament concerning the regency 35 to 37. about the validity of the parliament 60, 61. relating to duties on tea, &c. 145. on the comprehension project 168. on the case of the earl of Marlborough and others 389, 390. on the naturalization bill 490, 491. on the report concerning the East India company 556. on Sir John Fenwick's case 691. and trial 693 to 700. on committing the bill 905 & feq. of both houses concerning the partition treaty 930
Declaration of rights 54. of the Empire and the states against France 81. in the name of king William by the duke of Schomberg 377
Defence, a desperate one, of three Dutch men of war 459
Deficiencies, an account of, n. 681, 682
Delaware's deposition of the plot 628
Delaval, admiral, knighted 217. burns three French capital ships 357
Demand of the government, an enormous one 674
Denmark, king of, his death 826. king of, rejects the mediation of Lewis 866. endeavors to amuse Sir George Rook 868
Deserted, more proper than abdicated 57
Devonshire, earl of, his fine voted illegal 142
De-witting, an adopted word for murdering 352
Difference between episcopacy and presbytery, n. 274
Dilent of twelve lords to the bill of rights 150
Dillenters espoused by the king 67. struggle against kneeling 73
Disputes about the East India trade 515 to 517
Distillery, English, encouraged 230
Dopping, Dr. his glorious opposition 118
Dorset, earl of, bred'd 719
Drummond, lieutenant, story of, n. 525
Duncomb, Francis, bribes the members 717. sent to the Tower 728, n. ibid.
Dundee, viscount of, threatned to be murdered 92. his letter to the States 98. exploits of 107. his death and character 108
Dunkirk, attempted by the English and Dutch 521
Dutch, the, duke, his barbarous expedition 158
Dutch, their loss at Beachy fight 226 worsted by the French at Fleurus 233. the gallant behaviour of their infantry 234. their memorial to the French king 877. their superiority and benefit. 1023
Dyckvelt, M. his conduct and opinion of the French 821, 822

E.

EARTHQUAKE, a dreadful one 430. a description thereof 431
East India company, vindication of 319. answer to the propositions and resolutions receiv'd from the earl of Nottingham, principal secretary of state, n. 323 to 325. forfeit their charter 485. answer of the merchants petitions 480. get a new charter 480. their conduct enquir'd into 548 case of 772. petition of 773. a new one fet up 774. the old one oppose it 775. two companies establish'd by authority 845. both accused of corruption 910. the old, application of to the commons 976
Edinburgh, bishop of, his allegations 95
Elbing seiz'd by the electors of Brandenburgh 827
Elections, in Ireland, management of 109. in favour of the tories 190
Ellenberger, general, his conduct and death 598
Elliot fein'd on suspicion of a plot 624
———, a master of a ship, his escape and reward 522, 523
Emperor of Germany rejects the offers of the Turks, and prepares for two wars 1, 2. his reply to the pope concerning a peace with France 432. his ulterior paper 723. the [illegible] of his minister at the partition [illegible] 800. declines the treaty 872, 873. his [illegible] and weak condition of the [illegible] described 900. his claim to the Spanish [illegible] 900. forced to borrow money 9[illegible] Empire of Germany divided in itself 937
Engl[illegible]

INDEX.

England had no minister at Vienna at the signing of the partition treaty 860
English, worsted at sea 226. infamy of, in their trade with the subjects of the Great Mogul 317. n. ibid. loss of, near Cadiz, n. 420. 460. loss of, by a storm 484. their real disposition 882
Ernest Augustus, duke of Hanover, made an elector of the Empire 380. n. ibid.
Estates, in Ireland, forfeited, to be sold 247
Exception, a material one 805
Exceptions to the bill of indemnity 135
Exchequer bills, the fall of 919
Excise doubled, with the king's speech thereupon 249. pernicious to the kingdom 384
Expedients concerning the recoinage 679
Expedition, a ceremonial one 208
Expence of disbanding the army 811. n. ibid.
Expression, a familiar one, used in Kent 946
Eugene, prince, his conduct and success 757. 758

F.

FACTION prevails in the naval affairs 662
Falkland, lord, complain'd of publickly 404. reprimanded 470. sent to the Tower 472
Fast, a monthly one, in Scotland 426
Fenwick, Sir John, a plotter, taken 678. his case 686. and practices to bribe the witnesses 687. his informations presented to the commons 688. his answer not satisfactory and the errors of his council 689. brought to the bar, and his charge read 690. his trial 692. debates thereupon 693 to 700. his defence 701 to 704. is executed 714. his paper, which confutes Burnets account 715
Ferment in the council 58. a great one in Edinburgh 896
Ferguson, a malecontent, pardoned and rewarded 216. his character and charge against secretary Trenchard 224. 285
Fight at sea, off Beachy 226. between the English and French 554 to 556
Fines of the smugglers, how applied 782
Firebrace, Sir Basil, examination of 553. re-examined 554. 555
Flag-officers, opinions of 560
Fleets, English, their narrow escape 208. and bad condition 455
Fleurus, battle of 233
Foley, Paul, an account of him 415
France, artful deportment of 356. n. ibid. favoured by the pope 388. memorial of, concerning Savoy 540. her power and conduct 545. and design upon England 546. courts of, annoy'd by the English 804. king of, accused of knowing the conspiracy against king William 631. court of, the general conduct of 659. declaration of 751. intrigues of, at the court of Spain 800, 801. memorial of, to the Spanish 802. conduct of in relation to Sweden 803. their only view 884. a false alarm, and pretence of, to fit out a fleet 865, 866. displeased with the proceeding of the English and Dutch 869. her troops take pollession of the barrier towns 904. and the reasons why 906. court of, the behaviour of 928
France, king of, revokes the edict of Nants 815. his professions and rasollery 861. n. ibid. his reply to the Swedish ambassador 864. his reasons for not assisting Denmark or Sweden 865. and precautions of 866. conduct of, different from England 869. answer of, to the Dutch memorial 877 to 879. disposition of, shewn 880. and of the other side 881. 882
French, intrigues of 152. their horrid cruelties and devastations 155. 156. 158. intrigues of 204. n. ibid. send assistance to king James in Ireland 208. burn Tanmouth, and return to Brest 229. n. ibid. power of 232. and treacherous design upon Mentz 287. the cruelty of 295. n. ibid. attempts of, several 429. and dispositions for opening the campaign 454. cruel behaviour of 456. famous for intelligence 455. ill conduct of 459. barbarity of, at Palamos 505. a spy burnt alive 520. their attempts on Jamaica 522. intractable 723. sentiments of, upon the flatterers memorial 981. arms, break up their camp 813. companies, their several establishments, and grants 987. count of, in distress for money, ibid. 988. n. ibid. prohibit all English commodities, and manufactures 990
Fuller, an impostor, pilloried 527

G.

GAFNEY, hang'd on the carriage of a gun 535
Galway taken by the English 301
Garrisons, Dutch, their importance 902. put under French troops ibid.
George, prince of Denmark, naturalis'd 71. serv'd as a volunteer in Ireland 221. his design of going to sea, and forbid by the queen 330. complies with the king's order unwillingly 829. his debt consider'd by parliament 842
Germanic body united against France 153
Ginkle, general, received the thanks of the parliament for his conduct in reducing Ireland 328. see Athlone
Glencarry, earl of, his case 783
Glencoe, massacre of 332 to 334. and narrative of 571
Glocester, duke of, an account of his death 884. 885
Godfrey, Mr. killed 599. n. ibid.
——, Michael, his project, and arguments for and against 473, 474
Godolphin, lord, made head of the treasury 250. left out of the regency 719. made lord high treasurer 891
Goodman, a plotter, his deposition 659. and escape 688
Goods, raised and seiz'd by proclamation 121, n. ibid.
Goor, colonel, bravery of 297
Gordon, duke of, master of Edinbourg castle 88. his letter to the States of Scotland 89. refuses to fire upon the town 98. surrenders up the castle upon terms 107
Government, justice of, exposed 577
Grafton, duke of, mortally wounded, n. 243
Grandval's conspiracy, account of 368 to 370
Grants of the government called for by the commons 813. and appropriations for the year 1701, 972.
Granville, colonel, his honest declaration 708
Gravelle, Mr. French ambassador, departs privately from Poland 204
Greenwich hospital established 656
Greibe, Courade, his remarkable case 716, 717
Grifin, lord, case of, n. 187
Guy, Henry, a member, sent to the Tower 545
Gwyan, Sir Rowland, disgrac'd and depriv'd of his post 339

H.

HABEAS corpus act suspended 62
Hackney coaches first licensed 481
Halle, taken and pillaged by the French 276
Hallewyn, Mr. his intrigue with France detected 435
Halifax, marquis of, made keeper of the seals, and character of 58. blamed 134. an advocate for war 467
Hamilton, colonel, betrays his trust 15. is taken prisoner in Ireland 221
——, Sir Robert, sent to the Tower 63
——, duke of, his behaviour 16. and portrait of 17. chosen president of the convention 88. his opinion 92. made the king's commissioner 125. takes the oaths 677
Hampden, Mr. address of 80. father and son oppose each other 181
Hampton-court, enlarged by king William 165
Hanover, prince of, his narrow escape 161. court of, its conduct 915
Harcourt, Mr. his brave reply to the solicitor general 705
Harcourt, de marquis, his intrigues, and pretences at the court of Spain 800, 801
Harley, Mr. an account of 415
——, Robert, his speech on Fenwick's case 704. chosen speaker 1605 n. ibid.
Harlow, captain, his over-sight 746
Harris, a plotter, his deposition 637
Hastings, colonel, accused of corruption 546
Haversham, lord, his answer to the charge of commons 971
Hawkers and pedlars to take out licences 586
Hearth-money, duty taken off 65
Heidesdorf, general, conduct of 435. his sentence and death 436
Henry, de Beaumont, his disgrace, n. 828
Henrichment, prince of, taken 374
Herbert William, his protest 43.
Herbert, admiral, his expedition, defeat, and character 86, 87
Hesse, prince of, betray'd 740
Heydelberg, storm'd by the French 436
Highland chiefs accept the king's pardon 338
Highlanders afraid of English dragoons 108. in arms for king James 210. dessated 212.
Hody, Dr. character of, and writings 2170. n. ibid.
Holt, lord chief justice, his upright dealing 425. censur'd 643. refuseth the seals 854
Hooper, Mr. examined 838
Horn, count, his conduct question'd 430
How, Mr. his proposal 703. and speech in behalf of Fenwick 706
How, John, Esq; story of 336. his report concerning the papists 844
Howard, Sir Robert, his observation 47
Hume, earl of, made close prisoner 276. recommitted with others 428
Hungerford, Mr. chairman of a committee, expell'd 547
Hunt, James, his deposition concerning the plot 638
Huy, taken by the French 439. retaken by the confederates 521

I.

JACOBITES in Scotland take the oaths, and why 211. their plot 227. club of, their liturgy and memorial to the French king 230. n. ibid. complaint of, against the new settlement, n. 262. charg'd with being in the French secret 347. discontents of 416, 417. and censure of the court party 425. designs of, as proved by letters 427, 428. discontented, and recommend a peace with France 467. n. ibid. insolence of, and why 885 how many sorts of, and whence deriv'd 892
James, king, his letter to the lords of the council 24. and expedition to Ireland 25. is favourably receiv'd 84. his proclamations in Ireland 85. his remarkable saying 86. and letter to the states of Scotland 91. his plausible speech to the Irish parliament 109. and declaration of 110. his protections useless 117. his arbitrary method of raising money 120. and ingratitude to the clergy 122. unable to redress grievances 125. marches to fight the English 218. his flight and speech to the magistrates of Dublin 222. sails for France 223. invites several lords and ladies to his queen's labour 349. n. ibid. his declaration to the English 350, 351. saw part of the French fleet destroy'd by the English 357. his letter to the French king, n. 361 and declaration to the people of England on a proposition from the disaffected 418. his manifesto to the catholic princes 726 to 728. his memorial to the protestants 728 to 730. protests against the peace 758. his resentment against the Scots 897 his grants called for by the commons 972 not refused 973. his death 900. the cause of his misfortunes 901. his son proclaimed at St. Germains, ibid. his will, ibid.
Jane, Dr. chose prolocutor to the convocation 169. by the anti-court clergy 169
Jeffries, lord, his death, n. 142
Jersey, earl of, made lord chamberlain 856. his error 875. his influence and appellation 890
Jews taxed 175
Imperialists defeated by the Turks in Albania 202. in Transilvania 237. the ultimatum of 752. and remonstrance 752. protest of 753
Incident, a remarkable one 867
Indictment, fraudulent, enquired into 778
Inisfallen man, valour of, and success 127. another exploit of 149
Innocent II. pope, his death and title 164
Inscription over a gate of the castle of Namur 595
Instance for history, a new one 472. of subordination, three 526. an extraordinary one 970
Instructions sent to Mr. Stanhope at the Hague 918, 919
John Sobieski, king of Poland, his death 673
Johnston, Samuel, his arguments against a standing army 765
Johnston, secretary for Scotland, his design against Dalrymple, master of Stairs 570
Jolly, Mr. his answer to the king and regency of Spain 902
Jones, an Irishman, story of, n. 239
Joseph, archduke, chose king of the Romans 201
Jog, Mr. his case 404
Ireland, its independancy on England consured 779
Irish, the insolence of 85. their miserable condition, being plunder'd on all sides 242. 244. totally routed 300. unfortunate under two kings 307. cattle and corn prohibited 429, n. ibid.
Judges ordered to attend the lords to answer for offences 142, n. ibid. not to buy and sell offices 328
Julian, colonel, his valour poorly rewarded 285

KEALING

K.

KEALING, judge, his letter to Sir John Temple 12, 13
Kidd, captain, expedition of 831. proceedings on his affair 845. motion on his grant overruled 942, n. ibid.
Killegrew, captain, kill'd 587
Killikrankie, action at. 108
King and Keys, two plotters, trial and execution of 640, 641
Kingston, a trepanner, his character 525
Knight, Sir John, the younger, his speech against the naturalization bill 491. printed by the tory malecontents, and disown'd by Sir John 492
Knightly, a plotter, his deposition 637. and case 649
Kirk, major general, blamed 126

L.

LAMBERTY, his assertation not to be depended upon 993
Lancashire plot, account of 523 to 528. gentleman's complaint of 560. drop'd 561
Lancaster, dutchy of, annex'd to the crown 313
Land-bank, an account of 658. blamed, and for what 667
Langallarie, de M. fiction of, in relation to Lewis's letter to king William 883. his account of treaties between France, Spain and an elector confuted 899
Lanier, Sir John, besieges the castle of Edinburgh 107
League, a triple one 709. n. ibid.
Leeds, duke of, oppoles the bill against Sir Thomas Cooke 549. his speech to both houses, on being impeached for corruption 556. and defence 558. begs the impeachment might be discharg'd 559. his trial drops with shame to himself 560. continued head of the council 568. his impeachment dismissed 672
Leganez, de, marquis, his apology for a neutrality 674
Legion, a paper so called, an abstract of 1093
Lemster, duke of, his expedition 371
Leopold, emperor, character of 286
Letter, a circular one, concerning the forfeited estates in Ireland 1011
Letters, left by king James, not read 4. a remarkable one, n. 77. from the emperor to the king of Poland, n. 151. upon the dissolution of the parliament, n. 189, 190. to and from the duke of Savoy to marshal Catinat, concerning a separate alliance 669, 670. a ballancing one 763. concerning the East India trade 774. one called legion 952, n. 953. it put the commons into a ferment ibid.
Leving, Sir Richard, his examination 837. committed to the Tower 839
Levington, colonel, accused of barbarity 576
Lewis, king of France, his ambition and pretensions 150. and demands upon the duke of Savoy 265. causes a medal to be struck after the taking of Mons 267. his letter to the archbishop of Paris 363. and his abrupt saying on hearing of the supplies granted king William 398. sends his mandate to the archbishop of Paris 436. his pompous march 437. sends a letter of thanks to the army 520. his generosity to his officers 606. addresses the Dutch for a peace 661. orders a solemn te deum 674. his letter concerning the surrender of Ath 734. his mandate upon the conclusion of the peace with England, &c. 761. his letter to M. Briord, concerning the partition treaty 839. expectations of 870. is jealous of the maritime powers 873, 874. his conduct against them 876. his sentiments of the Dutch and English, and other princes 880, 881. his advice to king James 897. salutes his grandson, king of Spain 899. his answer to the States upon acknowledging his grandson's accession 913. his engagement to king James 990. his apology for acknowledging king James's son 991
Leyton, captain, complain'd of 177
Liege, city of, compell'd to take part against France 535. bombarded by the French 277. a disposition in 438. dean of, carried off by the French 995
Lillington, colonel, vindication of 591
Limerick besieg'd 140. burn'd and bravely defended by the very women 241. siege thereof raised 242. besieged a second time 301. capitulation of, with its articles 303 to 307
Lippa, taken by the Turks 584
Lift, civil, separated from other services 770. an account of it 776
Littleton, Sir Thomas, chose speaker 804. declines the chair 908
Liturgy of the church vindicated 169. a new one 230
Livonia, war in, an account of 888, 889
Lock, Mr. his resignation 891
Lodgment, a large one made by the allies 605
London, city of, lieutenancy thereof restor'd 191. and all its ancient rights and privileges for ever 199. lends the court money 464. complaint of 592. its address wonderfully set aside 948
———, bishop of, his mild reply to Dr. Jane 169
London-derry, a city, siege of 85. miseries of the besieged 124. and resolution 125, 126. siege raised 126 petitions of 778, 779
Lonsdale, viscount, made keeper of the privy seal 814. his death 890
Lords, house of, the enquiry 177. the advice of to the king, and protest against a foreign general 395, 396. protest against Fenwick's bill 709. their proceedings upon the succession bill 923. sixteen, their descent, and protest against the partition treaty 930. their address upon the same 932. their address, in opposition to one of the house of commons 944, 945. address of, concerning the states 951. concession of to the commons 960 demand of 961. their rules at the trial of lord Somers 966. their power 969. and answer to the votes of the commons 971. address of 1007. a second concerning the conduct of the French king 1008. protest of, against a new oath 1019
———, of the regency, their inconsistent conduct 663. protest of, against a new India company 775
Lorrain, duke of, his death 202. an account of him 870
Lothain, earl of, his motion 90. and farther proposal 91
Lottery bill, the first 477
Louvois, Mr. his resentment, projects and death 283
Lovel, Sir Salathiel, observation of 419
Lowick, a plotter, trial of 647, 648. and execution 649
Lowther, Sir John, his speech to the king, and answer thereto, n. 187. promoted 192. his resignation 494. and made a peer 659. see *Lonsdale*
Ludlow, cafe of, n. 174
Lundie, colonel, charge against him, n. 134, 135
Lundy, the treachery of 86. taken prisoner, n. ibid.
Lunenburgh, princes of, the politic behaviour of 277
Lunt, an Irishman, first informer in the Lancashire plot 523. account of 527. mistaken in the names of the prisoners 530
Lutterel, colonel, his cruelty, n. 121. and speech 123
Luxemburgh, duke of, his policy, and saying in praise of the Dutch foot 254. his great skill in the art of war 279. falls on the rear of the allies, and ends the campaign with glory 280. prevents king William's passing the Scheld 519. his death 582

M.

MACARTY, general, his desire of death 127
Macclesfield, earl of, his errand to Hanover 925
Macdonald, denied the oaths 535. barbarously killed 534
Mace, a debate concerning it 690
Mackenzy, Roderick, escape of 624
Magazine at Givet, burnt by the allies 656
Magna Charta, the new one, blamed, n. 55
Malmsbury, burgesses of, ordered into custody 1014. set at liberty 1015
Maloes, St. bombarded by the English 483, 590
Manchester, lord, his insignificancy, and complaint 819 his speech to the French king 823. his remarks and letters to lord Jersey 803. an account of his conference with M. de Torcy 875, 876. another conference about the Spanish succession 877. his reflections on the French memorial to the Dutch 879. his letters to Vernon upon the death of the duke of Gloucester 886. his account of the Scotch address to king James 897. and letter to Mr. Vernon of the state of the Empire 900. his conference with Mr. de Torcy 906. another concerning the parliament 910. his representation of the behaviour of the French court, and opinion thereupon 928, 929. his letter to Mr. Vernon 987. his opinion of the French court, and it's poverty 992. recalled 993
Manifesto against France, &c. 725. with remarks upon it 726
Manly, Mr. a member, sent to the Tower 689
Marchmont, earl of, made lord chancellor of Scotland 788. ascribes the misfortunes of Scotland to his countrymen 895, n. ibid
Marlborough, dutchess of, her relation of princess Ann 159. her charge against king William 796
———, earl of, his expedition to Ireland 242. and success there 243. disgrac'd, and the reasons why 329. his sharp retort 994. his account of the king's death 1023
Marriot, Reginald, his evidence 778
Marsaglia, battle of 451
Mary, princess of Orange, behaviour of 42. arrives in England and is censur'd 53. crown'd queen 71. made regent during the king's absence 200. sends orders to Torrington to fight the French 226. her conduct and behaviour 228 requires her sister to discard lady Marlborough 330, n. ibid. behav'd coldly to her sister 331. her generosity to the failors 361. is taken ill 435. her character and death 539
Massacre of Glencoe in Scotland 332 to 334
Meese, admiral, exploits of 743
Meesters, Mr. a Dutchman, machines of 521. censur'd 590
Melfort, lord, his letter to his brother intercepted, n. 915, 916. disgrac'd and sent to Angiers 918
Methuen, Mr. his letter to lord Manchester 985
Melvil, lord, made secretary, his character 99. made head of the Scotish affairs 212
Members of parliament retire 61
Memorials of the Danish minister concerning a peace with France 482. a joint one to the emperor by the *English* and *Dutch* 721. a very remarkable one, n. 912, 953
Mentz, siege of 160. reduc'd 161
Merchant smugglers, proceeded against and fled 781, 782
———, of London, complaints of 177, 361. and hardships for want of convoy 455. loss of, and expences 461. remonstrance of, to the queen 464. and reply to the *East India* company 487
Meredith, Mr. precaution of 947
Middleton, lord, character of, and his journey to France 418
Militia neglected, of bad consequences to the subject 1024
Ministers, Scotish, cited before the council 107. English, conduct of, accused 465. Italians, sense of the partition treaty 861
———, their advantage and superior skill, whence deriv'd 907. new, their disposition 925
Ministry, an alteration of 814
Miscarriages at sea, inquir'd into by parliament 469 to 472
Misunderstanding between London and Madrid, the reasons of 661. and reasons of, against passing a new charter to the East India company, n. 989
Mogul's phirmaund, or refcript to his governor in favour of the English 317
Molino, the Venetian general, defeats the Turks 585
Money, brass, coin'd 119. forced upon the protestants, n. 120. very scarce in France 992
Monkton, Mr. his bold opposition and reply 914
Mons befieged by the French king 266. surrender'd 267
Montague, Mr. chancellor of the exchequer, first undertaker to rectify the coin 614. a panegyrick upon him 680. a vote passed in his favour 772. his character 784 to 786. resigns 827. expoles himself thro' zeal for the king 836. made a lord 891, n. ibid.
Montgomery, Sir James, his cabal and disappearance 187. his cunning and double behaviour 210. receives final instructions from king James 213. his apparent perfidy and treachery to his allies 214. persuricates and abfconds, and is abhorr'd by the king 215. his policy and death 216, n. ibid. his several reflections against king William, publish'd 581, 582. makes his escape 405
Mountmellian, taken by the French 286
Mocenigo, doge of Venice, dies, and names a successor 514
Mortality in the English camp 150
Mosques, two particular ones 853

Motives for regulating grievances 77
Mountjoy sent to king James from Ireland 14. thrown into the bastile 16
Murmur, a strange one 5
Murray, lord, betray'd, and deserted by his men 108. made earl of Tullibardine 677
Muscovites conquer the Tartars 757
Musgrave, a member, character of 414. n. 891
———, earl of, his letter to Dr. Tillotson, n. 137. and speech on the place bill, n. 407, 408
Mustapha, the sultan, conduct of 585
Mutiny and desertion bill, rise of 65
Mutiny in the army 64. suppressed 65

N.

NAMUR, invested by the French 362. and taken 365. besieged by the English 593, 598
Nantes, edict of, revoked by the king of France 815
Narrative of the massacre of Glencoe 571 to 578
Narva, battle of 889
Nation English, character of, 937. in a great ferment, 1000
Navy, its bad state and condition 473, 474. n. sib. conduct of, censur'd 747. debt of 771
Neal, Mr. project of 477
Neerwynden, or Landen, battle of 440
Neglect of the English at sea 209. and in fitting out the navy 455
Nevil, admiral, his expedition and orders 719. his reply to Trumbal 721. his misfortunes and complaint 742. refused admittance into the harbour of Havanna 744. his resentment and death 745
Newfoundland, several settlements at, destroyed by the French 665. loss of, laid before the parliament 716
Newton, sir Isaac, his motion 910
Nice, city of, taken by the French 268
Noailles, duke of, his conquests in Catalonia 505
Noland, a description of 892
Non-jurors, whence called, 166. taxed double 175
Normanby, marquis of, protested against, n. 567
Norris, capt. his misconduct 746
North, sir Dudley, his remedies of the coin 566
Nottingham, earl of, motion of, 48. his hint, 77. blam'd by the commons 303. reproach'd by the public and dismissed 465. made chairman of the committee to state facts relating to the partition treaty 930. his motion 1021

O.

OAth of allegiance, and others 51
Oath-bill, progress of, 68, n. ib.
Obryan, seized, as a plotter, 824. n. ib.
Observation, a remarkable one 813. some necessary ones upon the Swedish treaty 863
Offices, public, kept in awe 1010
Officers of excise, forbid to meddle in elections 480, of the excise and customs, not to sit in the house of commons 842
Oldmixon, his remarks on the legion-letter 953
Oldys, Dr. case of, and opinion 423
Opinion of the leading men of Oxford concerning king William 66
Oppositions, two in parliament, 66
Order, from the earl-marshal concerning footmen 1004
Orders, concerning the massacre of Glencoe to col. Leving stone 572. to Hill, governor of Fort-william, and to col. Hamilton 573. most inhuman to Glenlyon 576. to lord Manchester at the French court 876. relating to the earl of Orford 950
Ordnance estimates 1009
Ordinances, published relating to the army and navy 10. to number the protestants 133
Orford, earl of, squabbles with Rooke 749. his character 754, 780. his accounts of the navy examined 811. his strange behaviour when dismissed from his employments 814. impeached 943. his answer to the articles of impeachment 954

P.

PAmphlets, censured and burnt 681
Paper, a printed one, a curious piece, n 513, to 544. papers, seized in the hands of lord Preston, n. 254 to 257. an officious one of the Londoners to their members 678
Papists, cruelty of, 121. seize the protestant churches 122. excluded from succeeding to the crown, 131. to depart from London 225, 348
Pardon, a general one, 78
Park, Daniel, esq; taken into custody 1014
Parker, col. imprisoned and escapes 523
Parkhurst and Patchal imprison'd 926. why 974
Parliament, dismissed without a speech 853. Scotch, a sudden adjournment of 895. kept often in the dark 907. meet in a bad humour 908. dissolution of, purchased 1000
Parliaments, the end and design of them, n. 787
Partition-treaty, an abstract of 798. resented by the Spanish court 803. n. ibid.
Party, a new one, their creed 925
Party-rage described, with remarks thereupon, 1003
Patents, new, of the East India company 317
Paterson, William, first projector of the bank, 478. ungratefully rewarded 481. his project in favour of Scotland 577. ascribed to foreigners 578
Paterson, Mr. his unguarded expression, n. 816
Pauncefort, his two brothers committed to the Tower 545
Payne Nevil, put to the torture 215. and imprison'd for corresponding with king James 427
Peace, between the emperor and France solicited by the pope, 432. proclaimed 756
Peers, Scotch, advice of, 18
Pembroke, earl of, made the head of the admiralty board 926
Pendergrafs, his speech to the lord Portland 627. the instrument of saving the king's life 628. his delicacy of sentiment 630
Perjury, no sin, 211
Perkins, sir Wm. his trial, defence, and execution 653 to 645. abolved at Tyburn by three non juring priests 646
Persons obnoxious, incapacitated 103. suspected, seized; also their arms and horses 348
Peterborough, earl of, censured, 1014
Petitions of silk-weavers, and against col. Copley 146. of the common-council of London 251. an humble one in the name of king James's adherents 261. of the merchants and others for a free trade to the East Indies 486. n. 488. from Royston against the soldiers 642
Phipps, sir Wm. his adventure and success 244
Picture of k. William by Bp Burnet 165
Pierce de Gaveston, character of n 828
Place-bill, set on foot and rejected 406, 407, 475
Places and preferments, disposition of, 58, 59. publicly sold, 312
Plate, the use of, prohibited, 622. n. ib.
Plot, discover'd, 254
Pointis, admiral, his escape, 746
Poland, dissentions in, 827. king of, his impolitic behaviour, 994
Polish diet, its constitution, 583
Poll-tax, granted, 128. a quarterly one 314
Pollexfen, lord chief justice, his reply 257
Pope, a new one made 888. his mediation rejected 907
Porter, a plotter, his disposition 635. and character 635. his second deposition 636, reflected upon by Burnet 641
Portland, earl of, king of Scotland, in effect, 578. his expedient 630. receives the garter for his policy 716. out of favour 766. his embassy to France, an account of 783. the sole minister 793. a strange account of, 797. his apprehensions, and why, 931. n. ib. impeach'd by the commons 940
Port-Royal in Jamaica, destroyed by an earthquake n. 388
Portugal, the ambitious conduct of 907
Powel, baron, opinion of 422
Power of restraining trade, not in the crown 491
Powle, Mr. speaker, his harangue 27. and speech upon the poll-bill 141. on the close of the sessions 146
Preamble, a remarkable one 185
Precedent, a protestant one, n. 39
Preferments at court 994
Prelacy, in Scotland, abolish'd 102
Preliminaries, offered by France 722
Presbytery, established in Scotland 216
Preston, lord, seized for a plot against the king and queen 254. arraigned 257. tried and found guilty 258. his behaviour at the prospect of death 262
P. Prince of Wales, acknowledged by Spain 793. attainted by parliament 1010
Pretenders, several to the crown of Poland 736
Price, Mr his bold speech 6 9
Priests, three censured for absolving two conspirators at Tyburn 646
Prince, German, their first demand 875
Prior, Matt. exclamation of 828. his account of the heats of the house of commons 853. promoted, with his account of state affairs 891
Privateers, French, destroy the trade of the English 100
Privileges of the lords and commons n. 962
Proceedings of parliament relating to lord Nottingham and admiral Russel 597. against presting for the land-service 400. on the East India trade 411. on the deficient funds 684. of the commissioners for inspecting the Irish forfeitures 835. to 841. at the sessions at Maidstone, remarkable 946
Proclamation preceding lord Somers's trial 968. a particular one 909
Proclamations, form of, n. 56. to suppress the rebellion 65. against libels 272. concerning sailors in the coal-trade, ibid. to forbid all persons to go out of the kingdom of Scotland &c. 276. several relating to the Irish papists, and better government of that kingdom 295. concerning enlisting sailors 346. against libellers and highwaymen 383. for a thanksgiving 461. for apprehending the conspirators 633.
Projects for a new settlement, 29 to 34
Promotions, and alterations at court 891
Proposals of peace said to be made by France 533. a proper one concerning public funds rejected and why 620. of several powers at war 732
Protest, a warm, alarming one 194. another 196. of the lords, against a foreign commander 395. two, upon clipp'd money 618
Protests against taking the test-oath, n. 68. of the lords, against two bills being tack'd together 851, 852. of sixteen lords against the partition-treaty 930. of twenty three against sending their address to the house of commons 932, 933
Protestants in Ireland, outed of their estates 119. goods and money 120. n. ibid. sufferings of, 121, n. ibid. denied meeting in their churches, or elsewhere 123. cruelly persecuted 125, 126. in the empire, the general declaration of 760. and conduct 761
Prussia, king of, how address'd 887. coronation of, a very strange and extraordinary one 888. his royalty protested against, ibid.

Q.

QUAKERS, a bill passed in their favour 1021
Queen of Spain dies, drums silenced thereupon 154. her pretences and scheme 801.
Queen-regent attainted by the lords 1016
Queensbury, duke of, the king's commissioner in Scotland 895. his speech to, and adjournment of the parliament 896. honoured with the garter 899.
Queries concerning the succession 39. sent to M. de Torcy by the imperial minister at Vienna 861. of the whigs and tories 1001, 1002
Question, a notable one, started concerning the parliament, upon the death of Mary, n. 542 to 544
Quiroede, the Spanish minister, his memorial to the states 904, 905
Quotas of the confederates to carry on the war 907
Quotations from a pamphlet call'd, Remarks on the revolution, n. 422

R.

RAMSAY, Mr. case of, n. 275
Ranulphus, bishop of Durham, his character, n. 828
Reasons for crowning the prince and princess of Orange, n. 50, 51
Rebenac de, Mr. his remarkable speech to the pope 339. with his answer 340
Recoinage, arguments for and against it 614. voted 616
Reflections on the dissolution of parliament 188, 189. on king James and his government 582 on the unanimous vote 911
Regulations made by the justices in Ireland 242
Rejoicings, public, in France, upon a false rumour 219, n. ibid.
Remarks on the duke of Leed's speech to the commons 557. one worthy observation 871. on the charge and reply of the lords, Orford and Somers 959
Remonstrance of the Irish to continue the act of settlement, n. 111 to 114. a strong one on

the ſtate of the fleet, and hardſhips of the ſailors, n. 563, 564
Renet Halary, why naturaliz'd 782
Repeal act in Ireland, put in force 114
Reply to the imperial general at Bon 936, 937
Reports of grievances 136, 137. concerning the orphan's bill 547
Reresby, ſir John, his account of the times 63, 64
Reſolutions of the houſe of commons concerning the trade to the Eaſt-Indies 522. concerning the place-bill 475, 476
Republic, a temporary one 29
Reſolutions of parliament relating to the ſucceſſion 921, 922. of the houſe of commons, concerning their privileges 1015
Reſumptions not lik'd at court 940
Richardſon, the keeper of Newgate, ordered to be proſecuted 174
Robbers, how call'd 119
Rocheſter, lord, character of, 165. motion of 252. his character and credit with the queen 465. to introduce the tories into the king's ſervice 890, n. ibid.
Roman catholicks excluded from the ſucceſſion 37
Rook, admiral, burns twelve French ſhips at La Hogue 357. his report 359. conduct of, and precaution 459, made admiral 601. compar'd with Ruſſel 661. his ſcheme to attack the French 663. examin'd by the parliament 715. his ſquabble with lord Orford 749. ſuſpects the fallacy of the Danes, and reply to the king of Sweden 868.
Rookwood, a plotter, trial of 627
Rumours propagated to create diſturbances 768
Roſen de Courade, his cruel orders 125
Roſs, lord, betrays his companions 214. denies all again, and is impriſoned 215
Ruſſel, lord, made admiral in chief 273. examined 312. angry with the government 352. his propoſal rejected 353. cenſured and vindicated 358. complained of by the miniſtry 501. diſmiſſed from the navy 414. reſtor'd to the command at ſea 466. rewarded by the king 473. orders ſome French merchantmen to be deſtroy'd 500. his remonſtrance of the Spaniſh affairs 507. takes all, and tranſfers the command to admiral Aylmer 508. his character 512. promotion and conduct of 587. his remonſtrance to Spain 588. returns diſſatisfied 589. why coldly receiv'd 610. made earl of Oxford 719. See Oxford
Ruth, Mr. his ſpeech to the Iriſh army 299. kill'd 300

S.

SAcheverel, Mr. champion for the whigs, on the corporation-bill 182, 183
Sailors, Dutch, prefer'd before the Engliſh 229. ill uſed, and ſome hang'd 473, n. ibid.
Salaries, exceeding 500l. voted to the war, dropt 383
Sancroft, archbiſhop, cenſured 27. oppoſed to Tillotſon, 533
Sarsfield, officer, his gallant refuſal 15 and note 3
Savoy, duke of, betray'd by a monk, n. 205. his difficulties 206. declares againſt France 237. defeated by the French at the battle of Staffarda 238. taken by the French 231. his firmneſs and fidelity 340. accuſed of betraying the allies 378. his conduct and proteſt 580. cenſur'd 588. crown'd king of Poland 750. his myſterious, and anſwer to M. Chamlart, the French general 668. his different letters to different courts 670. offers made him by the emperor in oppoſition to France 671. ſigns a treaty with France, with an account of his unprecedented treachery 672, n. ibid. and 673. his caſe and conduct 871, 872. a ſhort turn of 875. his proteſt againſt the ſucceſſion-bill 924. takes the party of France and Spain 925
Sawyer, ſir Robert, expell'd 178
Saxony, elector of, dies 289
Saying of a Frenchman, a very remarkable one 795. another concerning the houſe of commons 1012
Schlick, count, propoſitions of, to the elector of Cologne 936
Scio, an iſland ſurrender'd to the Venetians 515
Schoening, general, ſeiz'd in Bohemia 372
Schomberg, duke of, ſent to Ireland 133. receives an annual penſion, and compliments of the houſe of commons 134, n. ibid. his advice over-rul'd 147. his honeſt intentions, and hazard of his perſon 148. ſends a meſſage to the duke of Berwick which prevail'd; and declines an engagement 149. oppoſes the king's opinion, and diſguſted 219. kill'd by his own men 221. his character, n. 223.
Schomberg, M. his letter to lord Mancheſter n. 987
Schonenburg, M. the Dutch envoy, character of 610. odious to the Spaniſh court 611. honour'd by king William 801
Schools given to papiſts 121
Scotland, eſtates of, their letters to king William 93. and reſolve 94. ſettle the crown upon king William and queen Mary 96. their inſtrument of government, n. 90, 97. and appeal to the publick, n. 104. remonſtrance of, to the king 105. diviſions among them 211. parliament of, how called, and its proceedings 426. proceedings of, in relation to trade 789
Scots, parliament of, their addreſs to the king 790 diſregarded by the king 824. defence of, in abdicating Darien 846, 847. the national addreſs of 849. complain'd of 894. aſſociation of, and diſgrace 897. the contents of their addreſs, with a vote contradictory to it 898
Scruples about the oath of allegiance 165
Seamen, reduction of 972
Secret-ſervice money, very prevalent 472, n. ibid.
Sedley, ſir Charles, ſpeech of, n. 194.
Servants, and day-labourers, taxed 1009
Seymour, ſir Edward, receives the thanks of the houſe of commons 926
Shales, John, accuſed by the commons 176, n. ibid.
Sherlock, Dr. expreſſion of 21. the firſt nonjuror to take the oaths 230, n. ibid. expoſed by the deprived biſhops, with a review of his conduct 270, n. ibid.
Ships, two large Engliſh ones loſt in a ſtorm 294. ſeveral taken by the French 592. ſeveral Dutch ſhips taken and burnt by the French 665
Shovel, ſir Cloudeſly, takes king James's frigates in his ſight 217
Showers, ſir Bartholomew, his obſervation, n. 963
Shrewſbury, earl of, reſigns the ſeal with agitation of mind 198. declines entering upon the miniſtry 465. accepts the ſeals 466. honoured with the garter, and made a duke 494. letter concerning Smith, n. 713, 714. his reaſons for reſigning his poſts 814. made lord chamberlain 827. reſignation of 856. his journey to France, and other remarks upon him 891, n. ibid.
Siege of London-derry raiſed 126
Sligoe taken by the Iriſh 149
Skirmiſh in Ireland, a ſharp one 297.
Slone, M. his narrative 401
Smith, a ſpy, his memours, and confutation to Burnet's account of the plot 710. introduced to the king 712. receives preſents from the court, with other ſtrange circumſtances 713, n. ibid. 714
Soldiers quartered at public houſes 11, n. ibid.
Preſent, treachery of, diſcovered 150. Engliſh and Danith, plunder the inhabitants 242. diſbanded, the demand of 926. voted for the aſſiſtance of the Dutch 927
Solicitor, office of, unneceſſary 975
Solmes, count, behaviour of 366. cenſured by the houſe of commons 393
Somers, lord, his ſtrong reply concerning the legality of the convention 196. made lord-chancellor 719. his character 784. his letter to the king, upon the ſucceſſion to the kingdom of Spain 796, 797. complained of by the parliament 843. cenſured 842. an account of his diſgrace, and character 854. impeached 942. his anſwer the articles of impeachment 957 to 959. acquitted by the lords 968
Spain, low ſtate of 153, n. ibid. queen of, conveyed by a Britiſh ſquadron 208. conduct of, vindicated 496. king of, his preſent to admiral Ruſſel 566
Sophia, princeſs of Hanover, her letter concerning king James 991
Spain, anſwer of, to a French memorial, remonſtrance of, againſt the treaty of partition 819. council of the revolution 873
Spain, queen mother of, her death and character 665
Spain, king of, ſigns a will in favour of the emperor 173. ſigns another in favour of France 874, his death 875, n. ibid. his acceſſion to the throne, not notified at the Engliſh court 902. the regency of Spain, French all over, and the reaſons for its being ſo, with their requeſt to the French 902, 903. his letter of notification ſent to England 938. denies admittance to the Engliſh and Dutch ſhips into his ports 986. court of, follow the French faſhions, and its power 987. indecent behaviour to king William 995
Spain, queen of, her diſcreet conduct 874
Spaniards, exemplary juſtice of 155. worſted by the French in Catalonia 505. deſtroy the French at Saragoſa, with fire and ſword 506. extravagant demands of 508. worſted by the French 665
Spaniſh ſucceſſion coveted by ſeveral 724
Speaker of the houſe of commons, his ſpeech to the king 977
Speech, an extraordinary one, n. 34. of a lord, without doors, n. 40, 41. a remarkable one 95, 96. of Count de la Tour to king William, n. 263. of ſir John Knights, printed, and burnt by the hangman 492. a notable one, from a ſcarce pamphlet 893, 894
Spice iſland, in India, loſt to the Dutch 318, n. ibid.
Sprat, biſhop, clears himſelf 1371 queſtions the king's commiſſion 168
Standard for money, arguments for, and againſt raiſing it 615
Standiſh, Mr. abſconds from the anger of the court 560
Stanhope, Mr. his exulting letter 861. his remarks on a particular viſit at the Hague 887. his letter to ſecretary Hedges 949, 950
Stamp-office erected 481
States-general incenſed highly 228. the anſwer of, to king William's ſpeech 978. and to m. d'Avaux's memorial 981, 982
Statues of the king and queen, order'd to be put up in the Royal Exchange 542
Stephens, beadle, evidence of 420
Stephens, meſſenger, his inſolent anſwer 421
Stephens, Mr. his ſermons cenſur'd by the commons n. 853, 854
Stock, nominal increaſe of 1024
Strafford, earl of, attainted 118
Subordination, three inſtances of 526
Subſidies, the firſt demand of German princes 870
Sunderland, earl of, moſt in credit with the king 465. procures a reconciliation between the king and princeſs Ann 541. his timorouſneſs 622. his character and promotion 719. a panegyrick upon him 766. blam'd as the inſtrument of a ſtanding army 767. reſigns 770.
Supply for the army and navy, voted 194
Supplies voted 682. how apply'd 777
Sweden, mediation of, accepted by the allies 722. king of, dies 724. demands ſuccours againſt the Danes 862. conduct of its embaſſy 864. demurs to the partition-treaty 869. king of, his conduct cenſured 893 904
Sweetman, caſe of 335
Struggle of parties, about the ſucceſſion 892

T.

TAALE, the prieſt, ſets aſide the evidence of Lunt 530
Tallard, count, his arrival in England, and interview with king William 883. his cold diſmiſſion, and conduct 906
Talmarſh, general, wounded before Brest, 503. his character and death, 604
Tankerville, lord, made lord privy-ſeal, 891
Tarbat, lord, his great power, 211
Tax, upon chimneys in Scotland, 216
Taxes, novelties, 1023
Temple, Sir William blamed, 15. n. ib.
——, ſir Richard, his memorable ſpeech, 707, 708
Tenilon, Dr. made archbiſhop, 539
Thankſgiving day miſapplied 38. for the king's preſervation, 633
Throne, declared vacant, 50
Tillotſon, Dr. eſteem'd moſt by the king, 769. his death and character, 535. compared to the vicar of Bray, n. 536. a further character, n. 537. his allies honour'd with titles, 538
Tyrrel, Mr. robbed by capt. Baker and others, 335

Tilly, his boasting, &c. 717
Titles, bestowed on the nobility. n. 71
Toland, Mr. his remarks upon the succession-bill 922
Tories, their end, 173. and complaints of the whig-party, 184. taken into favour by the king, 890. n. ib. their ascendancy at court, 191. on their good behaviour, 925, the charges against them by the whigs, 1000, 1001. contest of, with the whigs, 1018, 1019
Torrington, lord, his judgment at sea, and cautious procedure, 220. sent to the Tower 229. tried and acquitted, having vindicated his conduct, yet forbid the king's presence 249
Tourville, de Mr. French admiral, exploits of, and personal hazard 461
Trade, a council of, by parliamentary authority, attempted, 624. a private one, the consequence of. 774
Tradition, a remarkable one, 1020
Trant, Sir Patrick, answer of, n. 121
Treaties, between the princes of Zell and Hanover, and the emperor and the king of England, 344. an accommodation between the king of Denmark and the princes of Lunenburgh, 448. between France and the States, 754. between the Imperialists, Poles, Turks, &c. 800. a new one between England, France and Holland, an abstract of, 857. how called, 859. between Sweden and the maritime powers, 862. of Travendale, an account of, 868, 869. a particular one between the emperor and the elector of Brandenburgh, 887. between the kings of France, Spain, and the elector of Bavaria, the contents of, n. 899 the partition-treaty universally odious, 908. a subsidiary one with Denmark, n. 984. of the court of Portugal with France and Spain, its articles n. 986. between England, Holland, and the emperor, abstract of, 988, 989. a subsidiary one, with Prussia, 997
Treby, lord chief justice, surpasses Jefferies, 421. his charge against Cooke. 632
Trenchard, secretary, censured, and escapes unpunish'd 472. accused of subornation, 523. dies 568
——, Mr. his arguments against a standing army 763, 764. examination of, 838, 839
Trevor, Sir John, chose speaker, his character and practice 191. accused of corruption and expelled 547
Triennial bill, arguments thereupon, passed by the lords, 409. and commons. but rejected by the king, 410. preamble of, 534. passed, 535
Triumvirate in power, the characters of, 784
Troops, Dutch, enter Juliers by force, 995
Trumble, Sir Wm. removed, and why, 767
Trustees, Irish. answer of to the house of commons, 976. attend the parliament in England 1011. their conduct approved of 1013
Turks. beaten in three several actions, 162. defeated by the Imperialists 292. resolved to continue the war 295. attack the Imperialists and are obliged to retire 513. worsted by the Poles near the bank of the Neister 514. routed by the Imperialists 757
Tweedale, marquis of, his speed, 596
Tyrconnel, earl of, his oath concerning France 14. throws off the mask 16. rewarded by the papists 117. dies at Limeric 301
Tythes, of the papists given to the popish priests 118

V

Vandemont, prince, his prudent retreat applauded by king William, 597
Van Keppel, raised to honour 766
Venality, prevalent among the princes taken into the pay of the confederates 993
Venetians, surprised by the Turks 585. prudence of remarkable, 907
Vernon, Mr. evidence of, in Fenwick's trial 704. made secretary 767. not in the regency during the king's absence 856. his letter to lord Manchester concerning the Spanish succession 924. his sensible behaviour upon the protest of the duke of Savoy 924. his well grounded suggestion 934. and comment on supplies granted 945.
Vesuvius, a mountain, irruptions of, n. 516
Veterani, general, defeated and slain 585
Victuallers of the Tower-hamlets, the case of. 778
Villeroy, marshal, promotion of, 582, 596, 597. his letter to the governor of Brussels 603. pulled by the imperialists 983
Villiers, col. complained of 716. created earl of Jersey, and made secretary of state 814. see Jersey.
Union-bill approved of 71
Union between France and Spain prejudicial to England 900
Volunteer betrayers, who, 697
Votes against papists 129. an unanimous one to stand by the king 921
Urgel in Catalonia, reduced by the French 285

W.

Walcourt, action at, 159
Waldeck, prince, outwitted by the French general 234
Walker, bravery of 86. rewarded for his valour 126. obtains a grant for the widows and orphans of Londonderry, 177. killed at the battle of the Boyne, n. 223
Walpole, Robert Mr. made first a member of parliament 788
War by land, hurtful to England, with the reasons why, 309
Warrants, a form of, issued out to screen witnesses 527
Warrington, earl of, contends for a naval war, 309. a paper one 997
—— lord, his opinion of the duke of Monmouth, n. 143 to 145
Watch and ward kept to prevent riotous assemblies 146
Waterford, reduced by the English 240
Watson, bishop, case of 832
Ways and means to raise money 175. 682, 683 1009
Weavers of silk assemble in a tumultuous manner 146
Westminster abbey and St. Paul's to be repair'd adorn'd 685
Wharton, lord, his proposal 931
Wheeler, sir Francis, expedition of 462, 463. and unfortunate death 484
Whig and Tory, party names and their ends 173 both make court to the king 181. equally mixed 192. their grievances 415. and jealousies of each other 465
Whigs, stories of, 138. dread the power of the church 173. and oppose the bill of indemnity 175, deserted by the king, and the reasons why 186. complain of the act of grace as well as the tories 201. n. ib. their scandalous conduct 311. n. ibid. in most favour with the king 465. a modern one, the picture of 794. accused by the tories 890. n. ibid. their vindication of the king, and their court to the princess of Denmark 892. n. ibid. their reply concerning a successor 921. their political tender 946. their character, when directors, 947 reproached of 998. and mean artifice, 999. n. ibid. their triumphs 1004. carry their points against the tories 1019
Whitacre, Edward, his case 974. to be prosecuted 975
Whitehall burnt, n. 268. — 785. n. ibid
Whitney, the highwayman his plot 424
Wicket, a volunteer, his exploit 743
Widdrington-castle, plundered by the French 295
William, prince of Orange, his moderation, 4. assembles a parliament 5. accepts of the administration, with his speech thereupon 6. his policy in applies to the city for a loan 9. sends a summons to the earl of Tyrconnel 15. his speech to the Scotish peers 17. and writs of election n. 19, for the favour of the bishops, with his order to restrain the press 20. his letter to the parliament 28. his mysterious behaviour 42. his ambition, jealousy, and artifice 43. his acknowledgment for the crown 56. proclaim'd king ibid. his speech to the parliament 60. and interview with a lady in the residence of James 64. his plausible answer to the parliament's address 65, 66 favours the dissenters 67. crowned 72. recommends a general pardon 78. a friend to the Dutch 79. declares war against France 82. dines on board at Portsmouth 87. his letter to the estates of Scotland 90. proclaimed king in Scotland, and crown'd in England 96. his scruple 98. and in real difficulties 102. his sharp speech 120. and message to parliament 135. displeased with his parliament, with some vehement expressions 138. grows unpopular, his qualities, and great condescensions 165. abolishes episcopacy in Scotland 166. his commission to the clergy 167. and message to the convocation 169. his speech to the parliament, composed by himself 171. his partiality to the Dutch censured. n. 175. his answer to the addresses of the commons, and condescending message 176. his sagacity, and desperate resolution 186. his speech to the new parliament 191. troubled at Shrewsbury's quitting the seals 198 his conduct accounted for 212. sets out for Ireland, affronts prince George, and reviews his army soon after his landing there 217, 218. wounded at the battle of the Boyne 219. marches in front to meet the enemy, and his speech to Hamilton 221. enters Dublin and sets forth a declaration of pardon 224. reduces the brass money 225. offers a pass to the foreign soldiers under the late king, and commands all papists to deliver up their arms, then besieges Limerick 240. his behaviour after raising the siege, and return to England 241. summons a parliament, and his speech to both houses, 244. angry with the earl of Torrington 249. reserves the grants of the forfeited lands, sets out for Holland and his danger at sea 253. makes a publick entry into the Hague 254. his speech to the states general and to the congress, 264. returns to England and fills up the vacant sees 268, returns to Holland, and diverts himself with hunting 276. his efforts to bring the duke of Luxemburgh to an engagement, with his narrow escape 278. leaves the army after a fruitless campaign 279 returns to England, 308. his partiality to the Dutch censured 310. his policy in regard to Scotland, and disliked in both kingdoms 332. censured for fighting orders in a hurry and without enquiry 333. and also for continuing the war against France 337. his speech to the states 342. and conduct at the taking of Namur 364. censured 366. n. ibid. returns to England and affects popularity 386. his speech to the parliament and remarks upon it 387. complained of by the clergy 415. his letter to the parliament in Scotland 426. and conduct to the Scots afterwards 429. and also at the battle of Neerwinden 445. his speech to the parliament on the miscarriages at sea 466. his gift to Sir John Guise 475. and plausible answer to the commons concerning the place-bill 476. n. ibid. arrives in Holland and assembles the army 516. his policy in passing the triennial bill 535. and behaviour on the death of the queen 541. grants great favours to procure Ann 542. his administration severely censured 550. and difficulties to screen the guilty 568. his letter to the parliament of Scotland 569. and instructions to the commander of his forces there, with an inhuman exception 571. excused by the historians of signing such orders 572. censured by others 570. his conduct dangerous, 594. and severely censured 608. his speech to the parliament 609. and answer concerning his grant to the lord Portland 620. complained of by his Scots and English subjects 622. in person two witnesses concerning the plot 630. his speech to the parliament on the discovery of the plot 631. is said to refuse Charnock's discovery of the conspirators 641. refuses to sign the bill concerning elections 657. goes to Holland 659. his arrival and speech in parliament 679. another remarkable speech, with reflections, 718, 719 his great sagacity 729. censured in the management of the navy 750. his act signed at Loo 756. and triumphal entry into London 762. and speech in favour of a standing army 765. compared with two of James's 766. his speech severely censured, 767, 768. n. ibid. disgusted, 769. and why, 770 his proceedings towards the duke of Gloucester 777. his artful speech 782. and letter to lord Galway 784. blamed 786. his letter to the Scotch parliament 788. and a secret one to the lord-chancellor, 793. disliked by Germany and Spain, and why 801. his speech to the new parliament 804. disliked by the people 805. his conduct censured and an intended speech 807. his speech on disbanding the army 10. and letter to lord Galway thereupon 808 his message to parliament about the Dutch guards, 809. his remarkable saying to Shrewsbury 814. his letter to lord Galway at his departure for Holland 815. vain of his royalty 818. and maltreats the Scots 824. his colonels to prince George and speech to the parliament 829. his answer to the remonstrance of the commons 830. his conduct vindicated 841. and letter to the council of Scotland 847. angry with and disliked by the parliament and people 853. prorogueth the parliament without a speech ibid. blamed for dismissing lord Somers 854. his letter to lord Galway, 855. goes abroad, 856. his reply concerning Denmark 863. hated by the elector of Brandenburgh 887. his unconcern at the death of the duke of Gloucester 885. visited by two electoresses 887. receives them coldly, and depart, for England 887. blamed by both Whigs and Tories, n. 890. his ceremonious visit

viſit 890. diſſolves the parliament 891. an extract of his letter to the Scotch parliament 895. declines an anſwer to the Scotch addreſs, with his letter to the privy council of Scotland 896. 897. his promiſe to ſir Thomas Littleton and remarkable ſaying, 908. his ſpeech to both houſes, 908, 909. and anſwer to the addreſs of the parliament 911. his meſſage to the commons, 933. and anſwer to their addreſs 934. communicates by a meſſage the anſwer of France to the ſtates 935. his anſwer to the advice of the commons 936 acknowledges the new king of Spain 939. n.ib. his ſilence cenſured, and difficulties increaſe 945. his anſwer to the commons addreſs, and piercing judgment ibid. his meſſage to the commons, 948. thanks to the commons for their aſſurances 950. his anſwer to the addreſs of the lords 951. and artful ſpeech to both houſes 962. his anſwer to the commons addreſs 963. his ſpeech to the parliament 977. trims between the Whigs and Tories, and his ſpeech to the ſtates general 978. another at parting 995. his endeavours ineffectual, and remarkable ſaying 996. his reaſon for diſſolving the parliament and reply to the whigs 1000 and alſo his remarkable reply to Lord Somers 1005. his eloquent ſpeech to the parliament 1006. thrown from his horſe 1020. his meſſage to the parliament concerning an union with Scotland, ib his hand ſupplied by a ſtamp 1021. his preference to ſtrangers complained of 1022. his behaviour in his laſt moments, ibid. and the cauſes of his death, ibid. his character 1023.

William St. Quintin, his raſh expreſſion, 960

Williams ſir William, throws up the proſecution of the plotters, 530

Wilmot Robert, capt. his ill conduct, 591. and death 592

Wirtemburgh, duke of, defeated by the French, 374

Witneſſes, in the Lancaſhire plot, an account of, 526, 527. committed 530

Wratiſlaw, count, his memorial, 954. moves for a war with France, 995

Wright, ſir Nathan, made chancellor, 854

Y

YEomanry of Kent, their petition, and conceſſion, 947. the preſenters of it impriſoned, ibid.

Z

ZEuta, the battle of, 757

@@@HK2 `

Digitized with financial assistance from
Observer Research Foundation
on 17 May, 2019